



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

March 6, 2017

Certified Mail No. 7010 1870 0003 4946 9050

Ms. Jennifer Mallard
Regulatory Branch Chief
U.S. Army Corps of Engineers, Vicksburg District
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Ms. Mallard:

Re: US Army Corps of Engineers
Nationwide Permit No. 8
Warren County
COE No. MVK-2017-114
WQC No. WQC2017008

The Department of Environmental Quality, Water Quality Certification Branch has reviewed the submitted to our office dated January 6, 2017. This notice served as a request for Section 401 Water Quality Certification of the U.S. Army Corps of Engineer's Nationwide Permit No. 8 *Oil and Gas Structures on the Outer Continental Shelf*.

US Army COE, Nationwide Permit No. 8:

Nationwide Permits are general permits issued on a nationwide basis to streamline the authorization of activities that have no more than minimal and cumulative adverse effects on the aquatic environment. The U.S. Army Corps of Engineers issues NWPs to authorize certain activities that require Department of the Army permits under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899.

8. *Oil and Gas Structures on the Outer Continental Shelf*. Structures for the exploration, production, and transportation of oil, gas, and minerals on the outer continental shelf within areas leased for such purposes by the Department of the Interior, Bureau of Ocean Energy Management. Such structures shall not be placed within the limits of any designated shipping safety fairway or traffic separation scheme, except temporary anchors that comply with the fairway regulations in 33 CFR 322.5(l). The district engineer will review such proposals to ensure compliance with the provisions of the fairway regulations in 33 CFR 322.5(l). Any Corps review under this NWP will be limited to the effects on navigation and national security in accordance with 33 CFR 322.5(f), as well as 33 CFR 322.5(l) and 33 CFR part 334. Such structures will not be placed in

24319 WQC2017008

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established danger zones or restricted areas as designated in 33 CFR part 334, nor will such structures be permitted in EPA or Corps-designated dredged material disposal areas.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. [MVK-2017-114, WQC2017008]

Because these activities occur outside of state waters, it is the position of the Department that this activity does not require a Section 401 Water Quality Certification. Please contact Ms. Leah Drinnon of my staff at (601) 961-5520 or ldrinnon@mdeq.ms.gov if you have any questions regarding this matter.

Sincerely,



Harry M. Wilson, P.E., DEE
Chief, Environmental Permits Division

HMW:ld

cc: U.S. Army Corps of Engineers, Mobile District
Attn: Mr. Craig Litteken
U.S. Army Corps of Engineers, Memphis District
Attn: Mr. Tim Fudge
U.S. Army Corps of Engineers, Nashville District
Attn: Mr. Timothy Wilder
U.S. Army Corps of Engineers, New Orleans District
Attn: Mr. Michael Farabee
Ms. Willa Brantley, Department of Marine Resources
Mr. David Felder, U.S. Fish and Wildlife Service
Mr. Bill Ainslie, Environmental Protection Agency