



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

September 2, 2021

Honorable Chuck Espy  
Mayor, City of Clarksdale  
121 Sunflower Avenue  
Clarksdale, Mississippi 38614

Dear Honorable Chuck Espy:

Re: Clarksdale, City of, Levee and  
Detention Basin  
Coahoma County  
COE No. MVK2020178  
WQC No. WQC2021027

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, Honorable Chuck Espy, an applicant for a Federal License or permit to conduct the following activity:

Clarksdale, City of, Levee and Detention Basin: The proposed work is the construction of a levee and detention basin within jurisdictional wetlands to alleviate flooding due to large rain events and over topping of the Big Sunflower River. The applicant now wishes to expand the detention pond footprint from the previously permitted size. The permitted levee footprint will not change. The proposed additional impacts within the project area is the clearing of 0.4 acres of forested wetlands and the impoundment of 2.13 acres of emergent wetlands. [MVK2020178, WQC2021027].

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 3:1 (horizontal: vertical) or flatter 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. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland 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.)
3. Mitigation for the impact of 0.4 acres of forested wetlands and the impoundment of 2.13 acres of emergent wetlands associated with the project shall be provided by the purchase of mitigation credits from an approved mitigation bank. Written verification of the final purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland areas. (Statement D) (11 Miss. Admin. Code Pt. 6, R. 1.3.4.A. (2))
4. 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.)
5. 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. (3))

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) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (C) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (D) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.

September 2, 2021

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 Florance Bass.

Sincerely,



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

KR: csh

cc: Ms. Samantha Thompson, U.S. Army Corps of Engineers, Vicksburg District  
Mr. Gregory Christodoulou, Department of Marine Resources  
Mr. Paul Ncaise, U.S. Fish and Wildlife Service  
Ms. Molly Martin, Environmental Protection Agency  
Mr. Cullen Dendy, Headwaters, Incorporated