



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

August 26, 2022

Mr. Jack Phillips,
Springwood, LLC
Post Office Box 116
Holly Bluff, Mississippi 39088

Dear Mr. Phillips:

Re: Springwood, LLC
Property Site Clearing and Timber Harvest
Madison County
COE No. MVK2021500
WQC No. WQC2022019

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

Springwood, LLC: Permit to conduct regulated activities in "Waters of the U.S." for the purpose of a single-family residential development in Madison County, Mississippi. The project includes the development of a single-family residential development consisting of twenty-one (21) large estate-style lots, with lot sizes ranging from 7-28 acres each. The development will include the construction of a single roadway transecting the central portion of the subject property, providing access to each proposed estate lot.

The project also includes the construction of a large open water lake within the northwest portion of the subject property along the backside of several of the estate lots. The lake will consist of approximately 32.6 acres at normal pool. The construction of the lake will result in approximately 984 linear feet (lf) (+/- 230 lf. fill for levee construction and +/- 754 lf. of impound/flood for lake construction) of unavoidable permanent impacts to an intermittent stream and approximately 4,913 lf of permanent impacts to ephemeral streams. All other jurisdictional features will be avoided during proposed site development activities.

Approximately 1.7 acres of emergent wetlands, approximately 984 lf of an intermittent stream channel, and approximately 4,913 lf of ephemeral streams will be impacted through the proposed development of the subject property. To off-set these unavoidable impacts, the applicant will purchase compensatory mitigation credits from an approved mitigation bank. The applicant will also implement preservation efforts of the upland riparian zones that protect portions of the remaining perennial and intermittent stream resources (“Waters of the U.S.”) on the project site as part of the overall compensatory mitigation plan. The project is located south of Robinson Springs Road in Madison County, Mississippi [MVK2021500, WQC2022019].

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 MDEQ Office of Pollution Control or Mississippi Department of Health approved wastewater collection and treatment system. (Statement C) (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 B) (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
3. For projects greater than five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi’s Large Construction Storm Water General NPDES Permit. For projects greater than one, to less the five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall follow the conditions and limitations of the State of Mississippi’s Small Construction Storm Water General NPDES Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. (Statement B & C) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
4. Mitigation for the impacts to 1.7 acres of emergent wetlands, 984 lf of an intermittent stream channel, and approximately 4,913 lf of ephemeral streams 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 should be based upon that required for impacting 1.7 acres of emergent wetlands, 984 lf of an intermittent stream channel, and approximately 4,913 lf of ephemeral streams. 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 A & D) (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.)
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) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (C) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (D) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.

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 Ms. Carrie Barefoot at (601) 961-5249.

Sincerely,



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

KR: chb

cc: Tarmiko Graham, U.S. Army Corps of Engineers, Vicksburg District
David Felder, U.S. Fish and Wildlife Service
Bill Ainslie, Environmental Protection Agency
Clay Cromwell, Headwaters, Inc.
Willie McKercher, MDEQ – Office of Land and Water