



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

March 5, 2019

Certified Mail No. 7017 0530 0000 5971 7350

Mr. Mark Gilbert

Mississippi Soil and Water Conservation Commission

680 Monroe Street, Suite B

Jackson, Mississippi 39202

Dear Mr. Gilbert:

Re: Mississippi Soil and Water
Commission, Tillatoba Creek
Bank Stabilization Project
Tallahatchie County
COE No. MVK2017706
WQC No. WQC2018049

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 the Mississippi Soil and Water Conservation Commission, an applicant for a Federal License or permit to conduct the following activity:

Mississippi Soil and Water Commission, Tillatoba Creek Bank Stabilization Project: The applicant is proposing to conduct regulated activities in jurisdictional wetlands along the Tillatoba Creek. The purpose of impacting the waters of the U.S. is to stabilize the creek bank. Peak stone dikes will be tied to the existing toe of the creek, and a 1,200 linear foot riprap dike will be constructed along the bank of the creek, which is adjacent to the landowner's levee. On the opposite side of the creek, the sand bar will be excavated from below ordinary high water mark in order to help pilot the 772 linear feet of the existing channel. This will assist the flow along the outside of the longitudinal dike. Approximately 0.4 acres of fill will be used on the longitudinal dike. The applicant proposes to purchase credits from a commercial mitigation bank to mitigate for the unavoidable loss of jurisdictional impacts. [MVK2017706, WQC2018049].

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

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OFFICE OF POLLUTION CONTROL

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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. Fill material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
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. In the event of any BMP failure, corrective actions shall be taken immediately.
3. For projects greater than one, to less the 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.
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.

Sincerely,



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

KR: bgw

cc: Mr. Jason Christy, US Army Corp of Engineers, Vicksburg District
Mr. Scott Gong, Natural Resources Conservation Service
Mr. David Felder, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency