



DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO
ATTENTION OF:

July 19, 2013

Operations Division

Mr. Gerald Steen
Madison County Board of Supervisors
Post Office Box 608
Canton, Mississippi 39046

Dear Mr. Steen:

In compliance with your request, we are enclosing a permit issued by authority of the Secretary of the Army (enclosure 1). Upon completion of the activity authorized by this permit, please sign the enclosed Certification of Compliance and return it to this office (enclosure 2).

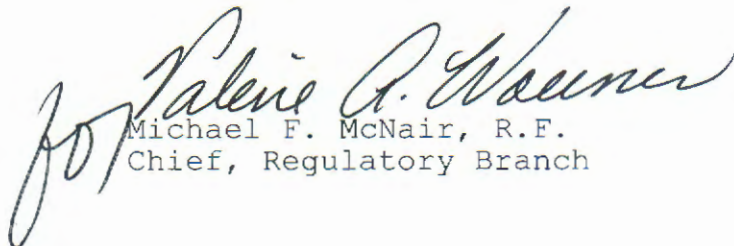
Special attention should be paid to the General and Special Conditions (where applicable) of this permit. Please note the permit expiration date in General Condition 1.

Should you find that any material changes are necessary in the location or plans of the work, it will be necessary that you submit revised plans prior to commencement of the work. Please include the project identification no. MVK-2012-331 with all correspondence.

If you have any questions regarding this matter, please contact Ms. Jana Jacobson of this office, telephone (601) 631-7136, fax (601) 631-5459, or e-mail address: regulatory@usace.army.mil.

I am forwarding a copy of this correspondence to Mr. Mike Goff, Headwaters, Incorporated, 1109 Mission Park Drive, Vicksburg, Mississippi 39182.

Sincerely,


Michael F. McNair, R.F.
Chief, Regulatory Branch

Enclosures

Certification of Compliance
With Department of the Army Permit

Permit Number: MVK-2012-331

Name of Permittee: Madison County Board of Supervisors

Issued Date: July 19, 2013

Expiration Date: July 19, 2018

Upon completion of the activity authorized by this permit, sign this certification and return it to the following address:

USACE, Vicksburg District
ATTN: Regulatory Branch
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit modification, suspension, or revocation.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit.

Date work was completed: _____

Signature of Permittee

Date Signed

DEPARTMENT OF THE ARMY PERMIT

Permittee: Madison County Board of Supervisors

Permit No.: MVK-2012-331

Issuing Office: CEMVK-OD-F

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: See maps and drawings (encl 1).

Conduct mechanized land clearing and associated discharge of fill material into other waters in Madison County, Mississippi

Stream Impacted: 1,971.6 linear feet of intermittent stream

Stream Mitigated: 3,063 linear feet intermittent and perennial stream

Project Location: Section 17, T10N-R5E, within the Doaks Creek drainage basin, Madison County, Mississippi, latitude 32.712690, longitude -89.812804

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on July 18, 2018. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4, below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological sites, structures, shipwrecks or human remains while accomplishing the activity authorized by this permit, work shall cease in the area and this office notified immediately. We will initiate the Federal, State and Tribal coordination required to determine if a recovery effort is warranted and if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions (encl 2).

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee shall use best management practices during construction to minimize erosion at the project site.

2. The permittee shall approve any offsite borrow area(s) and insure that in obtaining the borrow material, there are no unauthorized impacts to jurisdictional waters of the United States and/or cultural resource sites eligible or potentially eligible for inclusion in the National Register of Historic Places. If permits or other clearances are required for the use of the borrow site, those approvals must be obtained by the landowner of the site or his agent prior to use of the site for borrow.

3. As compensatory mitigation for unavoidable loss of 1,972.41 linear feet of other waters at the project site, the permittee shall restore 3,063 linear feet of other waters located in Section 30, Township 8 North, Range 2 East, Madison County, Mississippi (encl 3). A copy of the recorded mitigation covenant shall be provided to this office prior to final permit issuance.

