



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

October 30, 2024

Dr. Satjit Adlakha  
ATM Holdings, LLC  
419 East Beach Drive  
Ocean Springs, Mississippi 39564

Dear Dr. Adlakha:

Re: ATM Holdings, LLC  
Adlakha Medical and Retail Center  
Jackson County  
COE No. SAM-2023-00513-APS  
WQC No. WQC2024059

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

ATM Holdings, LLC, Adlakha Medical and Retail Center: Filling of 8.39 acres of wetlands associated with the construction of a medical and retail center off Highway 57 in Gautier, Jackson County, Mississippi. The total project site is approximately 19.19 acres in size of which 10.39 acres have been identified as wetlands. Impacts include filling 8.39 acres of wet pine savanna wetlands. The applicant proposes to provide in-kind compensatory mitigation through a mitigation bank [SAM-2023-00513-APS, WQC2024059].

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 G) (11 Miss. Admin. Code, Part 6, Rule 1.3.4(B))
2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent

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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 F) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)

3. 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 F) (11 Miss. Admin. Code Pt. 6, R 1.1.1 B.)
4. The post-construction stormwater management plan submitted on September 30, 2024, prepared by Dennis Stieffel and Associates, Inc., shall be implemented concurrent with project construction and maintained as proposed. (Statement F) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
5. Mitigation for the impacts of 8.39 acres of forested wetlands 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 E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
6. 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.)
7. 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.)

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) There is a feasible alternative to the activity which reduces adverse consequences on water quality and classified or existing uses of waters of the State.

- (C) The proposed activity adversely impacts waters containing State or federally recognized threatened or endangered species.
- (D) The proposed activity adversely impacts a special or unique aquatic habitat, such as National or State Wild and Scenic Rivers and/or State Outstanding Resource Waters.
- (E) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (F) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (G) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (H) 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 Carrie Barefoot.

Sincerely,



Becky Simonson  
Chief, Environmental Permits Division

BS:CB:DO

cc: Dana Sanders Jr., Sanders Environmental, LLC  
Dennis Stieffel, Dennis Stieffel & Associates, P.A., Inc.  
Karen P. Jordan, US Army Corps of Engineers, Mobile District  
Jamie Becker, U.S. Environmental Protection Agency  
Willa Brantley, Mississippi Department of Marine Resources