

Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833**

**Public Notice No.
P-2626
Public Notice Date
April 26, 2007
Expiration Date
May 17, 2007**

Postmaster Please Post Conspicuously Until:

File Number: 2007-129

Interested parties are hereby notified that an application has been received for a Department of the Army Permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: All comments and/or requests for public hearing must reach this office no later than the expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Mr. Shawn Sullivan

APPLICANT: Wal-Mart Stores, Inc., Attn: Dwayne Smith, 2001 South East 10th Street Dept. 9635, Bentonville, Arkansas 72716-0550. (479) 204-3170

AGENT: Terracon Consulting Engineers & Scientists, Attn: Bryan Gatlin, 2212 Welsch Industrial Court, St. Louis, Missouri 63146. (314) 692-8811

LOCATION: The site is located to the southwest of the Michigan Avenue and Jeffco Boulevard intersection in Arnold, Missouri. More specifically, the site is located in U.S. Survey 2991, Township 43 North, Range 06 East, in Arnold, Jefferson County, Missouri.

PROJECT DESCRIPTION: Applicant seeks authorization to conduct site grading for purposes of constructing a Wal-Mart Supercenter (Store No. 1514-04), associated outlots, parking and driveway areas, and detention basin. The proposed development site contains an existing Wal-Mart store with associated parking area, a church with associated parking area, and eight vacant residential structures. An unnamed intermittent tributary is located on the site and becomes jurisdictional as it enters the property from the south. The tributary flows across the site for approximately 600 linear feet before it enters into an existing stormwater pipe that supports the existing Wal-Mart store, parking area, and discharges into a detention basin. As part of the project, the existing Wal-Mart store, church parking area, and vacant residences will be demolished for site development. The

applicant proposes to impact the tributary by discharging fill material below the ordinary high water mark of the tributary to facilitate construction of the rear portion of the new Wal-Mart Supercenter and a detention basin that will be situated to the back of the store. Total proposed impact to the tributary which is considered a jurisdictional water of the United States is 600 linear feet or 0.05 acres. The tributary is a secondary tributary to the Meramec River. A detailed alternatives analysis is required of the applicant as well as a compensatory mitigation plan that proposes measures to offset any unavoidable impacts to the tributary.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Shawn.F.Sullivan@mvs02.usace.army.mil.

AUTHORITY: This permit will be issued or denied under the following: Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

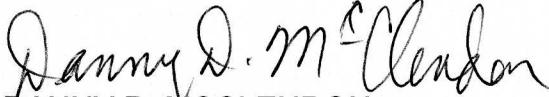
ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION OF PROBABLE IMPACTS: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be

relevant to the activity described, will be considered including the cumulative effects. Among factors considered 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; consideration of property ownership; and in general the needs and welfare of the people.

Solicitation of Comments From The Public: The U.S. Army 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 the proposed activity. Any comments received will be considered by the U.S. Army 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 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.

