



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, AL 36628-0001

May 14, 2021

Mississippi Branch
Regulatory Division

SUBJECT: Department of the Army Permit Number SAM-2019-00686-JRO, MS Dept of Environmental Quality; Big Island Breakwater

Mississippi Department of
Environmental Quality
Chris Wells, Executive Director
Attention: Valerie Alley
P.O. Box 2261
Jackson, Mississippi 39225
Email: Valley@mdeq.ms.gov

Dear Sir or Madam:

**PLEASE READ THIS LETTER CAREFULLY AND COMPLY
WITH ITS PROVISIONS**

There is attached a Department of the Army permit authorizing the Mississippi Department of Environmental Quality to perform the work specified therein in accordance with the plans shown on the drawings attached thereto. This permit is issued under provision of the Federal laws for the protection and preservation of the navigable waters of the United States. These laws provide that after the proposed work has been approved by issuance of a Department of the Army permit,

**IT SHALL NOT BE LAWFUL TO DEVIATE FROM SUCH PLANS EITHER
BEFORE OR AFTER COMPLETION OF THE WORK,**

unless modification of said plans has previously been submitted to and received the approval of the Department of the Army.

The Mississippi Department of Environmental Quality and its contractors should study and carefully adhere to all the terms and conditions of the permit. The District must be notified of the commencement and completion of the permitted work. The attached Commencement and Completion Certification forms may be used for that purpose. Also attached is a yellow "NOTICE OF AUTHORIZATION" placard which must be conspicuously displayed at the site during construction of the permitted work.

If for any reason it becomes necessary to make a material change in the location, plans, or mitigation for this work, revised plans should be submitted promptly to the District Engineer in order that the revised plans may receive the approval required by law before work is begun.

Compliance with this and other conditions of the permit is essential. Failure to submit the requested notices may result in permit revocation.

You are receiving an electronic copy of this letter only. If you wish to receive a paper copy, you should send a written request to this office at the following address: U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628.

Electronic copies of this letter and draft permit are also being sent to your agent, Covington Civil and Environmental, LLC, Attention: Ms. Alane Young, 2510 14th Street, Suite 1010, Gulfport, Mississippi 39501, Email: acyoung@cce.ms.

Please contact me at (251) 690-3228 or at Allison.f.monroe@usace.army.mil, if you have any questions. For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will help us improve our services.

Sincerely,

Allison
Monroe

Digitally signed by Allison
Monroe
Date: 2021.05.14 17:37:13
-05'00'

Allison F. Monroe
Team Leader, Mississippi Branch
Regulatory Division

DEPARTMENT OF THE ARMY PERMIT

Permittee: **Mississippi Department of Environmental Quality**

Permit No.: **SAM-2019-00686-JRO**

Issuing Office: **MOBILE DISTRICT**

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The permittee is authorized to place approximately 20,265 cubic yards of fill in waters of the U.S. to create approximately 8,000 linear feet of breakwater in Harrison County, Mississippi. The project includes a 5,200-foot long outer breakwater along and an approximately 2,800-foot long inner breakwater. The fill material will consist of riprap, oyster breaks, and/or wave attenuation devices.

**ATTACHED: 1. Locations and Plan Drawings
2. Mississippi Department of Environmental Quality (DEQ) Section 401 Certification dated February 25, 2020 (WQC2019048).**

Project Location: The project is located in the Back Bay of Biloxi, Section 15, Township 7 South, Range 9 West, Harrison County, Mississippi. The area is depicted on the Biloxi Quadrangle, United States Geological Survey Topographic Map, Hydrologic Unit Code 03170009. Latitude: 30.41408° Longitude: -88.87566°

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **30 June 2025**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the **National Register of Historic Places**.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

a. Only suitable material free of waste, metal, organic trash, unsightly debris, etc., may be used as fill, and material discharged must be free from toxic pollutants in toxic amounts.

b. The permittee shall comply with all requirements of the Mississippi Department of Environmental Quality 401 Water Quality Certification (WQC2019048) dated February 25, 2020.

c. All conditions of the Coastal Zone Consistency Determination issued by the Department of Marine Resources are incorporated as conditions of this DA permit.

d. It is the permittee's responsibility to ensure that the contractors working on this project are aware of all General and Special permit conditions.

e. Best management practices shall be implemented to minimize turbidity, siltation damage to adjacent wetlands and waters of the United States, and submerged aquatic vegetation. All in-water project work will be conducted during daylight hours, and noise will be kept to the minimum feasible level. All vessels/barges will travel at slow speed in and around construction zones (5 knots or less).

f. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

g. Prior to bringing any equipment (including personal gear, machinery, vehicles or vessels) to the work site, each item shall be inspected for mud or soil, seeds, and vegetation. If present, the equipment, vehicles, or personal gear shall be cleaned until they are free from mud, soil, seeds, and vegetation. This inspection will occur each time equipment, vehicles, and personal gear are being prepared to go to a site or prior to transferring between sites to avoid spreading exotic, nuisance species.

h. The National Ocean Service (NOS) has been notified of this authorization. You must notify NOS and this office, in writing, at least 2 weeks before you begin work and upon completion of the activity authorized by the permit. Your notification of completion must include the drawing which certifies the location and configuration of the completed activity (a certified permit drawing(s) may be used). Notification to NOS will be sent to ocs.ndb@noaa.gov or the following address: National Ocean Service, Office of Coast Survey, N/CS26, 1315 East West Highway, Silver Springs, Maryland 20910-3282.

i. The permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

j. The permittee must install and maintain, at the permittee's expense, any safety lights, signs, and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on the permittee's authorized facilities.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 404 of the Clean Water Act (33 U.S.C. 1344).

