



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

March 18, 2021

Mr. Cole Sanford
Johnson Development Associates, Inc.
100 Dunbar Street, Suite 400
Spartanburg, South Carolina 29306

Dear Mr. Sanford:

Re: Johnson Development
Associates,
Polk Lane Warehouse
Desoto County
COE No. MVM2020-335
WQC No. WQC2020089

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, Johnson Development Associates, Inc., an applicant for a Federal License or permit to conduct the following activity:

Johnson Development Associates, Polk Lane Warehouse: To construct a distribution center to meet growing demand for warehousing space in Olive Branch, Mississippi. The applicant's proposed work consist of the discharge of fill material within 1.24 acres of low-quality herbaceous wetland to facilitate the development of a 259,200 square feet warehouse. The warehouse development includes associated driveways, parking, and stormwater management features. Development of the site will necessitate the use of fill material to bring the site to grade for construction. Mitigation has been proposed through the purchasing of credits from an approved mitigation bank. This site is located in Olive Branch, Desoto County, Mississippi. [MVM2020-335, WQC2020089].

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

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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. (Statement B) (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
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. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B., 11 Miss. Admin. Code Pt. 6, R. 1.3.4.B(7))
3. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
4. The post-construction Storm Water Management Plan, submitted by Goodwin & Marshall, Inc. received on February 25, 2021, shall be implemented concurrent with project construction and properly maintained. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
5. Mitigation for the impacts of 1.24 acres of wetlands shall be provided by the purchase of mitigation credits jurisdictional wetlands shall be provided from an approved mitigation bank. The number of credits purchased must be in accordance with the banking prospectus and should be based upon that required for permanently impacting approximately 1.24 acres of jurisdictional 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. (Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
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. (Statement D) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B., 11 Miss. Admin. Code Pt. 6, R. 1.3.4.B(7))
7. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A(3))
8. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A)

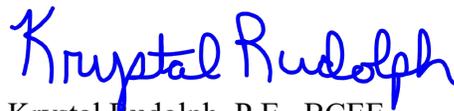
As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

- (A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams.
- (B) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (C) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (D) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (E) The proposed activity results in significant environmental impacts which may adversely impact water quality.

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.

Sincerely,



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

KR: mhg

cc: James Elcan, U.S. Army Corps of Engineers, Memphis District
Tamara Campbell, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Margaret Lee, Brophy-Heineke & Associates, Inc.