



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

November 5, 2019

Certified Mail No.7019 1120 0000 4788 7012

Mr. Mike Bailey  
Short Creek Investments, LLC  
498 West Bankhead Street  
New Albany, Mississippi 38652

Dear Mr. Bailey:

Re: Anderson Lane Subdivision  
Desoto County  
COE No. MVK2018720  
WQC No. WQC2019018

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 Short Creek Investments, LLC, an applicant for a Federal License or permit to conduct the following activity:

Anderson Lane Subdivision: The applicant, Short Creek Investments, LLC, is applying for a Department of the Army permit and associated Section 401 Water Quality Certification to fill in 2.39 acres of wetlands. The purpose of this project is to construct a residential development with fourteen (14) 2-acre single-family lots, roadways, and infrastructure improvement. A total of 1.20 acres of forested wetlands have already been impacted. The applicant also impacted additional jurisdiction wetlands by constructing 1,238 linear feet of drainage ditches. Prior to impacts, the project site consisted of 6.65 acres of forested wetlands, 615 linear feet of ephemeral stream, 454 linear feet of intermittent stream, and 156 linear feet of perennial stream. The applicant has proposed the purchase of mitigation credits from a commercial mitigation bank to offset the impacts to wetlands. The project is located in Hernando, Mississippi. [MVK2018720, WQC2019018].

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. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. **No construction shall begin until all wastewater approvals are obtained.**
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. 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.
4. Coverage under a Large Construction Storm Water General NPDES Permit shall be obtained prior to the start of construction activities. **No construction activities shall begin until such approvals are obtained.**
5. The post-construction Storm Water Management Plan shall be implemented concurrent with project construction and properly maintained.
6. Mitigation for the impact 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.**
7. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
8. 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.

Mr. Bailey  
Page 3 of 3  
November 7, 2019

Sincerely,



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

KR: bgw

cc: Ms. Kristi Hall, U.S. Army Corps of Engineers  
Ms. Kelly Morris, U.S. Fish and Wildlife Service  
Mrs. Molly Martin, Environmental Protection Agency  
Mr. J. Clay Cromwell, Headwaters, Inc.

