

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N SAC-2007-02262

05 October 2007

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

WAL-MART STORES EAST, LLP
C/o ASHER HOWELL
NEWKIRK ENVIRONMENTAL
POST OFFICE BOX 309
BLUFFTON, SOUTH CAROLINA 29910

for a permit to place fill material in waters of the United States, including freshwater wetlands, in and adjacent to

AN UNNAMED TRIBUTARY TO GRASSY RUN BRANCH

at a location generally east of J. A. Cochran Bypass, south of its intersection with S.C. Highway 9, near Chester, Chester County, South Carolina. (Latitude 34.700069°N, Longitude 81.187788°W)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 05 NOVEMBER 2007

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of impacts to 1.75 acres of waters of the United States, including freshwater wetlands, specifically, 1.32 acres of fill and 0.43 acres of dredging and excavation. The applicant proposes to mitigate for these proposed impacts by way of the on-site preservation and enhancement of the remaining freshwater wetlands, and the purchase of 11.3 mitigation credits from an approved mitigation bank. As stated by the applicant, the purpose of the proposed work to impact waters of the United States, including freshwater wetlands, is to construct a retail facility and its associated infrastructure.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.71 acre of freshwater habitat upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

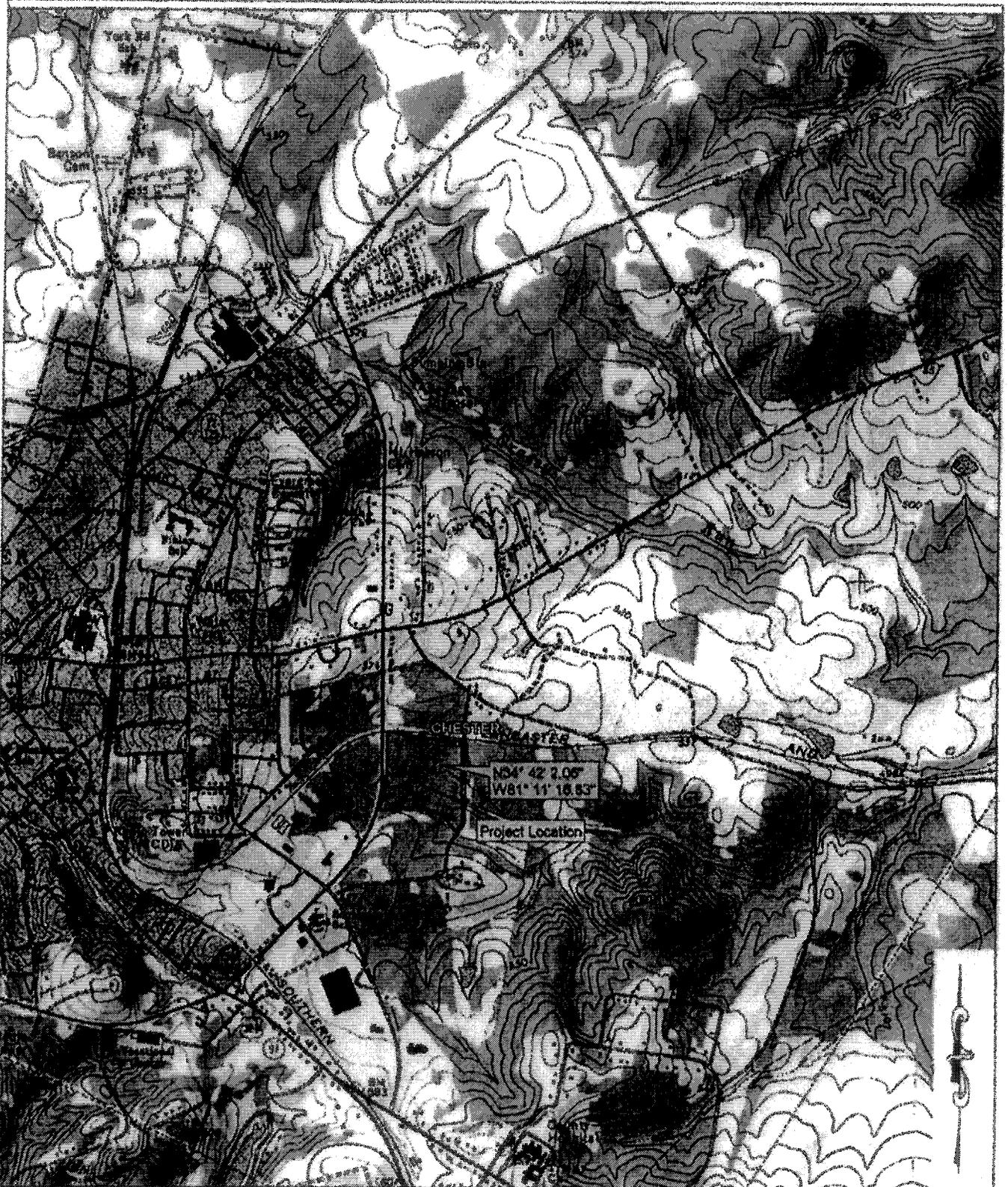
The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Further, the District Engineer has been provided with a cultural resource investigation, and he is aware of the presence of such resources which may warrant further study or may be eligible for nomination to the National Register. Pursuant to Section 106 of the National Historic Preservation Act of 1966 (as amended), the final determination relative to project impacts to such resources will be reviewed and coordination with the S. C. Department of Archives & History, State Historic Preservation Office. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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 a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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 project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project 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, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