4. The restoration shall include the reforestation of 3,063 linear feet of other waters located in Section 30, Township 8 North, Range 2 East, Madison County, Mississippi adhering to the following planting and monitoring requirements:

a. The mitigation site restoration shall be in the form of planting not less than one year old (1.0), hard mast bottomland hardwood seedlings, no later than 31 March 2014.

b. A registered forester shall select the species to be planted from the U.S. Department of the Interior Biological Report 88(26.2) National List of Plant Species That Occur in Wetlands: Southeast (Region 2). Indicator Categories should range from Facultative to Obligate depending on site hydrology.

c. Seedlings shall be planted on 12- by 12- foot spacing in the converted wetlands. Within 30 days of the completed planting date, a Planting Report shall state the date(s) of planting, species planted, and the number of each species planted.

d. Certification by a certified/registered forester of a survival rate of not less than 50 percent (150 seedlings per acre) of the target species after the first growing season (31 March 2014 through 15 August 2014) is required. This determination shall be made using standard forestry sampling techniques. The permittee shall provide the certified Survival Report to this office no later than 1 October 2014.

e. If a 50 percent survival rate of the target species (150 seedlings per acre) is not achieved after the first growing season, an appropriate number of seedlings shall be replanted no later than 31 March 2015 to achieve the required 50 percent survival rate.

f. After the second growing season (31 March 2015 through 15 August 2015), a certified/registered forester shall certify that a survival rate of not less than 50 percent of the target species (150 seedlings per acre) has been maintained. This determination shall be made using standard forestry sampling techniques. The permittee shall provide the certified Survival Report to this office no later than 1 October 2015.

g. Replanting and providing certified Survival Reports shall continue until such time that a 50 percent survival rate of the target species (150 seedlings per year) is achieved for four consecutive years or until the permit is modified to accomplish appropriate mitigation.

h. Following the establishment of a 50 percent survival rate of the target species (150 seedlings per acre) for four consecutive growing seasons, no actions to inhibit or prevent continued natural succession of the mitigation site shall be allowed. An exception to this condition would be the required control of invasive exotic species. Control recommendations by a certified/registered forester must be approved by the Vicksburg District Regulatory Branch prior to initiation of control measures.

i. Planting and Survival Reports should be mailed to:

U.S. Army Corps of Engineers
Vicksburg District
Regulatory Branch Attn: Compliance Officer
4155 Clay Street
Vicksburg, MS 39183-3435

5. The mitigation site shall be restored to a wetland with the appropriate hydrology, soils, and vegetation as defined in the "Corps of Engineers Wetlands Delineation Manual" (Waterways, Experiment Station Technical Report Y-87-1, January 1987). If deemed necessary by the Corps, the permittee shall provide to the Corps proof that all three wetland criteria are met. If the area is not successfully restored to a wetland meeting these three criteria at the end of four years, the permittee must provide alternative mitigation deemed appropriate by the Corps.

6. A "mitigation covenant" shall be placed on the mitigation site (7.21 acres located in Section 30, Township 8 North, Range 2 East, Madison County, Mississippi.) This covenant shall be properly recorded on the land records of Madison County, Mississippi. The permittee shall provide a certified copy of the land records to the Corps of Engineers documenting that the mitigation covenant has been properly recorded.

This mitigation covenant shall remain in effect for the life of the project or for as long as the project induced impacts are present on the project site. Following project life, or if the project is abandoned, the site shall be restored to preconstruction conditions. If the site is properly restored, as verified by a compliance inspection by the Corps of Engineers, the mitigation covenant shall be released, and a document so indicating shall be furnished to the permittee and property owner for recording. If the project site is not restored, the mitigation covenant shall remain in effect.

THE FOLLOWING IS AN EXAMPLE OF THE PARAGRAPH AND RESTRICTIONS THAT SHALL BE RECORDED ON THE LAND RECORDS FOR THE COVENANT. THE DOCUMENT (COVENANT) SHALL BE RETURNED TO THE CORPS AFTER PREPARATION, SIGNING (NOTARIZED SIGNATURE) BY THE PERMITTEE, MITIGATION SITE PROPERTY OWNER, AND RECORDING ON THE COUNTY LAND RECORDS.

