



REPLY TO  
ATTENTION OF:

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

**CESAM-RD-M**  
**PUBLIC NOTICE NO. SAM-2013-00663-TMZ**

**December 9, 2013**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**OFFICE OF POLLUTION CONTROL**

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**PROPOSED COMMERCIAL DEVELOPMENT (GULF COAST GALLERIA)**  
**POPPS FERRY ROAD, LLC**  
**D'IBERVILLE, HARRISON COUNTY, MISSISSIPPI**

**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: Popp's Ferry Road, LLC**  
**Attention: Mr. David Neuhoff**  
**CBL Center, Suite 500**  
**2030 Hamilton Place Boulevard**  
**Chattanooga, TN 37421**

**AGENT: Civil & Environmental Consultants, Inc.**  
**Attention: Mr. Jose Garcia**  
**405 Duke Drive, Suite 270**  
**Franklin, TN 37067**

**LOCATION OF WORK: Wetlands adjacent to the Tchoutacabouffa River southwest of the intersection of Interstate 10 and D'Iberville Boulevard in D'Iberville, Harrison County, Mississippi (Section 23, Township 7 South, Range 9 West; N 30.446636, W -88.90843).**

**WORK DESCRIPTION: The applicant proposes to construct a mixed-use commercial development consisting of retail, restaurant, and lodging establishments within a 675,000-square foot enclosed, two-level facility with an outdoor bay/plaza element. The project will also include associated drives, parking lots, stormwater detention basins, a water tank, and a sanitary sewerage pumping station.**

**The 76-acre proposed construction site is a former mobile home park with small peripheral forested areas generally surrounded by residential and commercial development to the south, west, and east; Interstate 10 occurs along the north property boundary. Approximately 1.29 acres of low and medium-quality wetlands occur on the property, all of which will be permanently impacted according to the applicant's preferred site plan. Two small unnamed intermittent tributaries of the Tchoutacabouffa River also occur on the subject property (total stream length 1400 linear feet); approximately 314 linear feet of one of these tributaries will be impacted by the project. The applicant proposes to compensate for unavoidable impacts to wetlands and other waters of the United States by purchasing the appropriate number of mitigation credits from a Corps-approved wetland mitigation bank.**

The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act and upon completion of the required advertising, a determination relative to certification will be made. The applicant has also applied for certification from the State that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. A determination relative to consistency will be made by the Mississippi Department of Marine Resources (DMR).

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

In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the proposed activity on-site was considered for the potential to effect cultural and historic properties within the permit area. Although the extent of Federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of this undertaking were also considered. The Corps reviewed the project permit area and made a preliminary determination that there will be no effect to cultural or historic properties as a result of this undertaking. We are seeking comment from the State Historic Preservation Officer regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. Historic architectural or archaeological investigations may be necessary to ascertain the existence of such resources. Efforts will be made through the consultation process to avoid, minimize or mitigate any adverse effects to significant cultural and historic properties that may occur as a result of this undertaking. The District Engineer remains the final decision authority.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will not affect listed threatened or endangered species and/or their critical habitat.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2013-0663-TMZ** and should be directed to the District Engineer, U.S. Army Engineer Mobile District, Attention: **Mr. Tad Zebryk**, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225-2261, and the DMR, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530, in time to be received within 30 days of the date of this public notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at **tad.m.zebryk@usace.army.mil** or **(251) 694-3779**. Please refer to the above Public Notice number. For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineer