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 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 project. 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 activity.

If there are any questions concerning this public notice, please contact Leslie L. Parker at 803-253-3444.



SHEET 1 OF 6



CIVIL ENGINEERING
 STRUCTURAL ENGINEERING
 ROOFING AND WATERPROOFING CONSULTING
 LAND PLANNING AND LANDSCAPE ARCHITECTURE

1724 VANDANER HALL RD. HANAHAN, SC 29406 843.366.0161(PH) 843.366.0162(FX)

WAL-MART STORE #1603

CHESTER COUNTY, SOUTH CAROLINA

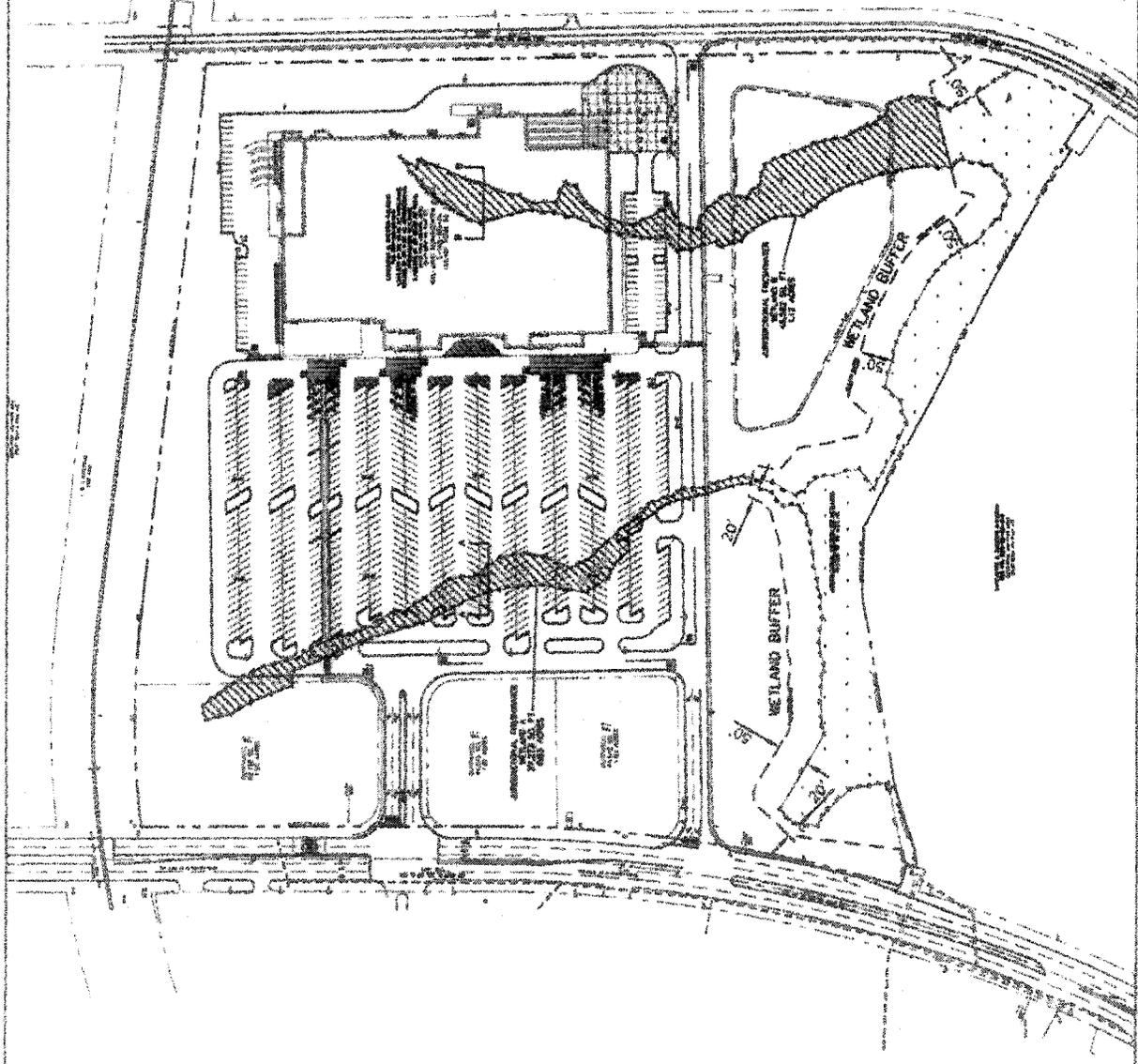
HAND QUAD MAP

PROJ. #: 07003 SCALE: 1" = 200' DATE: 8/01/07

SAC-2007-02262-51K



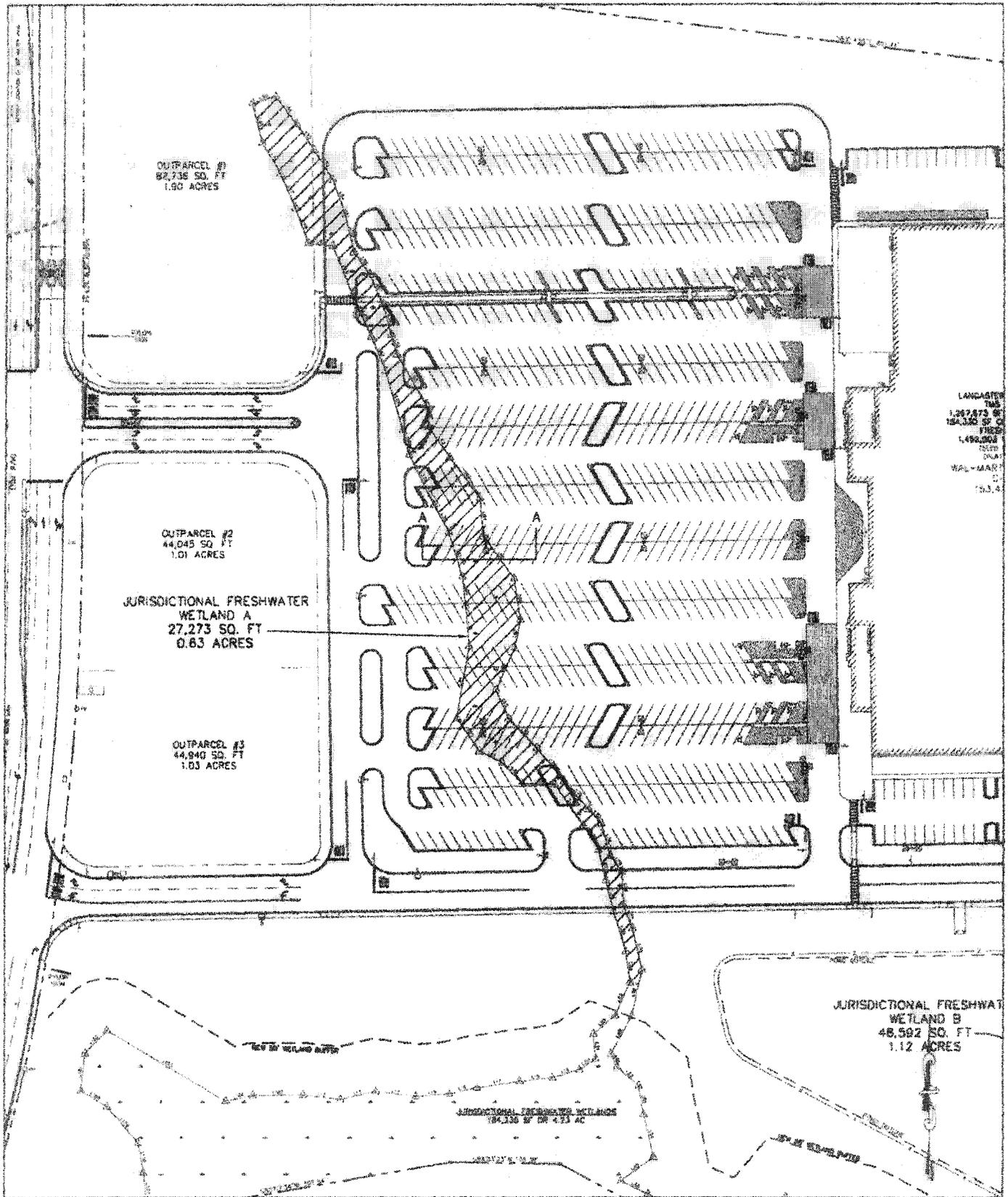
SITE SUMMARY
 TOTAL PARCEL: 33.33 ACRES
 EXISTING HIGHLAND: 29.10 ACRES
 EXISTING WETLAND: 4.23 ACRES
 TOTAL WETLAND IMPACT: 1.75 ACRES
 TOTAL WETLAND PRESERVATION: 2.48 ACRES
 TOTAL WETLAND BUFFER: 1.80 ACRES
 ESTIMATED FILL VOLUME: 15,700 CY



WAL-MART CHESTER #1603
 CHESTER COUNTY, SC
 FRESHWATER WETLANDS FILL
 SCALE: 1" = 250'
 DATE: 8/28/87
 PROJ. #: 07883

OVERALL SITE PLAN
SAC-2007-02262-5IK
 SHEET 2 OF 6

ABC
 CIVIL ENGINEERING
 STRUCTURAL ENGINEERING
 ROOFING AND WATERPROOFING CONSULTING
 LAND PLANNING AND LANDSCAPE ARCHITECTURE
 1228 YEAMANS HALL RD. HANAHAN, SC 29466 803-566-0161(FPN) 843-566-0162(FX)



