

DEPARTMENT OF THE ARMY PERMIT

Permittee: Hancock County Port & Harbor Commission

Permit No.: SAM-2010-01522-PAH

Issuing Office: MOBILE DISTRICT

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The permittee is authorized to place clean fill material to permanently impact 3.09 acres of jurisdictional wetlands for the construction of an aircraft hangar, aircraft apron, and associated airport infrastructure.

ATTACHED: 1. Locations and Plan Drawings

2. Mississippi Department of Marine Resources (DMR) Coastal Program Consistency dated November 17, 2010 (DMR-100490) and July 20, 2023 (DMR23-000196).
3. Mississippi Department of Environmental Quality (MDEQ) individual Section 401 Water Quality Certification (WQC) dated August 10, 2023 (WQC No. WQC2023015).

Project Location: The project is located adjacent to Fred and Al Key Road at Stennis International Airport in Kiln, Hancock County, MS within Section 1, Township 8 South, Range 15 West (Latitude 30.3785, Longitude -89.4501).

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on January 11, 2029. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- a. The permittee shall purchase 6.18 pine savannah mitigation credits from the Texas Flat Mitigation Bank. Written proof of purchase of wetland mitigation bank credits shall be provided to the USACE Mobile District, Regulatory Division, Biloxi Field Office, 1141 Bayview Avenue, Suite 203, Biloxi, Mississippi, 39530 prior to commencement of construction activities authorized by this permit.
- b. All conditions of the Coastal Zone Consistency Determinations issued by the Department of Marine Resources (November 17, 2010; DMR-100490) and (July 20, 2023; DMR23-000196) are incorporated as conditions of this DOA permit.
- c. All conditions of the Mississippi Department of Environmental Quality (MDEQ) 401 Water Quality Certification (August 10, 2023; WQC2023015) are incorporated as conditions of the DOA permit.
- d. Project construction shall be conducted in such a manner that passage of normal expected high flows of surface water and surface water runoff outside the project boundaries are not restricted or otherwise altered.
- e. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this proposed project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this proposed project with a copy of this permit. A copy of this permit, including all conditions, shall be available at the project site during construction and maintenance of this proposed project.
- f. Should artifacts or archaeological features be encountered during project activities, all heavy equipment operations within a 35-foot buffer surrounding the potentially significant artifact(s) or the observation shall cease and the USACE and the State Historic Preservation Officer at the Mississippi Department of Archives and History (MDAH) shall be consulted immediately.

U.S. Army Corps of Engineers (USACE), Mobile District, Attention: Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628-0001; 251-690-2658

MDAH, Post Office Box 571, Jackson, Mississippi 39205; 601-576-6850

- g. Best management practices shall be implemented to minimize erosion, siltation and damage to adjacent wetlands and waters of the United States. Appropriate erosion and siltation control measures must be used and maintained in effective operating condition during construction. Permanent stabilization measures will be implemented on all exposed soil and fill material as soon as practicable after final grading. All temporary erosion control features shall remain in place until permanent stabilization measures have been completed and have become fully effective. The permittee shall be responsible for the removal of any excess sediment deposits which occur in waters of the United States as a result of the construction activities.
- h. Only clean, suitable material free of waste, metals, organic trash, unsightly debris, etc., may be used as fill. Material discharged must be free from toxic pollutants in accordance with State and Federal regulations.
- i. If any evidence of the presence of Endangered/Threatened Species is found during construction, ground disturbing activities in the immediate vicinity must cease, and the permittee shall notify the USACE, Mobile District and the U.S. Fish and Wildlife Service (USFWS) immediately.

USACE, Mobile District, Attention: Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628-0001; 251-690-2658

USFWS, 6578 Dogwood View Parkway, Suite A, Jackson, Mississippi 39213; 228-493-6631

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 10 of the Rivers and Harbors Act 1899 (33 U.S.C. 403).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

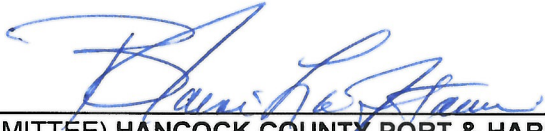
a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit. Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE) **HANCOCK COUNTY PORT & HARBOR COMMISSION**
MR. BLAINE LAFONTAINE
P.O. BOX 4079
BAY ST. LOUIS, MS 39520

1/24/2024
(DATE)