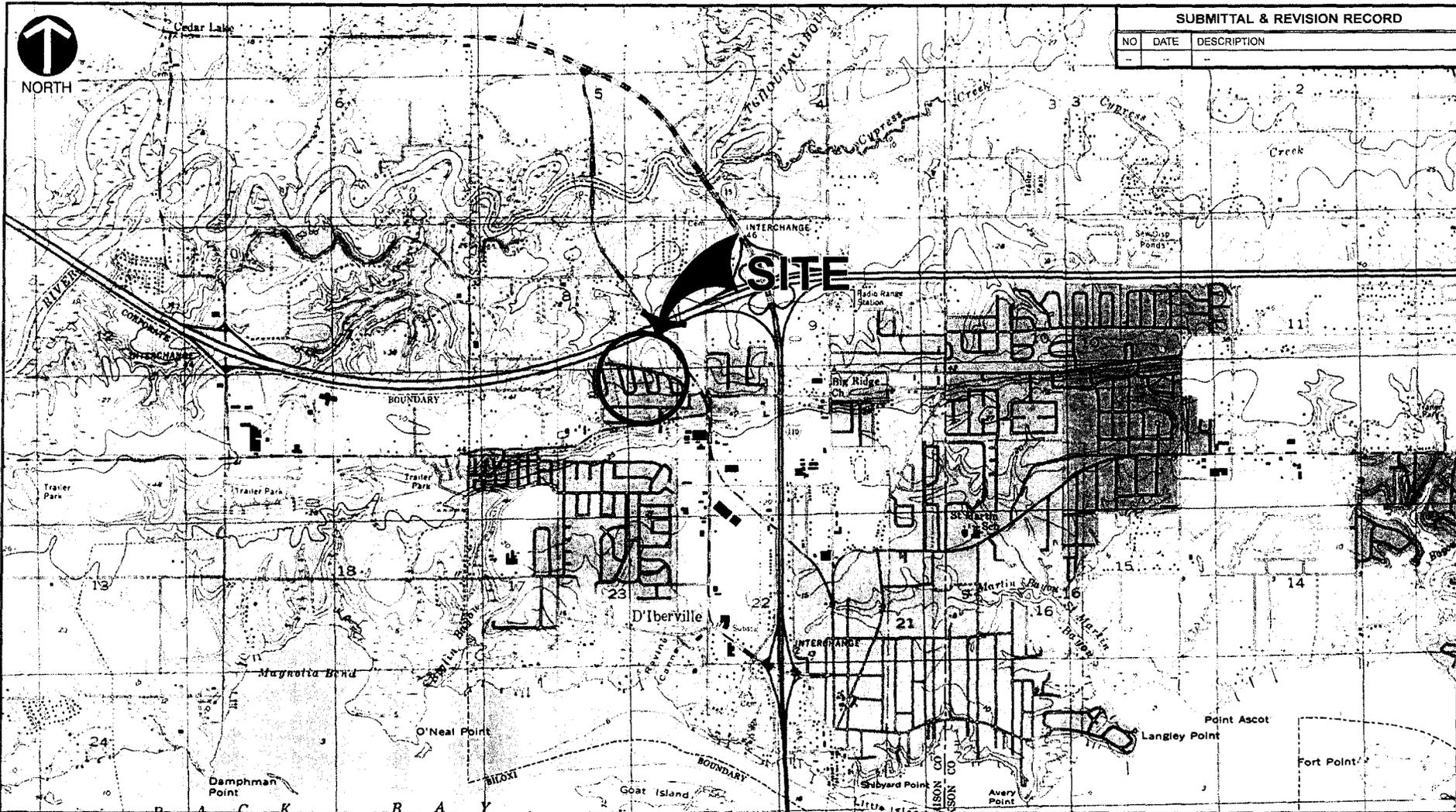
Enclosures



NORTH

**SUBMITTAL & REVISION RECORD**

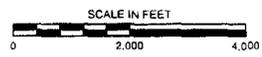
NO	DATE	DESCRIPTION



USGS:asashu:FP:acc1320092013:Temp121-669:Jose:MississippiMapsFig\_1\_Site\_Vicinity\_Topo.mxd

**REFERENCE**

USA TOPO MAPS MAP SERVICE  
 USGS TOPOGRAPHIC MAP/ARCGIS MAP SERVICE  
 HTTP://GOTO.ARCGISONLINE.COM/MAPS/USA\_TOPO\_MAPS  
 ACCESSED 4/24/2013



**Civil & Environmental Consultants, Inc.**  
 405 Duke Drive, Ste. 270 Franklin, Tennessee 37067  
 412-429-2324 800-365-2324  
 www.cecinc.com

