



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

July 28, 2016

Certified Mail No. 7011 0110 0001 3219 1554

Mr. Stephen Guido  
305 Clinton Avenue  
Natchez, Mississippi 39120

Dear Mr. Guido:

Re: Stephen Guido,  
Dam and Impoundment  
Adams County  
COE No.TVGMVK2015389  
WQC No.WQC2015037

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 Stephen Guido, an applicant for a Federal License or permit to conduct the following activity:

Stephen Guido, Dam and Impoundment: Construction of a dam approximately 390 feet long and 40 feet high. Impacts include 1,532 linear feet of perennial stream and 352 linear feet of intermittent stream. The applicant hopes that the construction of the pond will help create an increase in wood duck, otter, and beaver populations, and reduce soil erosion. There are no wetlands within the area that would be inundated by the proposed lake or filled by the proposed dam. Work would include excavation in the channel along the centerline of the dam, and material placed back in the channel. Approximately 10,000 cubic yards of fill material taken from the ridges within the boundary of the owner's property would be used to construct the dam. Mitigation includes restoration, enhancement and preservation to approximately 2,404 linear feet of intermittent stream and restoration and preservation to approximately 1,199 of ephemeral stream exist that would within the Lower Mississippi-Natchez Watershed on the Guido mitigation property. This portion of the Guido mitigation area is located within the 8-digit HUC 08060100. The mitigation property is located northwest of the community of Washington and the city of Natchez, Adams County, Mississippi. [TVGMVK2015389, WQC2015037].

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:

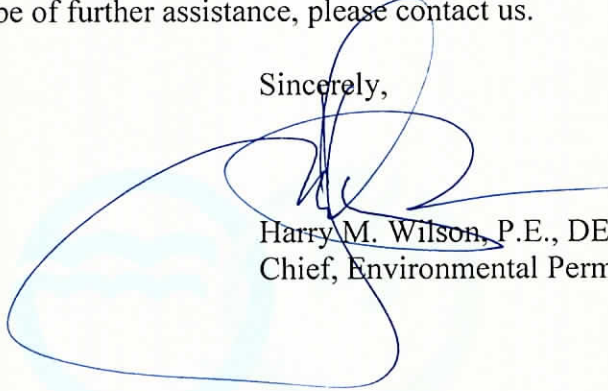
1. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal: vertical) and shall be immediately seeded, stabilized and maintained.
2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas and/or waters. In the event of any BMP failure, corrective actions shall be taken immediately.
3. Unavoidable impacts to waters of the State shall be mitigated as proposed in approved mitigation plan submitted on March 16, 2016 by U.S. Army Corps of Engineers, Vicksburg District on behalf of Ecosource Consulting Group, LLC with additional submittals received on July 25, 2016. 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.
  - 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.

4. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units
5. 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: JP

cc: Tarmiko Graham, U.S. Army Corps of Engineers, Vicksburg District  
Calista Mills, Environmental Protection Agency  
David Felder, U.S. Fish and Wildlife Service