Section 10 of the Rivers and Harbors Act 1899 (33 U.S.C. 403).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:


a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit. Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE) **CHRIS WELLS** (DATE) 5/13/2021
EXECUTIVE DIRECTOR
MS DEPT OF ENVIRONMENTAL
QUALITY P.O. BOX 2261
JACKSON, MISSISSIPPI 39225

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

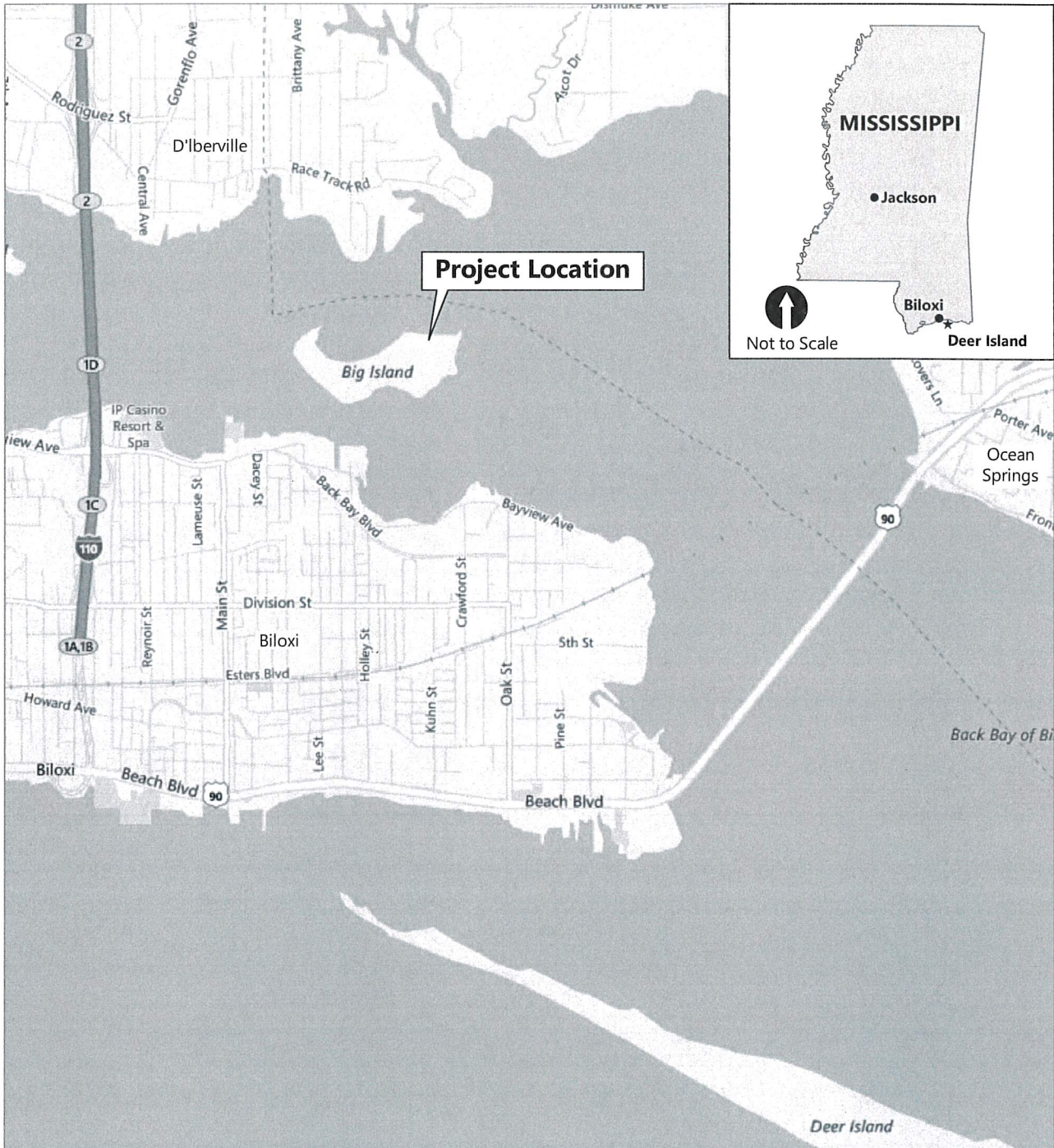
SEVASTIEN P. JOLY
COLONEL, U.S. ARMY
DISTRICT COMMANDER

BY: **Allison Monroe** Digitally signed by Allison
Monroe
Date: 2021.05.14 17:20:59 -05'00'

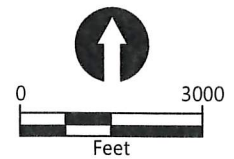
ALLISON F MONROE (DATE)
TEAM LEADER, SOUTH MISSISSIPPI BRANCH
REGULATORY DIVISION

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE) (DATE)



SOURCE: 2010 NAVTEC © and 2017 Microsoft Corporation.
HORIZONTAL DATUM: Mississippi State Plane East, NAD83, U.S. Feet
VERTICAL DATUM: Mean Lower Low Water (MLLW)



Publish Date: 2020/06/15 4:33 PM | User: dholmer
 Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Mississippi Estuaries Living Shoreline\1232-RP-027 (Big Island - BODR).dwg Figure 2



Figure 1
Big Island Living Shoreline Vicinity Map
 Basis of Design Report - Big Island Living Shoreline
 Restoring Living Shorelines and Reefs in Mississippi Estuaries
 Mississippi Department of Environmental Quality



SOURCES:

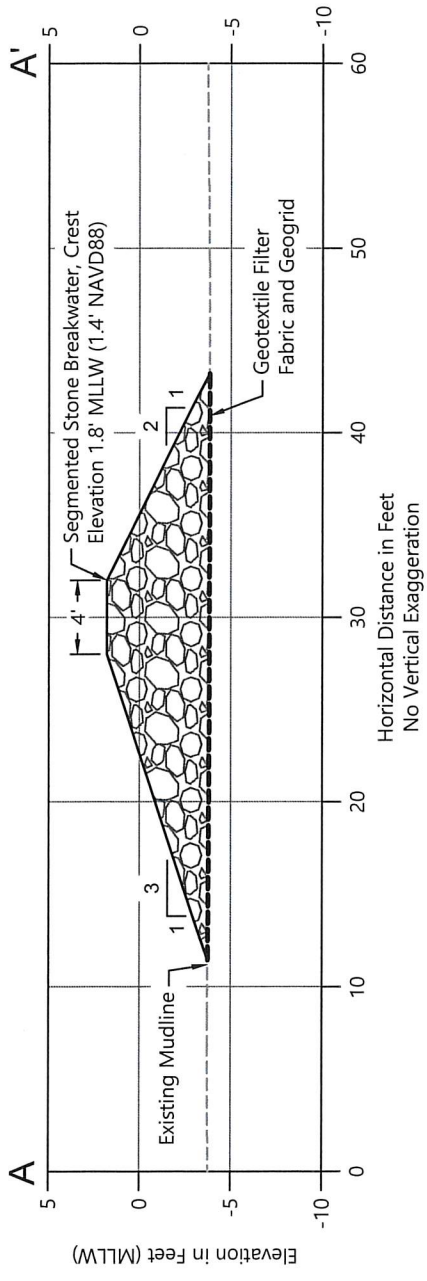
1. Aerial image courtesy of USGS Earthstar Geographics SIO © 2016
2. Microsoft Corporation
3. Survey provided by DIMCO, Inc. dated July 26 to August 10, 2016.
4. Navigation channel from drawings provided by U.S. Army Engineer District Corps of Engineers, Mobile, Alabama dated February 3, 2016.

