



Public Notice

Applicant:

Wal-Mart Stores, Inc.

Date:

Published: July 19, 2004

Expires: August 17, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 2003-02234(0) Section: OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Mr. Mike Gardner on Behalf of Wal-Mart Stores, Inc., 702 SW 8th Street, Bentonville, Arkansas, 72716 has applied for a Department of the Army permit to place fill in waters of the United States to construct a new Wal-Mart Supercenter. The proposed project is located at 1215 South Main Street, Bryan, Williams County, Ohio.

Wal-Mart Stores, Inc. has proposed to place fill into 1.19 acres of wetlands and to fill and relocate 804 linear feet of an unnamed tributary in order to construct a new Wal-Mart Supercenter adjacent to the existing Wal-Mart facility in Bryan, Ohio. Approximately 3.2 acres of forested/shrub/scrub wetlands and 804 linear feet of an intermittent unnamed tributary of Prairie Creek exist on the property. The 3.2 acres of wetlands on the site have been determined to be subject to Federal jurisdiction due to its hydrologic connection to an existing pond east of the site that drains into the unnamed tributary of Prairie Creek which flows into Lick Creek, then into the Maumee River, and eventually into Lake Erie. Department of the Army authorization is required to place fill in 1.19 acres of wetlands and 804 linear feet of the intermittent unnamed tributary of Prairie Creek.

As compensatory mitigation for the wetland and stream impacts, the applicant has proposed the following off-site and on-site mitigation projects: restoration/creation of 3 acres of palustrine forested wetlands located on 5.7 acres of property in the floodplain of Lick Creek; preservation of the remaining 2.7 acres of upland buffer on the mitigation property including a 750 linear foot segment of Lick Creek; creation of riffles, pools and eddies and the planting of native trees along the south bank of the relocated stream channel on the Wal-Mart property.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Paul F. Wetzel, who can be contacted by calling (419) 898-3812, or by e-mail at: paul.f.wetzel@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 5. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 240 Lake Street, Unit D, Oak Harbor, Ohio 43449, and should be marked to the attention of Paul F. Wetzel, or by e-mail at: paul.f.wetzel@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request 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 benefits 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 these 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

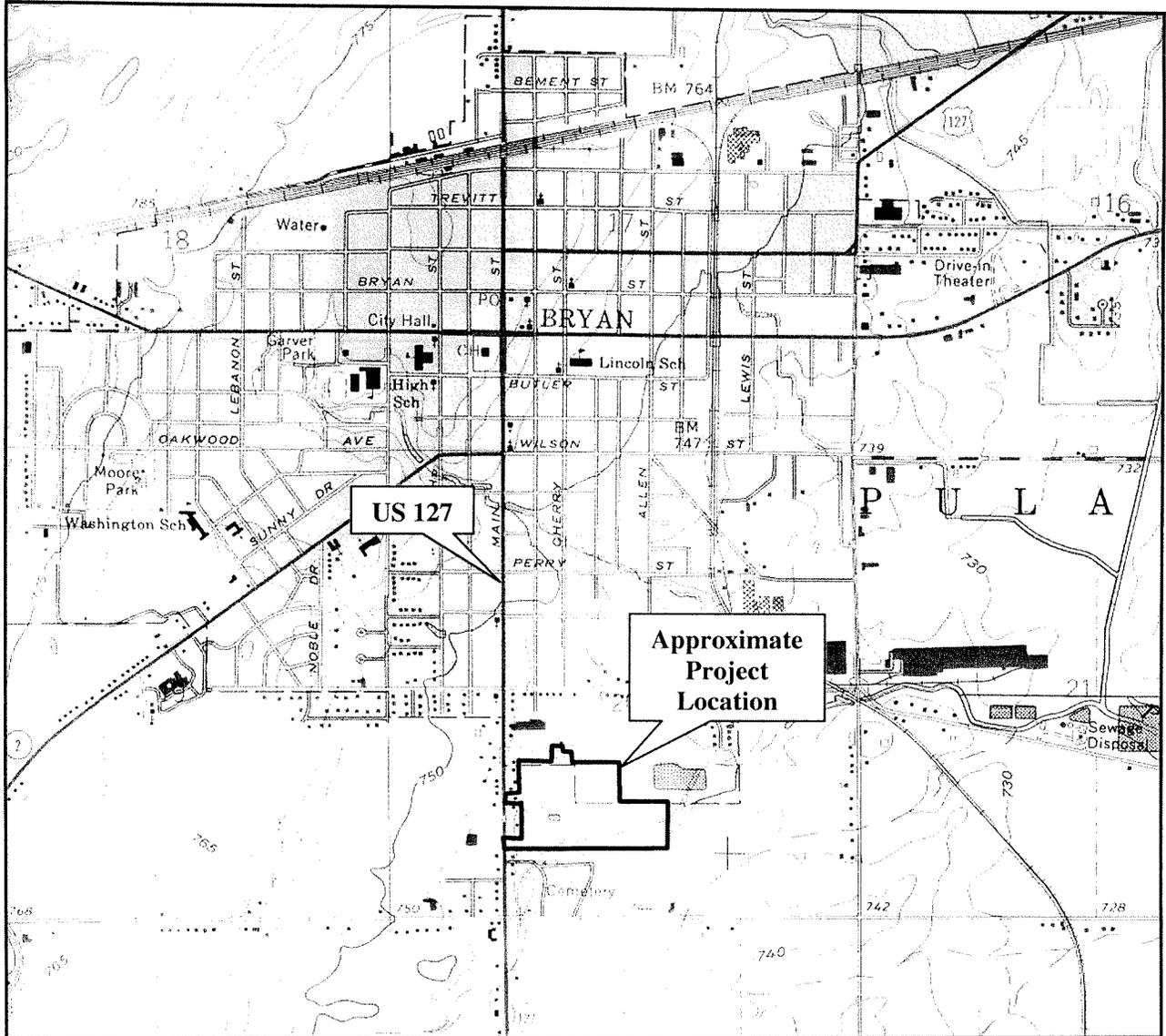
needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

