



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

January 13, 2025

Mr. Matthew Hosey  
Jackson County Board of Supervisors  
2915 Canty St., Suite H  
Pascagoula, MS 39568

Dear Mr. Hosey:

Re: Jackson County Board of Supervisors  
Old Fort Bayou Dredging  
Jackson County  
COE No. SAM-2024-00065-RCV  
WQC No. WQC2024008

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 Jackson County Board of Supervisors, an applicant for a Federal License or permit to conduct the following activity:

Jackson County Board of Supervisors, Old Fort Bayou Maintenance Dredging: Proposed maintenance dredging within two man-made canals adjacent to the Washington Avenue bridge (OFB Boat Launch) and north of Iberville Drive in Ocean Springs, Mississippi. The current depth of both canals ranges from -1.5 to -5 feet (ft) NAVD88. The proposed depth to be achieved during maintenance dredging would be -6 to -5 ft NAVD88. Approximately 8,900 cubic yards of dredge material would be generated by this event. The dredge will be completed along two alignments for a total of 2,080 linear feet. A side slope ratio of 3:1 or flatter will be maintained. The dredge bottom width of the alignment ranges from 10 to 30 ft. Hydraulic and/or mechanical dredging methods would be implemented for this site. Approximately 8,700 cubic yards of dredge material would be removed from public trust tidelands, and the remaining 200 cubic yards of dredge material would be removed from man-made canals. No submerged aquatic vegetation is present within the project area. Dredge disposal is proposed at the Round Island Beneficial Use Site.

The project is located within two man-made canals within Old Fort Bayou, and adjacent to the Washington Avenue bridge (OFB Boat Launch) and north of Iberville Drive in Ocean Springs, Jackson County, Mississippi [SAM-2024-00065-RCV; WQC2024008].

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. Slopes of canal banks shall be one vertical to three horizontal or flatter to promote colonization by littoral vegetation, which provides nutrient uptake, habitat and bank stabilization. Any bulkheading shall be done above ordinary high water. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 1.3.4.C.(1) Exhibit A)
2. 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. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
3. Best Management practices should be used at all times during construction to minimize turbidity at both the dredge and soil 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 be limited to, the use of staged construction and the installation of turbidity screens around the immediate project site. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
4. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (Statement A) (11 Miss. Admin. Code Pt. 6, R.2.2.A.(3))
5. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

- (A) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams.
- (B) There is a feasible alternative to the activity which reduces adverse consequences on water quality and classified or existing uses of waters of the State.
- (C) The proposed activity adversely impacts waters containing State or federally recognized threatened or endangered species.

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- (D) The proposed activity adversely impacts a special or unique aquatic habitat, such as National or State Wild and Scenic Rivers and/or State Outstanding Resource Waters.
- (E) The proposed activity in conjunction with other activities may result in adverse cumulative impacts.
- (F) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (G) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (H) The proposed activity results in significant environmental impacts which may adversely impact water quality.

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 Carrie Barefoot.

Sincerely,



Becky Simonson  
Chief, Environmental Permits Division

BS: SP:PO

cc: Dylan Hendrix, U.S. Army Corps of Engineers, Mobile District  
Rachel Kistler, Covington Civil and Environmental  
Katie Nelson, Department of Marine Resources  
Jamie Becker, Environmental Protection Agency