



**STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

November 10, 2022

Col. Christopher D. Klein
U.S. Army Corps of Engineers, Vicksburg District
4155 Clay Street
Vicksburg, Mississippi

Dear Colonel Klein:

Re: U S Army COE, Vicksburg
District, General Permit 53,
NASA
Hancock County
COE No. MVK2017312
WQC No. WQC2022049

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, Vicksburg District, an applicant for a Federal License or permit to conduct the following activity:

U S Army COE, Vicksburg District, General Permit 53, NASA: Reissuance of General Permit 53 for regulated activities including the discharge of dredged and/or fill material into waters of the United States associated with projects consisting of, but not limited to: demolition, construction, repair and/or expansion of buildings, parking lots, access roads, pilings, docks, piers, retaining walls, and other appurtenant facilities necessary for the infrastructure and operation of the John C. Stennis Space Center (SSC). Activities covered by this General Permit must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S. to the maximum, extent practicable at the project site. Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal. NASA will continue to mitigate the unavoidable losses of wetland functions and values associated with the authorized projects

through creation, restoration, or enhancement and continued management of wetlands on property owned by NASA in the SSC's buffer area. This General Permit is valid for projects located at the John C Stennis Space Center in Hancock County, Mississippi [MVK2017312, WQC2022049].

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. For discharges of dredged or fill materials associated with the construction of a place where people are employed or congregate, the permittee shall obtain appropriate wastewater permits and/or approvals for the proposed activity prior to the commencement of construction activities. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B) (Statement B)
2. For all proposed road crossings, extreme care shall be taken to prevent the permanent restriction or impedance of water flow. Pre-construction hydrology shall be maintained. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A)
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. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A)
4. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A)
5. 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 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. No construction activities shall begin until the necessary approvals and/or permits have been obtained. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B) (Statement B)

6. The Mississippi Department of Environmental Quality (MDEQ) shall be given a minimum 30-day commenting period for projects with impacts more than three (3) acres of wetlands or 300 linear feet of stream. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A)
7. All stream impacts (including streams identified as ephemeral by the U.S. Army Corps of Engineers and described as non-relatively permanent waters) shall be mitigated in kind with stream mitigation elements. In the event that stream mitigation is not available and alternate mitigation proposals are provided, a pre-construction notification shall be provided to MDEQ and 10 working days shall be allowed to provide comments. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A)
8. Additional permits may be required from the Department for the construction and operation of individual facilities/projects. Each individual facility/project shall provide all necessary information to the Department to determine if additional permits are needed prior to the start of construction activities. If additional permits are needed, each individual facility/project shall comply with the terms and conditions set forth in these permits. Each individual facility/project shall contact the Environmental Permits Division at (601) 961-5171 for further information. **No construction shall begin at any proposed facility location until all necessary approvals are obtained from the Department.** (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B) (Statement B)
9. A pre-construction notification shall be provided to MDEQ for projects that include channel work within waterways found on the latest version of the State of Mississippi's Section 303(d) List of Impaired Water Bodies for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:
 - a. Justification of why the impacts cannot be avoided;
 - b. Proposed best management practices that would minimize the impacts to receiving sensitive waters; and
 - c. Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

(11 Miss. Admin. Code Pt. 6, R. 2.2.A.) (Statement C)

10. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.) (Statement C)
11. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3)) (Statement C)

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

(A) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.

(B) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.

(C) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams

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 you have any questions, please contact Carrie Barefoot.

Sincerely,



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

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cc: Mr. Spencer Dixon, U.S. Army Corps of Engineers, Vicksburg-S District
Willa Brantley, Department of Marine Resources
Jamie Becker, Environmental Protection Agency