



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

June 25, 2020

Mr. Henry Nunmaker IV  
Back Bay RV Resort, LLC  
112 Highway 22 East  
Madisonville, Louisiana 70447

Dear Mr. Nunmaker:

Re: Back Bay RV Resort  
Jackson County  
COE No. SAM201500154KJF  
WQC No. WQC2019072

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, Back Bay RV Resort, LLC, an applicant for a Federal License or permit to conduct the following activity:

Back Bay RV Resort: To construct a RV resort and dry storage marina. There will be permanent impacts to 5.88 acres of jurisdictional wetlands to construct a 229 lot RV resort on a 60.38 acre site. Clean fill material would be placed for 45 of the RV lots, roadways, and seven (7) culverted road crossings. Additional structures to be included, but not impacting wetlands, consist of a 40 foot by 60 foot bath and laundry facility; 50 foot by 80 foot main office; a 135 foot by 190 foot dry boat storage building; a 100 foot by 135 foot concrete pad; a 145 foot by 164 foot gravel parking lot; additional culverted road crossings; an in ground swimming pool, as well as a 40 foot by 60 foot pool pavilion. The 60.38 acre site consist of approximately 18.97 acres of jurisdictional wetlands of which is approximately 10.34 acres of tidal wetlands and 8.63 acres of low-quality pine savanna wetlands. The proposed work would avoid approximately 13.09 acres of jurisdictional wetlands. The avoided wetlands would be placed into a conservation easement. In addition to the fill activities, the applicant proposes to construct a 30-foot wide by 80-foot long boat ramp with 80-foot bulkheads running the length of each side; an 8-foot wide by 211-foot long breakwater pier to run north/south with an 8-foot wide by 175.5-foot long segment running east/west from the terminus; and two floating piers extending from each side of the proposed boat ramp.

Each pier would include a 6-foot wide by 116-foot long main pier with four 6-foot wide by 40-foot long finger piers. Total square footage for all structures is approximately 6,404 square feet. The applicant is also proposing to dredge an area measuring approximately 30-foot wide by 237-foot long from current depths of -3MLW to -6MLW. The amount of sediment to be removed is approximately 790 cubic yards. The applicant is proposing to dispose of the material in onsite uplands areas. The project site consists of a 60.38 acre tract situated south of Dismuke Drive, at the end of Riviera Drive, and is surrounded by residential developments to the west, north, and east. This tract borders the Back Bay of Biloxi along the southern border and has three tidal wetland inlets which extend northward into the property, with pine savanna wetlands bordering and extending northward. The site is forested with a near 100 percent canopy of mature mix pine/hardwood with a dense understory. The property contains pine savanna occurring in the north portion of the property and along the edges of the wetland drainages. Wetlands located on the site are both tidal and non-tidal. Mitigation has been proposed through the purchasing of mitigation credits from an approved mitigation bank. The site is located in Ocean Springs, Jackson County, Mississippi. [SAM201500154KJF,WQC2019072].

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. 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.
2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. In the event of any BMP failure, corrective actions shall be taken immediately.
3. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. **No construction activities shall begin until such approvals are obtained.**
4. The post-construction Storm Water Management Plan, submitted by Wooten Engineering, received on January 28, 2020 shall be implemented concurrent with project construction and properly maintained.

5. Mitigation for the impacts of 5.88 acres of wetlands shall be provided by the purchase of mitigation credits jurisdictional wetlands shall be provided from an approved mitigation bank. The number of credits purchased must be in accordance with the banking prospectus and should be based upon that required for permanently impacting approximately 5.88 acres of jurisdictional 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.
6. 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.**
7. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
8. 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 you have any questions, please contact Montie Glenn.

Sincerely,



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

KR: mhg

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District  
Greg Christodoulou, Department of Marine Resources  
Paul Necaise, U.S. Fish and Wildlife Service  
Molly Martin, Environmental Protection Agency  
Dana Sanders, Sanders and Associates, Inc.