

DEPARTMENT OF THE ARMY PERMIT

Permittee: **Hancock County Port and Harbor Commission**

Permit No.: **SAM-2025-00070-SMP**

Issuing Office: **MOBILE DISTRICT**

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 U.S. Army Corps of Engineers (USACE) 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: The permanent discharge of fill material into 1.69 acres of low quality, bottomland hardwood wetlands associated with the construction of a 30,000 sq. ft. commercial warehouse within the Stennis International Airport property.

**ATTACHED: 1. Project Maps/Plans (Pages 1-5)
2. MDEQ 401 Water Quality Certification (Pages 6-8)
3. MDMR CZM Consistency Concurrence (Pages 9-11)**

Project Location: The east side of Fred and Al Key Road (parcel number 121-0-01-016.004); within Section 01, Township 8S, Range 15W; at Latitude 30.37937°, Longitude -89.44962°; Kiln, Hancock County, Mississippi.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **October 2, 2030**. 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 1 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 remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the federal and state coordination required to determine if the remains warrant a recovery effort or 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.
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:

a. The permittee shall purchase a total of 1.17 bottomland hardwood mitigation credits from the Red Creek Mitigation Bank in Stone County, Mississippi to compensate for permanent impacts to 1.69 acres of low-quality, bottomland hardwood wetlands. Written proof of purchase of wetland mitigation credits shall be provided to the USACE Mobile District, Regulatory Division, P.O. Box 2288, Mobile, Alabama 36628-0001, or by email to sarah.m.piesco@usace.army.mil, prior to commencement of construction activities authorized by this permit.

b. All conditions of the Mississippi Department of Marine Resources (MDMR) Coastal Zone Consistency Determination (March 21, 2025; DMR24-000574) are incorporated as conditions of this DA permit.

c. All conditions of the Mississippi Department of Environmental Quality (MDEQ) 401 Water Quality Certification (September 24, 2025; WQC2025009) are incorporated as conditions of this DA permit

d. Best Management Practices (BMPs) shall be implemented to minimize erosion, siltation and damage to adjacent wetlands and waters of the United States in which the discharge of fill material has not been authorized. Appropriate erosion and sediment control measures must be utilized and maintained in effective operating condition during construction. All exposed soil surfaces and fill material must be permanently stabilized at the earliest practicable opportunity. All temporary erosion control features shall remain in place until permanent stabilization measures have been completed and become fully effective.

e. The disposal of trees, brush and other project related debris in any wetland, stream corridor or other surface water is prohibited. Trees, brush, other debris, excess soil and other materials generated from project construction must be removed to an upland disposal area.

f. Should artifacts or archaeological features be encountered during project activities, all heavy equipment operations within a 35-foot buffer surrounding the potentially significant artifact(s) or the observation shall cease and the USACE and the State Historic Preservation Officer at the Mississippi Department of Archives and History (MDAH) shall be consulted immediately. U.S. Army Corps of Engineers (USACE), Mobile District, Attention: Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628-0001; 251-690-2658. MDAH, Post Office Box 571, Jackson, Mississippi 39205; 601-576-6850.

g. If any evidence of the presence of Endangered/Threatened Species is found during construction, ground disturbing activities in the immediate vicinity must cease, and the permittee shall notify the USACE, Mobile District and the U.S. Fish and Wildlife Service (USFWS) immediately. USACE, Mobile District, Attention: Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628-0001; 251-690-2658. USFWS, msfsection7consultation@fws.gov; 228-493-663.

h. The movement of heavy equipment through wetlands and/or other waters of the United States (U.S.) shall be limited to the minimum necessary to accomplish the work authorized herein. All equipment required to traverse wetlands or other waters of the U.S., not permitted to receive fill, shall be supported on mats, or other similar measures shall be used to minimize soil disturbance and rutting. Upon completion of construction activities at the project site, all temporarily disturbed areas shall be returned to pre-construction elevations and revegetated.

i. Only suitable material free of waste, metal, organic trash, unsightly debris, etc., may be used as fill, and material discharged must be free from toxic pollutants in toxic amounts.

j. It is the responsibility of the permittee to ensure that all persons and contractors working on this project are aware of all general and special conditions of the permit. A copy of this permit and its general and special conditions shall remain available on site at all times during earthmoving and project construction activities.

Further Information:

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

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(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:

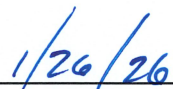
- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a re-evaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR Part 325.7 or enforcement procedures such as those contained in 33 CFR Parts 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 Part 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 USACE 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.