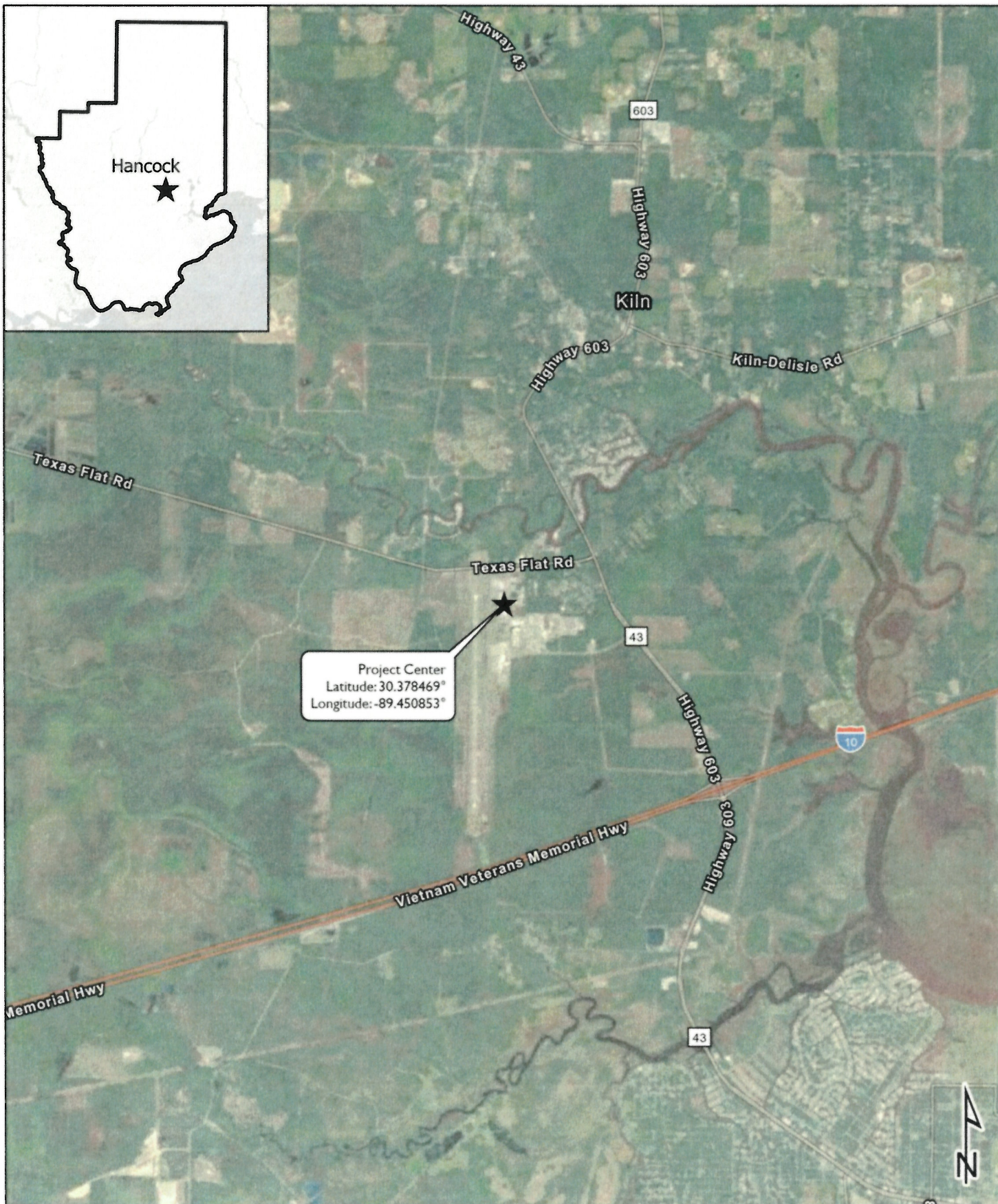
This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

JEREMY J. CHAPMAN
COLONEL, U.S. ARMY
DISTRICT COMMANDER

BY: _____
MUNTER N. SAHAWNEH (DATE)
TEAM LEADER
SOUTH MISSISSIPPI BRANCH
REGULATORY DIVISION

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE) (DATE)



0 1 2 Miles

Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

HANCOCK COUNTY PORT AND
HARBOR COMMISSION
Hancock County, Mississippi

SITE VICINITY MAP

CYPRESS
Environment & Infrastructure

Date: 2/10/2023

FIGURE I



 Project Boundary (3.27 Acres)

