



STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

June 18, 2024

Mr. Scotty Adam
Hancock County Board of Supervisors
854 Hwy 90
Bay St. Louis, Mississippi 39521

Dear Mr. Adam:

Re: Hancock County Board of Supervisors
Dredging Bayou Caddy
Hancock County
COE No. SAM-2022-01224-APS
WQC No. WQC2024030

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

Hancock County Board of Supervisors, Dredging Bayou Caddy: Proposed project to hydraulically or mechanically dredge three man-made canals to Bayou Caddy as well as Bayou Caddy's main channel near the convergence of Bayou Caddy with the Mississippi Sound. The dredge areas are approximately 3,000 feet long (each) and vary in width from 65 to 150 feet with the widest area occurring in the main Bayou Caddy channel. The channels are used by commercial and private vessels. The man-made canals' target depth is -7.0 mean lower water (MLLW) with an allowance of 2 feet for overdredge. The primary/main Bayou Caddy target depth is -12.0 feet MLLW with an allowance of 2 feet for overdredge. The total dredge volume would be approximately 175,000 cubic yards. The dredged sand and silt are proposed to be spread over approximately 46 acres in the Heron Bay Marsh Creation Site (SAM-2013-00088-MJF) and contained by an existing berm [SAM-2022-01224-APS, WQC2024030].

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 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.)
2. Best management practices should be used at all times during construction to minimize turbidity at both the dredge and spoil disposal site. 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 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.)
3. 3. 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))
4. 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.
- (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,

A handwritten signature in blue ink that reads "Becky Simonson".

Becky Simonson
Chief, Environmental Permits Division

BS:chb:mb

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District
Willa Brantley, Department of Marine Resources
Jamie Becker, Environmental Protection Agency
Lisa Morrison, Neel-Schaffer, Inc.
Val Alley, Mississippi Department of Environmental Quality