



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

November 25, 2024

Mr. John Paul Hoover
RaceTrac, Inc.
200 Galleria Parkway SE, Suite 900
Atlanta, GA 30339

Dear Mr. Hoover:

Re: RaceTrac, Inc. – New Augusta
Perry County, MS
COE No. SAM2024-00515-GSC
WQC No. WQC2024029

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (MDEQ) issues this Certification, after public notice and opportunity for public hearing, to RaceTrac, Inc., an applicant for a Federal License or permit to conduct the following activity:

RaceTrac, Inc – New Augusta: Project to fill 1.89 acres of wetlands and approximately 32 linear feet of stream for the construction of a convenience store and refueling facility at the intersection of U.S. Highway 98 and Mississippi Highway 29 in New Augusta, Perry County, Mississippi. The project includes construction of a refueling facility consisting of a 3,500 square-foot convenience store, twenty-one (21) parking spaces, eight (8) gasoline fuel pumps, four (4) diesel fuel pumps, along with associated infrastructure and stormwater management features. The total project site is approximately 7.05 acres in size of which 3.08 acres have been identified as wetlands. Impacts include filling 1.89 acres of forested/shrub wetlands and 32 linear feet of stream. The applicant will provide in-kind compensatory mitigation through the purchase of credits at an approved mitigation bank [SAM202400515GSC, WQC2024029].

MDEQ 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 MDEQ 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. A site-specific Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented as required under the Small Stormwater Construction NPDES General Permit prior to the start of construction activities. A copy of the site-specific SWPPP and Notice of Intent shall be kept on-site and available for inspection upon request. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
4. The final post-construction Stormwater Management Plan submitted by MP Design Group, submitted on September 13, 2024, 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 to 1.89 acres of wetlands and 32 linear feet of 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 should be based upon that required for impacting 1.89 acres of wetlands and 32 linear feet of stream. Written verification of credit purchase must be provided to MDEQ 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.(3))
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 MDEQ 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.

MDEQ 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:CHB

cc: Greg Christodoulou, U.S. Army Corps of Engineers, Mobile District
Jamie Becker, Environmental Protection Agency
Mitch Tinsley, Ecological Asset Management, LLC
Jack Schmidt, MP Design Group