LANCASTER TMS
 1,267,873 SQ
 184,330 SQ OF
 FRESH
 1,490,000
 10000
 DUA
 WAL-MART
 153.0

SHEET 5 OF 6



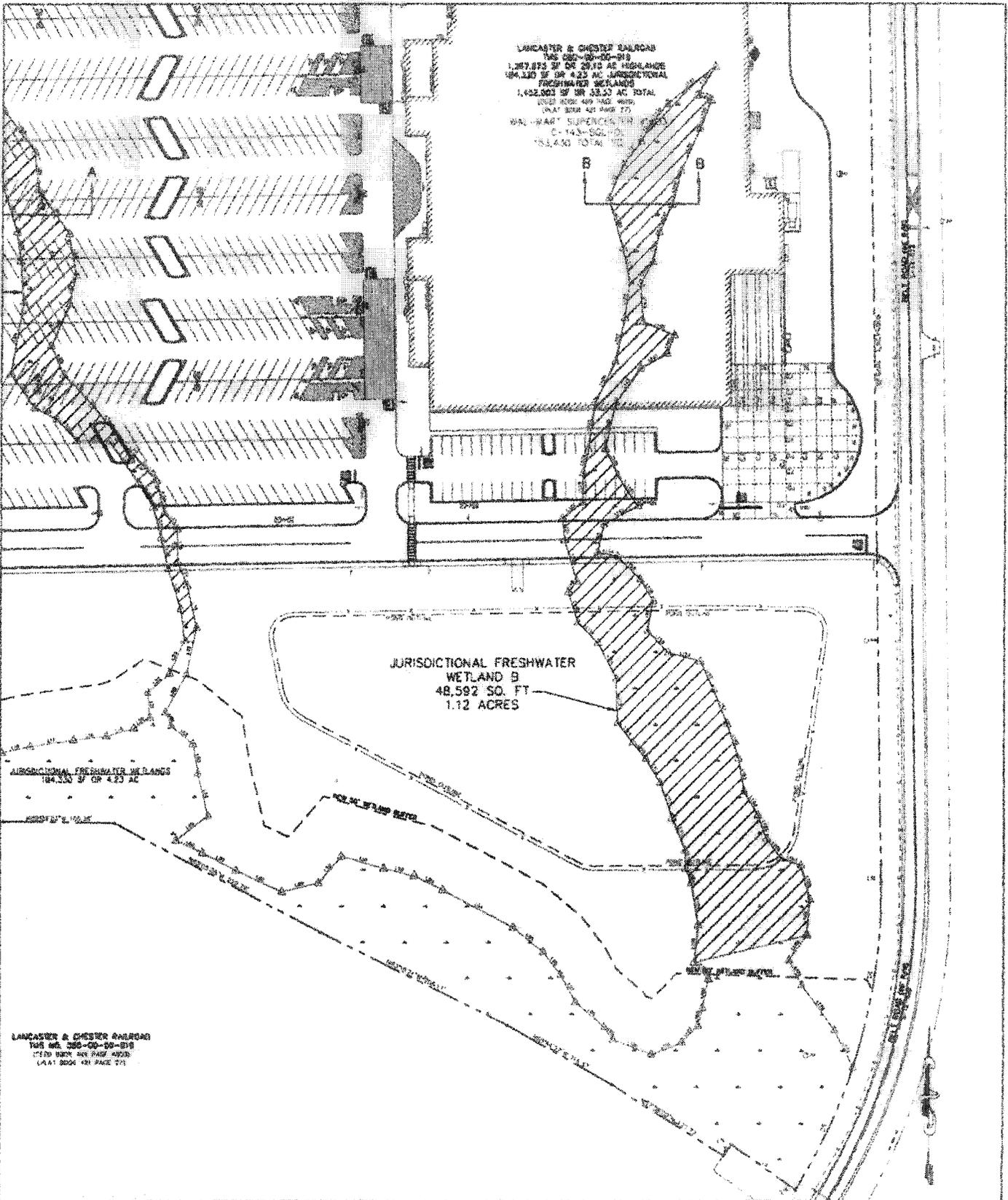
CIVIL ENGINEERING
 STRUCTURAL ENGINEERING
 ROOFING AND WATERPROOFING CONSULTING
 LAND PLANNING AND LANDSCAPE ARCHITECTURE

1236 YEAMANS HALL RD. HANAHAN, SC 29406 843.566.0161(PH) 843.566.0162(FX)

WAL-MART CHESTER #1603
 CHESTER COUNTY, SC
 WETLANDS IMPACT A

PROJ #: 07053 SCALE: 1" = 100' DATE: 8/1/07

SAC-2007-02262-51K



LANCASTER & CHESTER RAILROAD
 TWP 02S-02W-01E
 1,267,873 SQ. FT. OR 28.70 AC. HIGHLANDS
 184,330 SQ. FT. OR 4.23 AC. JURISDICTIONAL
 FRESHWATER WETLANDS
 1,452,203 SQ. FT. OR 32.93 AC. TOTAL
 (WETLANDS 489,740 SQ. FT.)
 (WAT. BODY 421,463 SQ. FT.)
 WAL-MART SUPERCENTER
 C-143-004-100
 153,430 TOTAL

