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

REPLY TO
ATTENTION OF:

Coastal Branch
Regulatory Division

May 28, 2008

PUBLIC NOTICE NO. SAM-2008-0744-SMZ

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

WETLAND FILL FOR PROPOSED SHOPPING PLAZA
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: Laces, Inc.
CBL Center, Suite 500
2030 Hamilton Place Blvd.
Chattanooga, TN 37421-6000

AGENT: Moran Machado, PLLC
249 Beauvoir Road
Biloxi, MS 39531

WATERWAY: Wetlands connecting with Tchoutacabouffa River, located northwest of the intersection between Interstate 10 and Interstate 110, in Section 36, Township 7 South, Range 11 West, D'Iberville, Harrison County, Mississippi (Latitude 30.4535° N and Longitude -88.8998° W).

WORK: The applicant proposes to fill at total of 1.82 acres of wetlands for the construction of a retail shopping plaza in D'Iberville, Harrison County, Mississippi. The project site is 3.37 acres, and wetlands comprise 1.82 acres of the site. The retail shopping plaza will include at least nine prime retail stores with approximately 23,300 square feet of retail space. The development plan consists of building pad areas, parking areas, and infrastructure for the shopping plaza. The applicant proposes to mitigate for wetland impacts by purchasing the appropriate number of mitigation credits from a Corps-approved 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 certified that the proposed activity complies with and will be conducted in a manner that is consistent with the Mississippi Coastal Zone Management Program. A determination relative to consistency will be made by the Mississippi Department of Marine Resources.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (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.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice

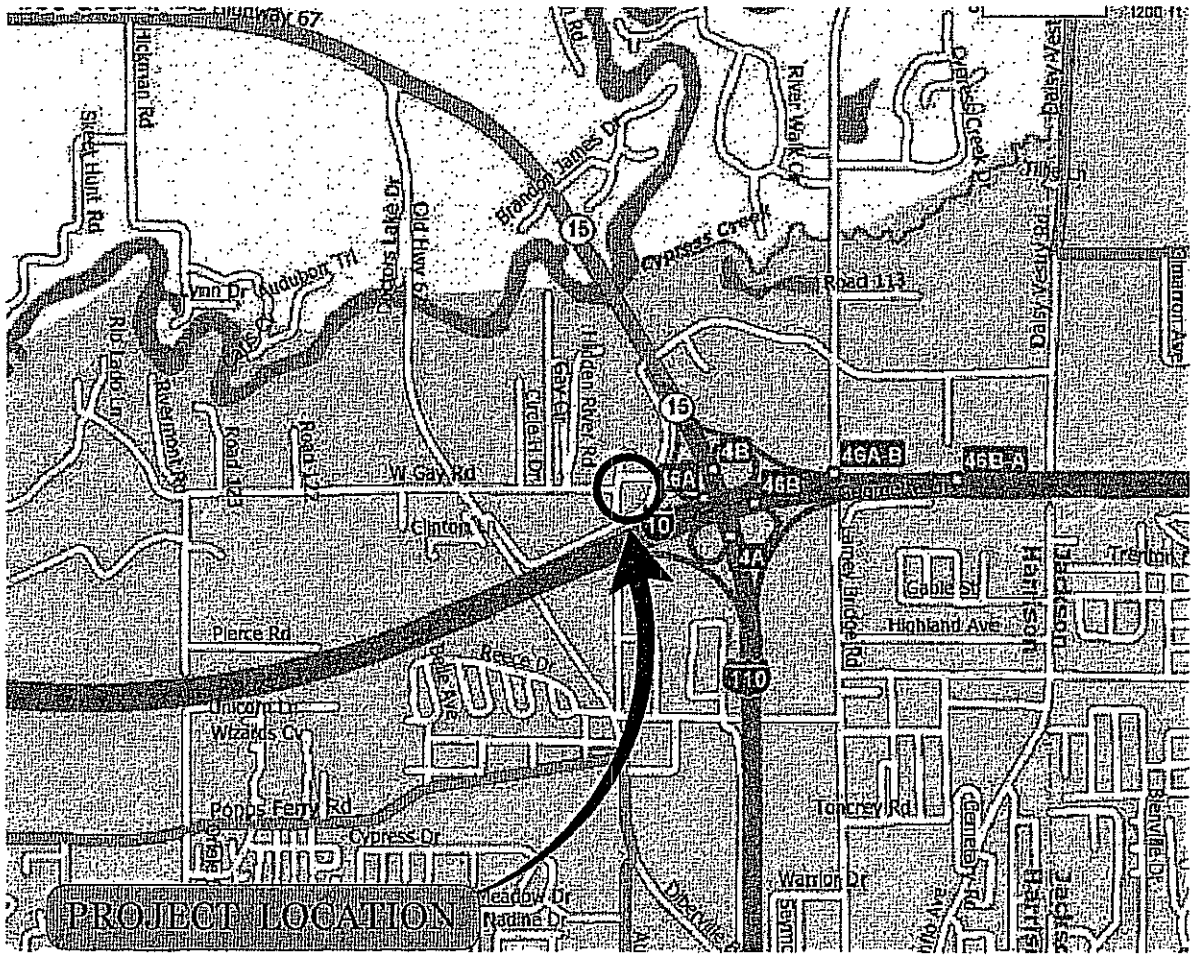
is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. In accordance with 33 CFR 325.2(b)(5), this public notice serves as a request for information from the U.S. Fish and Wildlife Service on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2008-0744-SMZ and should be directed to the District Engineer, U.S. Army Corps of Engineers, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Coastal Branch, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 10385, Jackson, Mississippi 39289, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530, in time to be received not later than **21 days** from the date of this notice. If you have any questions concerning this publication, you may contact the Project Manger, Sheri Zettle, via email at sheri.m.zettle@sam.usace.army.mil or telephone number 251-690-2349. Please refer to the above Public Notice number. For additional information about our Regulatory Program, visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



