



STATE OF MISSISSIPPI

PHIL BRYANT

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

GARY C. RIKARD, EXECUTIVE DIRECTOR

August 14, 2017

Certified Mail No. 7010 0780 0001 9993 3641
Mr. Curtis Flake
Chief, Planning and Environmental Division
U.S. Army Corps of Engineers, Mobile District
P.O. Box 2288
Mobile, AL 36628-0001

Dear Mr. Flake:

Re: US Army COE, Mobile
District, Biloxi Harbor
Maintenance Dredging
Harrison County
COE No. FP17-BH01-13
WQC No. WQC2017095

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

US Army COE, Mobile District, Biloxi Harbor Maintenance Dredging:
Proposed project to maintain channel dimensions of the Upper Harbor, Lower Harbor, and Back Bay portions of the Biloxi Harbor navigation project, the follow actions are proposed:

In the Lower Harbor, approximately 1,000,000 cubic yards of dredged material would be removed from the West Access Channel, Lateral Channel and East Access Channel on an as needed basis over a five-year period with average dredging cycles occurring approximately every two or three years. Material to be removed ranges from silt and sandy silt to silty clays. This material would be placed in any of the previously certified and approved ten open-water placement areas, and/or the Deer Island southern shoreline beneficial use site. Depths in designated open-water placement areas would not be allowed to become less than 4 feet below mean lower low water.

In the Back Bay Portion, approximately 600,000 cubic yards of sand to sandy

silts would be removed from the Back Bay portion of the project on an as needed basis over a five-year period. Average dredging cycles would occur approximately every 2-3 years. Based on historic records, the majority of this material comes from the Industrial Seaway. This material would be placed in previously approved and utilized upland placement areas denoted as C-1 and C-6. The channel segment extending from the D'Iberville Bridge to the junction of Bernard Bayou and the Industrial Seaway is in natural water depths in excess of the authorized dimensions.

In the Upper Harbor, approximately 250,000 cubic yards of dredged material would be removed from the Ott Bayou channel on an as needed basis over a five-year period. This dredged material will be placed in the open-water disposal sited six and seven in Mississippi Sound. Sediment testing showed this dredged material is suitable for open-water disposal. The remainder of the maintenance dredging of the Upper Harbor will not be performed until suitable upland placement sites are acquired for the receipt of upper harbor material. [FP17-BH01-13, WQC2017095].

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 channel depth shall gradually increase toward open water and shall not exceed the controlling navigational depth. No "sumps" shall be created by proposed dredging.
2. Best management practices should be used at all times during construction to minimize turbidity at both the dredge and spoil disposal sites. The disposal sites shall be constructed and maintained in a manner that minimizes the discharge of turbid waters into waters of the State. Best management practices should include, but not limited to, the use of staked hay bales; staked filter cloth; sodding, seeding and mulching; staged construction; and the installation of turbidity screens around the immediate project site. Any effluent from the disposal area should be routed through a return swale system and filtered through a series of hay bales and silt fences so as to reduce the turbidity of the effluent.
3. The excavated material shall be disposed in approved open-water disposal sites or contained upland disposal sites. Upland disposal sites shall be stabilized to prevent movement of sediment into adjacent drainage areas.

4. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.
5. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. The turbidity within the Deer Island Restoration Project areas may reasonably exceed this turbidity standard for temporary periods of time but shall not result in permanent environmental harm.

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.
Chief, Environmental Permits Division

HMW: mhg

cc: Mike Malsom, U.S. Army Corps of Engineers, COE-Mobile-S District
Gregory Christodoulou, Department of Marine Resources
David Felder, U.S. Fish and Wildlife Service
Bill Ainslie, Environmental Protection Agency