HORIZONTAL DATUM: Mississippi State Plane East, NAD83, U.S. Survey Feet
VERTICAL DATUM: Mean Lower Low Water (MLLW).

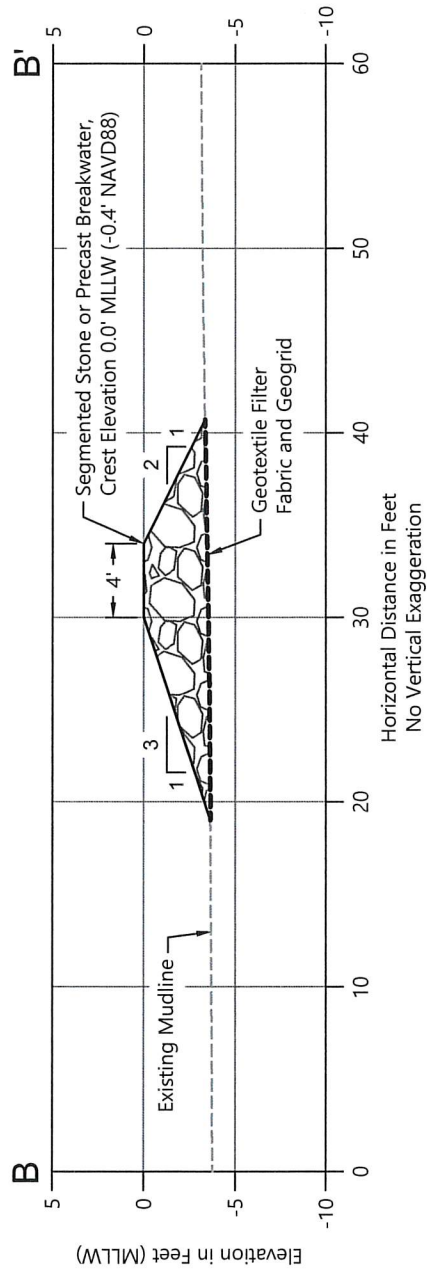
Published Date: 03/08/15 4:31 PM | User: dhdimer
 Filepath: K:\Projects\1323 - Mississippi Department of Environmental Quality\Mississippi Estuaries Living Shorelines\1422 - BP 016 (Big Island Breakwater) Rev1 | Figure 3

LEGEND:

- 30+00 Segmented Breakwater Alignment
- 75' Offset from Navigation Channel
- Cross Section Location (See Figure 4)



Outer Breakwater

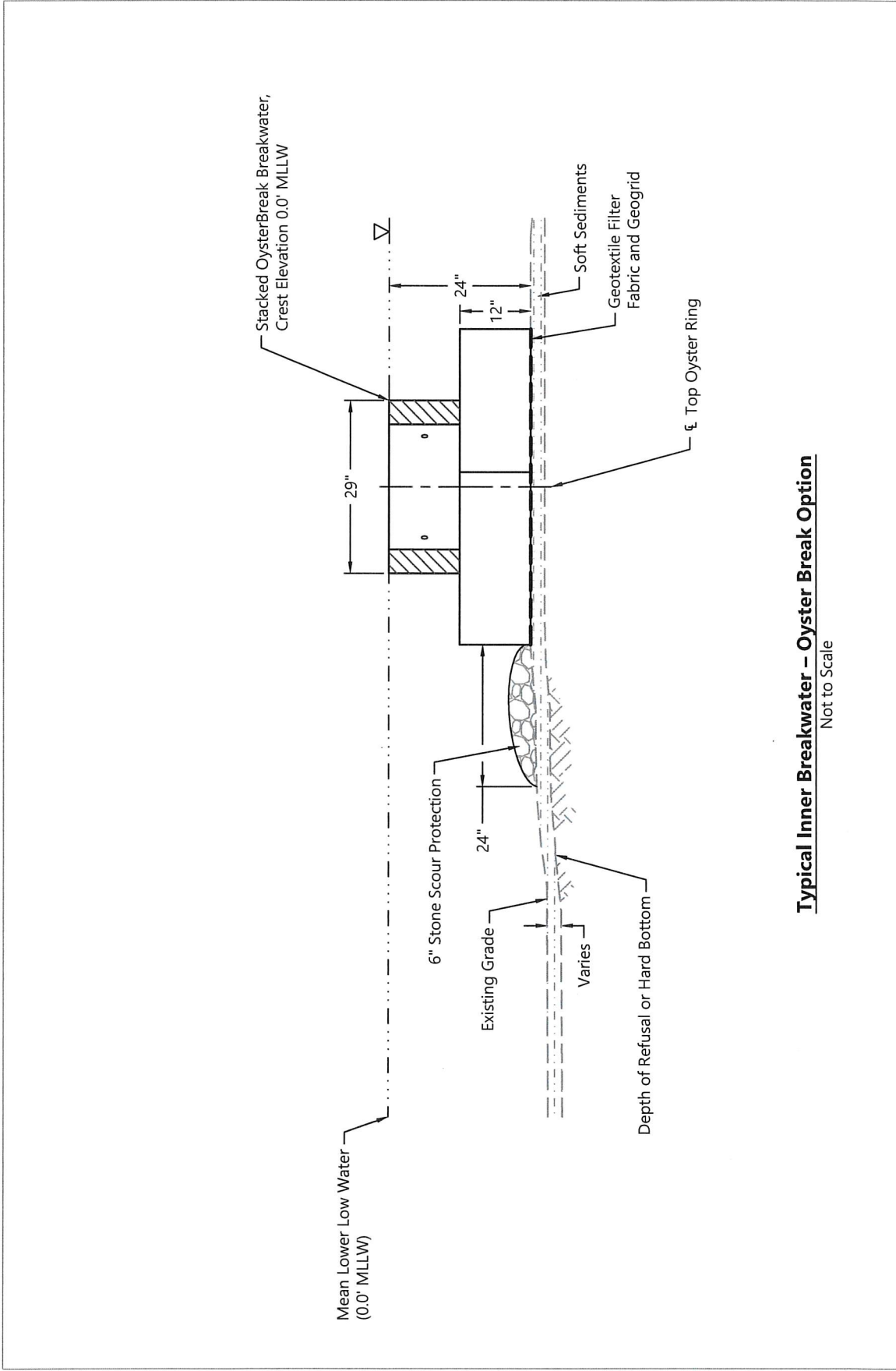


Typical Inner Breakwater – Rock Option

- NOTES:
1. Inner breakwater to be constructed at bed elevations between -1.5 and -2.5 feet MLLW.
 2. Outer breakwater to be constructed at bed elevations between -2.5 and -3.5 feet MLLW.

