



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, EXECUTIVE DIRECTOR

September 13, 2021

Certified Mail No. 7019 1120 0000 4789 6052
Warren Paving, Inc.
Attention: Mr. Ronnie Robertson
PO Box 572
Hattiesburg, Mississippi 39401

Dear Mr. Robertson:

Re: Warren Paving Inc. Gulfport Plant
Harrison County
COE No. SAM-2021-00366-MJF
WQC No. WQC2021013

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, Warren Paving Inc., an applicant for a Federal License or permit to conduct the following activity:

Warren Paving Inc, Gulfport Plant: The applicant proposes to fill 8.6 acres of wetlands associated with the expansion of an existing asphalt plant and stone aggregate yard off of Riechold Road in Biloxi, Harrison County, Mississippi. The total project site is approximately 16.6 acres in size of which 8.6 acres have been identified as wetlands. Impacts include filling 8.6 acres of low quality (based on M-WRAP) wet pine savanna wetlands. The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank. [SAM-2020-00366-MJF, WQC2021013].

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. 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)

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. Mitigation for the impact of 8.6 acres of wetlands associated with the project shall be provided by the purchase of mitigation credits from an approved mitigation bank. (Statement C) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
4. 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.)
5. 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) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (C) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (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 Florance Bass.

Mr. Ronnie Robertson

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Sincerely,



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

KR: doa

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District
Willa Brantley, Department of Marine Resources
Molly Martin, Environmental Protection Agency
Jason Musgrove, Apex Environmental Consultants, Inc.

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