



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

October 19, 2018

Certified Mail No. 7017 1450 0000 4597 5674

Mr. Raymond Foxworth
Foxworth Holdings, LLC
120 Stone Creek Blvd., Suite 100
Flowood, Mississippi 39232

Dear Mr. Foxworth:

Re: Chiro Health USA
Rankin County
COE No. MVK2018218
WQC No. WQC20180024

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, Raymond Foxworth, an applicant for a Federal License or permit to conduct the following activity:

Chiro Health USA: Discharge of dredge and/or fill material into jurisdictional wetlands for the construction of a 1.1 acre commercial development. This development would provide services to a network of over 4,500 chiropractors nationwide. The proposed development would consist of a 14,320 square feet single-story building with an adjoining 54 space parking lot, and approximately 0.24 acre will be green space. An existing lake borders the site to the south. The proposed project would impact approximately 1 acre of emergent wetland, which drains into the Richland Creek. A total of approximately 2,610 cubic yards of expansive clay material would be removed from the site and a total fill of approximately 6,030 cubic yards of clean earthen material would be discharged into the wetlands. The vegetative communities within the project area are dominated by soft rush, fox sedge, forked rush and swamp verbena. Mitigation has been proposed through the purchasing of credits from an approved mitigation bank. The site is located in Flowood, Rankin County, Mississippi. [MVK2018218, WQC20180024].

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:

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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. In the event of any BMP failure, corrective actions shall be taken immediately.
3. A NPDES Small Construction Notice of Intent package must be completed for this project.
4. Mitigation for the impacts of 1.1 acres of wetlands shall be provided by the purchase of mitigation credits jurisdictional wetlands shall be provided from an approved mitigation bank. The number of credits purchased must be in accordance with the banking prospectus and should be based upon that required for permanently impacting approximately 1.1 acres of jurisdictional 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.
5. The post-construction Storm Water Management Plan, submitted by Alford and Associates received on October 17, 2018, shall be implemented concurrent with project construction and properly maintained.
6. 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., BCEE
Chief, Environmental Permits Division

HMW: mhg

cc: Tarmiko Graham, U.S. Army Corps. of Engineers, Vicksburg District
Tamara Campbell, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Diane Hartman, ChiroHealth USA