



# State of Mississippi

TATE REEVES  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

November 24, 2021

Harrison County Development Commission  
Bill Lavers, Executive Director  
12281 Intraplex Parkway  
Gulfport, MS 39503

Re: Harrison County Development  
Commission  
Bernard Bayou Industrial District  
Harrison County  
COE No. SAM-2018-01009-RCV  
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, Harrison County Development Commission, an applicant for a Federal License or permit to conduct the following activity:

Bernard Bayou Industrial District – Bernard Bayou Industrial District: The project is an expansion to WQC2019002, to include an additional 19.1 acres of wetland impacts in the Bernard Industrial District (BBID). The purpose of the project is to provide for expansion of an existing package shipping/delivery facility. A total of 33.8 acres of wetlands will be impacted on the site.

The proposed project site, a 71.2-acre parcel referred to as MN-4, is a portion of compensatory mitigation for a previously permitted (MS95-00034-I and WQC1993095) project within the BBID. Because a portion of this parcel had been obligated as mitigation for some of the wetland impacts previously authorized, the applicant will provide comprehensive replacement mitigation for the remainder of all mitigation originally proposed within the BBID that has been deemed not successful since the implementation of the plan and will provide additional mitigation for the impacts to 33.8 acres of existing habitat for the new project. Mitigation will be accomplished through the purchase of wetland mitigation credits from an approved wetland mitigation bank that services Harrison County. The project will be located on Corporate Drive in

Gulfport, Harrison County, Mississippi [SAM-2018-01009-RCV, WQC2021027].

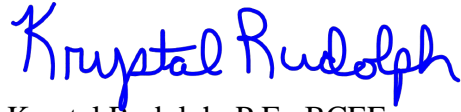
The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. The development shall be required to connect to an MDEQ Office of Pollution Control approved wastewater collection and treatment system. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
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. (11 Miss. Admin. Code Pt. 6, R.1.1.1.B.)
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. 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. (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
4. The Post Construction Water Quality Plan by Brown Mitchell & Alexander, Inc. dated September 30, 2021 shall be implemented concurrent with project construction and maintained as proposed. (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
5. Mitigation for the impacts of 19.1 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 19.1 acres of 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 or stream areas. (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
6. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

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: ld

cc: U.S. Army Corps of Engineers, Mobile District  
Mississippi Department of Marine Resources  
U.S. Fish and Wildlife Service  
Environmental Protection Agency  
Brown Mitchell & Alexander, Inc.  
42 Real Estate LLC