



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

January 12, 2017

Certified Mail No. 7017 1450 0000 4592 1237

Stan Sumrall

18210 Autry Drive

Gulfport, Mississippi 39503

Dear Mr. Stan Sumrall:

Re: Sumrall Plaza
Harrison County
COE No. SAM201700959
WQC No. WQC2017102

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, to Sumrall Plaza, an applicant for a Federal License or permit to conduct the following activity:

Sumrall Plaza: The project purpose is for the construction of a commercial development. The layout proposal includes construction of a 41,600 square foot retail space. The project is located at 13036 Highway 49 on an 8.5-acre tract. The site will impact 2.1 acres of medium quality forested wetlands adjacent to a tributary of Flat Branch in Gulfport, Harrison County, Mississippi. The applicant proposes purchase of appropriate credits from Wetland Solutions, LLC, for impacts to 2.1 acres of the medium-quality wetlands. [SAM201700959, WQC2017102].

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. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. No construction in Phase II shall begin until all wastewater approvals are obtained.
2. 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.

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OFFICE OF POLLUTION CONTROL

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3. 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.
4. Coverage under a Stormwater Construction General NPDES Permit for the new phase shall be modified prior to the start of construction activities. No construction activities in Phase II shall begin until such approvals are obtained.
5. The post-construction Stormwater Management Plan submitted by MS Engineering and Development, LLC that was received on June 12, 2017 shall be implemented concurrent with project construction and properly maintained.
6. All runoff shall be treated via grassed swales before discharge into adjacent waters, including avoided wetland areas. Such grassed swales shall be designed to meet the following criteria:
 - a. The swales shall be designed for a 6-month, 24-hour design storm
 - b. There shall be no contiguous areas of standing or flowing water within 72 hours following storm event.
 - c. Peak discharges shall be less than 5 to 10 cfs.
 - d. Water velocity shall not exceed 1.0 to 1.5 ft/s.
 - e. Maximum design flow depth shall be 1 foot. The cross-section side slopes shall be 3:1 (horizontal: vertical) or flatter.
 - f. Underlying soils shall have high permeability.
 - g. Swale area shall be tilled before grass cover established.
 - h. Swales must be planted with or have stabilized native vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake.
 - i. Swale slopes shall be graded as close to zero to permit drainage and should not exceed 2%.
7. 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,



Krystal Rudolph, P.E.
Chief, Environmental Permits Division

KR: cs

cc: Mr. Rudolph C. Villarreal, U.S. Army Corps of Engineers, Mobile District
Ms. Holland Lamier, Department of Marine Resources
Mr. Paul Necaie, U.S. Fish and Wildlife Service
Mrs. Molly Martin, Environmental Protection Agency
Mr. Eric Necaie, Agent