



STATE OF MISSISSIPPI

Phil Bryant
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

PERMIT TO CONDUCT REGULATED ACTIVITIES

Certification Number: DMR-190087

Date: January 4, 2019

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

Project Description: Breakwater/High Profile Reef and Subtidal Reef

Project Location: St. Louis Bay
Just south of the mouth of the Wolf River
Pass Christian, Harrison County, Mississippi

DMR Project Manager: Willa 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.

The Department of Marine Resources (DMR) has reviewed your request to fill Coastal Wetlands for the construction of a breakwater/high profile reef and a subtidal reef within the St. Louis Bay just south of the mouth of the Wolf River in Pass Christian, Harrison County, MS. The application was presented to the MS Commission on Marine Resources (MCMR) on November 13, 2018.

In accordance with the provisions of the Mississippi Coastal Wetlands Protection Act and our findings made in compliance with Chapter Eight, Section 2 of the Mississippi Coastal Program (MCP), a Permit to conduct Regulated Activities is issued to you this day by the MCMR and 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 diagrams:

1. Permanent fill of approximately 0.75 acre of Coastal Wetlands consisting of unvegetated waterbottoms for the construction of a marine breakwater/high profile reef approximately 1,600 feet in length using riprap, OysterBreaks, Wave Attenuation Devices, or other similar clean materials
2. Permanent fill of approximately 30 acres of Coastal Wetlands consisting of unvegetated waterbottoms for the construction of a subtidal reef using crushed or processed stone or other similar clean materials
3. A variance to Chapter VIII, Section 2, Part III.O.1. of the MCP
4. A change to the Coastal Wetlands Use Plan from a General Use District to a Special Use District, specifically S₆ for Restoration and Enhancement, within the Coastal Wetlands adjacent to Harrison County Parcel # 1010A-200-L-00.001

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 DMR. 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. 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
 - c. Not result in construction debris, sewage, oil, refuse, other pollutants, or unauthorized fill material entering Coastal Wetlands or Waters of the State
 - d. Not impact wetlands, submerged aquatic vegetation, or shellfish beds unless specifically authorized above

**Work authorized by this certification must be completed on or before:
January 4, 2024.**

Enclosed is a Notice of Compliance (NOC) which must be conspicuously displayed at the site during construction of the authorized work.

Issuance of this certification by DMR 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.

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.

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

THIS CERTIFICATION IS EFFECTIVE IMMEDIATELY.



Joe Spraggins
Executive Director
MS Department of Marine Resources

JS/wjb

Attachment: NOC/Approved Diagram

cc: Mr. Jeremy Overstreet, USACE
Ms. Florance Bass, OPC
Mr. Raymond Carter, SOS
Ms. Alane Young, Covington Civil and Environmental



Department of Marine Resources

NOTICE OF COMPLIANCE

DMR- 190087 PERMIT

THIS NOTICE ACKNOWLEDGES THAT:

DATE: January 4, 2019

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

HAS, THROUGH APPLICATION TO THIS DEPARTMENT, DULY COMPLIED WITH THE MISSISSIPPI COASTAL WETLANDS PROTECTION ACT. THE FOLLOWING ACTIVITIES AND IMPACTS ARE AUTHORIZED AS INDICATED ON THE ATTACHED APPROVED DIAGRAM:

1. Permanent fill of approximately 0.75 acre of Coastal Wetlands consisting of unvegetated waterbottoms for the construction of a marine breakwater/high profile reef approximately 1,600 feet in length using riprap, OysterBreaks, Wave Attenuation Devices, or other similar clean materials
2. Permanent fill of approximately 30 acres of Coastal Wetlands consisting of unvegetated waterbottoms for the construction of a subtidal reef using crushed or processed stone or other similar clean materials
3. A variance to Chapter VIII, Section 2, Part III.O.1. of the MCP
4. A change to the Coastal Wetlands Use Plan from a General Use District to a Special Use District, specifically S₆ for Restoration and Enhancement, within the Coastal Wetlands adjacent to Harrison County Parcel # 1010A-200-L-00.001

On St. Louis Bay just south of the mouth of the Wolf River in Pass Christian, Harrison County, Mississippi.

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.

