



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

May 12, 2023

Mr. Ken Blakeney
KTS Real Estate, LLC
4374 A Magnum Drive
Flowood, Mississippi 39232

Dear Mr. Blakeney:

Re: KTS Real Estate LLC, Training
Facility
Rankin County
COE No. MVK2021115
WQC No. WQC2022021

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 KTS Real Estate LLC, an applicant for a Federal License or permit to conduct the following activity:

KTS Real Estate LLC, Training Facility: Proposed impact of 1.99 acres of wetlands on a 47.2 acre site for construction of a training facility for Southern Electric Corporation. The facility will also include additional large vehicle parking, equipment storage, and equipment washing facilities. Approximately 12.9 acres of wetlands and 1688 linear feet of stream. Mitigation will include the purchase of credits from an approved mitigation bank. The receiving stream is an unnamed tributary to Neely Creek. This site is located on Mangum Drive, Flowood, Rankin County. [MVK2021115, WQC2022021].

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:

80148 WQC20220001

1. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. (Statement C) (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. (Statement B) (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 and/or waters. Special care shall be taken 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.)
4. For projects greater than five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi's Large Construction Storm Water General NPDES Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. (Statement B & C) (11 Miss. Admin. Code Pt. 6, R 1.1.1 B.)
5. The post-construction stormwater management plan submitted on May 10, 2023, prepared by Benchmark Engineering and Surveying, LLC, shall be implemented concurrent with project construction and maintained as proposed. (Statement B) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
6. Mitigation for the loss of 1.99 acres of wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The purchasing credits must be in accordance with the banking prospectus and should be based upon that required for impacting 1.99 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 areas. (Statement A & 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. The turbidity within the beneficial use restoration project areas may reasonably exceed this turbidity standard for temporary periods of time and shall not result in permanent environmental harm. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.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. The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- D. 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 Ms. Florance Bass.

Sincerely,



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

KR:fb

cc: Samantha Thompson, U.S. Army Corps of Engineers, Vicksburg District
Jamie Becker, Environmental Protection Agency
Clay Cromwell, Headwaters, Inc.