



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

May 14, 2019

Certified Mail No. 7017 0530 0000 5971 7220
Ms. Barbara C. Allen
1074 Plantation Lane
Gulfport, MS 39503

Dear Ms. Allen:

Re: Barbara Allen
Brookestone Subdivision
Harrison County
COE No. SAM201800330DEM
WQC No. WQC2018023

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 Barbara Allen – Brookestone Subdivision, an applicant for a Federal License or permit to conduct the following activity:

Barbara Allen – Brookestone Subdivision: Proposed project to conduct regulated activities in waters of the State to construct a single-family residential development, Brookestone Subdivision, on a 73.5-acre parcel located along East Taylor Road in Gulfport, Harrison County, Mississippi. The property lies immediately to the south of Dolphin Lane and Bayou Bernard canal just west of Big Lake in the Back Bay of Biloxi. The proposed project site is currently forested and undeveloped. Approximately 49.4 acres of the site are wetland with the remaining 24.1 acres identified as uplands.

In the initial application, the applicant proposed to impact approximately 30.8 acres of jurisdictional wetlands for the construction of a 106-lot residential subdivision. The proposed project includes impacts to 30.8 acres of wetlands for the construction of streets, utility lines, home lot development, and two lakes. During regulatory review, the west lake was removed from the plan, reducing the amount of wetland impacts to 22.8 acres. The applicant proposed to mitigate for unavoidable impacts to jurisdictional wetlands through the purchase of mitigation credits from a wetland mitigation bank [SAM201800330DEM, WQC20180023].

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

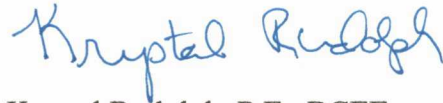
Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

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. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. **No construction activities shall begin until such approvals are obtained.**
5. The final Post Construction Storm Water Management Plan, submitted by Knesal Engineering, received on November 6, 2018 with subsequent amendments provided by Covington Civil & Environmental, LLC on March 18, 2019, shall be implemented concurrent with project construction and maintained as proposed.
6. Mitigation for the loss of 22.8 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 22.8 acres of wetlands. **A copy of the credit purchase agreement shall be forwarded to this office within 60 days of this certification.**
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 "Krystal" and last name "Rudolph" clearly distinguishable.

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

KR: chb

cc: Rudy Villarreal, 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
John Szabo, P.E., Covington Civil & Environmental, LLC
Robert Knesal, P.E., Knesal Engineering