



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

March 24, 2022

Mr. Rick Burris  
Mississippi Department of Marine Resources  
1141 Bayview Avenue  
Biloxi, Mississippi 39530

Dear Mr. Burris:

Re: Mississippi Department of  
Marine Resources, USM ERDC  
Experimental Oyster Reef  
Western Zone  
Harrison County  
COE No. SAM202101168KMN  
WQC No. WQC2021075

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, Mr. Rick Burris, an applicant for a Federal License or permit to conduct the following activity:

Mississippi Department of Marine Resources, USM ERDC Experimental Oyster Reef: The proposed project would be a cooperative research effort between the University of Southern Mississippi (USM), the U.S. Army Corps of Engineers Environmental Research Development Center (ERDC), and the Mississippi Department of Marine Resources (MDMR). The proposed artificial reef research project would involve construction of two 50-acre project areas within the MS sound. Eight 1-acre oyster reefs would be constructed within each of the 50-acre project areas. Locations of each of the eight 1-acre oyster reefs would vary within the 50-acre site and would be placed at least 1-acre apart. The oyster reefs would be constructed using varying amounts of limestone aggregate at different times over a calendar year. Heights would vary among the reefs with a maximum of 8-inches in height per reef. The reefs would be constructed to a maximum elevation of -8 feet mean low low water (MLLW). Current depths at the proposed sites are -8 to -12 feet MLLW. The total area would comprise 100 acres with

approximately 16 acres of fill into other waters of the U.S. upon completion of the research project. [SAM202101168KMN,WQC2021075].

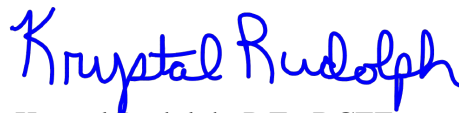
The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the 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. Material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
3. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
4. 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 Florance Bass.

Sincerely,



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

KR, MW: bdf

cc: Ms. Kaaren M. Neumann, U.S. Army Corps of Engineers, Mobile District  
Mr. Paul Ncaise, U.S. Fish and Wildlife Service  
Ms. Molly Martin, Environmental Protection Agency  
Mr. Rick Coupe, Anchor Qea, LLC