



# State of Mississippi

TATE REEVES  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

July 22, 2025

Mr. Bryce Ladner  
Chandler Residential Company, LLC  
92 Industrial Drive  
Hattiesburg, MS 39401

Dear Mr. Ladner:

Re: Chandler Residential Company, LLC  
Enceinte Point Subdivision  
Hancock County  
SAM-2024-00389-GSC  
WQC2024072

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (MDEQ) issues this Certification, after public notice and opportunity for public hearing, to Chandler Residential Company, LLC – Enceinte Point Subdivision, an applicant for a Federal License or permit to conduct the following activity:

Chandler Residential Company, LLC - Enceinte Point Subdivision: Project to fill 1.34 acres of wetlands and the permanent conversion of 0.81 acre of forested wetlands for the construction of a single family, residential subdivision adjacent to Nicola Road, Kiln, Hancock County, Mississippi. During regulatory review, additional impacts were identified which will result in the filling of 1.89 acres of wetlands and the permanent conversion of 0.81 acre of forested wetlands. The project will include the construction of a 14-lot waterfront, residential subdivision including foundations, access road, driveways, and utilities. The total project site is approximately 38.9 acres in size of which 29.3 acres have been identified as wetlands. The applicant will provide in-kind compensatory mitigation through purchase of credits from a mitigation bank located within the service area. The applicant will also place 21.5 acres of

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wetlands into a restrictive covenant filed with the county [SAM-2024-00389-GSC; WQC2024072].

MDEQ 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 a MDEQ approved wastewater collection and treatment system. All wastewater, including process wastewater, shall be properly treated and disposed of in accordance with 11 Mississippi Administrative Code Part 6, Chapter 1. (Statement G) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. 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.)
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. Special care shall be taken prior to and during construction to prevent the movement of sediment offsite and 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.)
4. For construction projects from one (1) to less than five (5) acres of total ground disturbances including clearing, grading, excavating or other construction activities shall follow the conditions and limitations of the MDEQ's Storm Water Small Construction General NPDES Permit. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
5. The final post-construction Stormwater Management Plan submitted by WC Engineering Group, LLC, dated 1/2/2025, shall be implemented concurrently with project construction and maintained as proposed. For sedimentation basins that are to be converted to be utilized as a part of the post-construction stormwater management plan, basin volumes shall be checked, and excess sediment removed from the basins prior conversion to permanent basins. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
6. Mitigation for the impacts to 1.89 acres of wetlands and the permanent conversion of 0.81 acre of forested wetlands 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 be based upon that required for impacting 1.89 acres of wetlands and the permanent conversion of 0.81 acre of forested wetlands. Written verification of credit purchase must be provided to

MDEQ 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))

7. Prior to project construction, the avoided wetlands shall be placed in a conservation easement. The easement shall be properly recorded in the Miscellaneous Document Book, with the Registrar of Deeds, or with another appropriate official charged with the responsibility of maintaining records of title to and interest in real property within six months of the effective date of the authorization. A certified copy of the easement must be furnished to MDEQ within 30 days of the recording. The easement shall contain:
  - A. There shall be no clearing, burning, cutting or destroying of trees or vegetation, except as expressly authorized in the Reserved Rights; there shall be no planting or introduction of non-native or exotic species of trees or vegetation except as specifically provided for in the mitigation plan.
  - B. No agricultural, industrial, or commercial activity shall be undertaken or allowed.
  - C. There shall be no construction or placement of buildings, or other structures in the mitigation area other than structures for wildlife enhancement, viewing, or scientific study.
  - D. There shall be no use of off-road vehicles, four-wheel drive vehicles, all-terrain vehicles or similar vehicles except on existing or approved roads and trails and except as necessary to implement the mitigation plan.

(Statement E) (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))

8. 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))
9. 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 MDEQ 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.

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- (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.

MDEQ 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  
Chief, Environmental Permits Division

cc: Greg Christodoulou, U.S. Army Corps of Engineers, Mobile District  
Willa Brantley, Mississippi Department of Marine Resources  
Jamie Becker, Environmental Protection Agency, Region 4  
Patrick Mooney, BMA Consulting Engineers