



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

April 30, 2019

Certified Mail No. 7010 3090 0001 4287 9489
Mr. Bill Lavers, Executive Director
Harrison County Development Commission
12281 Intraplex Parkway
Gulfport, MS 39503

Dear Mr. Lavers:

Re: Harrison County Development Commission
Bernard Bayou Industrial District
Harrison County
COE No. SAM201801009RCV
WQC No. WQC2019002

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 the Harrison County Development Commission, an applicant for a Federal License or permit to conduct the following activity:

Harrison County Development Commission - Bernard Bayou Industrial District:
Project to develop approximately 18.5 acres of a 71.2-acre parcel in the Bayou Bernard Industrial District (BBID). The purpose of the project is to provide for expansion of an existing package shipping/delivery facility. The existing facility consists of a 40,000-sq. ft. distribution/warehouse operation, and the expansion will provide an additional 141,000 sq. ft. of distribution/warehouse, to meet increasing demand for package shipping and delivery.

The expanded facility will occupy an 18.5-acre portion of parcel MN-4 and will be connected to the existing facility by a new industrial access road. A total of 14.7 acres of low-quality wetlands will be impacted by this project. This impact includes 11.6 acres of low-quality pinewood wetlands for the development of the site consisting of 3.2 acres of wetlands impacted for the distribution/warehouse building; 5.2 acres of wetlands impacted for driveways, truck parking, and employee parking; 1.4 acres of wetlands impacted for storm water detention; 1.0 acres of wetlands impacted for utility installation; and 0.8 acre of wetlands impacted for general ground disturbance and re-contouring. Further, an additional

2.9 acres of wetlands will be impacted by the construction of the new access road, and 0.2 acres of low-quality herbaceous wetlands within the right-of-way for Seaway Road will be filled where the new access road connects to Seaway Road. Approximately 4.8 acres of wetlands within the 18.5-acre development site will be avoided.

The proposed project site, a 71.2-acre parcel referred to as MN-4, is a portion of compensatory mitigation for a previously permitted (MS95-00034-I and WQC1993095) project within the BBID. Because a portion of this parcel had been obligated as mitigation for some of the wetland impacts previously authorized, the applicant will provide comprehensive replacement mitigation for the remainder of all mitigation originally proposed within the BBID that has been deemed not successful since the implementation of the plan and will provide additional mitigation for the impacts to 14.7 acres of existing habitat for the new project. Mitigation will be accomplished through the purchase of wetland mitigation credits from an approved wetland mitigation bank that services Harrison County. The project will be located on Corporate Drive in Gulfport, Harrison County, Mississippi [SAM201801009RCV, WQC2019002].

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 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.
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 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.
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. The Post Construction Storm Water Management Plan, submitted by Anchor Engineering and received on February 7, 2019, shall be implemented concurrent with project construction and maintained as proposed.
6. Mitigation for the loss of 14.7 acres of wetlands 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 14.7 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.
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., BCEE
Chief, Environmental Permits Division

KR: CHB

cc: Mr. Rudy Villarreal, U.S. Army Corps of Engineers, Mobile District
Mr. Chris Pickering, Department of Marine Resources
Mr. Paul Necaise, U.S. Fish and Wildlife Service
Ms. Molly Martin, Environmental Protection Agency
Dr. Barry Vittor, Barry A. Vittor & Associates, Inc.
Mr. Dwayne Smith, Anchor Engineering Associates