



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: 01/09/2006
Comment Deadline: 02/09/2006
Corps Action ID #: 200610376

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: *Wal-Mart Stores, Incorporated*
2001 Southeast 10th Street
Bentonville, Arkansas 72716-0550

AGENT (if applicable): *Dial Cordy and Associates, Incorporated*
C/o Mr. Steve Dial
201 North Front Street, Suite 601
Wilmington, North Carolina 28401

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act (33 U.S.C. 1344).

Location

Project is located within a 25.89 acre parcel on the east side of U. S. Highway 70 immediately north of the intersection with Catawba Road adjacent to an unnamed tributary flowing to Sandy Run and the Neuse River in the Town of Havelock in Craven County, North Carolina.

Existing Site Conditions

The site is currently undeveloped and is zoned commercial. It contains 2.26 acres of jurisdictional wetlands. Surrounding land use consists of a mixture of commercial properties and military reservation.

Overall the landscape position of the property is level with an elevation of approximately 25 feet above sea level. The slope generally runs to the northeast. The North Carolina Geological Survey indicates that the site is located within the Quaternary Coastal Plain. Based on mapped soil data obtained from the USDA Soil Survey for Craven County dated 1984, the soils in the project area are Roanoke series soils. These soils are poorly drained, nearly level, and located on broad flats and in depressions on stream terraces along the Neuse River. Typically, areas are irregularly shaped and range from 10 to 500 acres. The soil represented in the project area is Roanoke fine sandy loam. This soil meets the requirements for a hydric soil.

The property has been heavily impacted by artificial drainage and other intensive timber management activities. An extensive network of ditches drains the property, and some of the low-lying areas have been bedded to facilitate the growth of loblolly pine (*Pinus taeda*). Upland areas at the site are occupied primarily by dense loblolly pine stands in various stages of regeneration. The site also includes smaller areas of scrub-shrub habitats that are dominated by hardwood saplings. A Coastal Plain small stream swamp community occupies the eastern margin of the property. The small stream swamp represents the only natural community on the property as defined by the NCNHP. Although the small stream swamp community has been impacted by artificial drainage, stormwater runoff, and timber harvest; the vegetative composition of this community remains largely intact.

Pine stands on the property are characterized by a dense overstory of loblolly pine, with a dense subcanopy of mesic hardwoods and a sparse shrub stratum. As a result of shading, the herbaceous stratum is very sparse to absent. The hardwood subcanopy is dominated by sweet-gum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), and water oak (*Quercus nigra*). White oak (*Quercus alba*) and southern red oak (*Quercus falcata*) are also present to a lesser extent on dryer portions of the site. Species comprising the shrub stratum are typical of mesic to wet pine flatwoods communities. Typical shrubs include horse sugar (*Symplocos tinctoria*), inkberry (*Ilex glabra*), coastal sweet-pepperbush (*Clethra alnifolia*), highbush blueberry (*Vaccinium formosum*), titi (*Cyrilla racemiflora*), cane (*Arundinaria gigantea*), wax myrtle (*Myrica cerifera*), sweetbay (*Magnolia virginiana*), and swamp red bay (*Persea palustris*). The very sparse to absent herbaceous stratum includes bracken fern (*Pteridium aquilinum*), slender spike grass (*Chasmanthium laxum*), partridgeberry (*Mitchella repens*), heartleaf (*Hexastylis* sp.), and woody vines such as yellow jessamine (*Gelsemium sempervirens*) and Japanese honeysuckle (*Lonicera japonica*).

The small stream swamp community is characterized by an overstory of swamp tupelo (*Nyssa biflora*), red maple, sweet-gum, water oak, swamp laurel oak (*Quercus laurifolia*), and yellow poplar (*Liriodendron tulipifera*). Shrubs include titi, sweetbay, Virginia willow (*Itea virginica*), fetterbush (*Lyonia lucida*), swamp red bay, wax myrtle, and Chinese privet (*Ligustrum sinense*). Blaspheme-vine (*Smilax laurifolia*) is also prominent in this community. The herbaceous stratum includes sedges (*Carex* spp.), netted chainfern (*Woodwardia areolata*), leathery rush (*Juncus coriaceous*), lizard's-tail (*Saururus cernuus*), cinnamon fern (*Osmunda cinnamomea*), false nettle (*Boehmeria*

cylindrica), grape fern (*Botrychium* sp.), partridge berry, and Japanese honeysuckle. This community does not have a well-defined stream channel and hydrology appears to be driven primarily by seepage. This community has been impacted by artificial drainage (ditching) and by erosion and sedimentation associated with adjacent urbanization and increases in stormwater runoff.