(PERMITTEE) **Mr. Blaine LaFontaine**
FOR: The Hancock County Port and Harbor Commission
14054 Fred and Al Key Road
Kiln, Mississippi 39556


(DATE)

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

KELCEY R. SHAW, PE, PMP
COLONEL, U.S. ARMY
DISTRICT COMMANDER

BY:  Date: 2026.01.29
08:09:58 -06'00'

Dylan C. Hendrix (DATE)
Chief
South Mississippi Branch
Regulatory Division

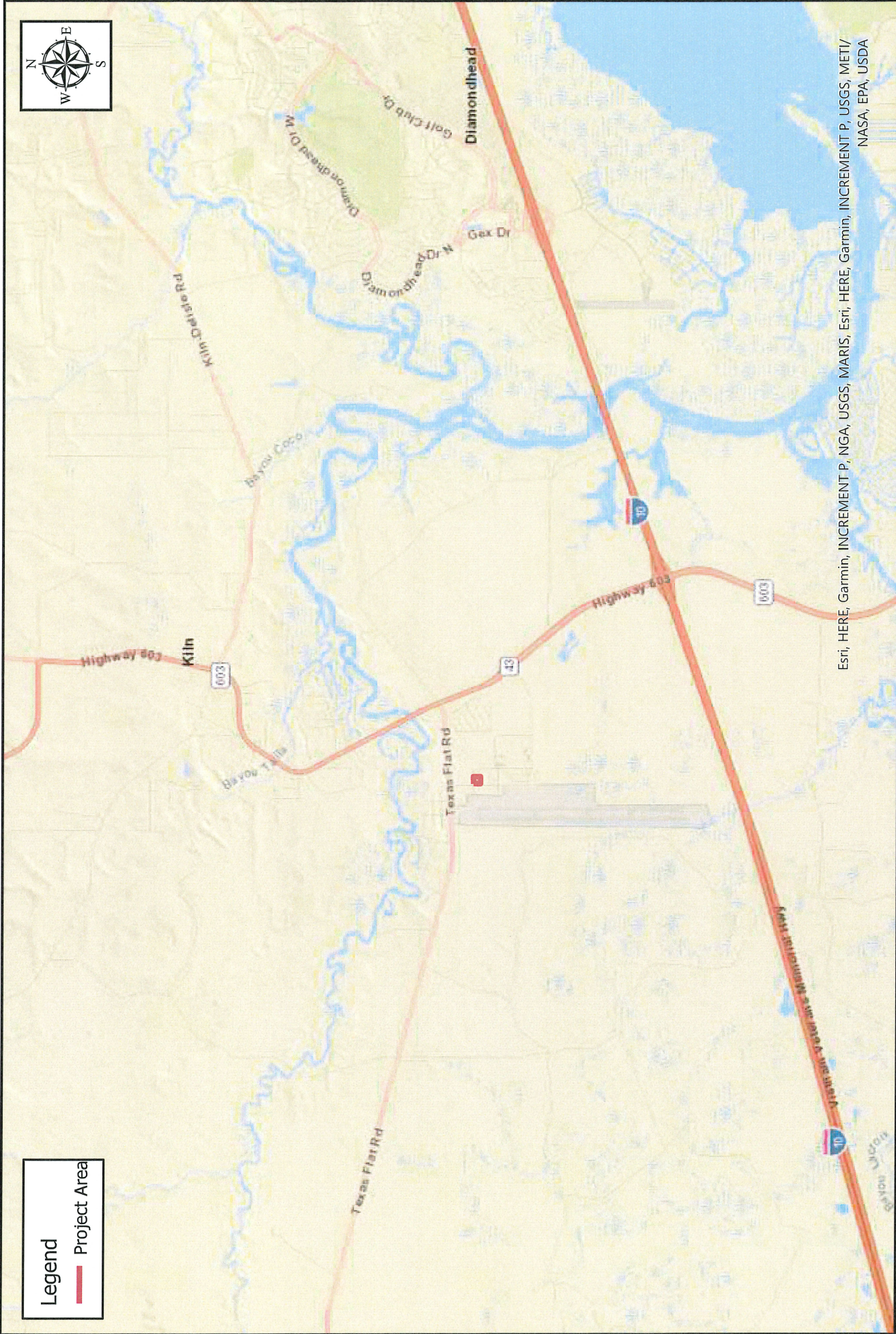
When the structures or work authorized by this permit (**SAM-2025-00070-SMP**) are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree)

(DATE)

Legend

Project Area



Esri, HERE, Garmin, INCREMENT P, NGA, USGS, MARIS, Esri, HERE, Garmin, INCREMENT P, USGS, METI/
NASA, EPA, USDA



SAM-2025-00070-SMP
Vicinity Map



Map Center: 89.435071°W 30.382484°N

Map Created by: Sarah M. Piesco
Date: 2/28/2025
Coordinate System: WGS 1984 Web Mercator Auxiliary
Sphere



Legend

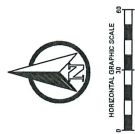
— Project Area



SAM-2025-00070-SMP Aerial Map

0 0.04 0.07 0.14
mi
Map Center: 89.449285°W 30.379429°N

Map Created by: Sarah M. Plesco
Date: 2/28/2025
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

 WETLANDS = 1.693± ACRES

TOTAL SITE AREA = 1.693 ACRES
IMPACTED WETLANDS = 1.693± ACRES

TEI **TICE**
ENGINEERING, INC.
ENGINEERS / SURVEYORS

Trusted Engineers. Experienced Surveyors. Innovative Results.