Publish Date: 2020/06/15 4:33 PM | User: dholmer
 Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Mississippi Estuaries Living Shoreline\1232-RP-016 (Big Island Breakwater).dwg Figure 4

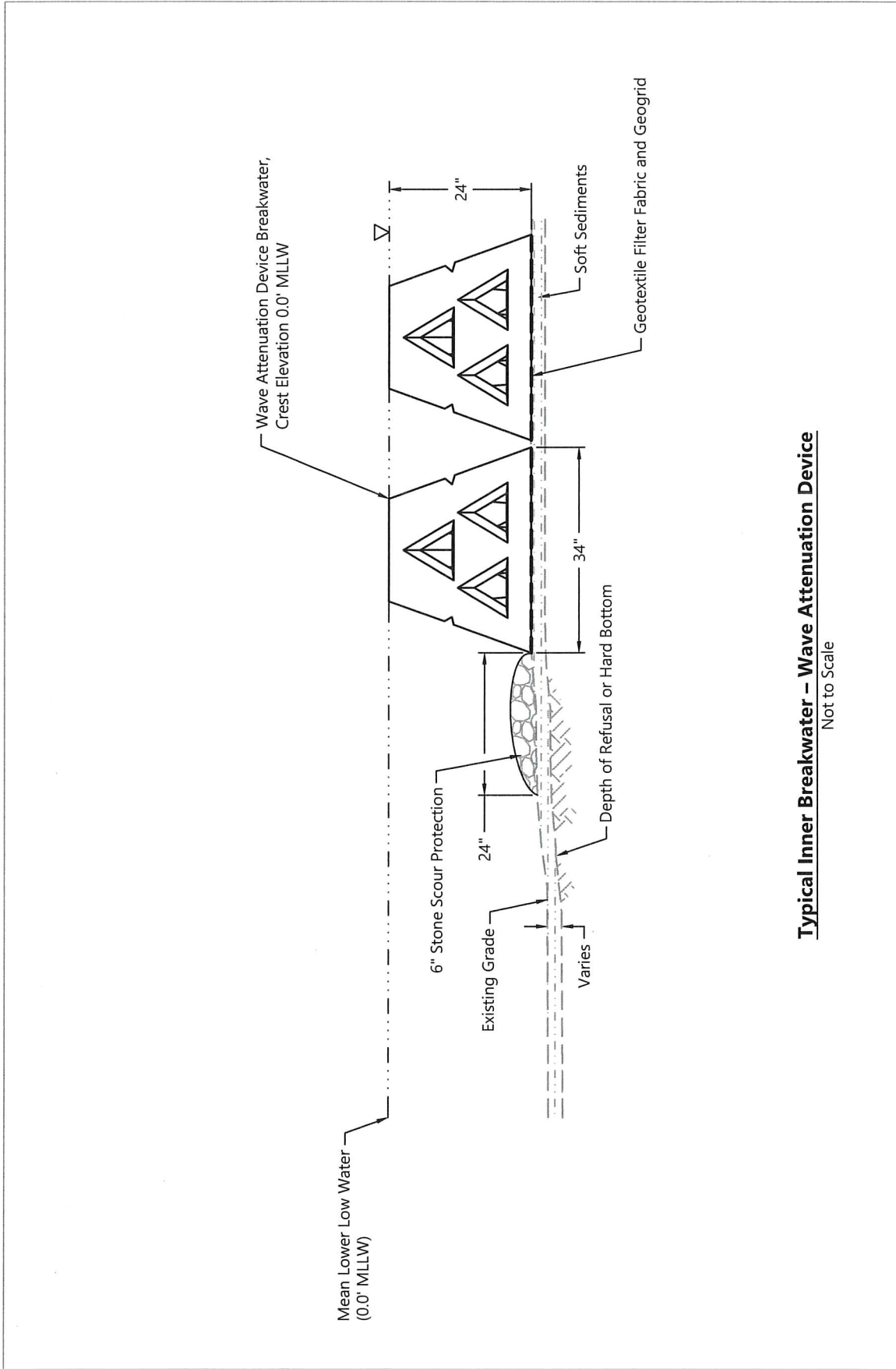




Typical Inner Breakwater – Oyster Break Option
Not to Scale

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Typical Inner Breakerwater – Wave Attenuation Device
Not to Scale

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Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Shoreline\1232-RP-025 (Big Island).dwg Figure 6





STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

**NOTICE OF DEPARTMENT OF MARINE RESOURCES ORDER
PERMIT TO CONDUCT REGULATED ACTIVITIES**

Certification Number: DMR200009-1

Date: May 12, 2021

Issued to: Mississippi Department of Environmental Quality
Attn: Valerie Alley
P.O. Box 2261
Jackson, MS 39225

Project Description: Breakwaters

Project Location: Biloxi Back Bay
South shoreline of Big Island

DMR Project Manager: Willa J. Brantley
228-523-4108
willa.brantley@dmr.ms.gov

NOTICE: Read this document carefully. Failure to follow the listed conditions can result in substantial fines and penalties.

This document serves as certification that the subject activity has been reviewed by the Mississippi Department of Marine Resources (MDMR). The application was presented to the Mississippi Advisory Commission on Marine Resources (MACMR) and recommended for approval on April 20, 2021 and approved by the MDMR Executive Director on May 10, 2021.

In accordance with the provisions of the Mississippi Coastal Wetlands Protection Act and the findings made in compliance with the Mississippi Coastal Program (MCP), a Permit to conduct Regulated Activities is issued to you this day by the Executive Director. The activities herein authorized shall be conducted in a manner resulting in the least damaging impacts to wetlands and the coastal environment.

The following activities and impacts are authorized by this certification as indicated on the attached approved diagram:

1. Permanent fill of approximately 0.5 acres of unvegetated Coastal Wetlands for the construction of a breakwater 2,800 feet in length in accordance with the parameters outlined in the attached table of Breakwater Design Criteria; Additional materials may be added to the breakwater as needed during the life of this Permit to maintain the authorized design parameters; The DMR Bureau of Wetlands Permitting

must receive written notice of any maintenance activities at least 30 days prior to commencement

2. Permanent fill of approximately 3 acres of unvegetated Coastal Wetlands for the construction of a breakwater 5,200 feet in length in accordance with the parameters outlined in the attached table of Breakwater Design Criteria; Additional materials may be added to the breakwater as needed during the life of this Permit to maintain the authorized design parameters; The DMR Bureau of Wetlands Permitting must receive written notice of any maintenance activities at least 30 days prior to commencement

The applicant must abide by specific conditions as listed below.

Any deviations beyond the above-authorized dimensions, the project footprint as shown on the attached approved diagram, or the specific conditions as set forth below will be considered a violation and may result in the revocation of the permit. Violations of these conditions may be subject to fines, project modifications, and/or site restoration. Both the permittee and the contractor may be held liable for such violations or for conducting unauthorized work. A modification to the project dimensions or footprint or to these conditions may be requested by submitting a written request along with a revised project diagram to the MDMR. Proposed modifications to project dimensions, footprint, or conditions must be approved in writing prior to commencement of work.

The specific conditions of this certification are as follows:

1. Breakwaters must:
 - a. Use only clean material free of waste, metal and organic trash, unsightly debris, petroleum products (asphalt), etc.
 - b. Not result in fill of or adverse impacts to wetlands, submerged aquatic vegetation, or shellfish beds
 - c. Be marked by safety lights, signs, and/or signals as prescribed by the U.S. Coast Guard through regulations or otherwise; Marking of the breakwaters and the plan for maintaining the markings must be approved by MDMR prior to completion of the project
 - d. Be constructed in a manner that allows water flow and wildlife movement
 - e. Not result in fill of or adverse impacts to submerged aquatic vegetation or shellfish beds
 - f. Not pose a hazard to navigation
2. The project area must be surveyed for the presence of submerged aquatic vegetation (SAV) during the growing season prior to implementation of the project; The results of this survey must be submitted to the DMR Bureau of Wetlands Permitting at least 30 days prior to commencement of construction; If SAV is found within the project area, an additional review by and written approval from DMR staff will be required prior to commencement of construction
3. All authorized activities must:
 - a. Use Best Management Practices (BMPs) at all times during construction, including, but not limited to, the use of staked hay bales; staked filter cloth; sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site
 - b. Be conducted in a manner that minimizes the discharge of turbid waters into Waters of the State (Turbidity outside the limits of a 750-foot mixing zone must not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units)
 - c. Have appropriate wastewater permits and/or approvals for the proposed activity in place prior to the commencement of construction activities
 - d. Have appropriate stormwater permits, approvals, and/or measures in place prior to the commencement of construction activities (For projects greater than five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi's Large Construction Storm Water General NPDES Permit; For projects greater than one to less than five acres of total ground disturbance including clearing, grading, excavating or other construction activities, the applicant shall follow the conditions and limitations of the State of Mississippi's Small Construction Storm Water General NPDES Permit)
 - e. Not result in construction debris, sewage, oil, refuse, other pollutants, or unauthorized fill material entering Coastal Wetlands or Waters of the State
 - f. Not impact wetlands, submerged aquatic vegetation, or shellfish beds unless specifically authorized above

4. Completion of the above-authorized activities and impacts must be reported to the MDMR through one of the methods listed below within 30 days of completion so that compliance checks may be conducted by MDMR staff:
 - a. By visiting your account at citizenserve.com
 - b. By calling or emailing the MDMR Project Manager listed on the first page of this authorization

Work authorized by this certification must be completed on or before: May 12, 2031

This certification is contingent on clearance from the Mississippi Department of Environmental Quality (MDEQ) and the Mississippi Department of Archives and History (MDAH). The Permittee shall maintain all standards, regulations, and restrictions as set forth by the MDEQ and the MDAH under MS state law with regards to protection of water quality and cultural resources and conservation of water resources.

Issuance of this certification by MDMR does not release the applicant from other legal requirements including but not limited to other applicable federal, state, or local laws, ordinances, zoning codes, or other regulations, including a possible Tidelands Lease from the MS Secretary of State's Office, required City or County construction setbacks, or building permits from the City or County where the project is located. A list of contacts has been provided for your assistance in determining whether any further certifications are required.

This certification conveys no title to land and water, does not constitute authority for reclamation of coastal wetlands and does not authorize invasion of private property or rights in property.

It is the responsibility of the applicant or property owner and their contractors and authorized agents to construct all authorized structures in a manner that does not impede access to riparian/littoral zones of adjacent property owners or other property owners in the vicinity (see MS Code Annotated § 49-15-9, enclosed). Failure to adhere to this could result in legal action by the affected parties. The MDMR does not make property or riparian/littoral boundary determinations.

The MDMR has also coordinated a review of your project through the Coastal Program review procedures and determined that the project referenced above is consistent with the Mississippi Coastal Program, provided that you comply with the noted conditions and reviewing Coastal Program Agencies do not disagree with said plans. By copy of this certification, we are notifying the U.S. Army Corps of Engineers of this determination.

Please notify this Department upon completion of the permitted project so that compliance checks may be conducted by MDMR staff.

THIS CERTIFICATION IS EFFECTIVE IMMEDIATELY.