0 750 1,500 Feet

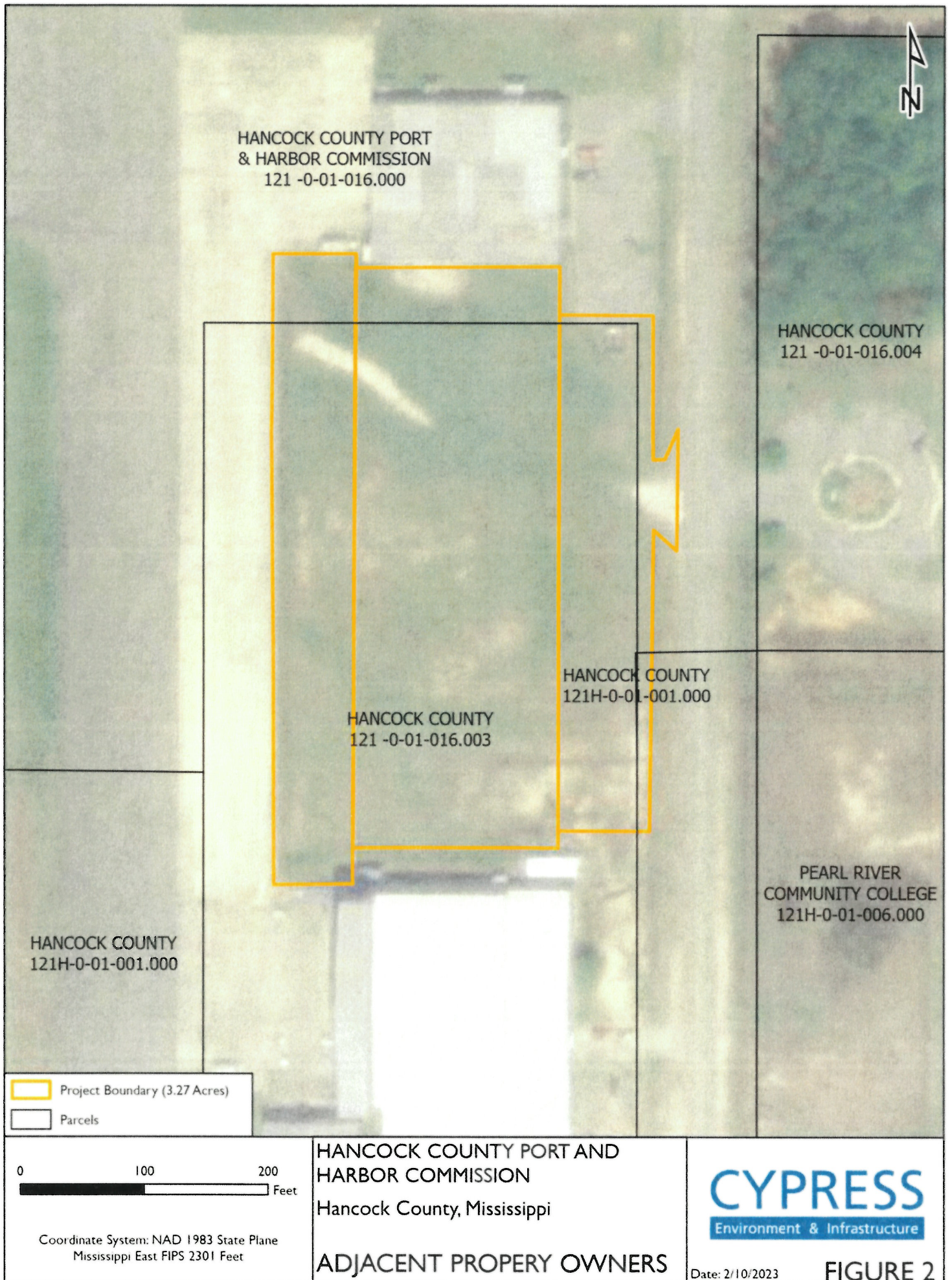
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Mississippi East FIPS 2301 Feet

