



**STATE OF MISSISSIPPI**

Phil Bryant  
Governor

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

Jamie M. Miller, Executive Director

April 6, 2017

Ms. Cori Carraway  
Permit Section Chief  
Regulatory Division, Vicksburg District  
U.S. Army Corps of Engineers  
4155 Clay Street  
Vicksburg, MS 39183-3435

***RE: DMR-070147 - Reissuance of Nationwide Permits 2017***

Dear Ms. Carraway:

The Mississippi Department of Marine Resources (MDMR) in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to ensure that the activities are in compliance with the MCP.

The MDMR has completed review of the Department of the Army, Corps of Engineers' Public Notice on Reissuance of Nationwide Permits dated January 6, 2017, the Special Public Notice announcing regional conditions, and the 2017 Regional Conditions for Nationwide Permits in Mississippi that we received from you on March 21, 2017.

The above proposed Nationwide Permits and the activities they would authorize have been reviewed based upon provisions of the Mississippi Coastal Program and Section 307 of the Coastal Zone Management Act of 1972 (as amended) and have been determined to be consistent to the maximum extent practicable with the Mississippi Coastal Program provided that the following Regional Condition is incorporated into the final Nationwide Permits within the Coastal Zone of Mississippi, which consists of Hancock, Harrison, and Jackson Counties:

## Regional Conditions for Coastal Zone Management Consistency

1. Coastal Zone Management Act (CZMA) concurrence was not granted by the Mississippi Department of Marine Resources (MDMR) for **all NWPs located within the 3 categories of waters of the United States (U.S.), including wetlands, listed below. Therefore, CZMA concurrences are considered denied and applicants must contact MDMR for a project-specific CZMA review and concurrence determination:**

- i. All tidal waters in Hancock, Harrison, and Jackson Counties;
- ii. All waters of the U.S. having a surface hydrological connection to tidal waters in Hancock, Harrison, and Jackson Counties, and that are located within 200 feet landward of the observed mean high tide mark; and
- iii. All marsh habitats (i.e. all tidal emergent wetlands dominated by salt or estuarine marsh plant species, and all non-tidal emergent wetlands dominated by freshwater marsh plant species, abutting and/or adjacent to tidal emergent wetlands) in Hancock, Harrison, and Jackson counties (except pine savannah and pitcher plant bogs) having a surface hydrological connection to tidal waters in Hancock, Harrison, and Jackson counties, whether saltwater, brackish, or freshwater marshes and including high marsh habitat, even if located more than 200 feet landward of the observed mean high tide mark.

**For ALL Nationwide Permit (NWP) authorizations in the above listed waters of the U.S., including wetlands,** the applicant must contact MDMR for a case-specific CZMA review and obtain concurrence from MDMR that proposed activities under any NWP are consistent to the maximum extent practicable with the enforceable policies of the State of Mississippi's coastal management program. Applicants are advised that additional measures may be required to ensure activities are consistent with the State of Mississippi's coastal management program.

Process: (1) The applicant shall submit their proposed project information directly to MDMR using the Joint Application & Notification form and include a Coastal Zone Management Act consistency determination (CZCD); (2) the applicant is required to receive the CZCD concurrence prior to project initiation to achieve compliance with NWP conditions; and (3) upon receipt of the CZCD concurrence from MDMR, the applicant must provide the CZCD concurrence to the applicable Corps District.

The Joint Application and Notification form may be downloaded or printed from the MDMR website at:

<http://www.dmr.ms.gov/index.php/coastal-resources-management/wetland-permitting>

If a pre-construction notification (PCN) to the Corps is required, the attachment to these Regional Conditions highlights the minimum additional information needed.

The completed submittal shall be sent directly to MDMR at the following address:

Mississippi Department of Marine Resources  
Bureau of Wetlands Permitting  
1141 Bayview Avenue  
Biloxi, Mississippi 39530

The above granted consistency certification was based upon the proposal presented. If you have any questions regarding this letter, please contact Willa Brantley with the Bureau of Wetlands Permitting at 228-523-4108 or [willa.brantley@dmr.ms.gov](mailto:willa.brantley@dmr.ms.gov).

In appreciation,



Jamie M. Miller  
Executive Director  
Mississippi Department of Marine Resources

JMM/wjb

cc: Ms. Allison Monroe, USACE  
Ms. Florance Bass, OPC  
Mr. Raymond Carter, SOS