Joe Spraggins (May 12, 2021 10:25 CDT)

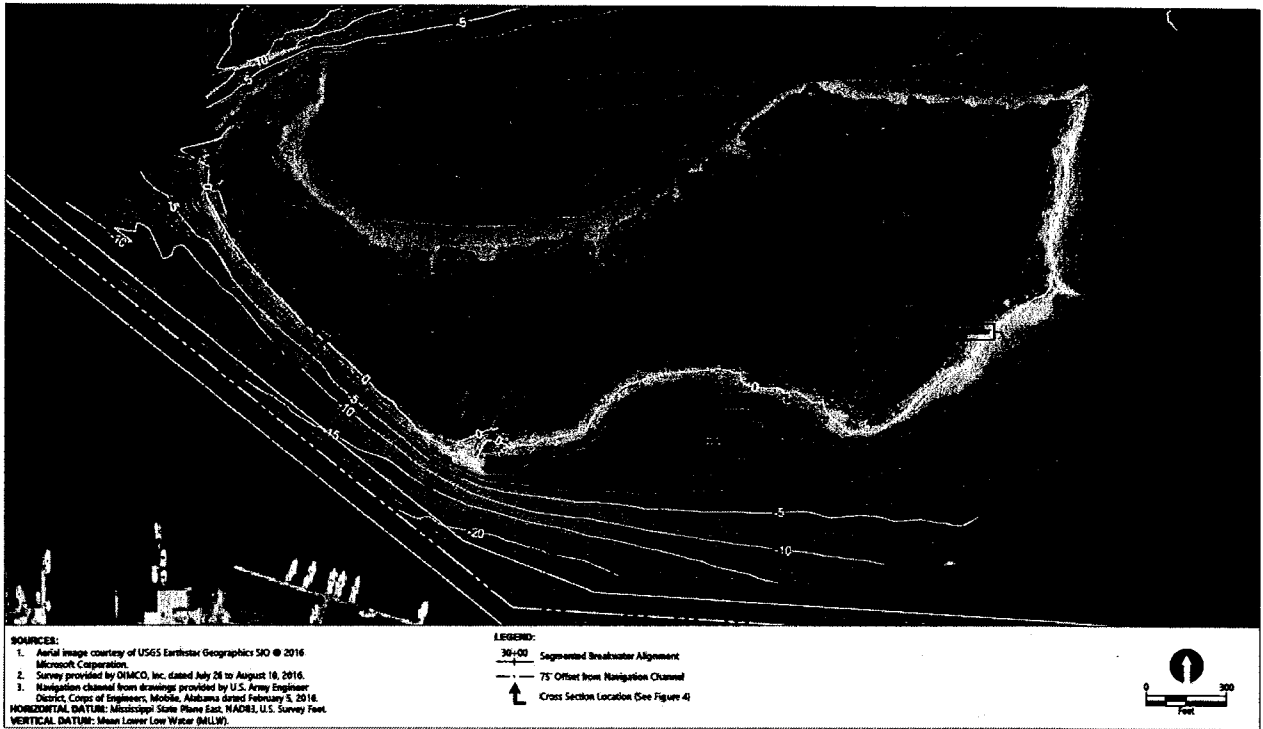
Joe Spraggins
Executive Director
MS Department of Marine Resources

JS/wjb

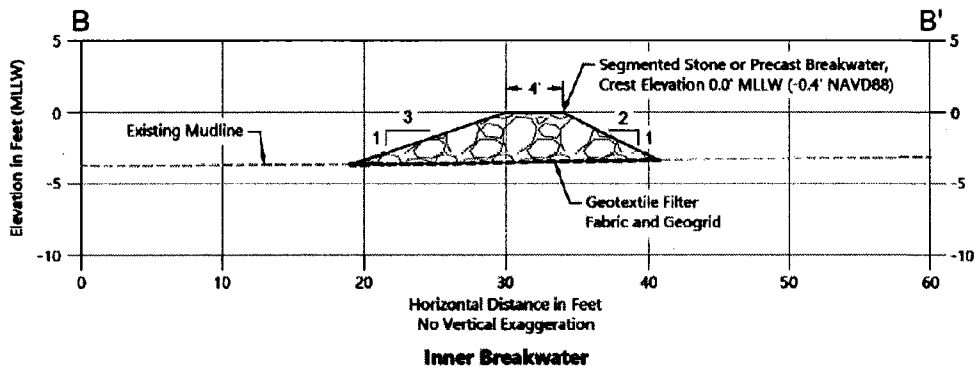
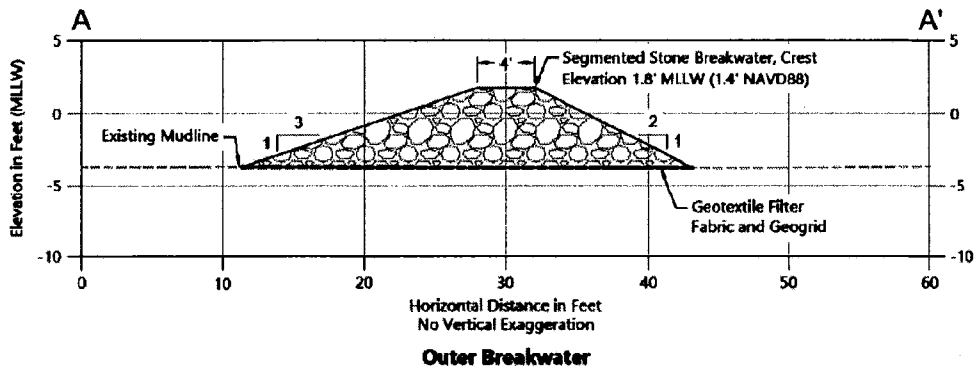
Attachments:
Approved Diagrams
MS Code Annotated - 49-15-9

CC:
MS Team Leader USACE
Ms. Florance Bass, OPC
Mr. Raymond Carter, SOS

Breakwater Design Criteria	Outer Breakwater	Inner Breakwater
Total project length	5,200 feet	2,800 feet
Total project acreage	3 acres	0.5 acres
Crest width	4 feet	4 feet
Base width	Approximately 30 feet depending on contour	Approximately 20 feet depending on contour
Assumed bottom elevation	-2.5 to -3.5 feet MLLW	-1.5 to -2.5 feet MLLW
Total structure height	3.0 to 5.0 feet	2.0 to 3.0 feet
Breakwater materials	Riprap	OysterBreaks; WADs; riprap or other comparable engineered structures/materials as approved by the permitting agencies
Riprap volume	Approximately 9,500 cubic yards	Approximately 1,900 cubic yards
Thickness of material (riprap)	0.5 to 5.0 feet	0.5 to 2.0 feet
Estimated initial settlement	0.0 to 0.5 feet	0.0 to 0.5 feet
Design side slopes (island-facing slopes)	2H:1V or vertical, depending on technology	2H:1V or vertical, depending on technology
Design slide slopes (bay-facing slopes)	3H:1V to vertical, depending on technology	3H:1V to vertical, depending on technology
Breakwater distance from shoreline	50 to 550 feet	130 to 200 feet
Maximum design crest elevation	1.8 feet MLLW	0.0 MLLW