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.

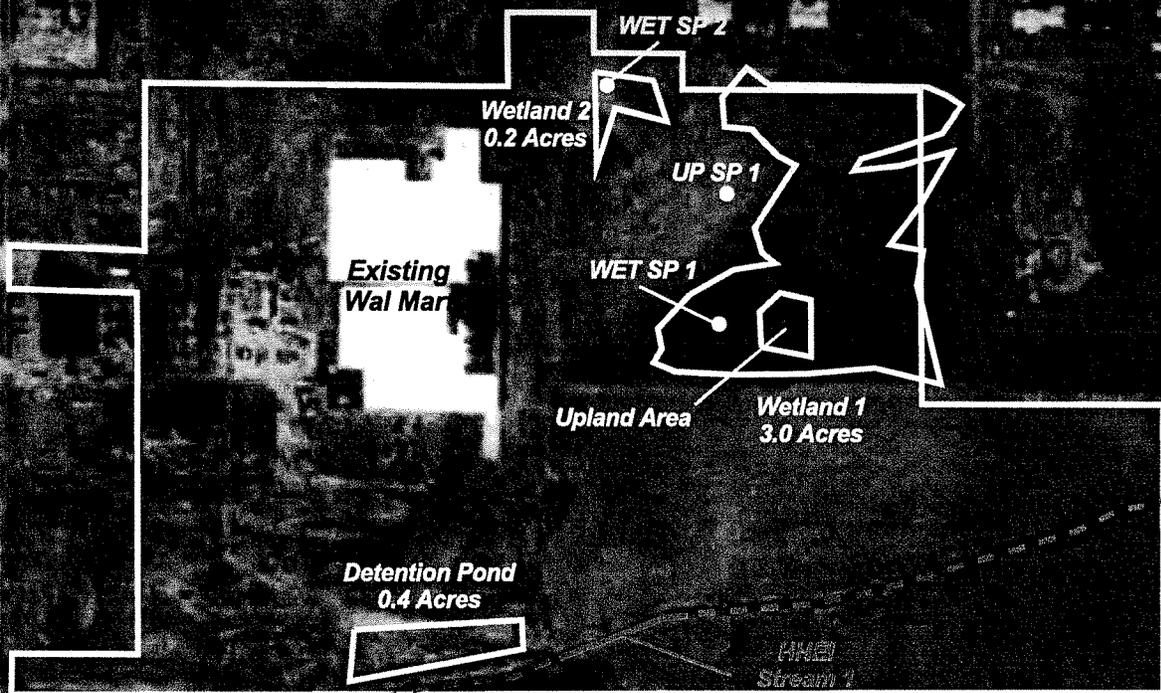
SIGNED

Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



SOUTH MAIN STREET



Property Line (Approximate)

