



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 3970
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-04-Mooring Pilings
COE No. SAM-2016-01235-MJF
WQC No. 2017086

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 MSGP04 - MOORING PILINGS: 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.

MSGP04 - MOORING PILINGS:

This permit authorizes mooring pilings, dolphins, and single-pile structures within residential and commercial/industrial areas. All structures shall be limited to no more than 25 feet in height, 2,000 square foot of berthing space, and/or may not extend more than 25% of the width of the waterway.

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OFFICE OF POLLUTION CONTROL

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Berthing Limits:

- A limit of 5 single-family, residential-use boat berthing areas, to include berthing for personal watercraft, can be authorized under this Permit.
- Structures for the permanent mooring of houseboats are not authorized by this permit.

Single-Pile Structures:

- Single-pile structures may include posts for wood duck nests, osprey platforms, etc.

Dolphins: Should dolphin construction (cluster pilings) require any material other than pilings or similar solid, linear structures being placed in waters of the U.S., all project details must be submitted to the authorizing agency. Additionally, only clean material free of waste, metal and organic trash, unsightly debris, etc. may be used as stabilization material in dolphin construction.

[SAM-2016-01235-MJF, WQC2017086].

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. 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.
3. 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.
4. 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.
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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