



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR
August 26, 2016

Certified Mail No. 7010 1870 0003 4947 8954

Mr. Tomas Garvey
Developers Diversified Realty
3300 Enterprise Parkway
Beachwood, Ohio 44122

Dear Mr. Garvey:

Re: Gulfport Promenade North and South
Harrison County
COE No. SAM-2007-00114-CRO
WQC No. WQC2015056

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing, for Developers Diversified Realty, an applicant for a Federal License or permit to conduct the following activity:

Gulfport Promenade North and South: This project is for the construct of a shopping center on the north and south side of Dedeaux Road. Gulfport Promenade North and South will provide a space for discount department stores, specialty retail stores and restaurants. The project was previously permitted under WQC2007034, but construction never started. The project will impact 8.20 acres of forested wetlands, 5.0 acres by Gulfport Promenade North and 3.2 acres by the Gulfport Promenade South. Mitigation credits from the original project have already been purchased. The project is located near Fritz Creek, on Dedeaux Road, Gulfport, Harrison County, Mississippi [SAM-2007-00114-CRO, WQC2015056].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

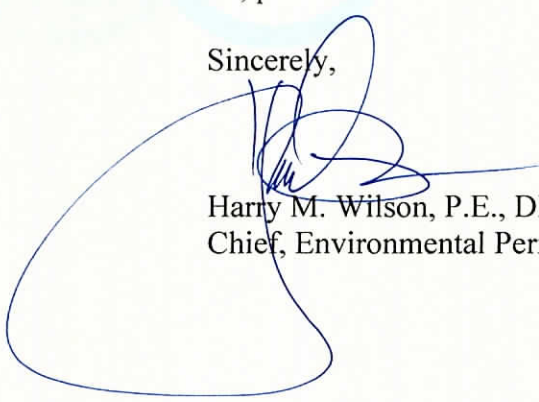
1. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal: vertical) and shall be immediately seeded, stabilized and maintained.

2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately.
3. Coverage under NPDES Construction Storm Water General Permit shall be obtained prior to and during construction activities. No construction activities shall be allowed without such approvals.
4. The final post-construction Storm Water Management Plan, submitted by Brown and Mitchell, Incorporated dated June 4, 2007, subsequent submittal dated August 4, 2016.
5. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If we can be of further assistance, please contact us.

Sincerely,



Harry M. Wilson, P.E., DEE
Chief, Environmental Permits Division

HMW: LD

cc: Mr. Philip Hegji, U.S. Army Corps of Engineers, Mobile District
Department of Marine Resources
Mr. Paul Necaise, U.S. Fish and Wildlife Service
Ms. Callista Mills, Environmental Protection Agency
Mr. Larry Lewis, BMI Environmental Services, LLC