510 S. VARDAMAN ST.
WIGGINS, MS 39577

PHONE: 601.928.4121
EMAIL: info@ticeeng.com

STENNIS AIRPORT
HANCOCK COUNTY, MISSISSIPPI

[illegible]

[illegible]



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

September 23, 2025

Mr. Obie McClure
Hancock County Port and Harbor Commission
14054 Fred and Al Key Road
Kiln, MS 39556
228-467-9231
omcclure@hcpbc.ms

Dear Mr. McClure:

Re: Hancock County Port and Harbor Commission
Stennis International Airport Site 10 Commercial
Warehouse
Hancock County
COE No. SAM-2025-00070-SMP
WQC No. WQC2025009

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 the 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, Stennis International Airport, Site 10 Commercial Warehouse: Project to fill 1.693 acres of wetlands associated with the construction of a 30,000 sq. ft. commercial warehouse off Fred and Al Key Road within the Stennis International Airport property in Kiln, Hancock County, Mississippi. Impacts include filling 1.693 acres of bottomland hardwood wetlands. The applicant will utilize existing roadways for entrances to the site, which have existing drainage features to limit disturbances in these areas. The applicant will provide in-kind compensatory mitigation through an approved mitigation bank [SAM-2025-00070-SMP; WQC2025009].

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

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 •

www.mdeq.ms.gov

Facebook: @mdeq.ms • Twitter: @MDEQ • Instagram:

@MDEQ AN EQUAL OPPORTUNITY EMPLOYER

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 F) (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 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.)
4. Mitigation for the impacts of 1.693 acre of bottomland hardwood 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 1.693 acre of bottomland hardwood 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))
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.(3))
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) 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.

Sincerely,



Becky Simonson
Chief, Environmental Permits Division

cc: Sarah Piesco, U.S. Army Corps of Engineers, Mobile District
Ryan Tice, Tice Engineering
Michelle Gill, Tice Engineering
Willa Brantley, Mississippi Department of Marine Resources



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

March 21, 2025

Ms. Sarah Piesco
Regulatory Division
U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628

RE: DMR24-000574; Hancock County Port and Harbor Commission; Port of Bienville Site 10, Hancock County, MS

Dear Ms. Piesco

The Mississippi Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to insure that the activities are in compliance with the MCP.

The above activity has been reviewed based upon provisions of the Mississippi Coastal Program and Section 307 of the Coastal Zone Management Act of 1972 (as amended). The applicant has proposed the following activities and impacts as indicated on the attached approved diagram:

1. Permanent fill of approximately 1.69 acres of non-tidal wetlands for the construction of a commercial warehouse, a parking lot, and driveways

The above activities and impacts have been reviewed based upon provisions of the MCP and Section 307 of the Coastal Zone Management Act of 1972 (as amended). They have been determined to be consistent to the maximum extent practicable with the MCP provided that the applicant adheres to the following conditions:

1. Permanent fill referenced above must:
 - a. Be mitigated by the purchase of the appropriate number of mitigation credits from an approved mitigation bank within the service area as determined by the Interagency Review Team; Proof of this purchase must be submitted to this office prior to the commencement of construction
2. All above-described activities must:
 - a. Use Best Management Practices (BMPs) at all times during construction, including, but not limited to, the use of staked hay bales; staked filter cloth; sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site
 - b. Be conducted in a manner that minimizes the discharge of turbid waters into Waters of the State (Turbidity outside the limits of a 750-foot mixing zone must not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units)
 - c. Have appropriate wastewater permits and/or approvals for the proposed activity in place prior to the commencement of construction activities
 - d. Have appropriate stormwater permits, approvals, and/or measures in place prior to the commencement of construction activities (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 than five acres of total ground disturbance 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)
 - e. Not result in construction debris, sewage, oil, refuse, other pollutants, or unapproved fill material entering Coastal Wetlands or Waters of the State
 - f. Not impact wetlands, submerged aquatic vegetation, or shellfish beds unless specifically referenced above

The above granted consistency certification was based upon the plan presented. This certification is contingent on clearance from the Mississippi Department of Environmental Quality (MDEQ) and the Mississippi Department of Archives and History (MDAH). All standards, regulations, and restrictions as set forth by the MDEQ and the MDAH as allowable by law with regards to protection of water quality and cultural resources and conservation of water resources shall be maintained.

If you have any questions regarding this letter, please contact Kaitlyn Payne with the Bureau of Wetlands Permitting at 228-523-4159 or kaitlyn.payne@dmr.ms.gov.

Sincerely,



Willa J. Brantley
Director, Bureau of Wetlands Permitting
MS Department of Marine Resources

WJB/kap

Attachments: Approved Diagrams

CC: Blaine Lafontaine; Hancock County Port and Harbor Commission; Applicant
 Robert Anderson; Wetland Consulting Services, Inc.; Authorized Agent