JURISDICTIONAL FRESHWATER
 WETLAND B
 48,592 SQ. FT.
 1.12 ACRES

JURISDICTIONAL FRESHWATER WETLANDS
 184,330 SQ. FT. OR 4.23 AC

LANCASTER & CHESTER RAILROAD
 TWP 02S-02W-01E
 1,267,873 SQ. FT. OR 28.70 AC.
 (WETLANDS 489,740 SQ. FT.)
 (WAT. BODY 421,463 SQ. FT.)

SHEET 4 OF 6



CIVIL ENGINEERING
 STRUCTURAL ENGINEERING
 ROOFING AND WATERPROOFING CONSULTING
 LAND PLANNING AND LANDSCAPE ARCHITECTURE

1226 YEAMANS HALL RD. HANAHAN, SC 29406 843.566.0161(PH) 843.566.0162(FX)

WAL-MART CHESTER #1603

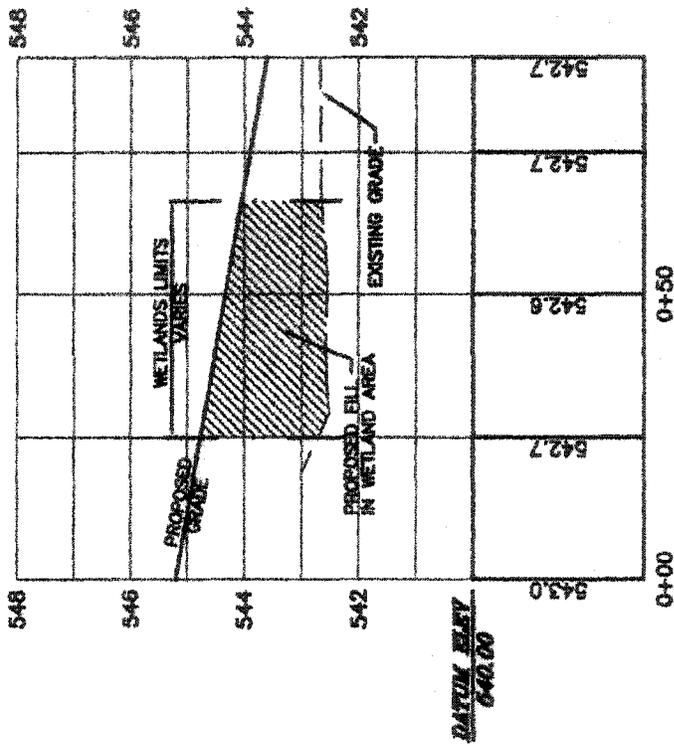
CHESTER COUNTY, SC
WETLANDS IMPACT B

PROJ. #. 07/03

SCALE: 1" = 100'