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NOT TO SCALE

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249 Beauvoir Road
Biloxi, Mississippi 39531
Office (228) 388-1950
Fax (228) 388-1971
www.m-mengineers.com

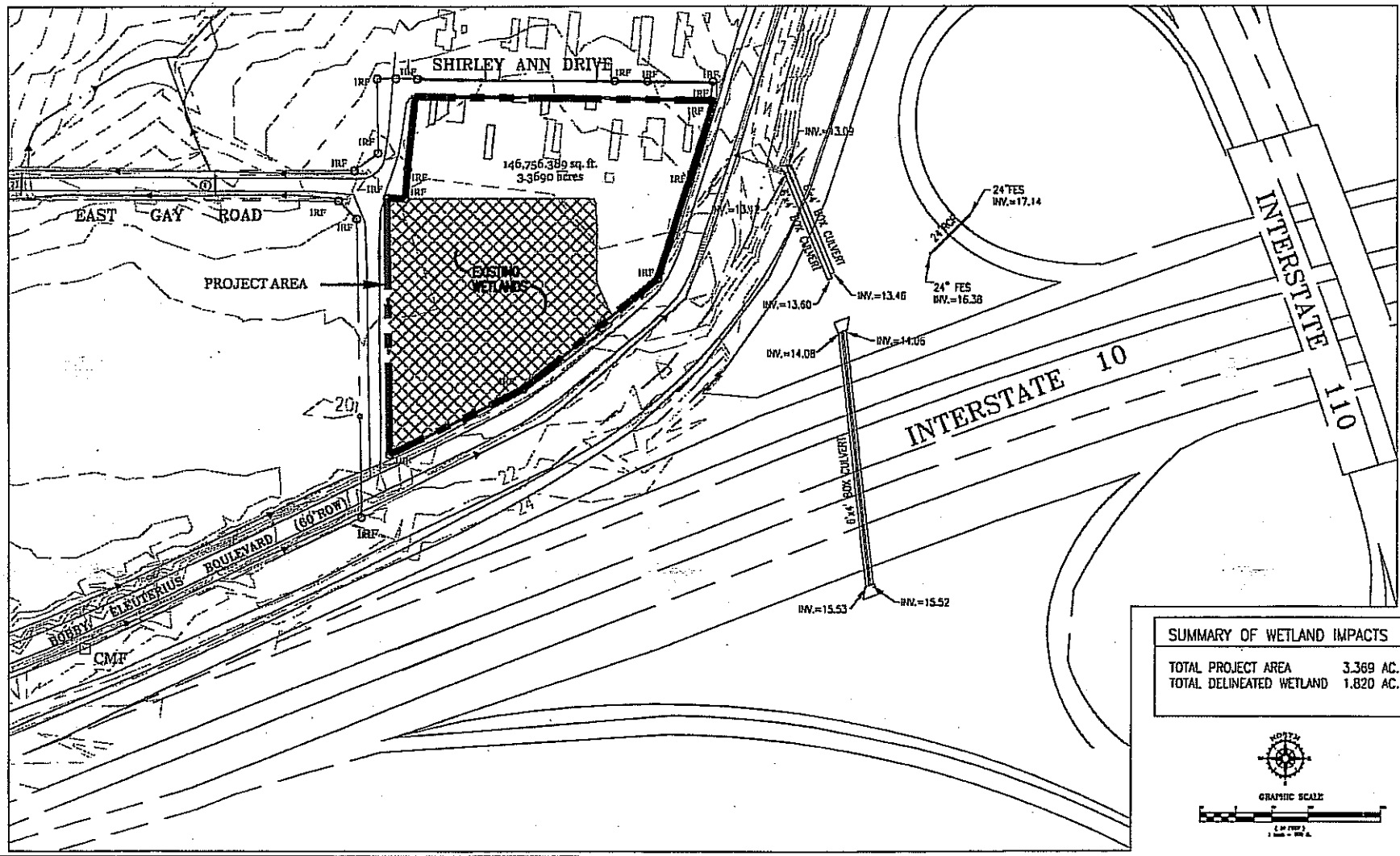
LOCATION MAP

The Bobby Eleuterius Plazq

D'Iberville, Mississippi

LOCATION MAP

