



STATE OF MISSISSIPPI
HALEY BARBOUR
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
TRUDY D. FISHER, EXECUTIVE DIRECTOR

March 13, 2009

Certified Mail No. 7005 3110 0003 6328 8399

Mr. Kerwin Cuevas
Mississippi Department of Marine Resources
1141 Bayview Avenue
Biloxi, Mississippi 39503

Dear Mr. Cuevas:

Re: Mississippi Department of
Marine Resources, Offshore
Breakwater Artificial Reef
Hancock County
COE No. SAM200900150JBM
WQC No. WQC2009008

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

Mississippi Department of Marine Resources, Offshore Breakwater Artificial Reef: proposes to place 8,000 cubic yards of clean concrete rubble to construct 1,995 foot long breakwater / artificial reef. The purpose of the project is to provide erosion control and habitat value. No wetlands or submerge aquatic vegetation will be filled [SAM200900150JBM, WQC2009008].

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:

40437 WQC20090001

OFFICE OF POLLUTION CONTROL

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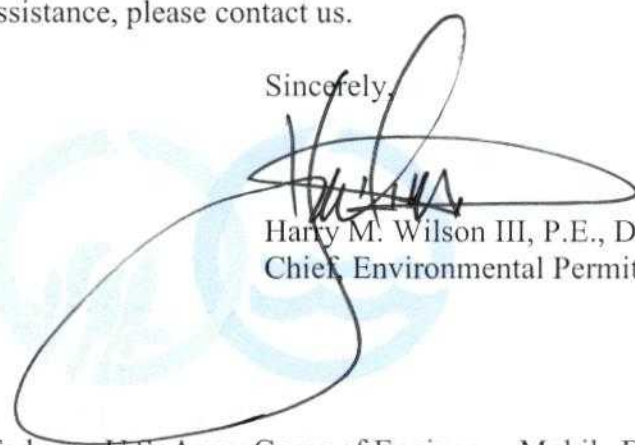
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1. Material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
2. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
3. No sewage, oil, refuse, 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. If we can be of further assistance, please contact us.

Sincerely,



Harry M. Wilson III, P.E., DEE
Chief, Environmental Permits Division

HMW: tgt

cc: Mr. John B. McFadyen, U.S. Army Corps of Engineers, Mobile District
Mr. Paul Ncaise, U.S. Fish and Wildlife Service
Mr. Duncan Powell, Environmental Protection Agency
Ms. Janet Riddell, Office of Budget & Fund Management