The following notarized paragraph and restrictions shall be recorded on the land records:

The property located in 7.21 acres located in Section 30, Township 8 North, Range 2 East, Madison County, Mississippi, herein, and hereinafter as "the property", is being used to mitigate for the loss of wetlands functions and values associated with the work done by the Madison County Board of Supervisors, Section 17, T10N-R5E, within the Big Black River drainage basin,

Madison County, Mississippi. A mitigation covenant has been placed on the property (insert metes and bounds description) and is agreed upon by the permittee, the mitigation site property owner, and the Corps of Engineers. This mitigation covenant includes the following restrictions:

a. Vegetation - After vegetation is established, as defined in the above-referenced permit, there shall be no removal, destruction, cutting, mowing, application of biocides, or disturbance or other change in vegetation on the mitigation site. Timber management recommendations by a registered forester shall be considered.

b. Uses - There shall be no agricultural (to include grazing by domestic livestock), commercial, or industrial activities allowed on the mitigation site. This restriction does not apply to hunting and fishing activities in accordance with state law.

c. Buildings - There shall be no construction or placement of buildings or other structures on the mitigation site.

d. Roads - There shall be no construction of roads on the mitigation site.

Upon mutual agreement among the permittee, Madison County Board of Supervisors, and the Corps of Engineers, this mitigation covenant may be modified due to unforeseen circumstances.

This instrument may be executed in any number of counterparts, each of which shall be considered an original for all purposes.

WITNESS THE EXECUTION hereof by the parties on this the ____ day of _____, 2013.

PERMITTEE/MITIGATION PROPERTY OWNER
Mr. Gerald Steen
Madison County Board of Supervisors

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or

exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project, or uses thereof, as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project, or uses thereof, as a result of current or future activities undertaken by, or on behalf of, the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4, above).

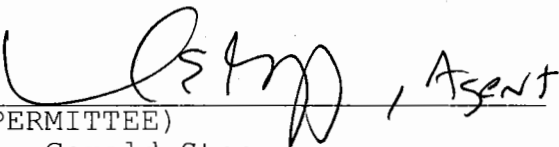
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures

such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

 , Agent July 18, 2013

(PERMITTEE) (DATE)
Mr. Gerald Steen

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

 July 18, 2013

(DISTRICT COMMANDER) (DATE)
John W. Cross
Colonel, Corps of Engineers
District Commander

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEEE) (DATE)



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	JJG-MVK-2012-331
EVALUATOR:	Ms. Jana Guynes
PHONE NO.:	(601) 631-7136
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@usace.army.mil
DATE:	September 25, 2012
EXPIRATION DATE:	October 16, 2012

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address, and the Mississippi Department of Environmental Quality, Post Office Box 2261, Jackson, Mississippi 39225-2261, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Madison County Board
Of Supervisors
Post Office Box 608
Canton, Mississippi 39046

Name of Agent:
Mr. Michael Goff
Headwaters, Incorporated
Post Office Box 820188
Vicksburg, Mississippi 39182

Location of Work: Section 17, T10N-R5E, latitude 32.712690, longitude -89.812804, within the Doaks Creek drainage basin, Madison County, Mississippi.

Description of Work: (See enclosed attachments)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit for the discharge of dredged and/or fill material into jurisdictional waters for the construction of a recreational park.

The applicant proposes to construct a recreation park in the Camden community in the northern part of Madison County. A dam would be constructed across an onsite intermittent stream to create an 18 acre lake. The park would be constructed in two phases. Phase One would include the construction of the proposed lake and dam, community center building, parking areas, boat ramps, fishing piers, picnic areas, and pedestrian trails. Phase Two would include a continuation of the pedestrian trails and construction of comfort stations, concession stands, pavilions, and a sports complex. Of the existing 2,394.8 linear feet of intermittent stream onsite, approximately 180.5 linear feet would be impacted for the construction of the dam and 1791.1 linear feet would be impounded for this project.

The vegetation present at the site consists of common ragweed, dog fennel, sycamore, water oak, and black willow. The soil is classified as Oaklimeter silt loam and Providence-Lexington complex. The Oaklimeter soil consists of moderately well drained, moderately permeable soils. The Providence-Lexington soil is moderately well and well drained soil that is moderately permeable.

The applicant proposes to mitigate for jurisdictional losses by performing offsite permittee responsible mitigation within the same watershed. The discharge of dredged and/or fill material in jurisdictional areas requires a Department of the Army permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment, and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan, as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: The permit area is likely to yield resources eligible for inclusion in the National Register of historic places. An investigation for the presence of potentially eligible historic properties is justified. Copies of this public notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

Endangered Species: Our initial finding is that the proposed work would not likely adversely affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

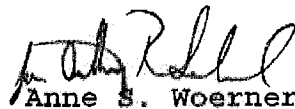
Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.



