



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

January 18, 2022

Mr. Joe Marshall, Manager
B 3983 REAR, LLC
3893 North Gloster Street
Tupelo, Mississippi 38804

Dear Mr. Marshall:

Re: Barnes Crossing Hyundai
Mazda
Lee County
COE No. SAM202000133JLB
WQC No. WQC2021074

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, Mr. Joe Marshall, an applicant for a Federal License or permit to conduct the following activity:

Barnes Crossing Hyundai Mazda: The applicant proposes to fill 4.81 acres of scrub-shrub wetlands, 0.3 acre of pond/emergent wetland, and 250 linear feet of perennial stream associated with the planned expansion of the Barnes Crossing Hyundai automobile dealership. [SAM202000133JLB, WQC2021074].

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.
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.

3. For construction projects five (5) acres or greater of total ground disturbance including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Large Construction Stormwater NPDES General Permit. **No construction activities shall begin until the necessary approvals and/or permits have been obtained.**
4. The final post-construction Stormwater Management Plan submitted by Environmental Compliance and Safety, Inc. (ECS) on October 18, 2021 shall be implemented concurrent with project construction and maintained to function as proposed.
5. Mitigation for the impact of 4.81 acres of scrub-shrub wetlands, 0.3 acres of pond/emergent wetland, and 250 linear feet of perennial stream 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.**
6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
7. 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 Florance Bass.

Sincerely,



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

Mr. Joe Marshall

Page 3 of 3

January 18, 2022

cc: Mr. James S. Cherry, II, U.S. Army Corps of Engineers, Mobile District
Mr. Paul Necaie, U.S. Fish and Wildlife Service
Mrs. Molly Martin, Environmental Protection Agency
Mr. Bart Pittman, Pittman Environmental Services, LLC