



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

March 18, 2019

Mrs. Valerie Alley  
Mississippi Department of Environmental Quality  
Post Office Box 2261  
Jackson, Mississippi 39225

Dear Mrs. Alley:

Re: MDEQ Early Restoration, Deer Island Reef  
Harrison County  
COE No. SAM201801284-JRO  
WQC No. WQC2019003

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 Mississippi Department of Environmental Quality, an applicant for a Federal License or permit to conduct the following activity:

Mississippi Department of Environmental Quality – Early Restoration Project –  
Deer Island Reef: Project to place approximately 45,000 cubic yards of fill in waters of the United States to create approximately 90 acres of subtidal reef north of Deer Island in Harrison County, Mississippi. The fill material will consist of graded limestone, processed concrete aggregates, and/or oyster shell. The fill material will be placed in a manner to provide substrate 0.2 feet to 3.0 feet above the existing bed elevation in an undulating pattern, while maintaining a minimum depth of 2.0 feet below Mean Low Water.

The purpose of the project is to restore lost secondary productivity resulting from the Deepwater Horizon Oil Spill and is part of the programmatic portions of an early restoration agreement entitled "Framework for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill." [SAM201801284-JRO, WQC2019003].

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. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50-Nephelometric Turbidity Units.
3. 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: Mr. Jeremy Overstreet, U.S. Army Corps of Engineers, Mobile District  
Ms. Willa Brantley, Department of Marine Resources  
Mr. Paul Necaise, U.S. Fish and Wildlife Service  
Ms. Molly Martin, Environmental Protection Agency  
Ms. Alane Young, Covington Civil and Environmental, LLC