DATE: 6/11/07

SAC-2007-02262-51K



3200± CY FILL

HORIZONTAL SCALE



VERTICAL SCALE

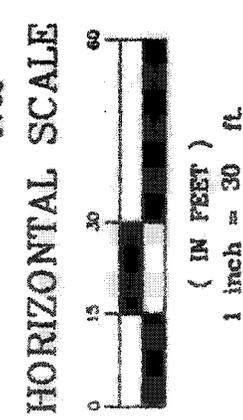
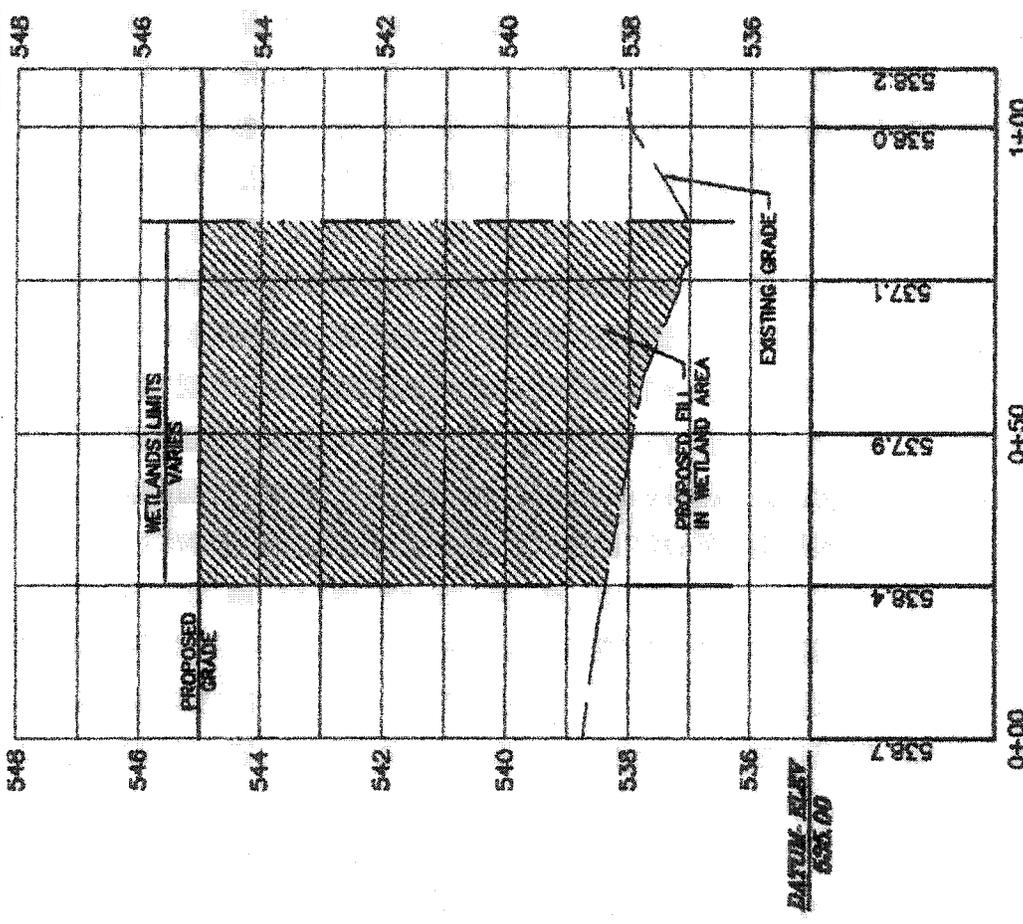


ADC
 CIVIL ENGINEERING
 STRUCTURAL ENGINEERING
 ROADING AND WATERPROOFING CONSULTING
 LAND PLANNING AND LANDSCAPE ARCHITECTURE
 1226 YEAMANS HALL RD. MANAHAN, SC 29406 843.566.0161(PR) 843.566.0162(FX)

SECTION A-A FILL
 SAC-2007-02262-51K

WAL-MART CHESTER #1603
 CHESTER COUNTY, SC
 FRESHWATER WETLANDS FILL
 PROJ. #: 07053 SCALE: 1:30 DATE: 06/07

SHEET 5 OF 6



12500± CY FILL

ABC
CIVIL ENGINEERING
STRUCTURAL ENGINEERING
ROOFING AND WATERPROOFING CONSULTING
LAND PLANNING AND LANDSCAPE ARCHITECTURE
1226 YEAMANS HALL RD.
HANAHAN, SC 29406 843.566.0161(PH) 843.566.0162(FX)

SECTION B-B FILL
SAC-2007-02262-5IK
SHEET 6 OF 6

WAL-MART CHESTER #1603
CHESTER COUNTY, SC
FRESHWATER WETLANDS FILL
PROJ. #: 07053 DATE: 8/20/07
SCALE: 1:30