Some of the low-lying, transitional areas between upland pine stands and the small stream swamp community are occupied by very dense scrub-shrub hardwood stands. These communities occur on disturbed areas that are apparently too wet to support loblolly pine establishment. Typical hardwoods include sweet-gum, red maple, water oak, and yellow poplar. These areas have a sparse shrub stratum with a species composition that is similar to that of the small stream swamp community. The herbaceous stratum is characteristically absent in these areas.

Applicant's Stated Purpose

The purpose and need of the proposed project is to provide an economically viable commercial/retail center to meet the present demand for a new and expanded grocery and retail center.

Project Description

The project involves the filling and grading of 2.26 acres of Section 404 jurisdictional wetlands to facilitate the construction of a 184,305 square foot commercial/retail center.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by February 6, 2006.

The applicant has not provided to the Corps, a certification statement that his/her proposed activity complies with and will be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. Pursuant to 33 CFR 325.2(b)(2), the Corps can not issue a permit for the proposed work until the applicant submits such a certification to the Corps and the North Carolina Division of Coastal Management (NCDCM), and the NCDCM notifies the Corps that it concurs with the applicant's consistency certification.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 (in accordance with Executive Order 11988), 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. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; 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 (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). 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 the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, February 6, 2006. Comments should be submitted to Mr. Scott Jones at Post Office Box 1000, Washington, North Carolina 27889.



SOURCE: USGS QUADRANGLE MAP

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Dewberry

DATE
AUG 05

TITLE
LOCATION MAP

SHEET NO.

1 OF 5

PARKING DATA

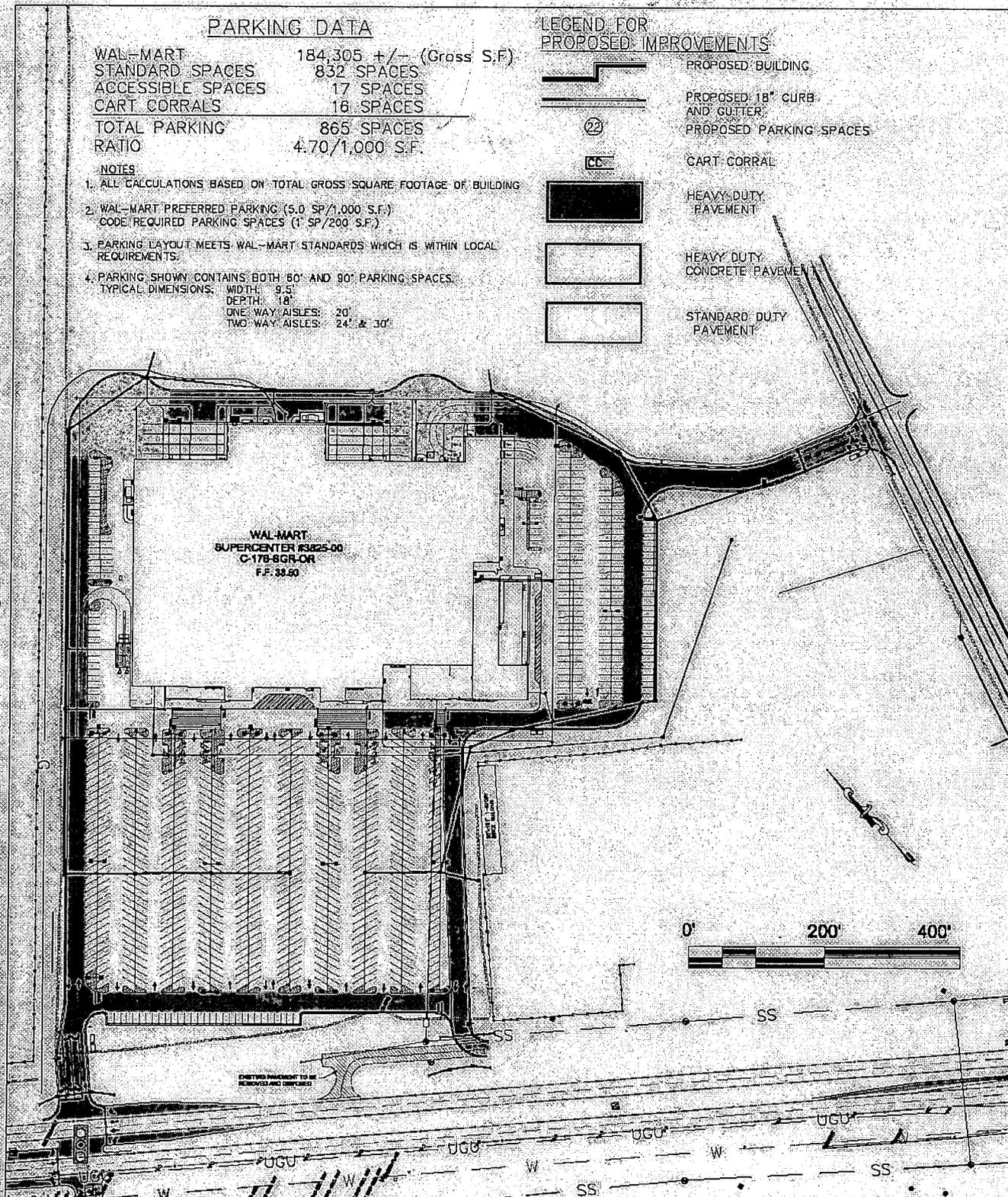
WAL-MART 184,305 +/- (Gross S.F.)
 STANDARD SPACES 832 SPACES
 ACCESSIBLE SPACES 17 SPACES
 CART CORRALS 16 SPACES
 TOTAL PARKING 865 SPACES
 RATIO 4.70/1,000 S.F.

