



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 9229
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. MS93-00034-I
WQC No. WQC1993095

The Department of Environmental Quality understands the need for a Section 401 Water Quality Certification - Modification to the above referenced project based on information provided in letters dated November 7, 2018 and December 12, 2018. The applicant requests that the above referenced Water Quality Certification, WQC1993095, be modified to allow partial replacement of on-site wetland mitigation in the Bernard Bayou Industrial District with a purchase of mitigation bank credits. This modification specifically addresses Mitigation Parcel MN-4.

Information provided in letter dated December 12, 2018 states that, "The total number of mitigation credits needed to account for the full BBID development plan was 111.2; the number of credits achieved as of December 11, 2018 was 105.3. The 5.9-credit deficit represents primarily the reduction in wetland enhancement acreage in MN-4. However, it was determined that the number of wetland acres impacted by development were lower than authorized by the original permit. Wetland Impact Area N-2.2 contains 28 acres, but approximately 4.1 acres have not been developed. Wetland Impact Area N-3 also contains 28 acres, while 4.3 acres have not been filled for development. These 8.4 acres represent a wetland credit of 5.1 habitat units; this leaves a net deficit of 0.8 credit, between achieved vs. required wetland mitigation. This deficit could be accounted for through purchase of wetland mitigation bank credits; for impacts to low-quality wetland, this would involve purchase of 1.6 credits (a 2-to-1 ratio)."

Please be advised that the following Condition 3 has been added to the Section 401 Water Quality Certification and reads as follows:

1852 WQC20180001

OFFICE OF POLLUTION CONTROL

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3. Replacement mitigation for the loss of wetlands within Mitigation Parcel MN-4 as described above 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 as outlined in the information above. **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 in MN-4.**

Please be advised the remaining conditions of the Section 401 Water Quality Certification are unchanged. If we can be of further assistance, please contact Florance Bass of my staff at (601) 961-5171.

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.