



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

November 19, 2025

Mr. Trey Evans
Holden Earth Moving and Construction
8525 Oaklawn Road
Biloxi, MS 39525

Dear Mr. Evans:

Re: Holden Earth Moving and Construction
Company, Hilltop Pit
Jackson County
COE No. SAM-2025-00379-DCH
WQC No. WQC2025085

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 Holden Earth Moving and Construction Company, an applicant for a Federal License or permit to conduct the following activity:

Holden Earth Moving and Construction, Hilltop Pit: Project to construct a road to allow for access to an existing mining operation and will result in the impact to 0.15 acres of wetlands. To compensate for the impacts to wetlands, the applicant proposes to purchase wetland mitigation credits from an approved mitigation bank. Project site is located east of U.S. Highway 57 and north of Wade-Vancleave Road in Vancleave, Jackson County, Mississippi [SAM-2025-00379-DCH; WQC2025085].

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:

OFFICE OF POLLUTION CONTROL
POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 •
www.mdeq.ms.gov
Facebook: @mdeq.ms • Twitter: @MDEQ • Instagram:
@MDEQ AN EQUAL OPPORTUNITY EMPLOYER

1. 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 F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
2. Coverage under the Mining Storm Water, Dewatering, and No Discharge General NPDES Permit shall be obtained prior to the start of mining activities. No mining activities shall begin until such approvals are obtained. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
3. Mitigation for the impacts of 0.15 acre of high-quality jurisdictional 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 0.15 acre of high-quality jurisdictional 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 1.3.4 A (2))
4. 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))
5. 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 MEQ 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: Sarah Piesco, U.S. Army Corps of Engineers, Mobile District
Jamie Becker, Environmental Protection Agency, Region 4
Mitch Tinsley, Ecological Asset Management, LLC