NOTES

1. ALL CALCULATIONS BASED ON TOTAL GROSS SQUARE FOOTAGE OF BUILDING
2. WAL-MART PREFERRED PARKING (5.0 SP/1,000 S.F.)
CODE REQUIRED PARKING SPACES (1 SP/200 S.F.)
3. PARKING LAYOUT MEETS WAL-MART STANDARDS WHICH IS WITHIN LOCAL REQUIREMENTS.
4. PARKING SHOWN CONTAINS BOTH 60' AND 90' PARKING SPACES.
TYPICAL DIMENSIONS: WIDTH: 9'
DEPTH: 18'
ONE-WAY AISLES: 20'
TWO-WAY AISLES: 24' & 30'

LEGEND FOR PROPOSED IMPROVEMENTS

	PROPOSED BUILDING
	PROPOSED 18" CURB AND GUTTER
	PROPOSED PARKING SPACES
	CART CORRAL
	HEAVY DUTY PAVEMENT
	HEAVY DUTY CONCRETE PAVEMENT
	STANDARD DUTY PAVEMENT



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Dewberry

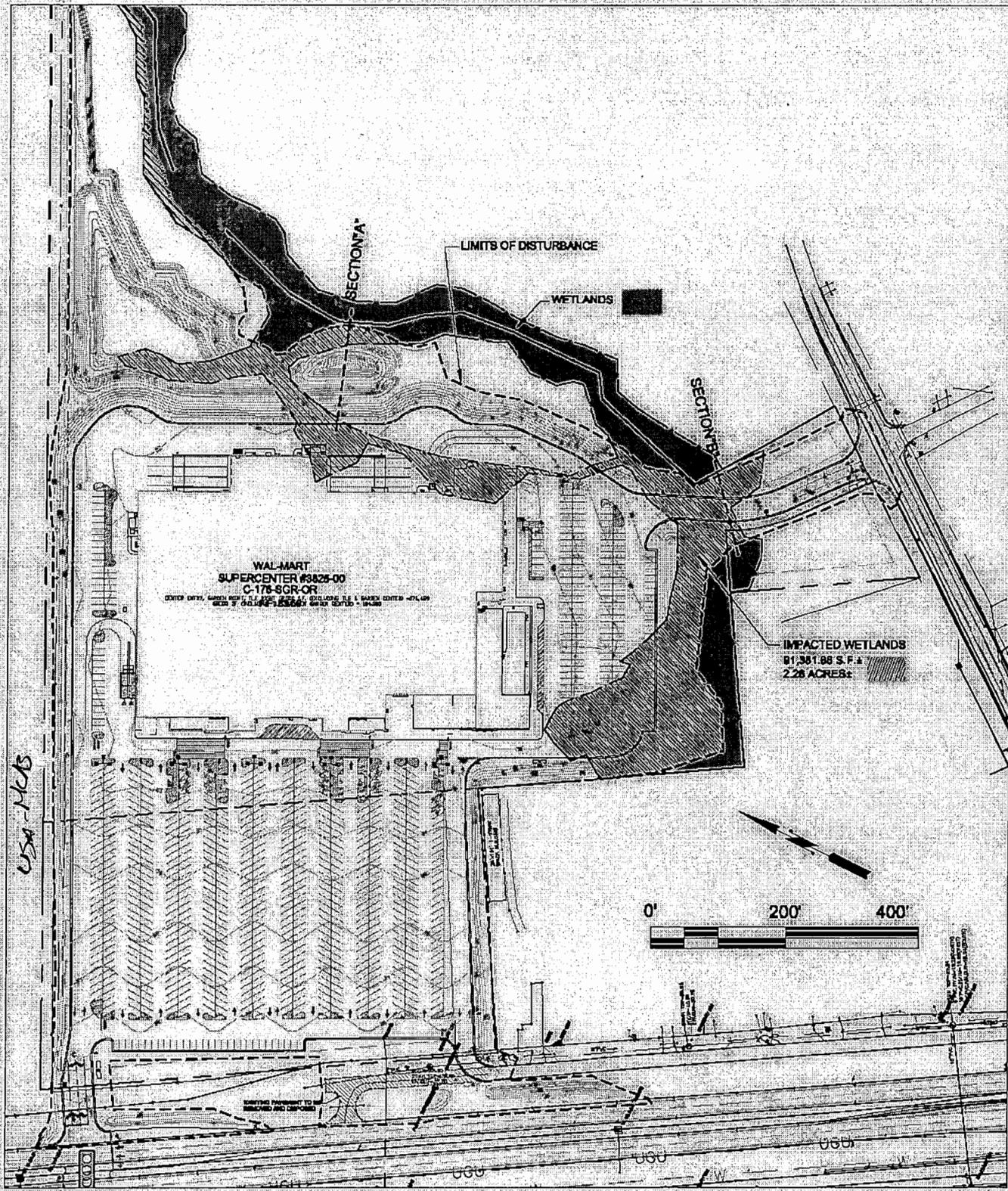
DATE
AUG 05

TITLE
SITE PLAN

SHEET NO.