**CBL & ASSOCIATES PROPERTIES, INC.**  
 SITE VICINITY MAP  
 D'IBERVILLE SITE  
 HARRISON COUNTY, MISSISSIPPI

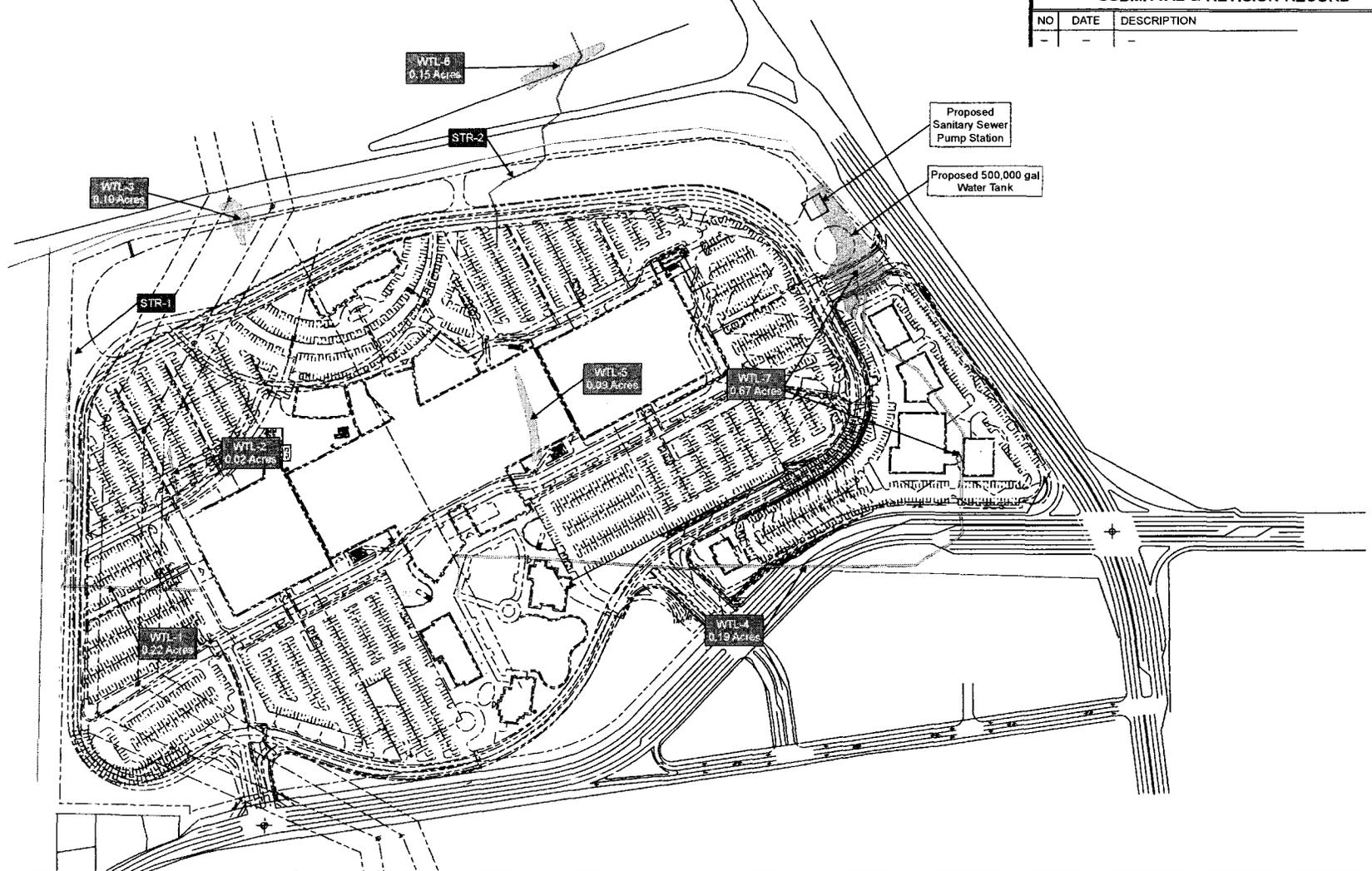
USGS TOPO

DRAWN BY: CEC	CHECKED BY: JG	APPROVED BY: JTD	FIGURE NO: 1
DATE: 04-18-2013	SCALE: 1" = 2,000'	PROJECT NO: 121-669	



**SUBMITTAL & REVISION RECORD**

NO	DATE	DESCRIPTION
-	-	-



**LEGEND**

- Property Boundary
- Stream
- Wetland

**REFERENCE**

ESRI WORLD IMAGERY / ARCGIS MAP SERVICE.  
 HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD\_IMAGERY.  
 ACCESSED 12/2/2013. IMAGERY DATE: 2010.

PREFERRED SITE LAYOUT PLAN PROVIDED BY KA, INC

PROPERTY BOUNDARY SURVEY PROVIDED BY MACHADO AND PATANO, PLLC



**Civil & Environmental Consultants, Inc.**

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 www.cecinc.com

**CBL & ASSOCIATES PROPERTIES, INC.**  
**PREFERRED SITE LAYOUT PLAN**  
**DIBERVILLE SITE**  
**HARRISON COUNTY, MISSISSIPPI**  
**PREFERRED SITE LAYOUT PLAN**  
**AND AERIAL PHOTOGRAPH**

DRAWN BY: CEC	CHECKED BY: JG	APPROVED BY: JTD <small>Hand signature on file</small>	FIGURE NO: <b>5</b>
DATE: 11-5-2013	SCALE: 1" = 250'	PROJECT NO: 121-669	

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