



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 4014
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-08-New Work Channel
Dredging
COE No. SAM-2016-01239-MJF
WQC No. 2017090

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-08 - NEW WORK CHANNEL DREDGING: 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-08 - NEW WORK CHANNEL DREDGING:

This permit authorizes new work dredging of open water channels for navigation access.

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OFFICE OF POLLUTION CONTROL

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Cubic Yards of Material to be Removed: Dredging of up to 1,000 cubic yards of material is authorized by this permit. Authorization under this permit is limited to open water channels for navigation access, and must be a single and complete project.

Maximum Depth of Dredging: Dredging depth must be no greater than that of the controlling navigational depth of the adjacent waters and dredge depths shall not exceed 6 feet below mean low tide or ordinary low water unless specifically authorized.

Best Management Practices: Best management practices should be used at all times during construction to minimize turbidity at both the dredge and spoil sites. Methods should include, but not be 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. Any effluent from the disposal area should be routed through a return swale system and filtered through a series of hay bales and silt fences so as to reduce the turbidity of the effluent. Additional best management practices, as required by Mississippi Department of Environmental Quality, will apply regarding the return water from the bermed disposal area.

Disposal Area:

- All dredged material must be properly confined in a specified upland area or an approved Beneficial Use for Dredge Material project site, unless otherwise authorized by the Mobile District. For a list of Beneficial Use project sites, please contact DMR, Office of Coastal Ecology.
- Spoil disposal areas shall be immediately seeded and stabilized to prevent the movement of sediment off- site and into adjacent drainage areas.
- Disposal on sand beaches is prohibited.

Hydrographic Survey: Before and after hydrographic surveys or SAV and/or shellfish surveys may be required based on local knowledge of the waterway and likelihood that important aquatic resource or special aquatic sites could be present.

Fill Material: Dredging for fill material is not authorized under this permit; however, use of dredged material as fill is not prohibited.

Coordination with SHPO: Coordination with the Mississippi Department of Archives and History is required prior to verification under MSGP-08. 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 Resources 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.

Special Aquatic Sites:

- A minimum 10-foot buffer must be maintained between the proposed work area and wetlands and a 3:1 (horizontal: vertical) side slope or flatter must be maintained.
- No dredging of wetlands, submerged grassbeds, or shellfish beds is authorized (exceptions may be made for noxious, invasive, or exotic vegetation, as determined or verified by staff, in man-made waterbodies).
[SAM-2016-01239-MJF, WQC2017090].

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) and shall be immediately seeded, stabilized, and maintained.
4. Basin and channel depths shall gradually increase toward open water and shall not exceed the controlling navigational depth. No "sumps" shall be created by proposed dredging.
5. All dredged material must be properly confined in a specified upland area or an approved Beneficial Use for Dredge Material project site. Spoil disposal areas shall be immediately seeded and stabilized to prevent the movement of sediment off-site and into adjacent drainage areas.
6. Best management practices shall be used at all times during construction to minimize turbidity at both the dredge and disposal sites. The disposal sites shall be constructed and maintained in a manner that minimizes the

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discharge of turbid waters into waters of the State. Best management practices shall include, 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. Any effluent from the disposal area shall be routed through a return swale system and filtered through a series of hay bales and silt fences so as to reduce the turbidity of the effluent.

7. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
8. 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