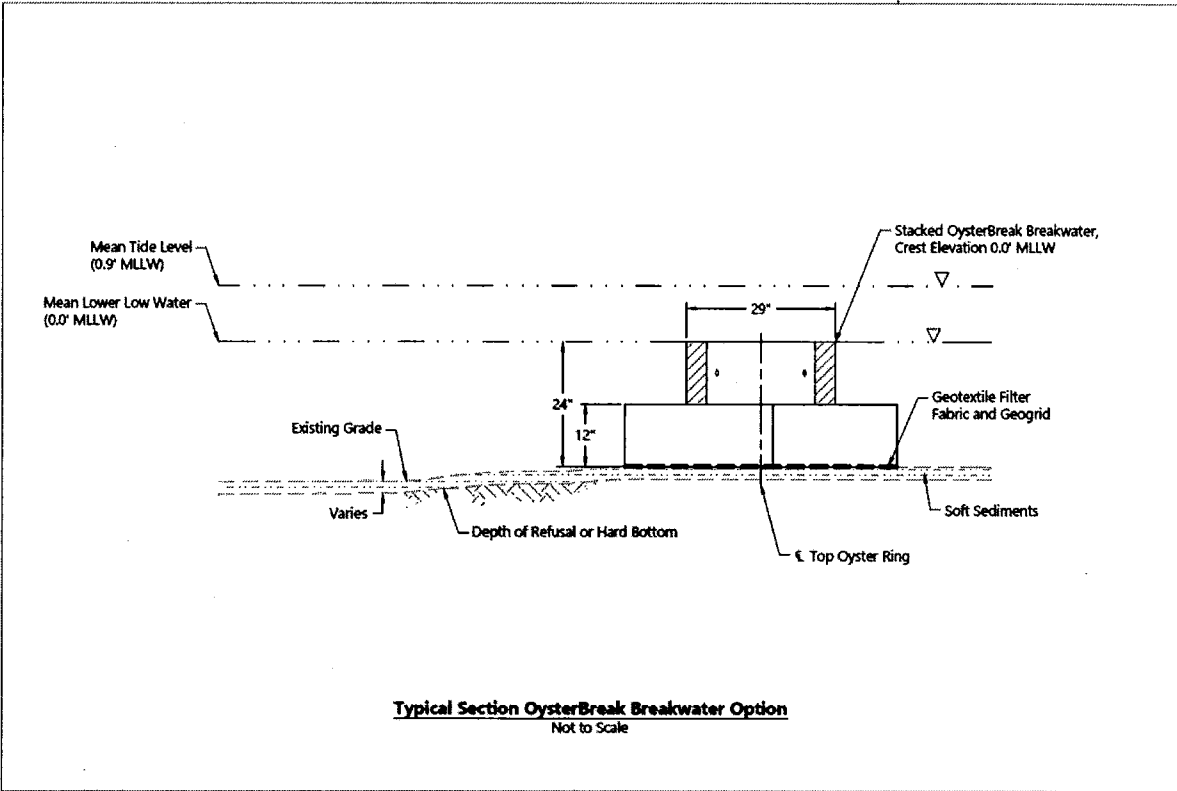
Big Island Proposed Breakwater Alignment



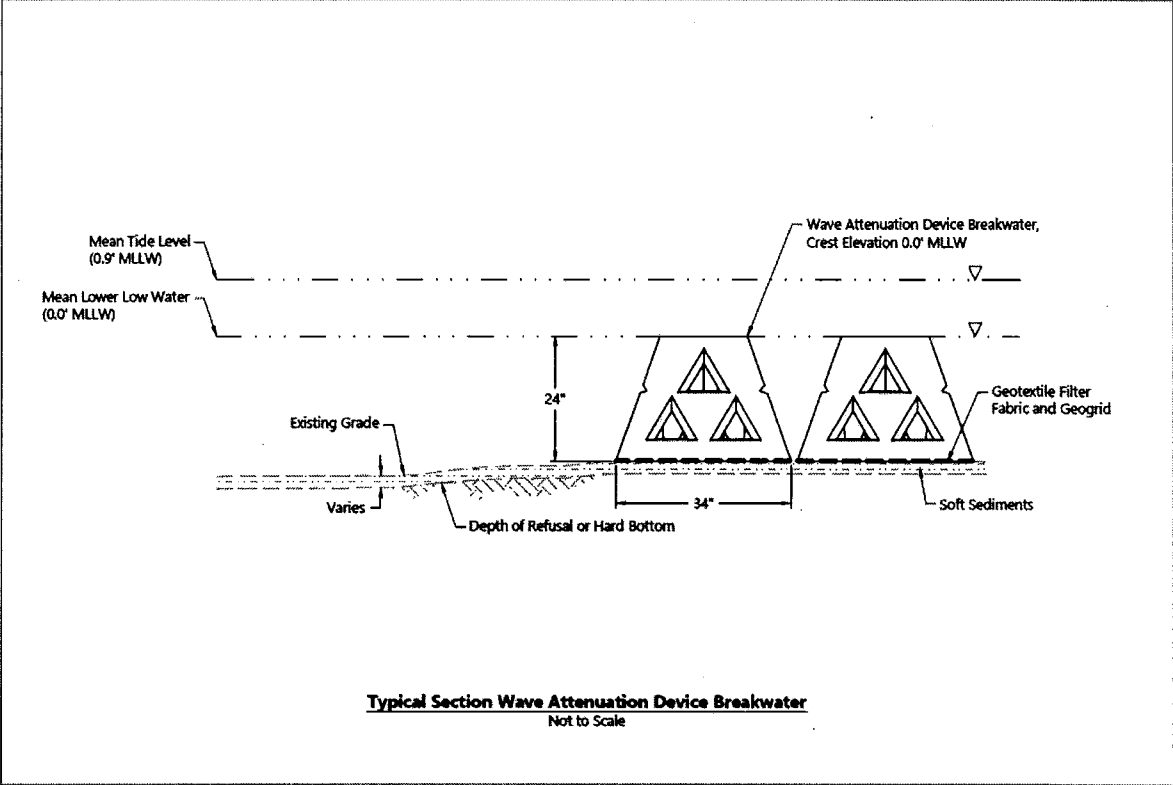
NOTES:

1. Inner breakwater to be constructed at bed elevations between -1.5 and -2.5 feet MLLW.
2. Outer breakwater to be constructed at bed elevations between -2.5 and -3.5 feet MLLW.

