



STATE OF MISSISSIPPI

PHIL BRYANT
GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

April 19, 2018

Certified Mail No. 7010 3090 0001 4287 4613
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-01-Shoreline Stabilization
COE No. SAM-2016-01232-MJF
WQC No. 2017083

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, Mississippi General Permit- MSGP-01 - SHORELINE STABILIZATION: 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-01 – SHORELINE STABILIZATION:

This permit authorizes the placement of bulkheads, armoring systems (riprap), bioengineering, and other standard shoreline protection/stabilization devices roughly paralleling, and at, the shoreline or bank. The permit also authorizes the repair, replacement and maintenance of previously permitted, currently serviceable structures.

Permit of Structure(s): Protection structures must be along the existing shoreline at the mean high tide line in tidal waterbodies, ordinarily high water line in non-tidal waterbodies, and landward of all jurisdictional wetlands (including bottomland hardwoods).

Armament Length and Bank Dressing Limitations:

- Bulkhead placement is limited to a total project length of 500 feet for residential properties and commercial properties.
- There is no limit to the length that may be authorized for other protection devices.
- Rip Rap material placed below the plane of ordinary high water or the plane of mean high tide may not exceed an average of one (1) cubic yard per linear foot of shoreline being protected. Rip Rap shall not extend farther than 3-6 feet into the waterway from the mean high tide line or ordinary high water line.

Protection Fronting Wetlands:

- Flow-through bulkheads designed to dissipate wave energy in wetland areas may be constructed waterward of the wetlands and placed below the line of mean high tide or ordinary high water if they are designed to allow for normal hydrologic regime to be maintained in the wetland areas and they do not pose a hazard to navigation.
- No wetlands shall be filled.

Construction Limitations:

- For maintenance purposes, vertical face structures intended to replace failing structures may be placed waterward of the failed structure the minimum distance necessary to facilitate construction, but no more than 24 inches waterward from the base of the failed structure.
- Upon structural failure or loss due to a discrete storm event, reconstruction of the failed structure shall occur at the base, within the original footprint, of the previous structure.
- Structures must be constructed in a manner designed to avoid creating areas of still or stagnant water.

Construction Material Requirements:

- Filter Fabric: Use of the appropriate filter fabric is required.
- Backfill Material: Only clean material free of waste, metal and organic trash, unsightly debris, petroleum products (asphalt), etc., may be used as backfill.
- Riprap Material: Only clean riprap material, free of exposed rebar, asphalt, plastic, soil, etc., may be used. Riprap may be used to augment other protection methods.

Prohibited Activities: This permit does not authorize (1) placement of fill in wetlands or shellfish beds; (2) adverse impacts to wetlands, submerged grass beds or shellfish beds; or (3) ancillary structures, such as groins and jetties, roughly perpendicular to the shoreline. This permit may not be used to regain land lost due to erosion, or otherwise

accrete land; however, consideration will be given to land lost during discrete storm events based upon a case-by-case basis. Such reclamation requests must be submitted within two (2) years following the discrete storm event. [SAM-2016-01232-MJF, WQC2017083].

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. The permittee shall obtain appropriate wastewater permits and/or approvals for the proposed activity prior to the commencement of construction activities.
2. 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.
3. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal:vertical) or equivalent measures to minimize erosion and shall be immediately seeded, stabilized, and maintained.
4. Pilings and/or bulkhead material shall be steel, concrete, plastic, vinyl, or timber treated to meet appropriate marine conditions. No creosote materials shall be used.
5. 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.
6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

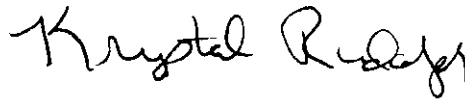
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7. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

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,



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 Necaie, U.S. Fish and Wildlife Service
Bill Ainslie, Environmental Protection Agency