



# State of Mississippi

TATE REEVES  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

April 7, 2025

Mr. Ken Blakeney  
KTS Real Estate, LLC  
4374 A Mangum Dr.  
Flowood, Mississippi 39232  
[ken.blakeney@outlook.com](mailto:ken.blakeney@outlook.com)

Dear Mr. Blakeney:

Re: KTS Real Estate, LLC  
Mangum Drive Development  
Rankin County  
COE No. MVK-2021-115  
WQC No. WQC 2024022

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

KTS Real Estate, LLC, Mangum Drive Development: Project for a planned mixed-use commercial development on the approximately 14.8-acre site will include the construction of four (4) primary commercial lots to include appropriate infrastructure, utilities, and direct access from Mangum Drive. Each commercial lot will consist of generally one (1) building positioned within the site as appropriate by each development group. The buildings will include a mixed-use retail and commercial project as a frontage along Mangum Drive. To support the planned project, parking and access will be provided within the lot. Other phases of construction will include installation of stormwater drainage, associated utilities, curb and gutter, and asphalt paving. A preexisting detention basin is featured offsite to the southwest to service the planned development. The stormwater management plan will be designed in accordance with the City of Flowood's stormwater management requirements and the Mississippi Department

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of Environmental Quality's (MDEQ) specific design criteria. Approximately 8.5 acres of scrub-shrub wetlands and 0.14 acres of emergent wetlands will be impacted on the approximately 14.8-acre site. To off-set the unavoidable impacts, the applicant proposes to purchase compensatory mitigation credits from an approved mitigation bank [MKV-2021-115, WQC2024022].

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 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. 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 avoided wetland areas and 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 post-construction stormwater management, submitted by Headwaters, Inc. on August 12, 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 approximately 8.5 acres of scrub-shrub wetlands and 0.14 acres of emergent wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with the banking prospectus and should be based upon that required for impacting 8.5 acres of scrub-shrub wetlands and 0.14 acres of emergent wetlands. 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.2.2.A.)

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

cc: Michael Maaninen, U.S. Army Corps of Engineers, Vicksburg District  
Clay Cromwell, Headwaters, Inc.  
Jamie Becker, Environmental Protection Agency