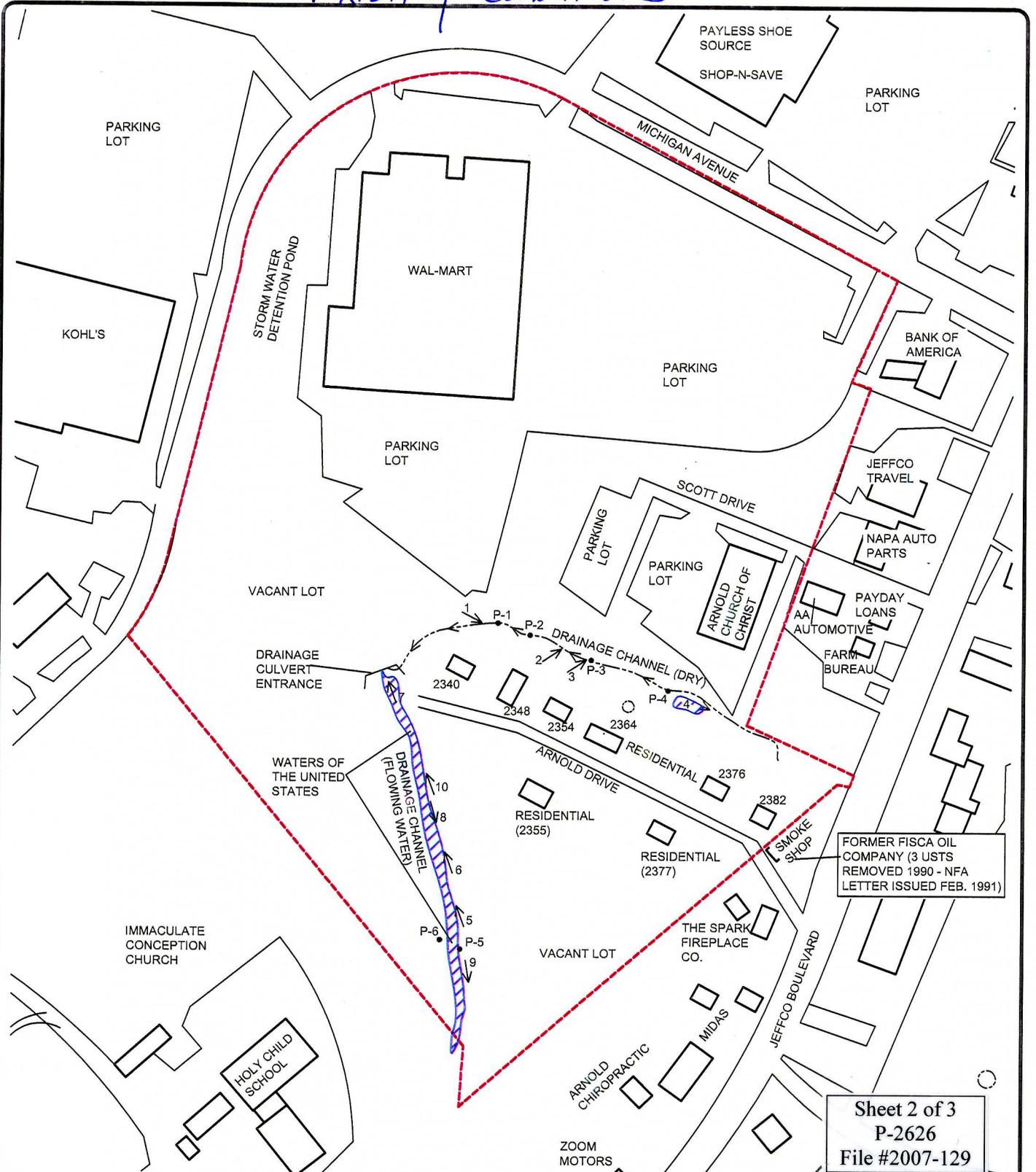

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

Existing Conditions



LEGEND

- Approximate subject site boundary
- ▨ Approximate wetlands delineation
- P-1 • Approximate sampling point locations
- 1 → Approximate photo locations

DIAGRAM IS FOR GENERAL LOCATION ONLY.
AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES



WETLAND DELINEATION MAP/ PHOTO POINT LOCATIONS MAP WETLANDS DELINEATION

WAL-MART STORE #1514-04
2201 MICHIGAN AVENUE
ARNOLD, MISSOURI

Project Mngr: BNG
Designed By:
Checked By:
Approved By:

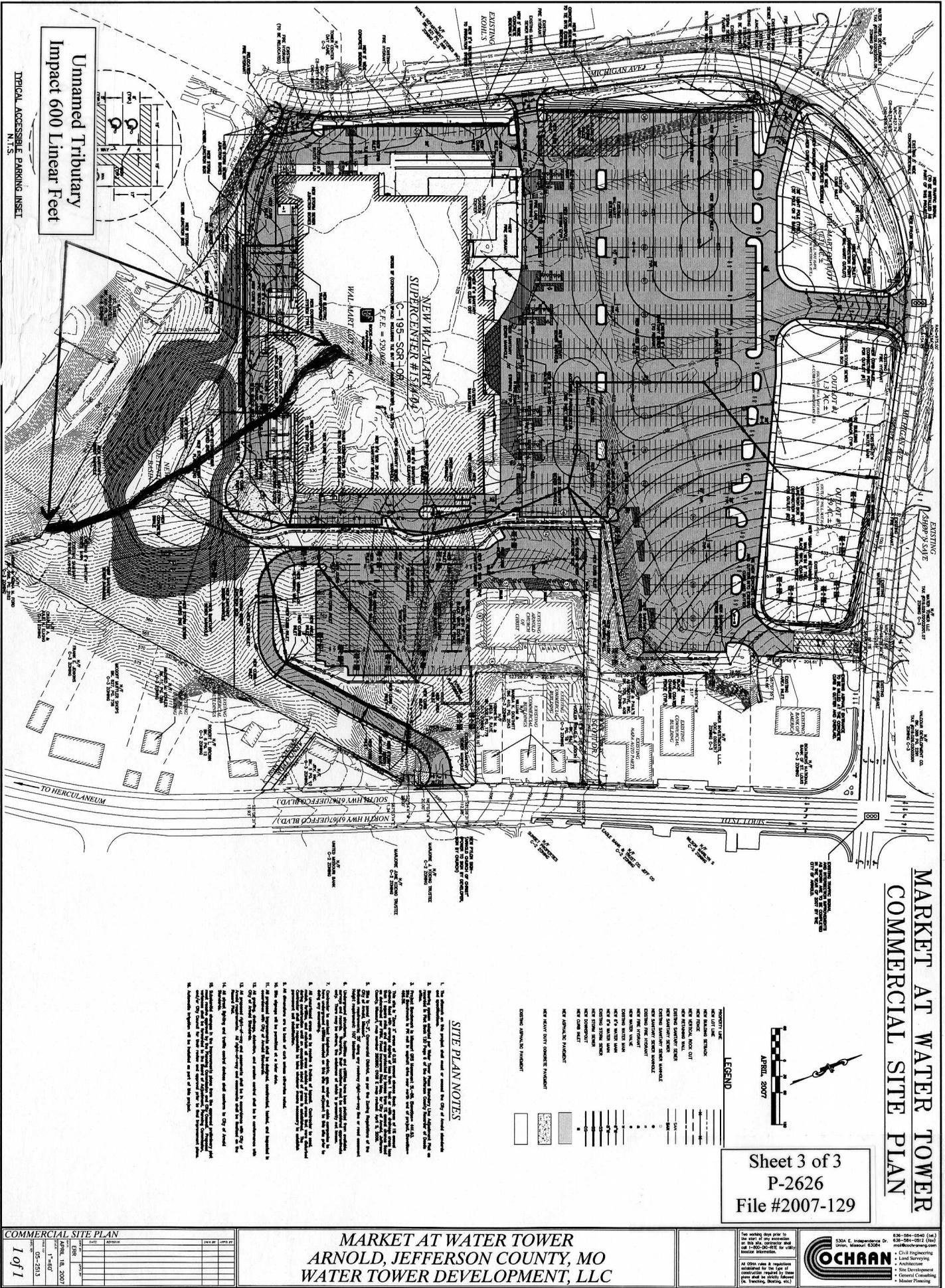
Terracon
2212 Welsch Industrial Court
St. Louis, Missouri 63146

