



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

March 14, 2019

Certified Mail No. 7017 1450 0000 4597 6565  
Mr. Edward Lambert  
U.S. Army Corps of Engineers, Memphis District  
167 North Main Street, Room B-202  
Memphis, TN 38103-1894

Dear Mr. Lambert:

Re: U.S. Army Corps of Engineers  
Memphis District  
Mississippi River Mainline Levee  
Rena Lara and Trotters Seepage Control  
Coahoma and Tunica Counties  
WQC No. WQC2019001

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

U.S. Army Corps of Engineers - Memphis District, Mississippi River Mainline Levee, Rena Lara and Trotters Seepage Control: Project to construct seepage control measures along the Mississippi River Mainline Levee located near the towns of Rena Lara, Coahoma County, and Trotter's Landing, Tunica County, Mississippi. The project will involve construction of an earthen berm adjacent to the landside levee slope, installing 10 relief wells, modification of existing drainage systems, rehabilitation or removal of existing water berms, placement of rip-rap to prevent potential scour, and clearing vegetation from existing ditches. Access to the project areas will be from Eubanks, Dundee, and Levee Roads. Specialized drill rigs will be used to drill the holes along the levee, and cranes will be used to install the relief wells. A bulldozer and excavator will be used to remove/rehabilitate the seepage berms and to modify the existing ditch.

At the Rena Lara site the existing ditch to be re-shaped, receive fill to provide back pressure to prevent sand boils, and have rip-rap placed to prevent scour occupies approximately 1.13 acres of wetlands dominated by black willow,

cottonwood, smartweed and cocklebur. The location for relief well placement is a wetland area currently used as a water berm and is dominated by early successional species such as black willow and cottonwood. The location of the access road adjacent to the ditch and the spoil area for excess material are currently planted in pasture grass and subjected to routine mowing and/or cattle grazing.

At the Trotters site, the relief wells and seepage berm will be located on land planted in pasture grass and subjected to routine mowing and/or cattle grazing. Fill material will be obtained from approximately 29.3 acres of an abandoned levee riverside of the current MRL. This elevated upland bottomland hardwood area primarily consists of eastern cottonwood, sycamore, sugarberry, persimmon, and green ash in the overstory and vines and herbaceous species such as grapes and greenbrier in the understory.

Compensatory mitigation for unavoidable impacts associated with the proposed action will consist of restoring approximately 34.92 acres of cleared agricultural lands to bottomland hardwood forest [WQC2019001].

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. 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.
2. All fill material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
3. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas and/or waters. Special care shall be taken to prevent the movement of sediment into adjacent wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately.
4. Excavated material shall be placed in areas as proposed and stabilized to prevent movement of sediment into adjacent drainage areas.
5. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. **No construction activities shall begin until the necessary approvals and /or permits have been obtained.**
6. Compensatory mitigation for unavoidable impacts to 1.13 acres of wetlands shall be provided by restoration of approximately 34.92 acres of cleared agricultural lands to bottomland hardwood forest.

7. Prior to or concurrent with project construction, the mitigation area shall be placed into a restrictive covenant. The covenant shall be properly recorded in the Miscellaneous Document Book, with the Registrar of Deeds, or with another appropriate official charged with the responsibility of maintaining records of title to and interest in real property within six months of the effective date of the authorization. **A certified copy of the covenant must be furnished to the Department within 30 days of the recording.** The covenant shall contain:
  - a. There should be no removal, destruction, cutting, mowing, application of biocides, or disturbance or other change in the vegetation in the Mitigation Area other than practices outlined in the management plans.
  - b. There shall be no agricultural, commercial, or industrial activities allowed in the Mitigation Area.
  - c. There shall be no construction or placement of buildings, or other structures in the Mitigation Area other than structures for wildlife enhancement, viewing, or scientific study.
  - d. There shall be no construction of roads in the Mitigation Area. This does not include foot trails for recreational use. No motorized vehicles (to include off-road and four-wheel drive vehicles) shall be allowed on said site.
8. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50-Nephelometric Turbidity Units.
9. 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: CHB

cc: Mr. Joshua Koontz, U.S. Army Corps of Engineers, Memphis District  
Mr. David Felder, U.S. Fish and Wildlife Service  
Ms. Molly Martin, Environmental Protection Agency