COUNTY ROAD C

WAL-MART SUPER CENTER - BRYAN, OHIO
 D/A Processing No. 2003-02234(0)
 Williams County, Ohio Quad: BRYAN
 Sheet 2 of 10

Project # A126A3B August 2003

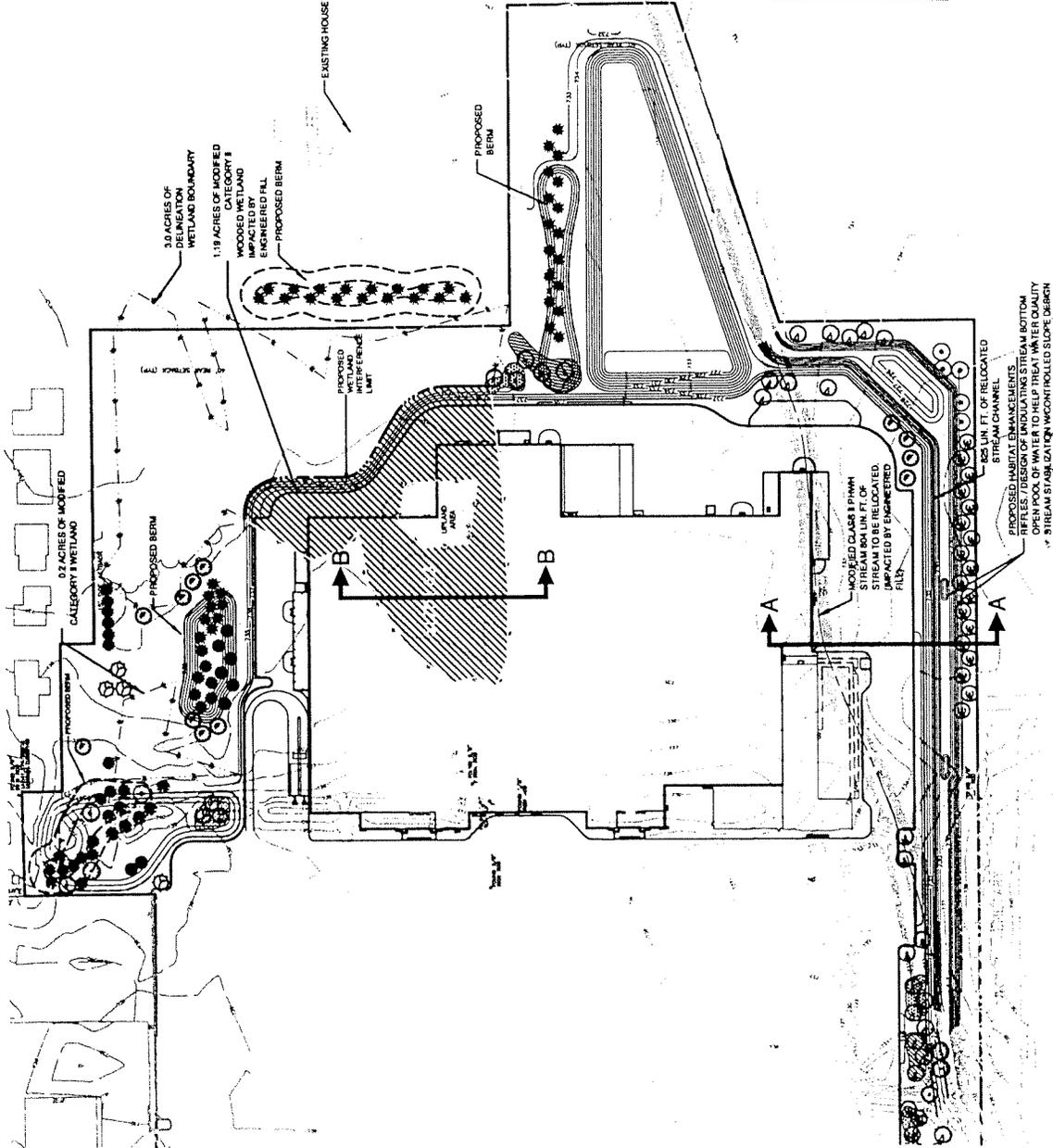
Mannik & Smith
 1800 Indian Wood Circle
 Maumee, Ohio 43537
 (419) 891-2222
 Fax: (419) 891-1595
 Civil Engineering, Surveying and Environmental Consulting
 TOLEDO • MONROE • DETROIT