Project No. 15067065
Approximate Scale: 1"=240'
Date: 01-04-2006
Drawn By: AAH

File Name: 15067065 D5

Figure No. 5

Sheet 2 of 3
P-2626
File #2007-129



Unamed Tributary
Impact 600 Linear Feet
THERMAL ACCESSIBLE PARKING INSERT
N.T.S.

MARKET AT WATER TOWER
COMMERCIAL SITE PLAN

Sheet 3 of 3
P-2626
File #2007-129

- LEGEND**
- NEW LOT LINE
 - EXISTING LOT LINE
 - NEW VERTICAL KNOCK OUT
 - EXISTING VERTICAL KNOCK OUT
 - NEW HORIZONTAL KNOCK OUT
 - EXISTING HORIZONTAL KNOCK OUT
 - NEW EXTERIOR FINISH
 - EXISTING EXTERIOR FINISH
 - NEW INTERIOR FINISH
 - EXISTING INTERIOR FINISH
 - NEW CONCRETE
 - EXISTING CONCRETE
 - NEW ASPHALT/PAVEMENT
 - EXISTING ASPHALT/PAVEMENT

SITE PLAN NOTES

1. The boundaries, lot lines and area of record for this site are shown on the attached plat.
2. The site is shown as being subject to the following zoning ordinance: 1.0000 - COMMERCIAL GENERAL (CG).
3. The site is shown as being subject to the following subdivision ordinance: 1.0000 - COMMERCIAL GENERAL (CG).
4. The site is shown as being subject to the following flood plain ordinance: 1.0000 - COMMERCIAL GENERAL (CG).
5. The site is shown as being subject to the following fire ordinance: 1.0000 - COMMERCIAL GENERAL (CG).
6. The site is shown as being subject to the following health ordinance: 1.0000 - COMMERCIAL GENERAL (CG).
7. The site is shown as being subject to the following utility ordinance: 1.0000 - COMMERCIAL GENERAL (CG).
8. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
9. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
10. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
11. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
12. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
13. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
14. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
15. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
16. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
17. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
18. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
19. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).
20. The site is shown as being subject to the following other applicable ordinances: 1.0000 - COMMERCIAL GENERAL (CG).

COMMERCIAL SITE PLAN

DATE	DESCRIPTION
APRIL 18, 2007	ISSUED FOR PERMIT
APRIL 18, 2007	REVISION 1
APRIL 18, 2007	REVISION 2
APRIL 18, 2007	REVISION 3
APRIL 18, 2007	REVISION 4
APRIL 18, 2007	REVISION 5
APRIL 18, 2007	REVISION 6
APRIL 18, 2007	REVISION 7
APRIL 18, 2007	REVISION 8
APRIL 18, 2007	REVISION 9
APRIL 18, 2007	REVISION 10

MARKET AT WATER TOWER
ARNOLD, JEFFERSON COUNTY, MO
WATER TOWER DEVELOPMENT, LLC

For working drawings prior to construction, the contractor shall be responsible for obtaining all necessary permits from the appropriate authorities.

At OCHAAN, we are committed to providing the highest quality construction services to our clients. We are a full-service architectural and engineering firm with a focus on commercial and industrial projects.

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3304 E. Independence Dr.
Lincoln, Missouri 65014
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636-261-1116 (ext)
636-261-1117 (ext)
636-261-1118 (ext)
636-261-1119 (ext)
636-261-1120 (ext)

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