



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

March 31, 2023

Mr. Patrick Chubb  
Mississippi Power Company  
P.O. Box 4079  
Gulfport, MS 39502-4047

Dear Mr. Chubb:

Re: Mississippi Power Company,  
Bayou Casotte- International  
Paper Access Road  
Jackson County  
COE No. SAM202200789CSP  
WQC No. WQC2022066

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 Mississippi Power Company, an applicant for a Federal License or permit to conduct the following activity:

Mississippi Power Company, Bayou Casotte- International Paper Access Road: The applicant proposes to fill 1.8 acres of wetlands associated with the construction of an access road within an existing Mississippi Power Company (MPC) right-of- way near Bayou Cumbest Road in Pascagoula, Jackson County, Mississippi. The proposed limestone access road is needed to provide permanent access to two MPC transmission lines to increase reliability and operational flexibility of the grid. The applicant proposes to mitigate through the purchase of credits from an approved wetland mitigation bank. [SAM202200789CSP, WQC2022066].

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. 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.)

2. For construction projects from one to less than five acres of total ground disturbance including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Storm Water Small Construction General NPDES Permit. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. 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.)
4. Mitigation for the impacts of 1.8 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 be based upon that required for impacting the waters on the site. 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. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
5. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement D) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
6. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement D) (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:

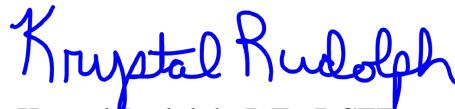
- A. Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- B. Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- C. The proposed activity in conjunction with other activities may result in adverse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

- D. 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

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 Carrie Barefoot.

Sincerely,



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

KR: MW

cc: Mr. Christopher Pickering, U.S. Army Corps of Engineers, Mobile District  
Ms. Jamie Becker, Environmental Protection Agency  
Ms. Willa Brantley, Department of Marine Resources