



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

November 4, 2019

Certified Mail No.7019 1120 0000 4788 7005

Mr. Neal Creasy
Buford Farm
P.O. Box 230
Glendora, Mississippi 38928

Dear Mr. Creasy:

Re: Buford Farms, Swan Lake Weir
Tallahatchie County
COE No. MVK2019424
WQC No. WQC2019053

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, Buford Farm, an applicant for a Federal License or permit to conduct the following activity:

Buford Farms, Swan Lake Weir: The applicant, Buford Farm, will construct a weir at the outlet of Swan Lake, which will increase the storage of surface water. By increasing the storage volume of the lake, this reduces the demand of water from aquifers for crop irrigation. The project will impact 0.25 acres of forested wetlands by discharging 65 cubic yards of earthen fill into jurisdictional areas. The site is located in Tallahatchie County within the Swan Lake watershed. [MVK2019424,WQC2019053].

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. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. In the event of any BMP failure, corrective actions shall be taken immediately.

2. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal: vertical) and shall be immediately seeded, stabilized and maintained.
3. Mitigation for the impact of 0.25 acres of wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank.
Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland areas.
4. Compliance with the Surface Water Withdrawal Permit from the Department's Office of Land and Water Resources shall be maintained.
5. Fill material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
7. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

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 Graham Watson.

Sincerely,



Krystal Rudolph, P.E., BCEE
Chief, Environmental Permits Division

KR: bgw

cc: Ms. Tarmiko Graham, U.S. Army Corps of Engineers
Mr. David Felder, U.S. Fish and Wildlife Service
Mrs. Molly Martin, Environmental Protection Agency
Mr. Gary Dyksterhouse