



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

December 9, 2022

Mr. Scott Shoemaker
RANDS, LLC
Post Office Box 986
Ridgeland, Mississippi 39158

Dear Mr. Shoemaker:

Re: RANDS, LLC, Catlett Road
 Property
 Madison County
 COE No. MVK2021643
 WQC No. WQC2021072

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

RANDS, LLC, Catlett Road Property: Development of a single-family residential subdivision. The proposed development will include construction of 82 single-family residential house lots on a 34-acre site. The proposed project will include the construction of interior roads/streets and utilities as part of the development. The roads will include a curb and gutter underground drainage system to facilitate storm water runoff that will be routed through the subdivision into two (2) planned dry detention areas located in the southwestern and southcentral portions of the property. Approximately 2.60 acres of jurisdictional emergent wetlands and 0.14 acres of jurisdictional forested wetlands, which drains into Bear Creek, will be permanently impacted by the project. Approximately 4,500 cubic yards of fill will be placed into the jurisdictional areas. The wetland habitat will be graded and filled to facilitate the construction of the interior access roads/streets, residential house lots, and a detention basin within the southwestern portion of the proposed project. Approximately 50 linear feet of jurisdictional intermittent stream channel would be impacted through the installation of a culvert/riprap. Approximately 204.49 linear feet of ephemeral stream channel would be filled as part of the development. Mitigation has been proposed through the purchasing of credits from an approved mitigation bank. The site

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is located in Gluckstadt, Madison, Mississippi. [MVK2021643, WQC2021072].

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 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 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. 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. The Post Construction Water Quality Plan dated September 12, 2022, shall be implemented concurrent with project construction and maintained as proposed. (Statement C) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
6. Mitigation for the impacts of 2.60 acres of emergent wetlands, 0.14 acres of forested wetlands, 50 linear feet of intermittent stream, and 204.49 linear feet of ephemeral stream channel 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 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 D) (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 D) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

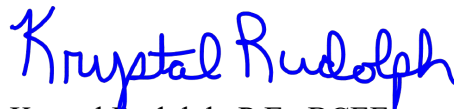
As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, 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: FB

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cc: Jamie Becker, Environmental Protection Agency
Clay Cromwell, Headwaters, Inc.
Tarmiko Graham, USACE Vicksburg District