DATE: DRAWN BY: DESIGN: G.M.E. W.A.R. SCALE: NTS PROJECT NO.: FILE LOCATION:



SUMMARY OF WETLAND IMPACTS	
TOTAL PROJECT AREA	3.369 AC.
TOTAL DELINEATED WETLAND	1.820 AC.

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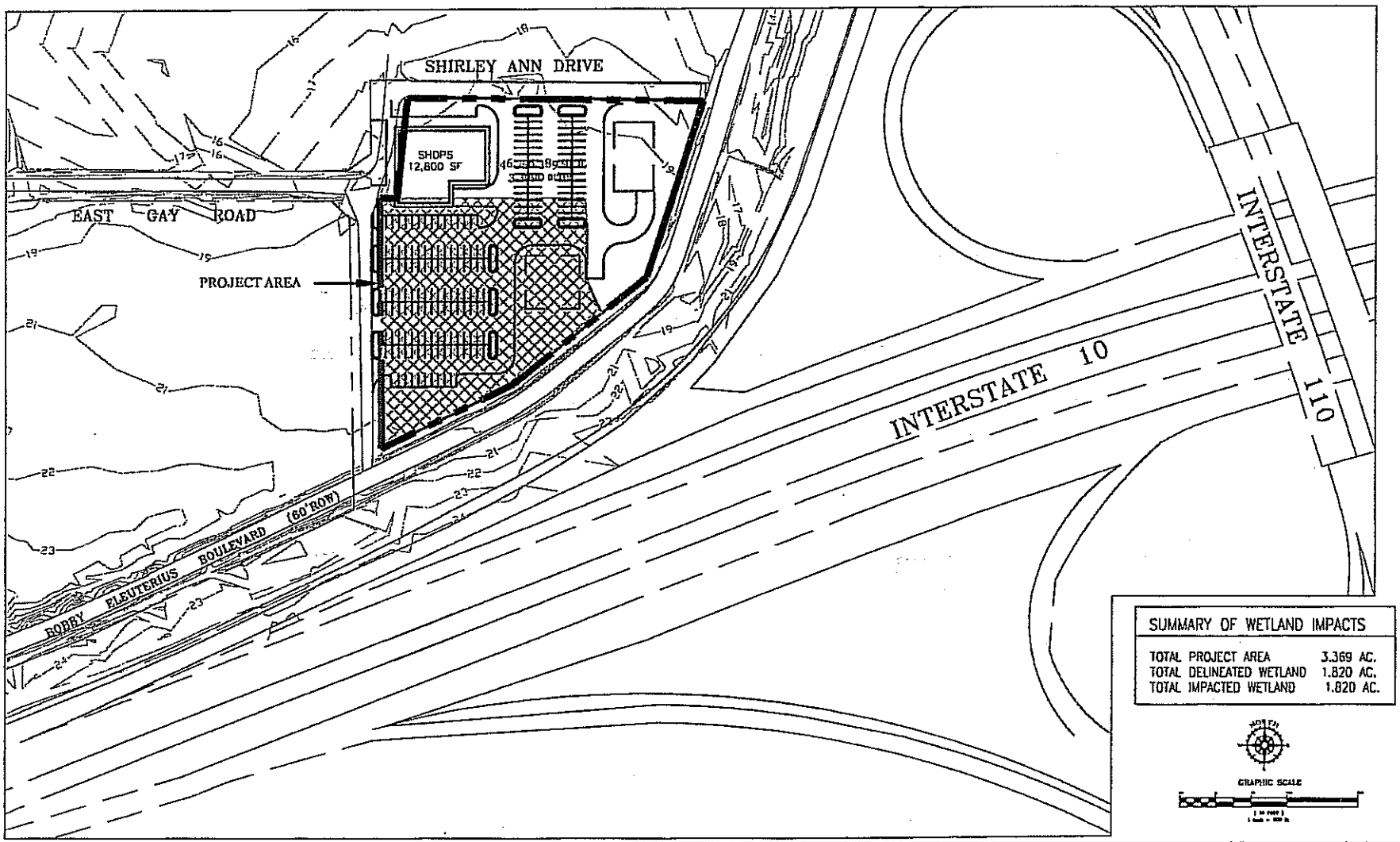
EXISTING CONDITIONS
AND WETLAND DELINEATION
The Bobby Eleuterius Plaza
D'Iberville, Mississippi

