



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

December 1, 2023

Mr. Gabriel Prado
Prado Vista Real Estate Holdings, LLC
P.O. Box 1612
Jackson, Mississippi 39215

Dear Mr. Prado:

Re: Prado Vista Real Estate Holdings, LLC
Prado Vista Mixed Use Development
Madison County
COE No. MVK-2023-139
WQC No. WQC2023038

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (Department) issues this Certification, after public notice and opportunity for public hearing, to Prado Vista Real Estate Holdings, LLC – Prado Vista Mixed Use Development, an applicant for a Federal License or permit to conduct the following activity:

Prado Vista Real Estate Holdings, LLC – Prado Vista Mixed Use Development: Proposed project to construct a mixed-use commercial development within the city of Ridgeland, Madison County, Mississippi. The purpose of the project is to provide additional office, lodging, residential, retail, and entertainment space for the city of Ridgeland and the Madison County community. The project site consists of approximately 77 acres and has existing road frontage along Colony Park Boulevard and Sunnybrook Road.

The development would consist of the construction of roadways, utilities, buildings, parking lots, houses, recreational amenities, and detention ponds needed to support the mixed-use development. In order to construct the aforementioned items, the site will be graded to achieve the design elevations for the proposed development as well as the filling of aquatic resources. Some existing surface drains will be converted to underground drainage through piping. Some aquatic resources will be impacted by impoundment for the construction of retention basins. Some aquatic resources will be excavated or filled by the onsite grading. The fill and grading is needed to achieve the project design elevations for retention basins and green space improvements.

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The following is a breakdown of the identified aquatic resources found within the project site:

- Forested wetlands - 0.75 acres
- Scrub/Shrub wetlands - 1.03 acres
- Emergent wetlands - 0.57 acres
- Open water - 0.77 acres
- Ephemeral stream - 1,922 linear feet
- Intermittent stream - 1,774 linear feet

Approximately 1,922 linear feet of ephemeral stream and 1,262 linear feet of intermittent stream will be impacted by rerouting them into pipes underground. Approximately 261 linear feet of intermittent stream, 0.49 acres of forested wetland, 0.54 acres of scrub/shrub wetlands, 0.57 acres of emergent wetlands, and 0.3 acres of open water will be impacted by fill. Approximately 151 linear feet of intermittent stream, 0.26 acres of forested wetland, 0.48 acres of scrub/shrub wetlands, and 0.47 acres of open water will be impacted by impoundment.

The project seeks to minimize impacts by limiting road crossing, co-locating road and utility crossings, and limiting fill impacts by situating detention basins and green-space areas in aquatic resources. For unavoidable impacts, the applicant proposes to purchase the required compensatory mitigation credits from an approved mitigation bank [MVK-2023-139, WQC2023038].

The Department 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 Department approved wastewater collection and treatment system. All wastewater, including process wastewater, shall be properly treated and disposed in accordance with 11 Mississippi Administrative code Part 6, Chapter 1. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. For construction activities, 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 offsite and into adjacent waters. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. For construction projects five (5) acres or greater of total ground disturbances including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Large Construction General Permit. **No construction activities shall begin until the necessary approvals and/or**

permits have been obtained. Construction activities include a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)

4. The final post-construction Stormwater Management Plan submitted by shall be implemented concurrent with project construction and maintained as proposed. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
5. Mitigation for the impacts to 1,774 linear feet of intermittent stream, 0.77 acres of other waters, 0.57 acres of emergent wetlands, 1.03 acres of scrub/shrub wetlands, and 0.75 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 should be based upon that required for impacting 1,774 linear feet of intermittent stream, 0.77 acres of other waters, 0.57 acres of emergent wetlands, 1.03 acres of scrub/shrub wetlands, and 0.75 acres of forested wetlands. Mitigation will be accomplished in a phased approach. Written verification of credit purchase for each phase must be provided to the Department prior to the commencement of any work in the wetland or stream areas for each phase. (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.(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:

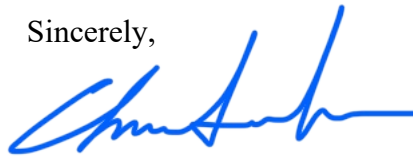
- (A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams.
- (B) There is a feasible alternative to the activity which reduces adverse consequences 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,



Chris Sanders, P.E.
Director, Office of Pollution Control

CS:chb

cc: Jared Everitt, U.S. Army Corps of Engineers, Vicksburg District
Jamie Becker, Environmental Protection Agency
James Hall, Engineering Service
Clay Cromwell, Headwaters, Inc.
Seth Dean, Dean Engineering Solutions, Inc.