STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

November 15, 2024

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
Race Track Road Boat Launch and Parking
Jackson County
COE No. SAM202201257MJF
WQC No. WQC2023013

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, Race Track Road Boat Launch and Parking: Proposed project to fill 0.07 acres of wetlands associated with the construction of a parking area and fill 0.017 acres of wetlands associated with the construction of a 65-foot long by 25-foot-wide boat launch. The project also includes the construction of two 70-foot long by 5-foot-wide piers, one of which would incorporate a 50-foot breakwater into its design, and the dredging of an access channel 336-foot long by 20-foot wide from a current depth of -2.0 MLW to a depth of -4.5 MLW. Approximately 837 cubic yards of material would be excavated by hydraulic dredge, placed on a lined barge, and transported to the Harrison County Development Commission's C-1 Upland Disposal Site. The project is located south of the intersection of Beach Bayou Road and Race Track Road in Ocean Springs, Jackson County, Mississippi [SAM202201257MJF, WQC2023013].

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 (BMPs) should be used at all times during construction to minimize turbidity at both the dredge and spoil 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.)

3. BMPs shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment offsite and into adjacent waters. In the event of any BMP failure, corrective actions shall be taken immediately. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.)

4. A site-specific Stormwater Pollution Prevention Plan (SWPPP) shall be developed and implemented as required under the Small Stormwater Construction NPDES General Permit prior to the start of construction activities. A copy of the site-specific SWPPP and Notice of Intent shall be kept on-site and available for inspection upon request. (Statement F) (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)

5. 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))

6. 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,

Becky Simonson

Becky Simonson
Chief, Environmental Permits Division

BS: CB

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District
Patrick Mooney, Brown, Mitchell & Alexander, Inc.
Willa Brantley, Department of Marine Resources
Jamie Becker, Environmental Protection Agency