



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

August 8, 2022

Mr. Robert Davis  
South Creek Homes, LLC  
190 Motor Scooter Drive  
Nesbit, MS 38651

Dear Mr. Davis:

Re: South Creek Homes LLC,  
Chapel Woods Phase I and II  
Desoto County  
COE No. MVK2021655  
WQC No. WQC2022048

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, to South Creek Homes, LLC, an applicant for a Federal License or permit to conduct the following activity:

South Creek Homes LLC, Chapel Woods Phase I and II: Completion of the Chapel Woods Development comprised of 164 single family residential lots and infrastructure. Approximately 520 linear feet of stream would be impacted by 4 culverted crossings in the development. Placement of the culverts below the natural flow line of the stream channels would offset the impacts of the project. [MVK2021655, WQC2022048].

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 /facility 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 C) (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 and/or waters. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent 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. 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.)
4. 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.

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

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KR: fb

cc: Mr. Will Pigott, U.S. Army Corps of Engineers, Vicksburg District  
Mr. Bill Ainslie, EPA  
Mr. Clay Cromwell, Headwaters, Inc.