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USA-MCB



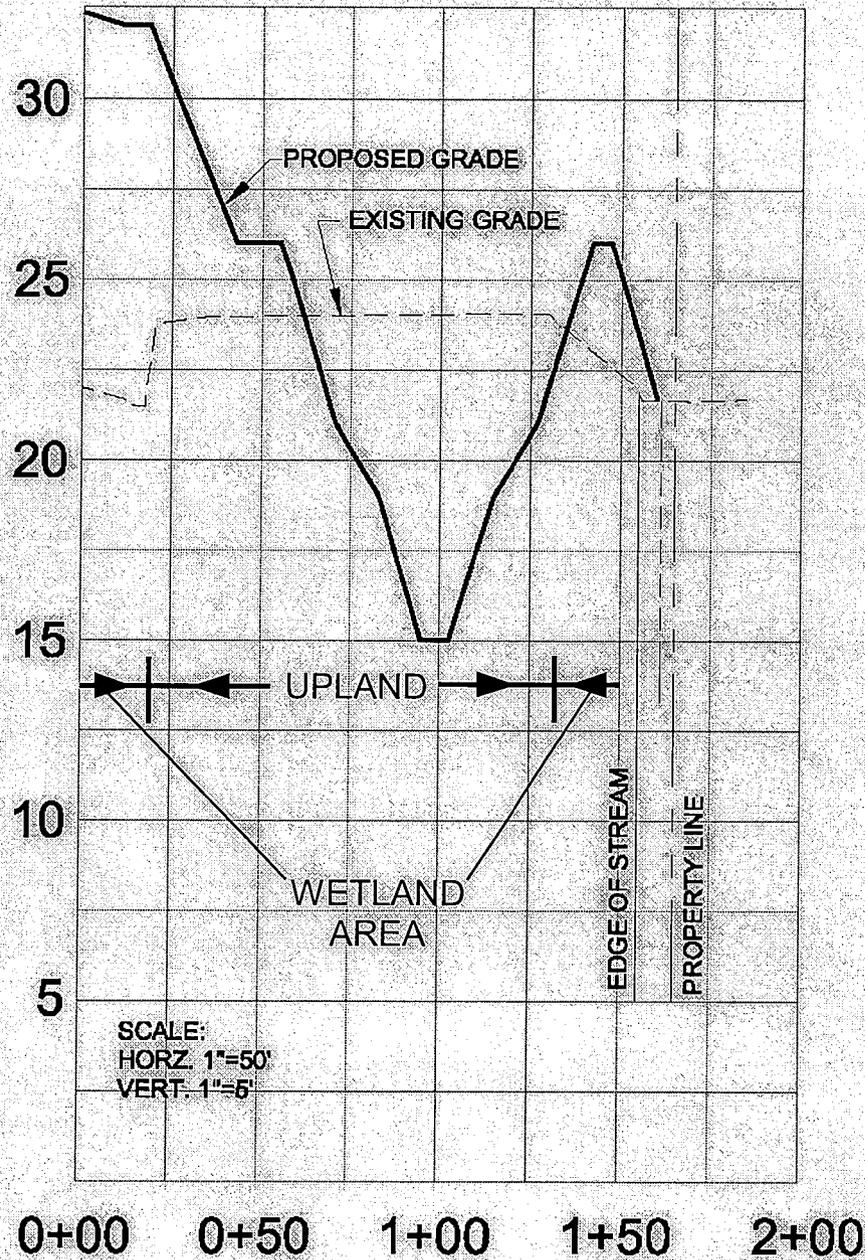
Dewberry

DATE
AUG 05

TITLE
IMPACTED WETLANDS

SHEET NO.

SECTION "A"



SCALE:
 HORZ. 1"=50'
 VERT. 1"=5'

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Dewberry
 Dewberry & Davis, Inc.

