



# State of Mississippi

TATE REEVES  
Governor

## MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

July 1, 2026

Maureen Anderson  
Hancock County Port and Harbor Commission  
14054 Fred and Al Key Road  
Kiln, MS 39556

Dear Ms. Anderson:

Re: Hancock County Port and Harbor  
Commission, Port Bienville Intermodal  
Yard Expansion  
Hancock County  
COE No. MVK202500711  
WQC No. WQC2026003

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 Hancock County Port and Harbor Commission, an applicant for a Federal License or permit to conduct the following activity:

Hancock County Port and Harbor Commission, Port Bienville Intermodal Yard Expansion: Project to grade and discharge fill material into 17.1 acres of waters of the United States (forested wetlands) to facilitate the construction of approximately 3,700 linear feet of lead track adjacent to the existing Port Bienville Railroad mainline and 16,310 feet of storage/classification track comprising eight ladder tracks. Above-ground elements include new stoned access roads for construction and maintenance, site drainage ditches, stormwater culverts, and add crossings for access at two points along Lower Bay Road. Below-groundwork includes grading, clearing, stump removal, and over excavation of unsuitable soils (ranging from 6 inches to 3 feet deep), followed by placement of select structural fill (MDOT B7 6 or equivalent) to achieve final elevation of 2 to 5 feet above existing grade. [MVK20250071; WQC2026003]

OFFICE OF POLLUTION CONTROL  
POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 •  
[www.mdeq.ms.gov](http://www.mdeq.ms.gov)  
Facebook: @mdeq.ms • Twitter: @MDEQ • Instagram:  
@MDEQ AN EQUAL OPPORTUNITY EMPLOYER

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. 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 A) (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 F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. For construction projects five (5) acres or greater of total ground disturbances including clearing, grading, excavating, or other construction activities shall follow the conditions and limitations of the Large Construction General Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. Construction activities include a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
4. Personnel or an assigned subcontractor, having the authority to stop work on the project, shall visit the site daily on each day that work is occurring to observe work activity and permit compliance. Should a violation of certification conditions occur, the Department shall immediately be notified, and corrective actions should be outlined as required. (Statement A) (11 Miss. Admin. Code Pt. 6, R.1.1.1.A(55))
5. Mitigation for the impacts of 17.1 acres 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 17.1 acres 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))
6. 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))

7. 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 MEQ 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.
- (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.

July 1, 2026

Sincerely,



Becky Simonson  
Chief, Environmental Permits Division

cc: Michael Maaninen, U.S. Army Corps of Engineers, Vicksburg District  
Jamie Becker, Environmental Protection Agency  
Lisa Morrison, Neel-Schaffer