



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

March 10, 2020

Certified Mail No. 7019 1120 0000 4787 9017
Ms. Annie Le-Nguyen
Golden Bay Investment, Ltd.
1252 Beach Blvd.
Biloxi, MS 39530

Dear Ms. Le-Nguyen:

Re: Golden Bay Investment, Ltd.
Oak Landing RV Park
Harrison County
COE No. SAM20161579PAH
WQC No. WQC2017056

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Mississippi Department of Environmental Quality (Department) issues this Certification, after public notice and opportunity for public hearing, to Golden Bay Investment, Ltd., an applicant for a Federal License or permit to conduct the following activity:

Golden Bay Investment, Ltd. (Golden Bay), Oak Landing RV Park: Golden Bay applied to the Department for a Section 401 Water Quality Certification in January 2017 to conduct regulated activities in waters of the State for construction of a mixed use development consisting of single-family homes and a recreational vehicle (RV) park. Throughout the regulatory review, the project has undergone a number of changes resulting in a final proposed project consisting of only a RV park. The applicant identified that the purpose of the proposed project was to, "provide economic development due to the influx of motor homes and their associated occupants," and to "provide for a resilient and sustainable development by providing an evacuable area."

Golden Bay originally obtained a U.S. Army Corps of Engineers Section 404 Department of the Army Permit (Section 404 Permit) for this property in 1999 to construct a residential subdivision with commercial lots fronting Highway 90 and a residential subdivision. That project would have impacted 3.5 acres of pine/hardwood wetlands. The project was never constructed, and in January 2017 the applicant submitted an application for the current WQC to include the

construction of a project with residential and recreational components; this proposed project would have impacted 3.53 acres of wetlands. After coordination with the City of Long Beach to obtain local approval, the applicant revised the project in May 2019 to change the scope of the project and remove the residential development. This change in the project reduced the amount of wetland impact to 1.679 acres. In February 2020, the applicant provided a revised application that further reduced the amount of wetland impact to 1.389 acres.

This proposed project site is located on a 16.626-acre parcel that is east of Markham Drive and north of U.S. Highway 90 in Long Beach, Harrison County, Mississippi. This project site is located in waters adjacent to the Mississippi Sound and contains 3.738 acres of wetlands, of which the applicant proposes to fill 1.389 acres of pine/hardwood wetlands. The proposed project site is bounded by U.S. Highway 90 to the south, the CSX railroad to the north, and multiple residential lots with homes to the east and west.

The proposed project would result in the placement of fill material in 1.389 acres of jurisdictional wetlands. Mitigation activities for the unavoidable losses of waters of the State would be through the purchase of credits from an approved wetland mitigation bank. A functional assessment of the wetlands was conducted in order to establish an ecological value of the wetlands and to form a quantitative basis for determining mitigation requirements. The number of credits required was determined using the results of the Wetland Rapid Assessment Procedure (WRAP) assessment [SAM20161579PAH, WQC2017056].

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. No construction shall begin until all wastewater approvals are obtained.
2. 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.
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 and/or waters. Special care shall be taken to prevent the movement of sediment into adjacent wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately.
4. For projects with ground disturbances that total five acres or more 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. No construction activities shall begin until the necessary approvals and/or permits have been obtained.

5. The Post Construction Storm Water Management Plan, submitted by Dennis Stieffel & Associates, P.A., Inc. on February 22, 2019, shall be implemented concurrent with project construction and properly maintained.
6. Mitigation for the loss of 1.389 acres of pine/hardwood wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The purchasing credits must be in accordance with the banking prospectus and should be based upon that required for impacting 1.389 acres of pine/hardwood wetlands. Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland areas.
7. 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. Philip Hegji, U.S. Army Corps of Engineers, Mobile District
Ms. Jennifer Wilder, Department of Marine Resources
Mr. Paul Ncaise, U.S. Fish and Wildlife Service
Ms. Molly Martin, Environmental Protection Agency
Ms. Cynthia Henderson, P.E. PWS, Cypress Environmental Science & Engineering
Mr. Dennis Stieffel, Dennis Stieffel & Associates, P.A., Inc.