



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

July 10, 2018

Certified Mail No. 7018 0360 0000 7112 4787

Mr. Mark Miller
Mississippi Export Railroad
4519 McInnis Avenue
Moss Point, MS 39563

Dear Mr. Miller:

Re: Mississippi Export Railroad Company
Carter's Road Side Tracks
Jackson County
COE No. SAM-2018-00231-MJF
WQC No. WQC20180013

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 Mississippi Export Railroad Company, an applicant for a Federal License or permit to conduct the following activity:

Mississippi Export Railroad Company, Carter's Road Side Tracks: Placement of fill material in 5.7 acres of jurisdictional wetlands (5.1 acres of pine savannah wetlands and 0.6 acres of bottomland hardwood wetland drain) on a 22-acre site located within a 100-foot wide railroad right-of-way, for the construction of two siding tracks. The sidings will be constructed on the east and west sides of the existing railroad tracks located south of Carter's Road. The sidings will be constructed parallel to the existing Mississippi Export Railroad line and within the existing 100-foot right-of-way. The west siding will be approximately 7,100 linear feet in length and the east siding will be approximately 7,100 linear feet in length. The sidings will be connected by switch points at both ends of the respective sidings. The project site is located north of Moss Point, Jackson County, Mississippi [SAM-2018-00231-MJF, WQC20180013].

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 and/or waters. Special care shall be taken to prevent the movement of sediment into adjacent wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately.
3. Cleared right-of-way widths across wetlands shall be kept to the absolute minimum necessary to construct the crossing. Bridged track crossings shall be used where appropriate. In areas not bridged, track crossings shall be properly culverted to prevent modification of the hydrology of the adjacent areas. This may require the placement of multiple culverts in the areas subjected to sheet flow.
4. For projects with ground disturbances that total five acres or more including clearing, grading, excavating or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi's Large Construction Storm Water General NPDES Permit. No construction activities shall begin until the necessary approvals and /or permits have been obtained.
5. Mitigation for the loss of 5.7 acres of jurisdictional wetlands (5.1 acres of pine savannah wetlands and 0.6 acres of bottomland hardwood wetland drain) shall be provided by the purchase of mitigation credits from an approved mitigation bank. The purchasing credits must be in accordance with the banking prospectus and should be based upon that required for impacting 3.92 acres of wetlands. **Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland areas.**
6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
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,

A handwritten signature in blue ink that reads "Krystal Rudolph". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

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

KR:chb

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District
Greg Christodoulou, Department of Marine Resources
Paul Necaie, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Larry Lewis, BMI Environmental Services, LLC

