



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

April 6, 2023

Ms. Christy LeBatard, P.E.  
City of Biloxi  
P.O. Box 429  
Biloxi, MS 39533

Dear Ms. LeBatard:

Re: City of Biloxi  
Lighthouse Park and Visitor Center  
Harrison County  
COE No. SAM202200578PAH  
WQC No. WQC2022060

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 City of Biloxi, an applicant for a Federal License or permit to conduct the following activity:

City of Biloxi, Lighthouse Park and Visitor Center: The applicant proposes to, Construct a riprap jetty measuring 348 feet in length and 23 feet in width; Construct a pier 357 feet in length and 8 feet in width; Construct a covered pier 24 feet in length and 24 feet in width over unvegetated water bottoms; Construct a pier 35 feet in length and 12 feet in width over unvegetated water bottoms; Construct a pier 84 feet in length and 16 feet in width over unvegetated water bottoms; Dredge a temporary work channel approximately 670 feet in length and 40 feet in width from a depth of 2 feet below mean low water to a depth of 4 feet below mean low water. Approximately 1,650 cubic yards of material will be removed. Dredged material will be temporarily side cast and replaced into the dredged channel upon completion of construction. [SAM202200578PAH, WQC2022060].

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 stabilized. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)
2. Best management practices shall be used at all times during construction to minimize turbidity. Best management practices may include, but not limited to, the installation of turbidity screens around the immediate project site. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
3. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. The turbidity within the beneficial use restoration projects areas may reasonably exceed this turbidity standard for temporary periods of time and shall not result in permanent environmental harm. (Statement A) (11 Miss. Admin. Code Pt. 6, R. 2.2.A)
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.

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 Mr. Thomas Schaub.

Sincerely,



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

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cc: Mr. Philip Hegji, U.S. Army Corps of Engineers, Mobile District  
Ms. Willa Brantley, Department of Marine Resources  
Mr. Paul Necaie, U.S. Fish and Wildlife Service  
Ms. Jamie Becker, Environmental Protection Agency  
Mr. Edward Hogg, Seymour Engineering