Figure 4
Wetland Delineation
Bryan, Ohio

Notes
 USGS DOQQ
 Digital Ortho Quarter Quad
 Bryan NE 1994
 Williams County, Ohio



FIGURE 2: SITE DESIGN



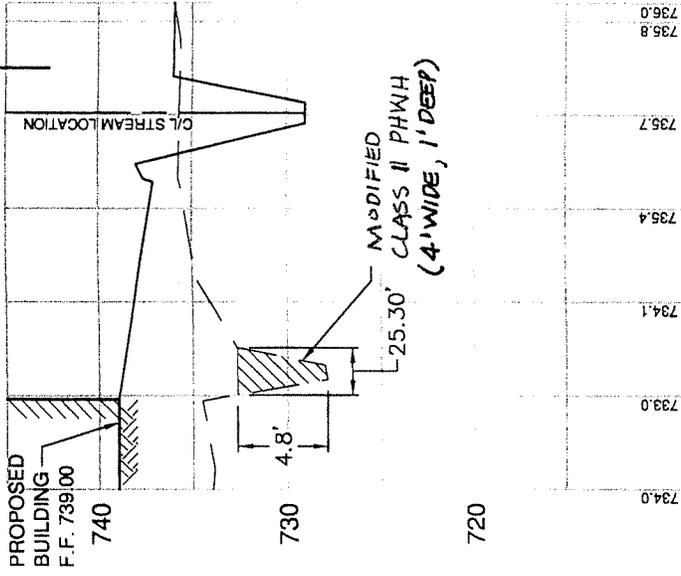
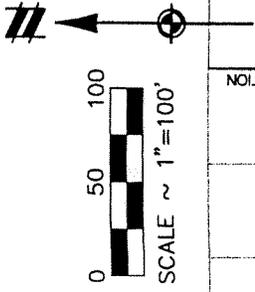
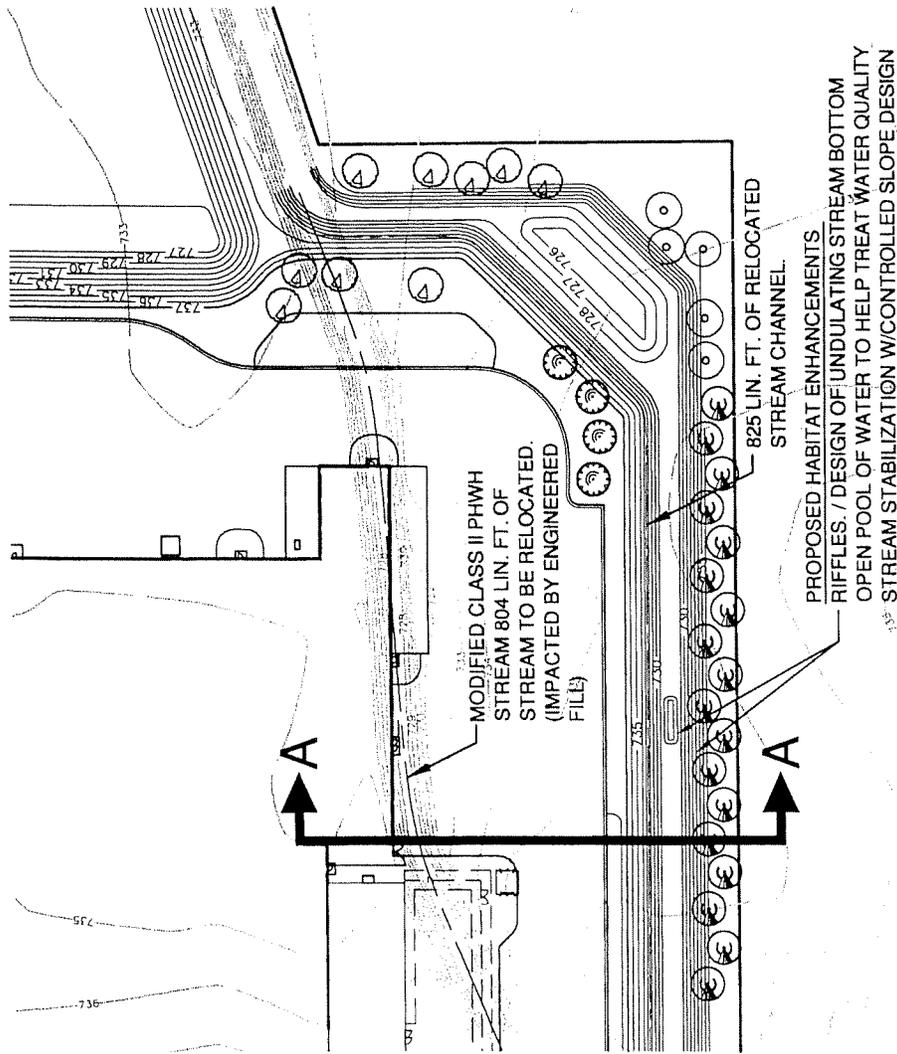
WAL-MART SUPER CENTER - BRYAN, OHIO
 D/A Processing No. 2003-02234(0)
 Williams County, Ohio Quad: BRYAN
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PROJECT NO.: 100521
 DATE: 01/26/04