Anne S. Woerner
Chief, Evaluation Section
Regulatory Branch

Sulfur Springs Park, Madison County, MS



Project Location
Decimal Degrees: 32.7126907-89.812804



Legend

- Project Boundary
- Proposed Flood Elevation
- Potential Other Waters of the U.S.
- Top of Veal Center Line

Enclosure 1

Site is Jurisdictional

July 2, 2012
MVK-2012-331
Warnock And Associates
On Behalf of The Madison
County Board of Supervisors
Propose Sulfur Springs Park
Project in Madison County, MS
Preliminary
Jurisdictional Determination
Aerial Imagery: NAIP 2010
Map By Jared Everitt

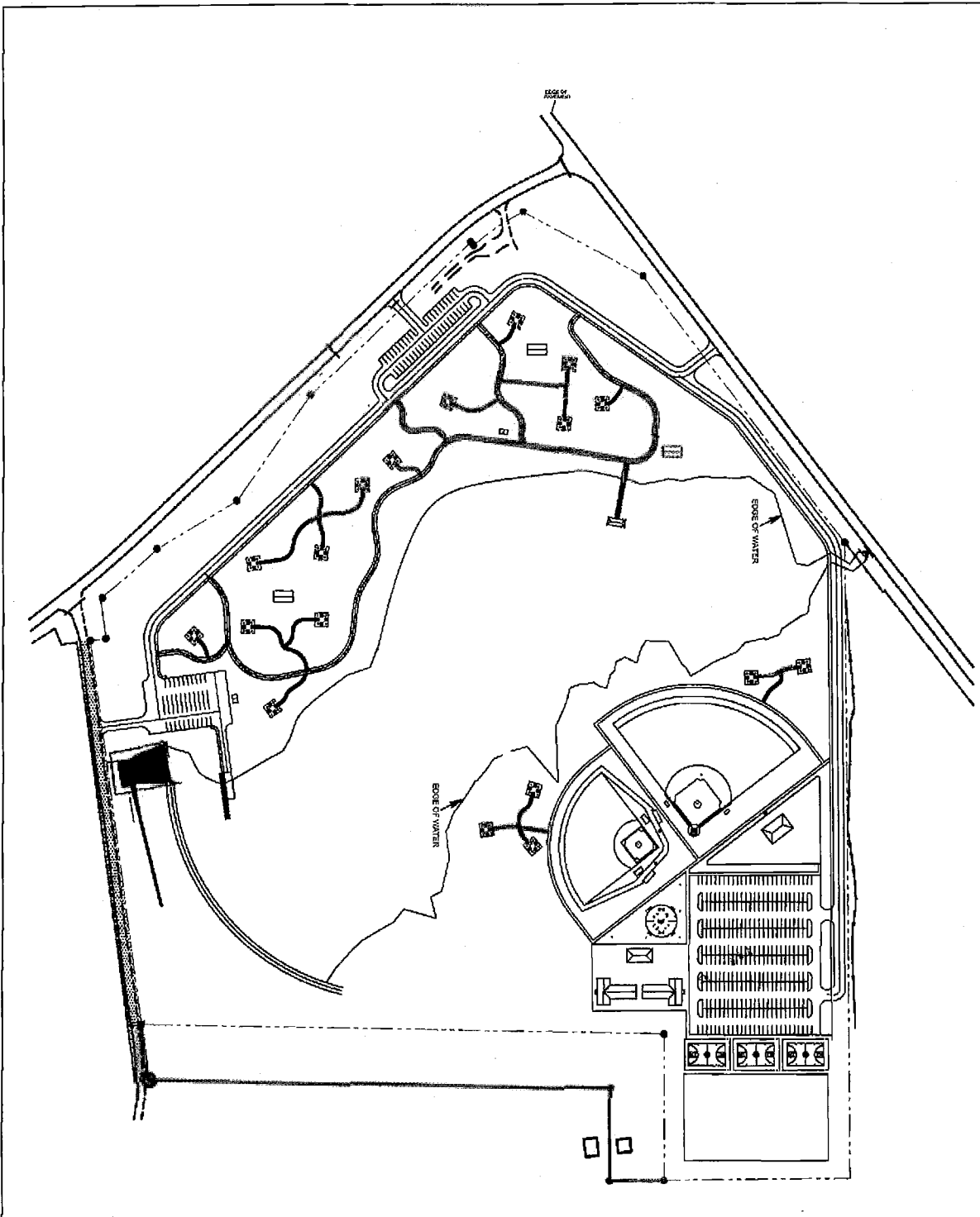
Madison County, MS



US Army Corps
of Engineers.



