



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

August 22, 2023

Mr. Mike Smith
Jackson County Port Authority
Post Office Box 70
Pascagoula, Mississippi 35968

Dear Mr. Smith:

Re: Jackson County Board of
Supervisors, Sunplex Industrial
Park, Northern Gulf Aquatic
Food Research Center
Jackson County
COE No. SAM202300282RCV
WQC No. WQC2023023

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 Jackson County Port Authority, an applicant for a Federal License or permit to conduct the following activity:

Jackson County Board of Supervisors, Sunplex Industrial Park: Proposed fill of 5.91 acres of wetlands for construction of the Northern Gulf Aquatic Food Research Center. The site will be filled and developed with buildings and associated parking lots and sidewalks. The lot was cleared, graded, and grassed in approximately 2001 as required by a Section 404 permit (MS95-04370-P). Mitigation has been provided through the original permit issued for the site. [SAM202300282RCV, WQC2023023].

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:

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1. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. Coverage under the Large Construction Stormwater General Permit must be obtained prior to the start of construction activities. (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. 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.)
4. 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.)
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 C) (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 C) (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 permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses.

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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: Mr. Rudy Villarreal, U.S. Army Corps of Engineers, Mobile District
Ms. Willa Brantley, Department of Marine Resources
Ms. Jamie Becker, Environmental Protection Agency
Ms. Lisa Morrison, Neel-Schaffer