Civil Engineering • Surveying
 Planning • Environmental Services
A T W E L L - H I C K S , I N C .
 Ann Arbor, MI Brighton, MI Washington Twp., MI Naperville, IL
 734 994 4000 810 225 6000 586 786 9800 630 577 0800

DR: KMD/RML
 CAD FILE: 100521-MINIMAL_IMPACT

FIGURE 3: CROSS SECTION A-A



CROSS SECTION A-A

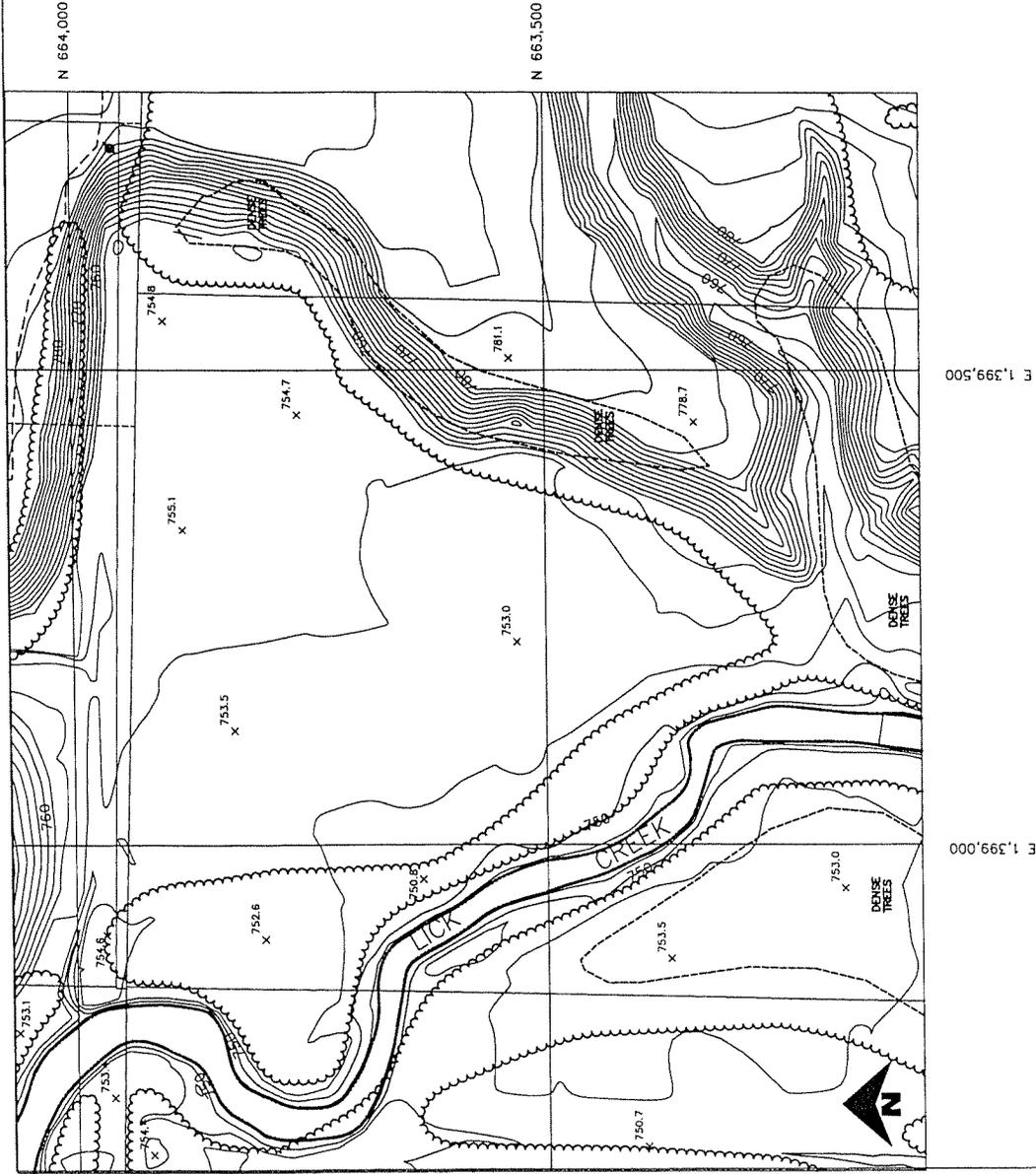
CLASS II PHWH STREAM RELOCATION AREA
 HORIZ. SCALE: 1"=100'
 VERT. SCALE: 1"=10'