Regulatory
Branch
Enforcement
Section



CEMVK-OD-FE JIG-MVK-2012-331

MADISON COUNTY BOARD
OF SUPERVISORS



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

June 03, 2013

Certified Mail No. 7011 1570 0002 1131 2899

Mr. Gerald Steen
Madison County Board of Supervisors
Post Office Box 608
Canton, Mississippi 39046

Dear Mr. Steen:

Re: Madison County Board of
Supervisors, Sulfur Springs Park
Madison County
COE No. JJGMVK2012331
WQC No. WQC2012090

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, Madison County Board of Supervisors, an applicant for a Federal License or permit to conduct the following activity:

Madison County Board of Supervisors, Sulfur Springs Park: The proposed project is to construct a recreation park in the Camden community in the northern part of Madison County. A dam will be constructed across an onsite intermittent stream to create an 18 acre lake. Of the existing 2,394.8 linear feet of intermittent stream onsite, approximately 180.5 linear feet will be impacted for the construction for the dam and 1791.1 linear feet will be impounded by the lake. Mitigation for this project will be provided through off-site permittee responsible mitigation located in the Gluckstadt area of Madison County, Mississippi. The proposed project is located in an unnamed tributary of Doaks Creek south of Camden, Madison County, Mississippi [JJGMVK2012331, WQC2012090].

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. Prior to the construction of the picnic area and restroom facilities, necessary approvals shall be obtained for wastewater.
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 Stormwater Construction 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 final post-construction Stormwater Management Plan submitted by Warnock & Associates, LLC on April 22, 2013 and subsequent submittal on May 15, 2013, shall be implemented concurrent with project construction and maintained to function as proposed.
6. Unavoidable impacts to waters of the State shall be mitigated as proposed in approved stream mitigation plan submitted by Headwaters, Inc., dated May 6, 2013. The mitigation area shall be placed into a restrictive covenant. The covenant 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 covenant must be furnished to the Water Quality Certification Branch within 30 days of the recording. The covenant shall contain:
 - a. There should be no removal, destruction, cutting, mowing, application of biocides, or disturbance or other change in the vegetation in the conservation zone other than practices outlined in the management plans.
 - b. There shall be no agricultural, commercial, or industrial activities allowed in the conservation zone.

Gerald Steen
Page 3 of 3
June 3, 2013

- 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 construction of roads in the conservation zone. This does not include foot trails for recreational use. No motorized vehicles (to include off-road and four-wheel drive vehicles) shall be allowed on said site.
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 we can be of further assistance, please contact us.

Sincerely,

Harry M. Wilson, P.E., DEE
Chief, Environmental Permits Division

HMW: SC

cc: Ms. Jana Guynes, U.S. Army Corps of Engineers, Mobile District
Mr. Daniel Gregg, U.S. Fish and Wildlife Service
Mr. Bill Ainslie, Environmental Protection Agency
Mr. Mike Goff, Headwaters, Inc.



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

June, 2013

Mr. Walter E. Huff, P.E., BCEE
Lady Forest Farms Inc, Forest Hatchery
1022 Highland Colony Parkway, Suite 202
Ridgeland, MS 39157

Dear Mr. Huff:

Re: Lady Forest Farms Inc, Forest Hatchery
Approval of Closure Plan
Water Ref. No. MS0056103
Scott County

We are in receipt of your letter dated May 21, 2013, regarding the closure of NPDES Permit No. MS0056103. The closure plan is hereby approved with one exception. The wastewater analytical results shall ONLY be submitted to MDEQ for review and approval if these results violate the conditions of NPDES MS0056103. If the wastewater analyses do indicate compliance issues, then a modified closure plan addressing how to handle any issues shall be submitted to this office. If no issues are encountered, then closure shall continue and written notification shall be submitted to our office once closure is complete. Also, please be aware that the water shall be drained in a manner to cause the least amount of disturbance to the lagoon bottom.

If you have any questions concerning the content of this letter, please feel free to contact me at (601) 961-5580.

Sincerely,

Becky Nestey
Agricultural Branch
Environmental Permits Division

12201 PER20090001

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.deq.state.ms.us

AN EQUAL OPPORTUNITY EMPLOYER