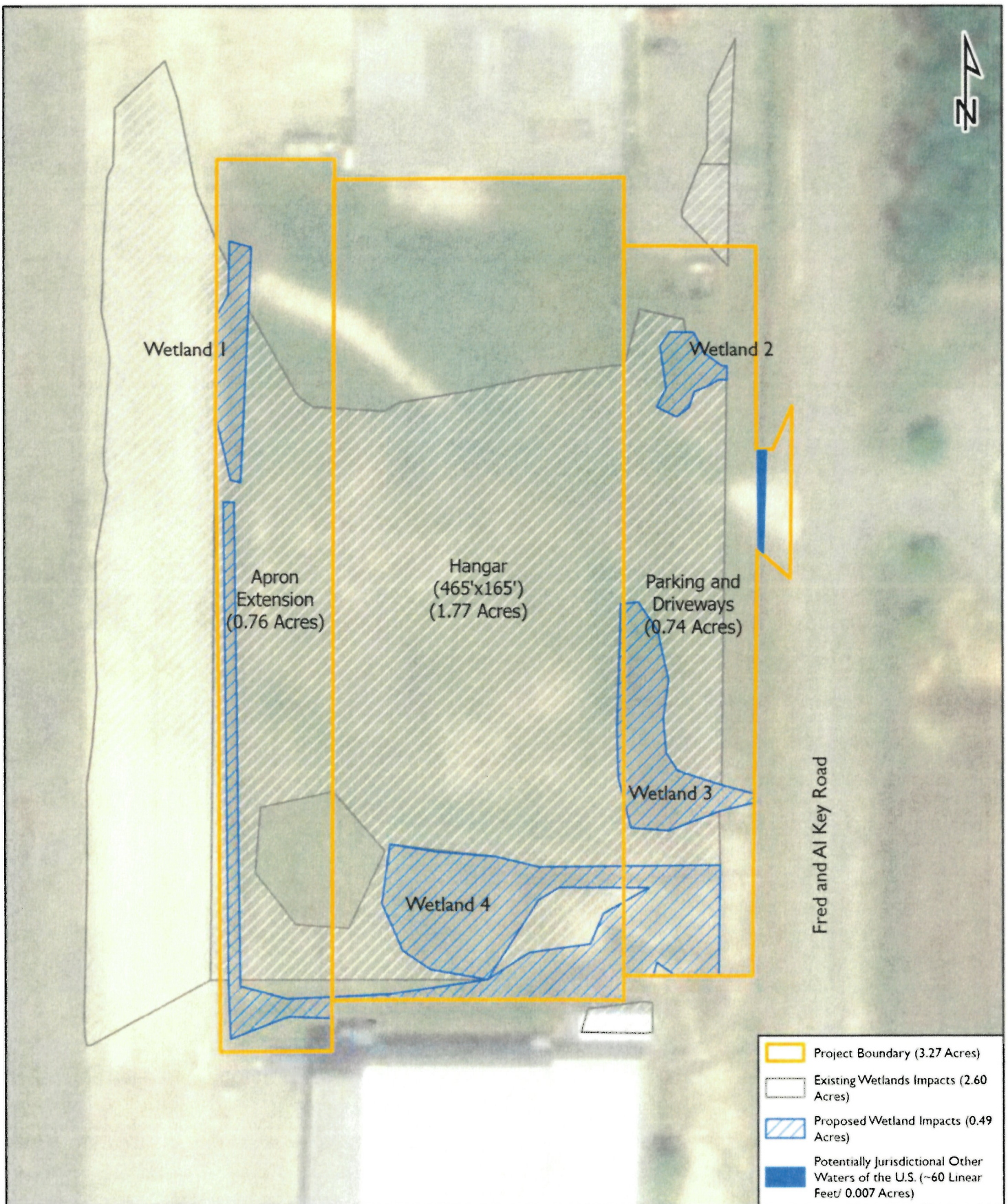
HANCOCK COUNTY PORT AND
HARBOR COMMISSION
Hancock County, Mississippi

SITE VICINITY MAP

CYPRESS
Environment & Infrastructure

Date: 3/28/2023





0 75 150 Feet

Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

HANCOCK COUNTY PORT AND
HARBOR COMMISSION
Hancock County, Mississippi

IMPACTS MAP

CYPRESS
Environment & Infrastructure

Date: 3/16/2023

FIGURE 3



**MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES**

November 17, 2010

Mr. Damon Young
Regulatory Division
U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628

Re: DMR-100490; Selex Galileo, Inc.

Dear Mr. Young:

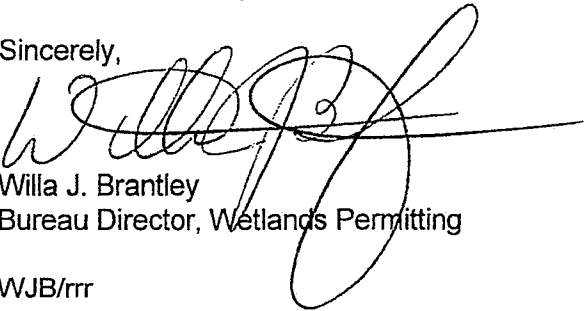
The Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to insure that the activities are in compliance with the MCP.