PROJECT NO.: 100521
 DATE: 01/26/04

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Civil Engineering • Surveying
 Planning • Environmental Services
ATWELL-HICKS, INC.
 Ann Arbor, MI Brighton, MI Washington Twp., MI Naperville, IL
 734 994 4000 810 225 6000 586 786 9900 630 577 0800

DR: KMD/RML
 CAD FILE: 100521-MINIMAL_IMPACT



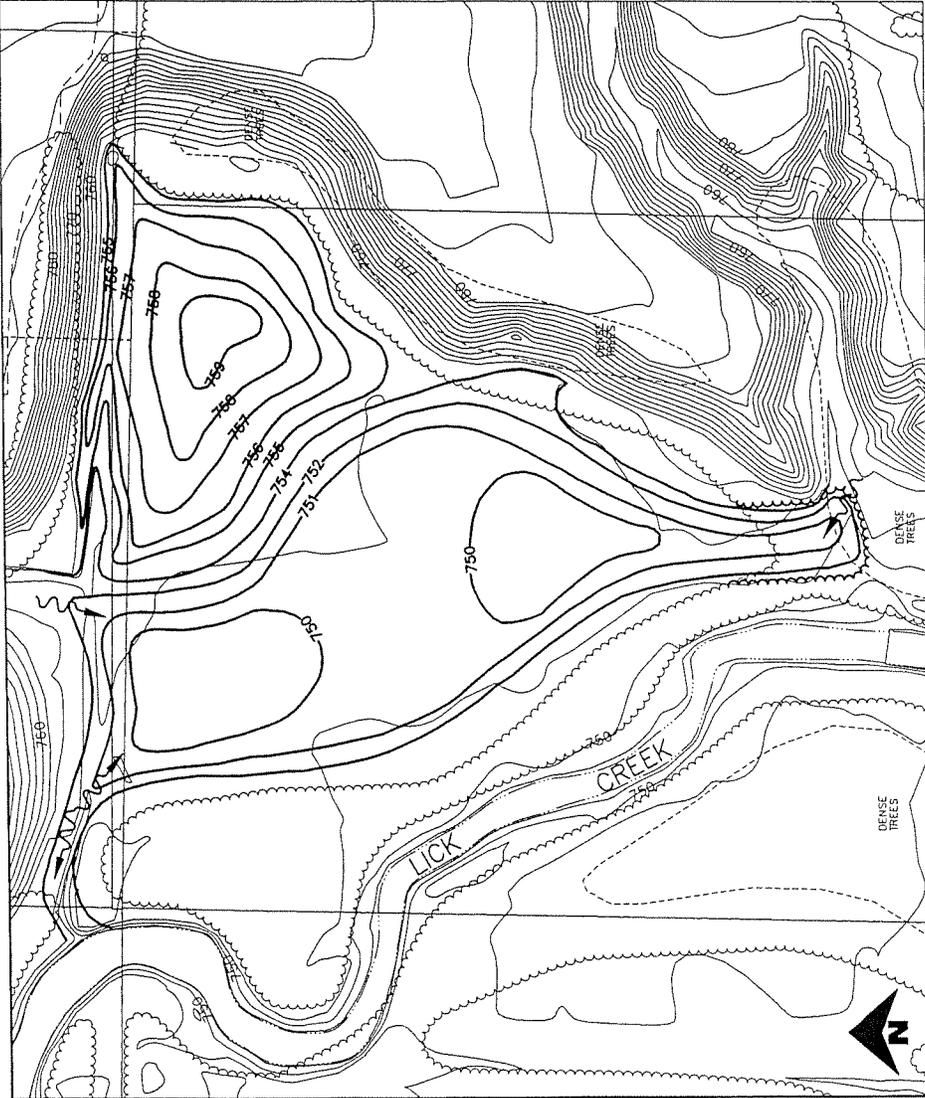
LEGEND

- 750— EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ~ EXISTING TREES
- EXISTING WATER
- X 753.0 EXISTING SPOT ELEVATION

