



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

October 24, 2022

Mr. Ryan Goldin
Preservation Homes, LLC
Southwood District
14231 Seaway Road
Suite 7009
Gulfport, Mississippi 39503

Dear Mr. Goldin:

Re: Southwood District
Harrison County
COE No. SAM2021001153PAH
WQC No. WQC2022016

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

Southwood District: Construction of a subdivision which requires fill of 15.8 acres of wetlands, 0.99 acres of other waters of the United States. The development also temporarily impacts 1.72 acres of a ditch for flood control. The total project site is approximately 104.7 acres in size. Mitigation includes the purchase of credits from an approved mitigation bank. [SAM2021001153PAH, WQC2022016].

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.)

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2. Coverage under a Stormwater Construction General NPDES Permit shall be obtained prior to the start of construction activities. No construction activities shall begin until such approvals are obtained. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
3. 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.)
4. A site-specific post-construction storm water management plan shall be developed for future phases of the project and shall be consistent with the conceptual plan submitted by Brown, Mitchell, & Alexander, Incorporated on August 5, 2022. Pertinent plans and specifications detailing the implementation and design of the controls and maintenance shall be submitted to this office for review at least 60 days prior to the start of any construction activities on future phases. No construction shall begin in the subject individual phase until written approval of the plan is received from the Department. (Statement B) (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
5. The Post-Construction Stormwater Quality Management Plan for Phase 1 dated August 5, 2022 shall be implemented and maintained as proposed. (Statement B) (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
6. Mitigation for the impact of 15.8 acres of wetlands and 0.99 acre of other waters of the United States associated with the project shall be provided by the purchase of mitigation credits from an approved mitigation bank. (Statement D) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
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.)a
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.(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.
- (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 Florance Bass.

Sincerely,



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

KR: fb

cc: Philip Hegji, U.S. Army Corps of Engineers, Mobile District
Willa Brantley, Department of Marine Resource
Bill Ainslie, Environmental Protection Agency
Nick Gant