The applicant is proposing to fill 3.24 acres of non-tidal wetlands in Kiln, Mississippi. The above activity has been reviewed based upon provisions of the Mississippi Coastal Program and Section 307 of the Coastal Zone Management Act of 1972 (as amended). The activity has been determined to be consistent to the maximum extent practicable with the Mississippi Coastal Program provided that the applicant adheres to the following conditions:

1. Approximately 3.24 acres of non-tidal wetlands shall be filled for the construction of a 52,000 square foot 2-bay, hangar facility and the adjacent Integration Support Facility as indicated on the attached diagram;
2. The applicant shall purchase the appropriate number of mitigation credits to offset the 3.24 acres of impacts to non-tidal wetlands;
3. Prior to the commencement of construction, proof of purchase of mitigation credits from an approved mitigation bank within the service area (as determined by the Interagency Review Team) must be submitted to this office;
4. Vegetated wetlands outside of the 3.24-acre fill area shall not be impacted;
5. No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters; and,
6. No machinery shall be allowed in unauthorized wetlands.

The above granted consistency certification was based upon the application received and contingent upon approval from the Mississippi Department of Archives and History. If you have any questions regarding this letter, please contact Rebekah Ray with the Bureau of Wetlands Permitting at 228-523-4104.

Sincerely,

A handwritten signature in black ink, appearing to read 'Willa J. Brantley', with a long horizontal line extending to the right.

Willa J. Brantley
Bureau Director, Wetlands Permitting

WJB/rrr

Enclosure

cc: Mr. Patrick Chubb, PAC Services LLC
Ms. Florance Watson, OPC
Selex Galileo, Inc.



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

July 20, 2023

Ms. Allison Monroe
Regulatory Division
U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628

RE: DMR23-000196; Hancock County Office of County Administrator; Parcel #121-0-01-016.00, Fred and Al Key Road, Kiln, MS

Dear Ms. Monroe

The Mississippi Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to insure that the activities are in compliance with the MCP.

The above activity has been reviewed based upon provisions of the Mississippi Coastal Program and Section 307 of the Coastal Zone Management Act of 1972 (as amended). The applicant has proposed the following activities and impacts as indicated on the attached approved diagram:

1. Permanent fill of approximately 0.49 acres of non-tidal wetlands for the rehabilitation of an existing 12,500-square-foot (SF) aircraft packaging hanger, the construction of a 150-foot (ft) by 50-ft concrete apron, rehabilitation/construction of a 290-ft by 20-ft access road, rehabilitation/ construction of a 75-ft by 25-ft access drive, construction of an 800 SF paved parking lot, and cleaning and shaping of two ditches to ensure positive drainage.

The above activities and impacts have been reviewed based upon provisions of the MCP and Section 307 of the Coastal Zone Management Act of 1972 (as amended). They have been determined to be consistent to the maximum extent practicable with the MCP provided that the applicant adheres to the following conditions:

1. Permanent fill authorized above must:
 - a. Be mitigated by the purchase of the appropriate number of mitigation credits from an approved mitigation bank within the service area as determined by the Interagency Review Team; Proof of this purchase must be submitted to this office prior to the commencement of construction

The above granted consistency certification was based upon the plan presented. This certification is contingent on clearance from the Mississippi Department of Environmental Quality (MDEQ) and the Mississippi Department

of Archives and History (MDAH). All standards, regulations, and restrictions as set forth by the MDEQ and the MDAH as allowable by law with regards to protection of water quality and cultural resources and conservation of water resources shall be maintained.