EXISTING CONDITIONS



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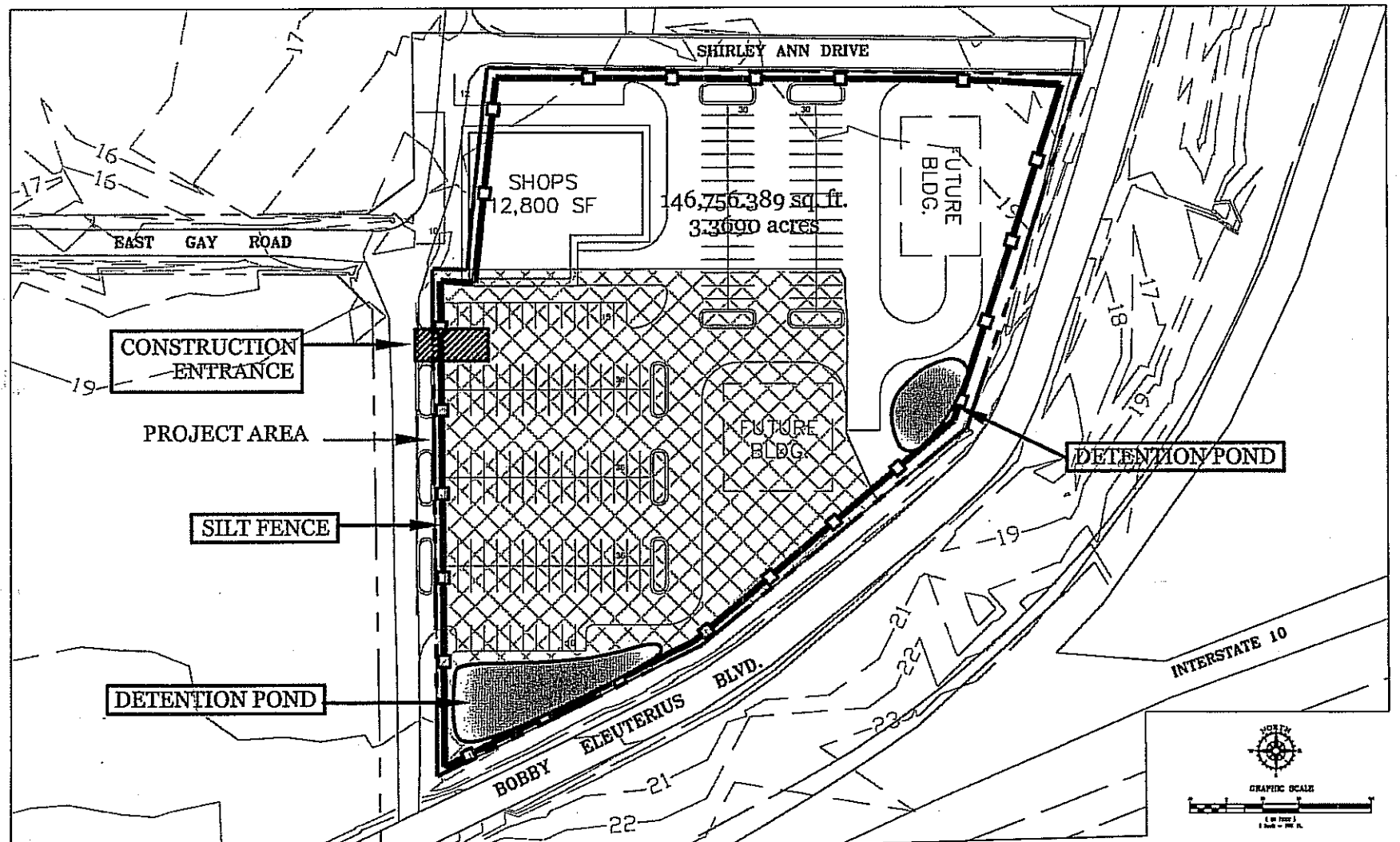
WETLAND IMPACT



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EROSION CONTROL PLAN
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