WAL-MART SUPER CENTER - BRYAN, OHIO
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FIGURE 1
 BRYAN WAL-MART WETLAND MITIGATION
 SITE LOCATION & EXISTING TOPOGRAPHY
 SCALE: 1" = 200'

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LEGEND

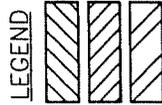
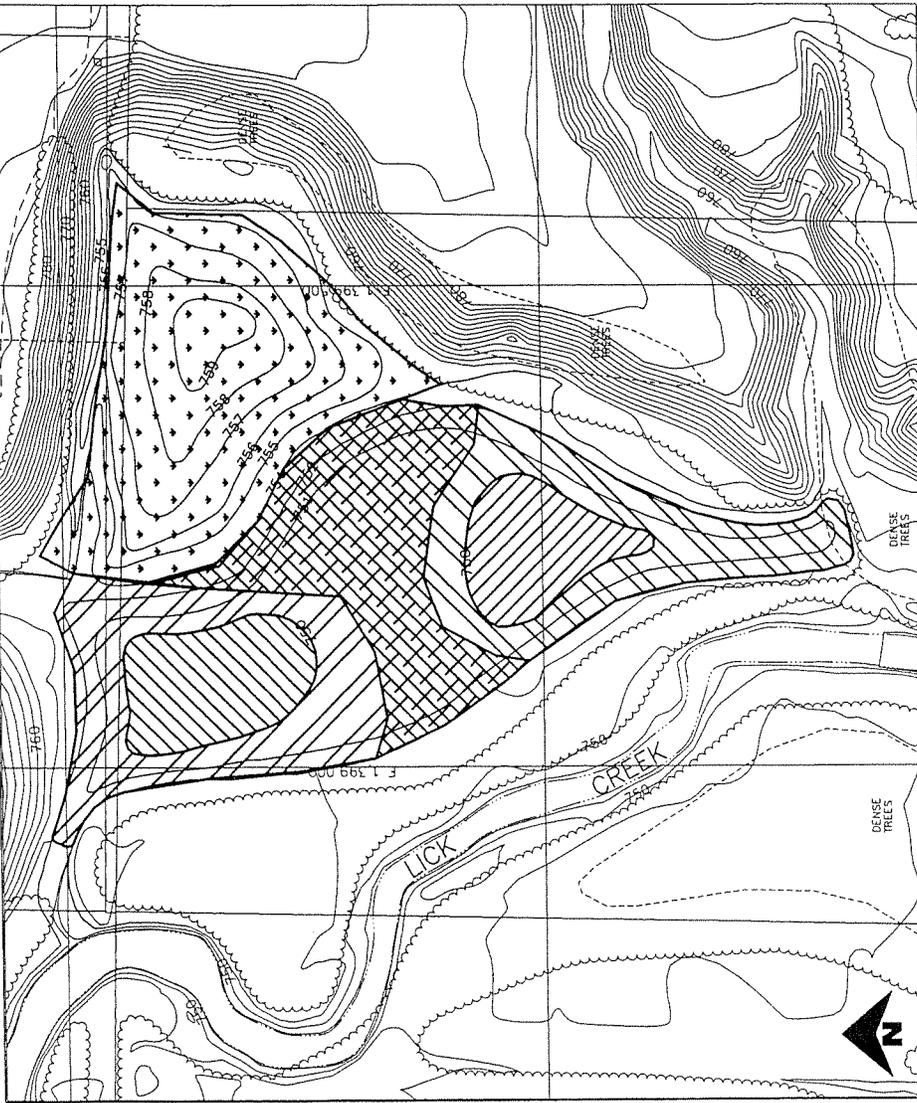
- 750— EXISTING CONTOUR
- 750— PROPOSED CONTOUR
- ~~~~~ EXISTING TREELINE
- ~~~~~ PROPOSED TREELINE
- DRAINAGE FLOW

PRISMOIDAL VOLUME RESULTS
 TOTAL CUT VOLUME 17283.35 cu. yd.
 TOTAL FILL VOLUME 3154.46 cu. yd.

