



**MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES**

August 6, 2013

Ralph C. Humphrey, Jr.
Mississippi Gulf Fishing Banks, Inc.
P.O. Box 223
Biloxi, MS 39533

RE: DMR-140009; FH-9

Dear Mr. Humphrey:

The Department of Marine Resources (DMR) has reviewed your request to continue maintenance on an existing artificial reef structure located in the Mississippi Sound offshore of Biloxi, Harrison County, MS.

In accordance with the provisions of the Mississippi Coastal Wetlands Protection Law and our findings made in compliance with Chapter Eight, Section 2, Part II.D. of the Mississippi Coastal Program, a Certificate of Waiver is issued to you this day. This Waiver does not release you from the responsibility of compliance with other state and federal regulations. These activities shall be conducted in a manner resulting in the least damaging impacts to wetlands and the coastal environment. This Waiver is hereby granted by the Executive Director on this date, provided the following conditions are agreed upon and adhered to in completing the proposed work:

1. The existing reef shall be maintained in the same footprint as the existing structure which is designated by the following coordinates: N 30° 16.000', S 30° 15.300', E -88° 53.600', and W -88° 54.300, as shown on the attached diagram;
2. The permittee shall maintain a clearance of no less than 12 feet below Mean Low Water;
3. No creosote material shall be used in construction;
4. Vegetated wetlands shall not be impacted; and,
5. No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.

This authorization is contingent on Water Quality Certification from the Mississippi Department of Environmental Quality (DEQ) and the Permittee shall maintain all water quality standards, regulations, and restrictions as set forth by the DEQ.

Any deviations beyond the restrictive conditions as set forth in your permit shall 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 conducting unauthorized work. A modification to these conditions may be requested by submitting a written request along with a revised project diagram to DMR. Proposed modifications to dimensions, project footprint, and/or procedures must be approved in writing prior to commencement of work.

Issuance of this certification by DMR and acceptance by the applicant 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.

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.

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

This certification shall become effective upon acceptance by the applicant and receipt of the executed copy by the Director.

Please execute this certification by signing both documents and returning the copy to the Department of Marine Resources.

Work authorized by this certification must be completed on or before August 6, 2018.

Enclosed is a "Notice of Compliance" which must be conspicuously displayed at the site during construction of the permitted work.

The Department of Marine Resources 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.

THE PERMITTEE BY ACCEPTANCE OF THIS PERMIT AGREES TO ABIDE BY THE STIPULATIONS AND CONDITIONS CONTAINED HEREIN AND AS DESCRIBED BY THE PLANS AND SPECIFICATIONS SUBMITTED AS PART OF THE COMPLETED APPLICATION.

STATE OF MISSISSIPPI DEPARTMENT OF MARINE RESOURCES



Willa J. Brantley
Bureau Director, Wetlands Permitting

Accepted this the 11 day of SEPTEMBER, A.D., 20 13

By: 

Applicant

WJB/jcw

Enclosures

cc: Mr. Tad Zebryk, USACE
Ms. Florance Watson, OPC
Mr. Raymond Carter, SOS

MISSISSIPPI



Department of Marine Resources

NOTICE OF COMPLIANCE

DMR- 140009 WAIVER

THIS NOTICE ACKNOWLEDGES THAT:

DATE: August 6, 2013

Ralph C. Humphrey, Jr.
Mississippi Gulf Fishing Banks, Inc.
P.O. Box 223
Biloxi, MS 39533

HAS, THROUGH APPLICATION TO THIS DEPARTMENT, DULY COMPLIED WITH THE MISSISSIPPI COASTAL WETLANDS PROTECTION LAW TO:

1. The existing reef shall be maintained in the same footprint as the existing structure which is designated by the following coordinates: N 30° 16.000', S 30° 15.300', E -88° 53.600', and W -88° 54.300, as shown on the attached diagram;
2. The permittee shall maintain a clearance of no less than 12 feet below Mean Low Water;
3. No creosote material shall be used in construction;
4. Vegetated wetlands shall not be impacted; and,
5. No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.

In the Mississippi Sound offshore of Biloxi, Harrison County, Mississippi.

No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.

FURTHERMORE, THIS PROJECT AS PROPOSED HAS BEEN FOUND TO BE CONSISTENT WITH ALL GUIDELINES FOR CONDUCT OF REGULATED ACTIVITIES IN COASTAL WETLANDS AS SET FORTH IN THE MISSISSIPPI COASTAL PROGRAM.


Bureau Director, Wetlands Permitting

POST THIS NOTICE CONSPICUOUSLY AT SITE OF WORK

