



STATE OF MISSISSIPPI

Haley Barbour
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

William W. Walker, Ph.D., Executive Director

March 26, 2007

Mr. Kenneth P. Mosley
Acting Chief, Regulatory Branch
Operations Division
Vicksburg District
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, Mississippi 39183-3435

RE: DMR-070147; Reissuance of Nationwide Permits

Dear Mr. Mosley:

The Department of Marine Resources (The Department) 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 insure that the activities are in compliance with the MCP.

The Department has completed review of the Department of the Army, Corps of Engineers' Public Notice on Reissuance of Nationwide Permits dated March 12, 2007.

The above proposed Nationwide Permits and the activities it 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 Conditions are 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. For Non-Reporting NWP activities, regulated activities in (i) tidal waters and/or (ii) waters of the U.S. having a hydrological connection to tidal waters and located no more than 200 feet landward of the mean high tide mark are not authorized until the applicant has received a Coastal Use Permit (CUP) or waiver from the Mississippi Department of Marine Resources (DMR).
2. For all regulated activities in (i) tidal waters and/or (ii) waters of the U.S. adjacent to tidal waters in Hancock, Harrison, or Jackson counties, all Pre-Construction Notifications (PCNs) required by a specific NWP shall be completed using the Joint Application Form and shall be submitted to the Mississippi Department of Marine Resources (DMR) at the following address:

Mississippi Department of Marine Resources
Bureau of Wetlands Permitting.
1141 Bayview Drive
Suite 101
Biloxi, MS 39530

Joint Application Forms may be printed or downloaded from the Mississippi Department of Marine Resources (DMR) website at: <http://www.dmr.state.ms.us/Coastal-Ecology/permitting/Joint-Application-Notification-Form2.pdf>.

The above granted consistency certification was based upon the proposal presented. If you have any questions regarding this letter, please contact Willa Henriksen with the Bureau of Wetlands Permitting at 228-523-4108.

Sincerely,



William W. Walker, Ph.D.
Executive Director

WWW/wjh

cc: Mr. Robert M. Stewart, USACE
Mr. Jason Steele, USACE
Mr. Robert Seyfarth, OPC
Mr. Paul Necaise, U.S. Fish and Wildlife
Ms. Janet Riddell, State Clearinghouse