Typical Section Riprap Breakwaters



Typical Section OysterBreak Inner Breakwater Option



Typical Section Wave Attenuation Device Inner Breakwater Option

Miss. Code Ann. § 49-15-9

Copy Citation

Current through the 2019 Regular Session.

[Mississippi Code 1972 Annotated](#) Title 49. Conservation and Ecology (Chs. 1 – 37) Chapter 15. Seafood (Arts. 1 – 7) Article 1. General Provisions. (§§ 49-15-1 – 49-15-100.3)

§ 49-15-9. Rights of riparian owners on Gulf Coast defined.

The sole right of planting, cultivating in racks or other structures, and gathering oysters and erecting bathhouses and other structures in front of any land bordering on the Gulf of Mexico or Mississippi Sound or waters tributary thereto belongs to the riparian owner and extends not more than seven hundred fifty (750) yards from the shore, measuring from the average low water mark, but where the distance from shore to shore is less than fifteen hundred (1500) yards, the owners of either shore may plant and gather to a line equidistant between the two (2) shores, but no person shall plant in any natural channel so as to interfere with navigation, and such riparian rights shall not include any reef or natural oyster bed and does not extend beyond any channel. A riparian owner shall comply with the Coastal Wetlands Protection Act in exercising the use of these riparian rights. Stakes of such frail materials as will not injure any watercraft may be set up to designate the bounds of the plantation, but navigation shall not be impeded thereby. The riparian owner shall clearly mark such cultivation racks and other structures. The commission may adopt regulations to require that the racks are adequately marked to ensure the safety of users of public waters. Any oysters planted by such riparian owner are the private property of such riparian owner, subject to the right of the commission to adopt reasonable rules and regulations as to the planting and gathering of such oysters. All bathhouses, piers, wharfs, docks and pavilions, or other structures owned by riparian owner are likewise the private property of such owner, who shall be entitled to the exclusive use, occupancy and possession thereof, and may abate any private or public nuisance committed by any person or persons in the area of his riparian ownership and may, for such purposes, resort to any remedial action authorized by law. The governing authorities of any municipality and the board of supervisors of any county are authorized to adopt reasonable rules and regulations to protect riparian owners in the enjoyment of their riparian rights, and for such purposes may regulate the use of beaches, landings, and riparian areas abutting or fronting on roads, streets or highways.

History

Codes, 1942, § 6047-10; Laws, 1960, ch. 173, § 10; Laws, 1962, ch. 193, § 10; Laws, 1991, ch. 438 § 1, eff from and after passage (approved March 21, 1991).

Mississippi Code 1972 Annotated

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Content Type:

CHECK BEFORE YOU BUILD

YOU MAY NEED ANOTHER PERMIT FROM YOUR CITY OR COUNTY:

Jackson County

Building Department -Pascagoula Office: (228) 769-3056

Building Department -Ocean Springs Office: (228) 818-1890

Building Permits: (228) 769-3057

City of Pascagoula

Planning and Building Department: (228) 938-6620

City of Moss Point

Building Inspections Department: (228) 474-0170

City of Gautier

Planning & Building Department: (228) 497-1878

City of Ocean Springs

Planning Department: (228) 875-6712

Harrison County

Engineering Department: (228) 832-4891

City of Biloxi

Engineering Department: (228) 435-6269

City of D'Iberville

Building Department: (228) 392-7966 ext. 6001

City of Gulfport

Building Code Services: (228) 868-5715

City of Long Beach

Building Department: (228) 863-1554

City of Pass Christian

Building Code & Code Enforcement Department: (228) 452-3316 or (228) 452-3324

Hancock County

Planning and Zoning Department: (228) 467-4157

City of Bay St. Louis

Planning and Zoning Department: (228) 466-5516

City of Waveland

Building/ Planning & Zoning / Blighted and Abandoned Properties Department: (228) 466-2549

City of Diamondhead

City Hall: (228) 222-4626

MS Secretary of State's Office

(228) 432-0541


DMR200009-1

Final Audit Report

2021-05-12

Created:	2021-05-12
By:	Willa Brantley (willa.brantley@dmr.ms.gov)
Status:	Signed
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STATE OF MISSISSIPPI
TATE REEVES
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

February 25, 2020

Ms. Valerie Alley
Mississippi Department of Environmental Quality
P.O. Box 2261
Jackson, Mississippi 39225

Dear Ms. Alley:

Re: MDEQ Office of Restoration,
Big Island Shoreline Component
Harrison County
COE No. SAM201900686JRO
WQC No. WQC2019048

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, Jeremy Overstreet, an applicant for a Federal License or permit to conduct the following activity:

MDEQ Office of Restoration, Big Island Shoreline Component: The applicant, Mississippi Department of Environmental Quality, is proposing to place approximately 11,400 cubic yards of fill, which consists of riprap, oyster breaks, and/or wave attenuation devices, in water of the U.S. to create 8,000 linear feet of breakwater. The project is identified as "The Big Island Living Shoreline Component," which is located in the Back Bay of Biloxi, Mississippi. The purpose of this project is to restore lost secondary productivity resulting from the Deepwater Horizon Oil Spill. This is part of a programmatic portions of an early restoration agreement entitled "Framework for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill" (Framework Agreement).
[SAM201900686JRO,WQC2019048].

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. Fill material shall be clean and non-polluting, free of trash, debris, asphalt, etc.
2. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
3. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

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 us.

Sincerely,



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

KR: DOA

cc: Jeremy Overstreet, U.S. Army Corps of Engineers, Mobile District
Willa Brantely, Department of Marine Resources
David Felder, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency
Alane Young, Covington Civil and Environmental, LLC



US Army Corps
of Engineers®

This notice of authorization must be
conspicuously displayed at the site of work.

A permit to perform work authorized by statutes and regulations of the Department of the Army at
Back Bay of Biloxi, Harrison County, Mississippi

has been issued to Mississippi Department of Environmental Quality on May 14, 2021

Address of Permittee: P.O. Box 2261, Jackson, Mississippi 39225

PERMIT NUMBER

SAM-2019-00686-JRO

Allison F. Monroe

Team Leader

For the District Commander