



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

December 15, 2022

Mr. Tim Wise  
Perry County Board of Supervisors  
Post Office Box 345  
New Augusta, Mississippi 39462

Dear Mr. Wise:

Re: Perry County Board of  
Supervisors, Perry County  
Industrial Site  
Perry County  
COE No. SAM202100620APS  
WQC No. WQC2022036

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 Perry County Board of Supervisors, an applicant for a Federal License or permit to conduct the following activity:

Perry County Board of Supervisors, Perry County Industrial Site:  
Construction of a new industrial park in Perry County for the purpose of providing opportunities for economic development, job creation, and to meet growing supply chain demands located in an area with existing transportation and infrastructure.

The project area contains a total of 7.07 acres of forested wetlands and 6,282 linear feet (LF) of stream. There are five (5) individual wetlands that comprise the total acreage of wetland habitat, and there are eighteen (18) stream reaches that have been identified within the project area. The only impacts proposed to waters of the United States (wetlands and streams) are associated with the construction of the industrial park's access road and railroad spur. Permanent impacts include the placement of fill material in 1.88 acres forested wetlands and 81 linear feet of ephemeral stream. Culverts are proposed to be placed into 548 linear feet of intermittent stream, and 110

linear feet of perennial stream. The applicant has attempted to avoid and minimize impacts where possible. To offset unavoidable impacts to waters of the United States, the applicant proposes to provide in-kind compensatory mitigation through a mitigation bank.

The project site is located near the northeast corner of the intersection of MS Highway 98 East and West Wingate Road in New Augusta, Perry County, Mississippi. [SAM202100620APS, WQC2022036].

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 a Mississippi Department of Health 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. Other approvals from the Department may be necessary for the construction and operation of the proposed facilities. All necessary permits and authorizations as required by the Department prior to the start of the specific regulated activity must be obtained. This certification does not alleviate the need for other permit requirements and/or responsibilities. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
4. 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.)
5. 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.)
6. Mitigation for the impacts of 1.88 acres of forested wetlands, 110 linear feet of perennial stream, 548 linear feet of intermittent stream, and 81

linear feet of ephemeral stream 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:

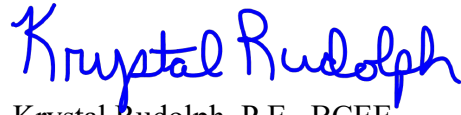
- (A) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (B) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (C) The proposed activity in conjunction with other activities may result in adverse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

Sincerely,



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

KR: CB

cc: Aimee Smith, U.S. Army Corps of Engineers, Mobile District  
Jamie Becker, Environmental Protection Agency  
Jeremy Smith, FC&E Engineering  
Jason Lamb, The Walker Associates