



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

April 19, 2018

Certified Mail No. 7010 1670 0000 1400 4038
Mr. Craig Litteken
Chief, Regulatory Division
U.S. Army Corps. of Engineers, Mobile District
PO Box 2288
Mobile, Alabama 36628

Dear Mr. Litteken:

Re: US Army COE, Mobile District,
Mississippi General Permits
MSGP-10- Debris Removal
COE No. SAM-2016-01241-MJF
WQC No. 2017092

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 U.S. Army Corps. of Engineers, Mobile District, an applicant for a Federal License or permit to conduct the following activity:

US Army COE, Mobile District, General Permit MSGP-10 - DEBRIS REMOVAL: The U.S. Army Corps of Engineers, Mobile District proposes revision and issuance of the following Mississippi General Permit (MSGP) for a period of 5 years. In an effort to eliminate unnecessary duplication of efforts among agencies and to streamline the permitting process for routine projects with only minimal impact, the Mobile District will regulate minor structures and activities in waters of the U.S., in the state of Mississippi and outer continental shelf waters off the coast of Mississippi, within the Regulatory boundaries of the Mobile District under Regional General Permits identified herein. These permits will supersede Mississippi General Permits issued April 12, 2013.

MSGP-10 - DEBRIS REMOVAL:

This permit allows debris to be removed from any waterway for navigation, drainage, and/or pollution control.

Debris Definition: Debris includes, but is not limited to, non-imbedded stumps, tree limbs, appliances, lumber, metal objects, etc.

Non-Authorized Work:

- Dredging of gravel, sand, silt, and the removal of hazardous materials, etc., is not authorized under this permit.
- Snagging of dead (imbedded) or living trees from a stream bank is not authorized under this permit. However, trees imbedded in the bank may be cut off but their stumps may not be removed from the bank.
- Impacts to submerged aquatic vegetation are not authorized under this permit.
- Re-shaping or re-distribution of material in the channel and/or side slopes is not authorized by this permit.
- This permit does not authorize the removal of debris that is itself historic (e.g., shipwrecks).

Disposal Area: All debris must be properly placed in an approved landfill. Alternative sites for the disposal of woody debris may be authorized on a case-by-case basis.

Burning of Debris: Woody debris should not be burned unless full coordination with the Mississippi Department of Environmental Quality/ Air Division has been completed.

Coordination with SHPO: Coordination with the Mississippi Department of Archives and History is required prior to verification under MSGP-10 when debris in question is more than 50 years old (i.e. shipwrecks). In such cases, MDAH will be provided a copy of the application and afforded 30 days to comment. If MDAH offers no objection or the applicant voluntarily incorporates recommendations of MDAH, the project may be verified by the issuing agency. If MDAH recommends a Cultural Resource Survey or provides comments regarding the potential to affect historic resources, consultation must be completed between MDAH and the Mobile District prior to permit verification. [SAM-2016-01241-MJF, WQC2017092].

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. 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 disturbances 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. No construction activities shall begin until the necessary approvals and/or permits have been obtained.

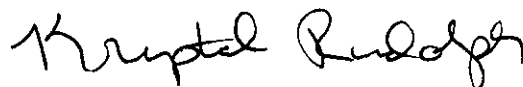
April 19, 2018

2. Best management practices (BMPs) should be used at all times during construction to minimize turbidity at the site. The site shall be operated and maintained in a manner that minimizes the discharge of turbid waters into waters of the State. These BMPs include, but are 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.
3. All debris must be properly disposed of in a Mississippi Department of Environmental Quality approved/permitted facility.
4. Debris shall not be burned without prior approval from the Mississippi Department of Environmental Quality – Air Division.
5. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
6. 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.
If we can be of further assistance, please contact us.

Sincerely,



Krystal Rudolph, P.E.
Chief, Environmental Permits Division

HMW: mhg

cc: Allison F. Monroe, U.S. Army Corps of Engineers, Mobile District
Willa Brantley, Department of Marine Resources
Paul Necaise, U.S. Fish and Wildlife Service
Bill Ainslie, Environmental Protection Agency