



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

April 1, 2019

Certified Mail No. 7015 0530 0000 5971 7213  
Mayor Johnny Thomas  
Town of Glendora  
Post Office Box 90  
Glendora, MS 38928

Dear Mayor Thomas:

Re: Town of Glendora  
Tallahatchie County  
COE No. MVK20051630  
WQC No. WQC2019006

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 Town of Glendora, an applicant for a Federal License or permit to conduct the following activity:

Town of Glendora: Proposed project to conduct regulated activities in jurisdictional wetlands for the purpose of improving a recreational pond at the Emmett Till Memorial Park and Interpretive Trail located in the Town of Glendora, Tallahatchie County, Mississippi. A permit was issued in 2012 for similar work at the park; however, the authorized work was not completed, and the permit expired in 2017. A new permit application was received in January 2019 for improvements to the pond area at the park. Work includes clearing and grubbing the existing pond site, removal of soil to deepen and expand the natural depression at the site to create a scenic pond, create a small levee (approximately 3 feet high and 8 feet wide) between the pond and existing walking trail, minor grading and drainage work, and area beautification. Approximately 9.1 acres of emergent and shrub-scrub wetlands are found within the new project area. Approximately, 3.1 acres of the wetlands would be deepened to convert wetlands to open water, and 0.1 acre would be filled to create a berm. Construction work would be conducted by the 223 Engineering Battalion of the Mississippi Army National Guard as part of the Innovative Readiness Training program. The applicant proposes to mitigate for the unavoidable loss of wetland functions

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OFFICE OF POLLUTION CONTROL

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through the previously authorized permittee responsible mitigation site [MVK20051630, WQC2019006].

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. Fill material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
2. 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.
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. For construction projects from one to less than five acres of total ground disturbances including clearing, grading, excavating or other construction activities shall follow the conditions and limitations of the attached Storm Water Small Construction General NPDES Permit.
5. The mitigation plan shall be implemented as proposed. Annual monitoring reports shall be submitted to this office for a period of five years. Annual monitoring reports shall be received by this office no later than January 10 following the growing season. If the mitigation area does not meet performance standards, additional mitigation shall be implemented to ensure that the impacted wetland and stream functions are adequately replaced.
6. Prior to or concurrent with project construction, the mitigation area shall be placed in a restrictive covenant. Prior to any land disturbing activities within state waters, the applicant shall record the covenant 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. A certified copy of the covenants 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.
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., BCEE  
Chief, Environmental Permits Division

KR: CHB

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