WAL-MART SUPER CENTER - BRYAN, OHIO
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 Williams County, Ohio Quad: BRYAN
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FIGURE 2
 BRYAN WAL-MART WETLAND MITIGATION
 PROPOSED GRADING PLAN
 SCALE: 1" = 200'

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 Civil Engineering, Surveying and Environmental Consulting



* ALSO SEEDED WITH WOODED WETLAND UNDERSTORY SEED MIX.

TREES AND SHRUBS

Trees and Shrubs	A1	A2	B1	B2	C
Native Bare Root Trees (12")					
<i>Acer rubrum</i>	45	40	35	30	35
<i>Acer saccharinum</i>	—	—	—	25	10
<i>Carya laciniosa</i>	25	20	25	25	75
<i>Fraxinus pennsylvanica</i>	25	15	50	45	35
<i>Nyssa sylvatica</i>	25	15	50	—	125
<i>Platanus occidentalis</i>	30	30	60	30	30
<i>Quercus bicolor</i>	25	20	50	45	60
<i>Quercus palustris</i>	—	—	—	—	—
Native Bare Root Shrubs					
<i>Cephalanthus occidentalis</i>	40	40	10	10	—
<i>Cornus obliqua</i>	—	—	5	10	10
<i>Cornus stolonifera</i>	—	—	10	10	5
<i>Lindera benzoin</i>	—	—	15	10	—
<i>Physocarpus opulifolius</i>	—	—	15	10	—
<i>Sambucus canadensis</i>	5	5	15	15	10

ECONOMY PRAIRIE SEED MIX

Permanent Grasses	Temporary Cover
<i>Andropogon gerardii</i>	Seed Oats
<i>Andropogon scoparius</i>	<i>Lolium multiflorum</i>
<i>Bouteloua curtipendula</i>	Annual Rye
<i>Elymus canadensis</i>	<i>Pheum pratense</i>
<i>Panicum virgatum</i>	Timothy
<i>Sorghastrum nutans</i>	Forbs
	<i>Asclepias tuberosa</i>
	<i>Aster novae-angliae</i>
	<i>Cassia fasciculata</i>
	<i>Coreopsis lanceolata</i>
	<i>Echinacea purpurea</i>
	<i>Helopsis helianthoides</i>
	<i>Liatris aspera</i>
	<i>Lupinus perennis</i>
	<i>Ratibida pinnata</i>
	<i>Rudbeckia hirta</i>

WOODED WETLAND UNDERSTORY SEED MIX

Permanent Grasses/Sedges	Forbs
<i>Calamagrostis canadensis</i>	<i>Actinomeris alternifolia</i>
<i>Carex crinita</i>	<i>Alisma subcordatum</i>
<i>Carex hystericina</i>	<i>Aster umbellatus</i>
<i>Carex lupulina</i>	<i>Bidens cernua</i>
<i>Carex vulpinoidea</i>	<i>Chelone glabra</i>
<i>Echinachloa crusgalli</i>	<i>Helenium autumnale</i>
<i>Elymus canadensis</i>	<i>Labelia siphilitica</i>
<i>Elymus virginicus</i>	<i>Mimulus ringens</i>
<i>Glyceria striata</i>	<i>Rudbeckia laciniata</i>
<i>Leersia oryzoides</i>	
<i>Panicum virgatum</i>	
<i>Scirpus atrovirens</i>	
<i>Scirpus pectinatus</i>	
Temporary Cover	
<i>Agrastis alba</i>	
<i>Avena sativa</i>	
<i>Lolium multiflorum</i>	
<i>Pheum pratense</i>	
	<i>Wingstem</i>
	<i>Common Water Plantain</i>
	<i>Fiat-top Aster</i>
	<i>Nodding Bur Marigold</i>
	<i>Turtlehead</i>
	<i>Sneezeweed</i>
	<i>Great Blue Lobelia</i>
	<i>Monkey Flower</i>
	<i>Wild Golden Glow</i>

FIGURE 3

BRYAN WAL-MART WETLAND MITIGATION PLANTING PLAN

SCALE: 1" = 200'

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LEGEND

— 750 — EXISTING CONTOUR

- - - 750 - - - PROPOSED CONTOUR

A1 PROPOSED PLANTING AREA

1 X VEGETATION SAMPLE PLOT

WAL-MART SUPER CENTER - BRYAN, OHIO
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FIGURE 4
 BRYAN WAL-MART WETLAND MITIGATION
 VEGETATION SAMPLING TRANSECTS
 SCALE: 1" = 200'

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