



STATE OF MISSISSIPPI

Tate Reeves

Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

December 14, 2020

Ms. Jennifer Mallard
Chief, Regulatory Division, Vicksburg District
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, Mississippi 39183-3435

RE: DMR-FCC20-000007; Reissuance of Nationwide Permits 2020

Dear Ms. Mallard:

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.

MDMR has completed review of the Department of the Army, Corps of Engineers' Proposal to Reissue and Modify Nationwide Permits published in the Federal Register on September 15, 2020.

The above proposed Nationwide Permits and the activities they would authorize have been reviewed based upon provisions of the MCP and Section 307 of the Coastal Zone Management Act of 1972 (as amended). MDMR objects to the Vicksburg District's determination that the activities will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the MCP (the State's approved management program) in the following locations and habitats within the Coastal Zone of Mississippi, which consists of Hancock, Harrison, and Jackson Counties:

- i. All Coastal Wetlands (as defined by MS Code § 49-27-5(a), attached);
- ii. All jurisdictional wetlands having a surface hydrological connection to Coastal Wetlands, and that are located within 200 feet landward of the observed ordinary high water mark;

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; and,

iv. All jurisdictional stream habitats, whether perennial, intermittent, or ephemeral.

Outside of the above-identified locations and habitats, MDMR concurs with the Vicksburg District's determination that the activities will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the MCP (the State's approved management program).

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.

Sincerely,


[Joe Spraggins \(Dec 14, 2020 15:05 CST\)](#)

Joe Spraggins
Executive Director
Mississippi Department of Marine Resources

JS/wjb

cc: Ms. Cori Carraway, USACE, Vicksburg District
Ms. Jennifer Brown, USACE, Vicksburg District
Mr. Brian Williamson, USACE, Vicksburg District
Ms. Allison Monroe, USACE, Mobile District
Mr. Mike Moxey, USACE, Mobile District
Ms. Florance Bass, OPC
Mr. Raymond Carter, SOS

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Final Audit Report

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