



**STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

July 27, 2020

Kurt Nelson
Hillwood Investment Properties
6410 Poplar Avenue, Suite 835
Memphis, TN 38119

Dear Mr. Kurt Nelson:

Re: Marina Commerce Center
Desoto County
COE No. MVK202093
WQC No. WQC202011

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 Hillwood Investment Properties, an applicant for a Federal License or permit to conduct the following activity:

Marina Commerce Center: Construction of a commercial development containing a warehouse, associated parking, drives, and utilities. The project area is 74.33 acres. A total of 3.23 acres of wetlands, 1,963 linear feet of stream channel and 2.11 acres of open water exist within the project area. Approximately 3.23 acres of jurisdictional wetlands and approximately 2.11 acres of open water would be filled, as well as approximately 263 linear feet of ephemeral stream would be piped. There would be no impacts to the 1700 linear feet of intermittent stream. The purchase of mitigation credits from an approved mitigation bank has been proposed by the applicant. The site is located in Olive Branch, Desoto County, Mississippi. [MVK202093, WQC202011].

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 facility shall connect to an Office of Pollution Control approved wastewater collection and treatment system.
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. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. No construction activities shall begin until such approvals are obtained.
4. 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.
5. The post-construction storm water quality management plan submitted by Goodwin and Marshall Inc., received on May 28, 2020, shall be implemented with project construction and shall be properly maintained.
6. Mitigation credits must be purchased from an approved mitigation bank to mitigate the permanent impacts to 3.23 acres of wetlands and 2.11 acres of other waters.
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 Florance Bass.

Sincerely,



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

KR: DA

Mr. Kurt Nelson

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July 26, 2020

cc: Samantha Thompson, U.S. Army Corps of Engineers, Vicksburg District
Willa Brantley, Department of Marine Resources
Molly Martin, Environmental Protection Agency
Kurt Nelson, Hillwood Investment Properties
Scott Campbell, Hillwood Investment Properties
Jennifer Lewis, Brophy-Heineki & Associates
Jason Weaver, Goodwin and Marshall