DATE

AUG 05

PROJ. NO.

TITLE

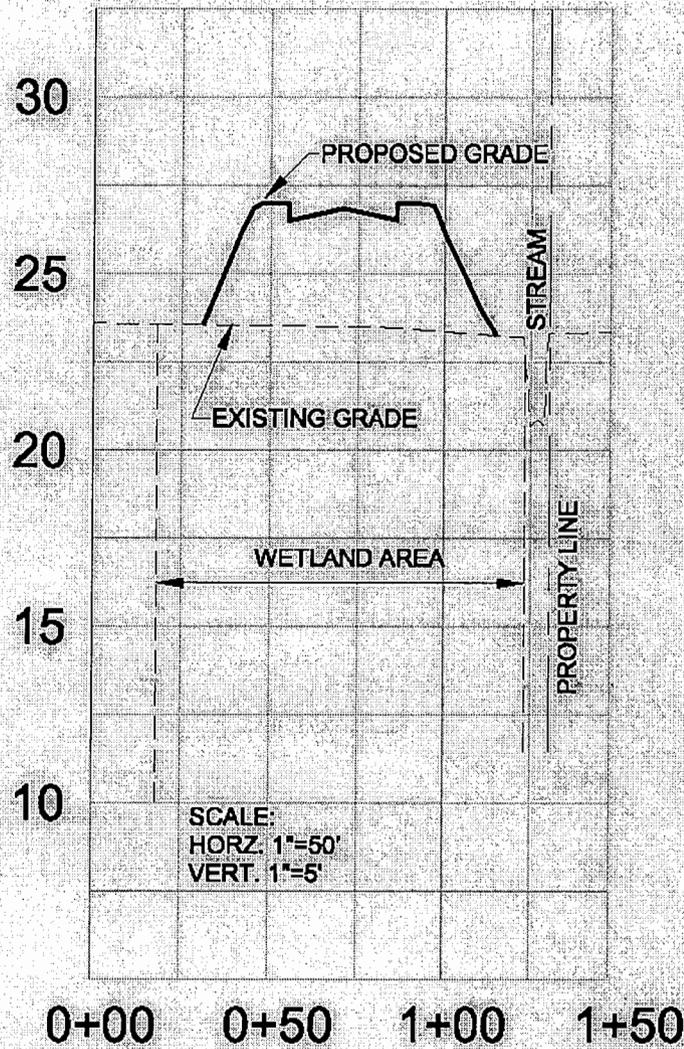
SECTION "A"

PROJECT

SHEET NO.

4 OF 5

SECTION "B"



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DATE
AUG 05

TITLE
SECTION "B"

SHEET NO.

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