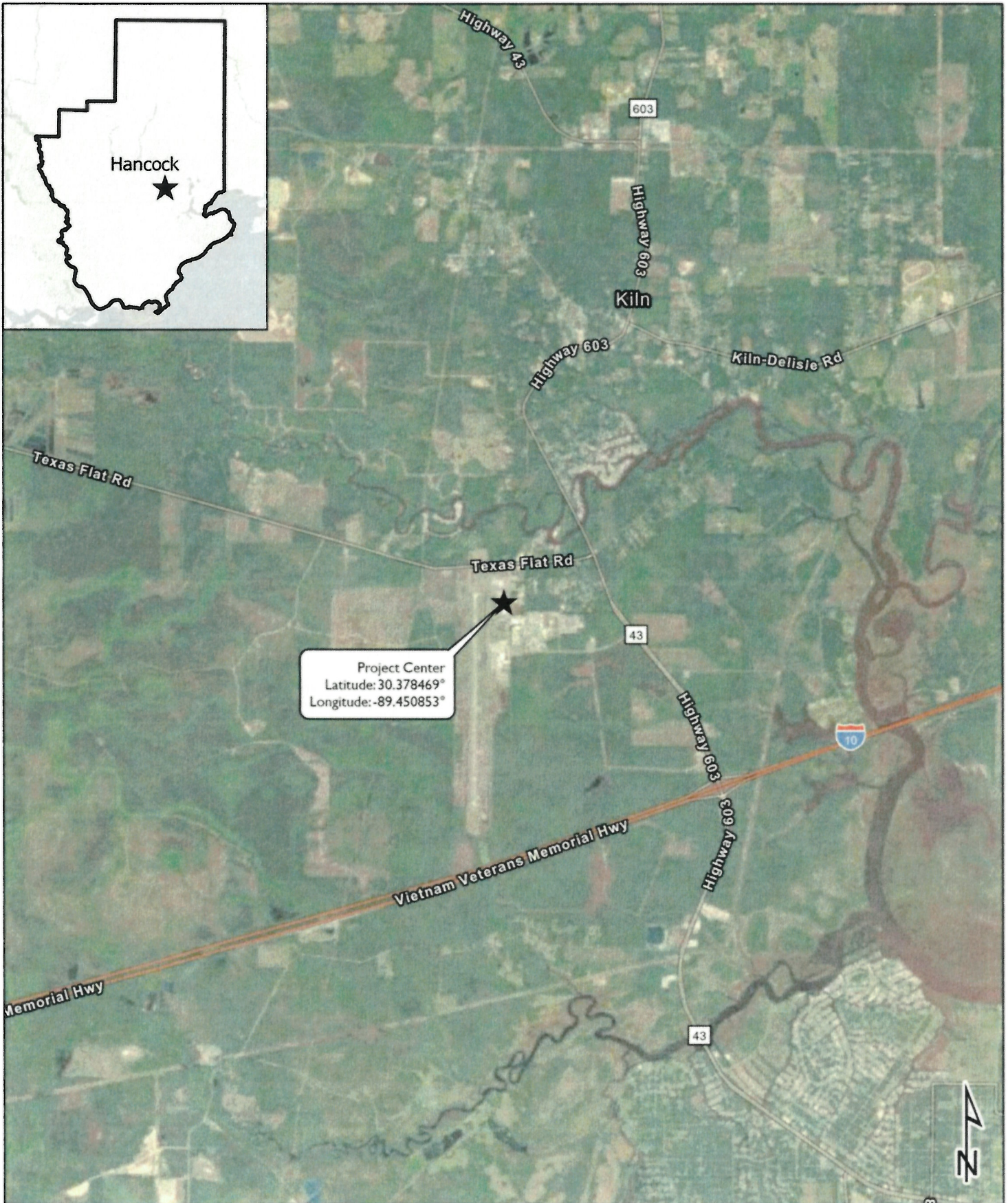
If you have any questions regarding this letter, please contact Anna Gamblin with the Bureau of Wetlands Permitting at 228-523-4065 or anna.gamblin@dmr.ms.gov.

Sincerely,

Willa J. Brantley
Director, Bureau of Wetlands Permitting
MS Department of Marine Resources

