



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

August 6, 2019

Certified Mail No. 7018 0360 0000 7110 3898

Mr. John Lewis

South Point of Mississippi, LLC

1002 West 23rd Street, Suite 400

Panama City, Florida 32405

Dear Mr. Lewis:

Re: Southpoint Subdivision
Jackson County
COE No. SAM201800316-JRO
WQC No. WQC20180018

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, South Point of Mississippi, LLC, an applicant for a Federal License or permit to conduct the following activity:

Southpoint Subdivision: Development of a single-family residential subdivision. This project is Phase 4 of Southpoint Subdivision. The proposed project includes completing the development of the previously authorized project (MS06-02177-ALF). This partially developed site needs new authorization since this previous authorization have expired. The applicant is proposing to fill 10.19 acres of jurisdictional wetlands for the construction of Southpoint Subdivision. The subdivision will consist of 184 residential home lots on a 59.63 acre site, of which 11.89 acres is considered wetlands. The site contains approximately 10.19 acres of wet pine savannah wetlands to be filled, which drains southwest into the Mississippi Sound. The proposed project would also consist of internal streets, utilities, house pads, driveways, and stormwater features. Mitigation has been proposed through the purchasing of mitigation credits form and approved mitigation bank. The site is located in Ocean Springs, Jackson County, Mississippi. [SAM201800316-JRO, WQC20180018].

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. In the event of any BMP failure, corrective actions shall be taken immediately.
3. 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.**
4. The post-construction Storm Water Management Plan, submitted by Rumsey Consulting Engineering, Inc. received on February 22, 2019, shall be implemented concurrent with project construction and properly maintained.
5. Mitigation for the impacts of 10.19 acres of wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and should be based upon that required for impacting 10.19 acres of wetland. 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. 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.**
7. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
8. 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 you have any questions, please contact Montie Hardaway Glenn at (601) 961-5596.

Mr. John Lewis
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Sincerely,



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

KR: mhg

cc: Jeremy Overstreet, U.S. Army Corps of Engineers, Mobile District
Chris Pickering, Department of Marine Resources
Paul Necaie, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Dana Sanders, D.R. Sanders and Associates, Inc.

