



**STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

September 24, 2020

Mr. Jim Huger
Huger Enterprises, LLC
835 Union Street, Suite 300
New Orleans, Louisiana 70112

Dear Mr. Huger:

Re: Old Fort Bayou Subdivision
Jackson County
COE No. SAM201701234RCV
WQC No. WQC2017108

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, Huger Enterprises, LLC, an applicant for a Federal License or permit to conduct the following activity:

Old Fort Bayou Subdivision: Development of a single-family residential subdivision. There will be permanent impacts to 22.80 acres of jurisdictional wetland for the construction of Fort Bayou Subdivision. The subdivision will consist of 64 residential home lots on a 28.3 acre site. The 28.3 acre site contains approximately 27 acres of pine savannah wetlands which drains southwest into Bayou Talla. The proposed project would also consist of access roads, internal streets, utilities, curb, and a detention pond. Mitigation has been proposed through the purchasing of mitigation credits from and approved mitigation bank. The site is located in St. Martin, Jackson County, Mississippi. [SAM201701234RCV, WQC2017108].

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 Dennis Stieffel and Associates, P.A., Inc. received on March 17, 2020, shall be implemented concurrent with project construction and properly maintained.
5. Mitigation for the impacts of 22.80 acre 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 22.80 acre 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. Jim Huger
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Sincerely,



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

KR: mhg

cc: Rudolph Villareal, U.S. Army Corps of Engineers, Mobile District
Jennifer Wilder, Department of Marine Resources
Paul Necaise, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Dana Sanders, Sanders Environmental, LLC