WJB/aeg

Attachments: Approved Diagrams



0 1 2 Miles

Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

HANCOCK COUNTY PORT AND
HARBOR COMMISSION

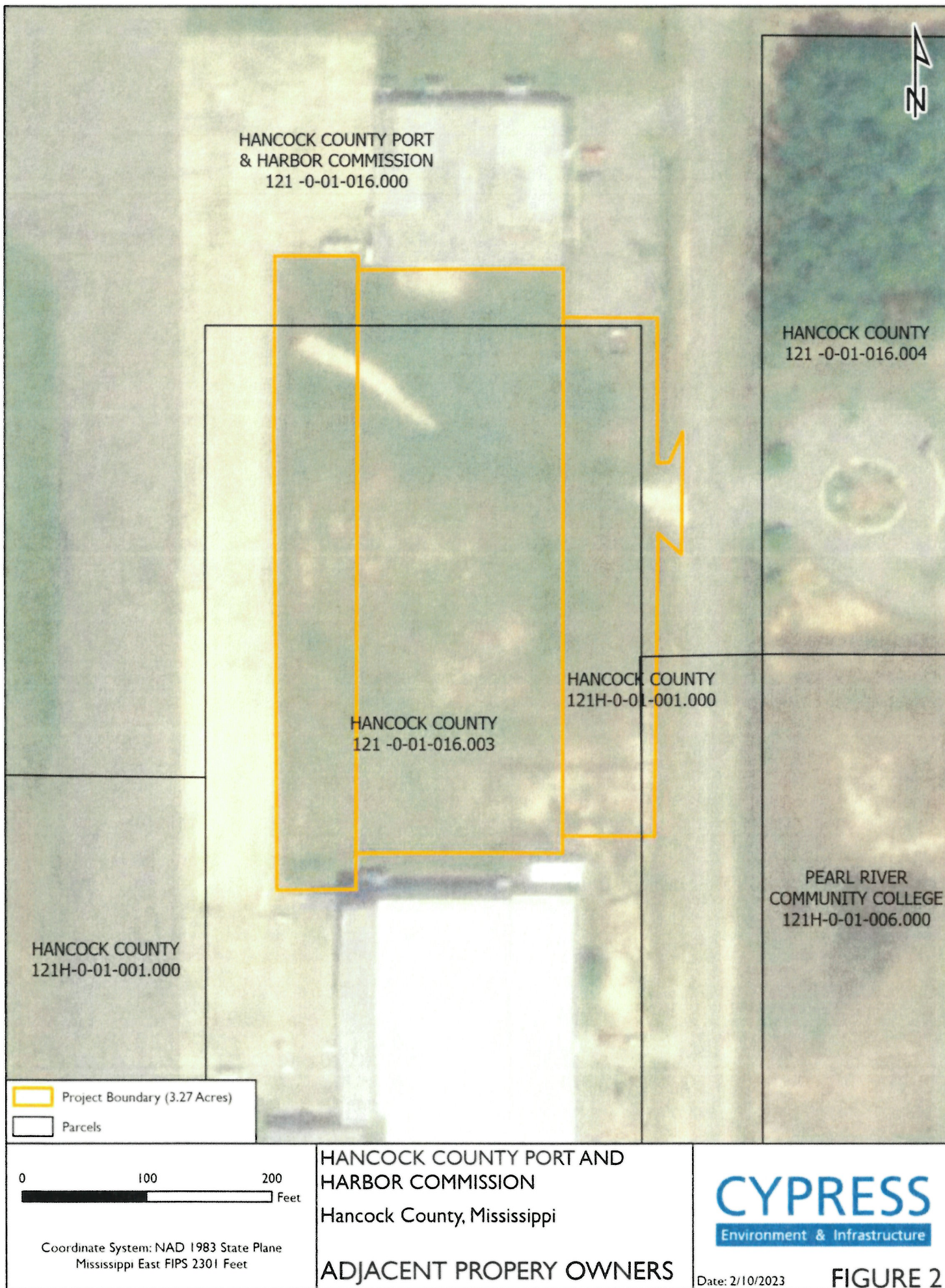
Hancock County, Mississippi

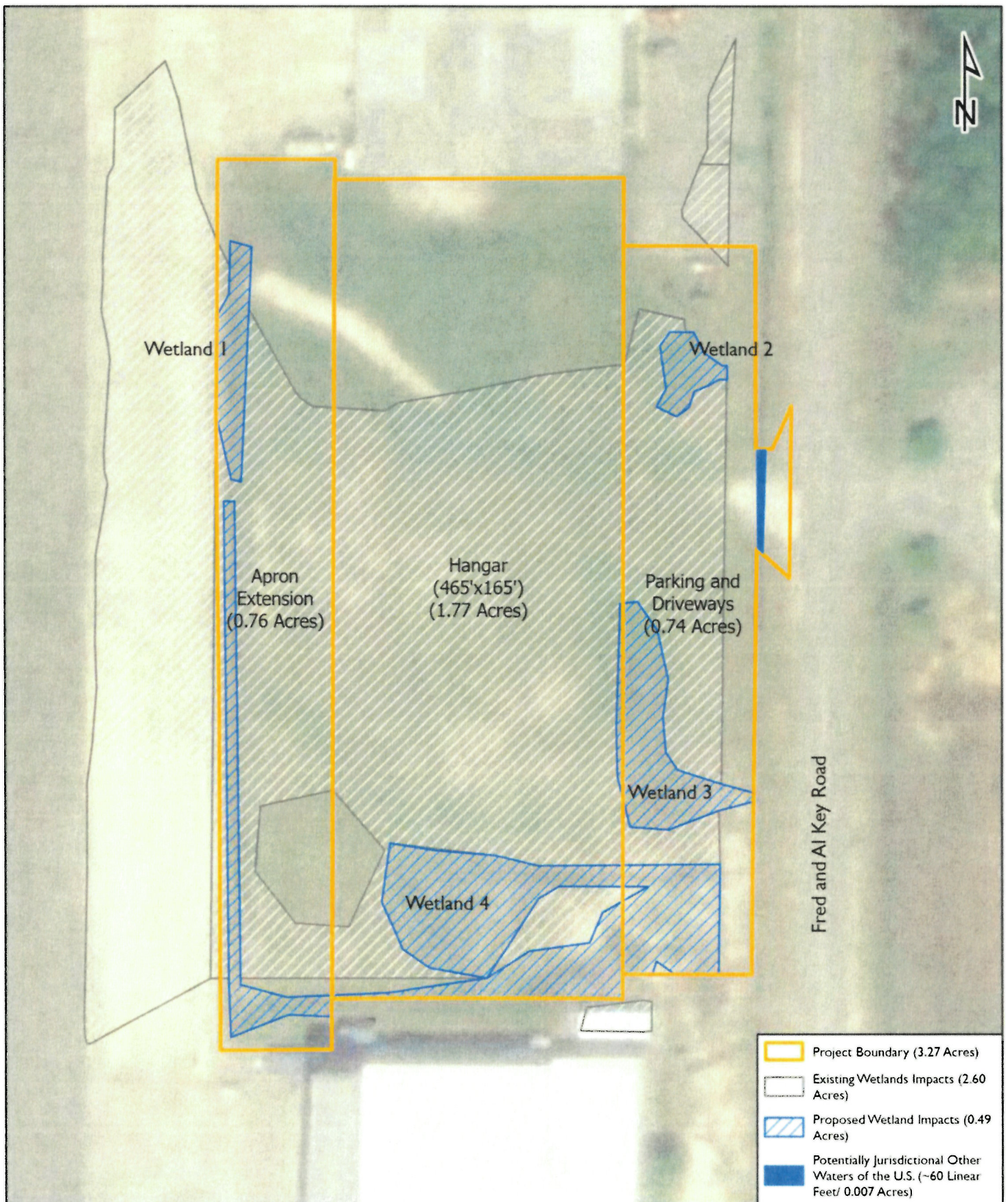
SITE VICINITY MAP

CYPRESS
Environment & Infrastructure

Date: 2/10/2023

FIGURE I





0 75 150 Feet

Coordinate System: NAD 1983 State Plane
Mississippi East FIPS 2301 Feet

HANCOCK COUNTY PORT AND
HARBOR COMMISSION
Hancock County, Mississippi

IMPACTS MAP

CYPRESS
Environment & Infrastructure

Date: 3/16/2023

FIGURE 3



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

August 10, 2023

Blaine LaFontaine
Hancock County Port and Harbor Commission
854 Hwy 90
Bay St. Louis, Mississippi 39520

Dear Mr. LaFontaine:

Re: Hancock County Port and
Harbor Commission, Stennis
International Airport,
Warehouse
Hancock County
COE No. SAM201001522PAH
WQC No. WQC2023015

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 Hancock County Port and Harbor Commission, an applicant for a Federal License or permit to conduct the following activity:

Hancock County Port and Harbor Commission, Stennis International Airport, Warehouse: Proposed fill of 3.09 acres of wetlands for construction of a new hangar, parking lot, and apron extension. Mitigation will be the purchase of credits from an approved mitigation bank. [SAM201001522PAH, WQC2023015].

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. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)
2. A site-specific Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented as required under the Small Stormwater

54658 WQC20230001

Construction General NPDES Permit prior to the start of construction activities. A copy of the site-specific SWPPP and Notice of Intent shall be kept on-site and available for inspection upon request. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)

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. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
4. All fill material and excavation areas shall have side slopes of 3:1 (horizontal: vertical) or flatter and shall be immediately seeded, stabilized and maintained. (Statement B) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
5. Mitigation for the impacts of 3.09 acres of wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and be based upon that required for impacting the waters on the site. Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland or stream areas. (Statement C) (11 Miss. Admin. Code Pt. 6, R. 1.3.4 A (2))
6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement D) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
7. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement D) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

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) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (B) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.

August 10, 2023

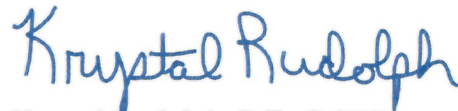
(C) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.

(D) 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 Florance Bass.

Sincerely,



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

KR: fb

cc: Philip A. Hegji , U.S. Army Corps of Engineers, Mobile District
Willa Brantley, Department of Marine Resources
Jamie Becker, Environmental Protection Agency
Savannah R. Morales, Cypress Environment and Infrastructure