STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

January 24, 2025

Mr. Matt Reedy
Ashley Furniture Industries, LLC
One Ashley Way
Arcadia, Wisconsin 54612
mreedy@ashleyfurniture.com

Dear Mr. Reedy:

Re: Ashley Furniture Industries, LLC
Verona Plant 3
Lee County
COE No. SAM-2024-00462-CMS
WQC No. WQC2024076

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 Ashley Furniture Industries, LLC, an applicant for a Federal License or permit to conduct the following activity:

> Ashley Furniture Industries, LLC, Verona Plant 3: Ashley Furniture Industries is proposing to expand its existing foam and mattress production facility in Verona, which will include the construction of an approximate 287,440 square foot building and attendant features. The project will impact 0.089 acres of emergent wetlands, 1,243.51 feet of intermittent tributaries, and 71.93 feet of perennial tributaries. To compensate for the impact to these waters, the applicant will purchase appropriate mitigation credits from an approved mitigation bank. The project is located along the east side of Highway 145 South within Verona, Lee County, Mississippi [SAM-2024-00462-CMS; WQC2024076].

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. Coverage under the Stormwater Construction General NPDES Permits shall be obtained prior to the start of construction activities. **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)

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 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)

3. All fill material and excavation areas shall have side slopes of 3:1 (horizontal:vertical) or flatter and shall be immediately seeded, stabilized and maintained. (Statement F) (11 Miss. Admin. Code Pt. 6, R.1.1.1.B)

4. Mitigation for the impacts of 0.089 acres of emergent wetlands and 1,243.51 feet of intermittent tributaries, and 71.93 feet if perennial tributaries shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospects 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))

5. 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))

6. 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,

Becky Simonson

Becky Simonson
Chief, Environmental Permits Division

BS: CB: PK

cc: Beverly Lowery, U.S. Army Corps of Engineers, Mobile District
Jamie Becker, Environmental Protection Agency
Cullen Dendy, Headwaters, Inc.