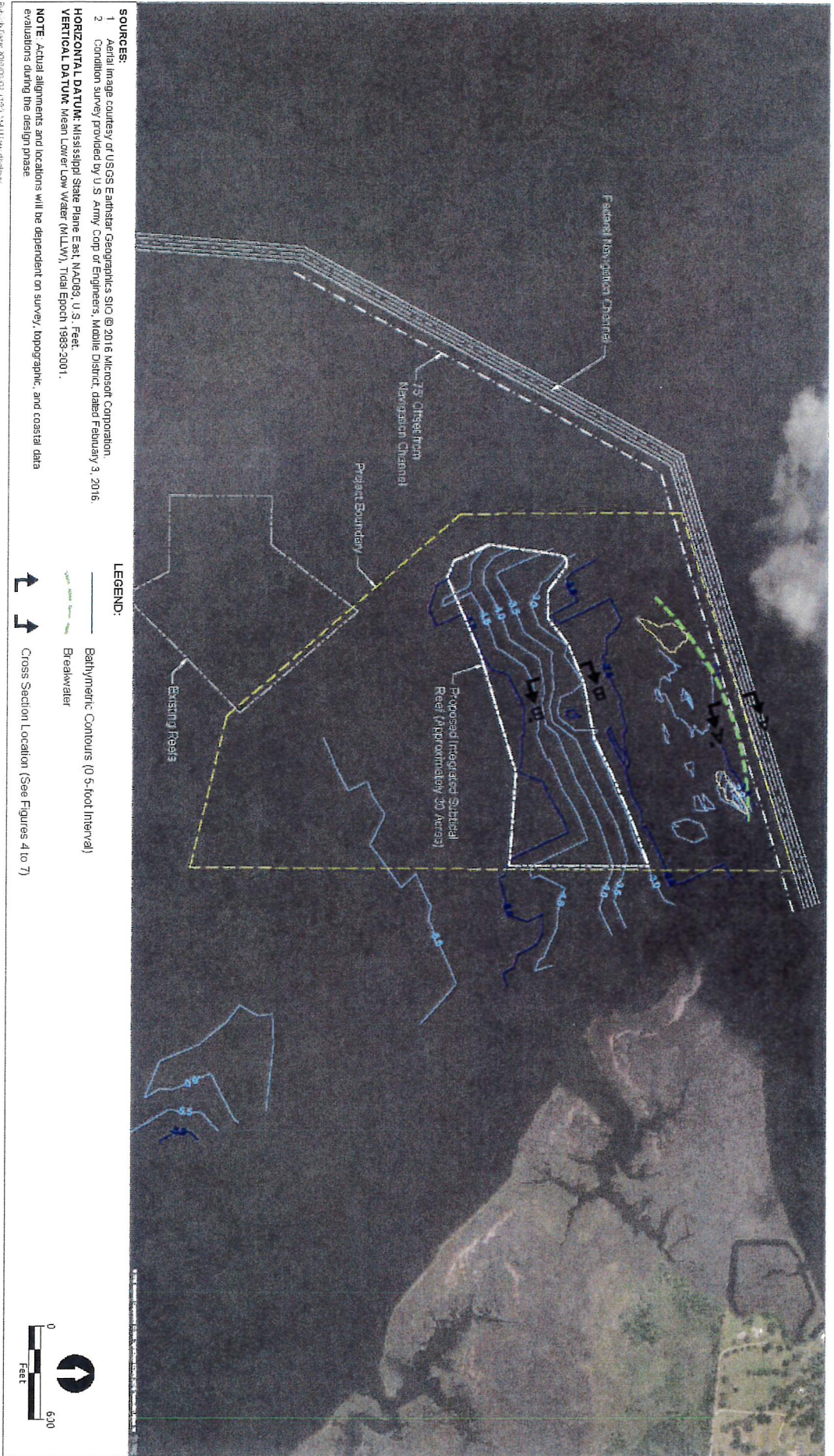
No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.

ALL CONDITIONS AS SPECIFIED IN THE WRITTEN CERTIFICATION DATED JUNE 27, 2018, TO WHICH THIS NOTICE OF COMPLIANCE AND APPROVED DIAGRAM ARE ATTACHED MUST BE FOLLOWED AT ALL TIMES DURING CONSTRUCTION AND CONTINUING FOR THE LIFE OF THE PROJECT. ANY DEVIATIONS FROM THESE CONDITIONS, THE ABOVE-LISTED DIMENSIONS, OR THE PROJECT FOOTPRINT AS SHOWN ON THE ATTACHED APPROVED DIAGRAM SHALL BE CONSIDERED A VIOLATION AND MAY RESULT IN THE REVOCATION OF THE PERMIT.

VIOLATIONS 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.

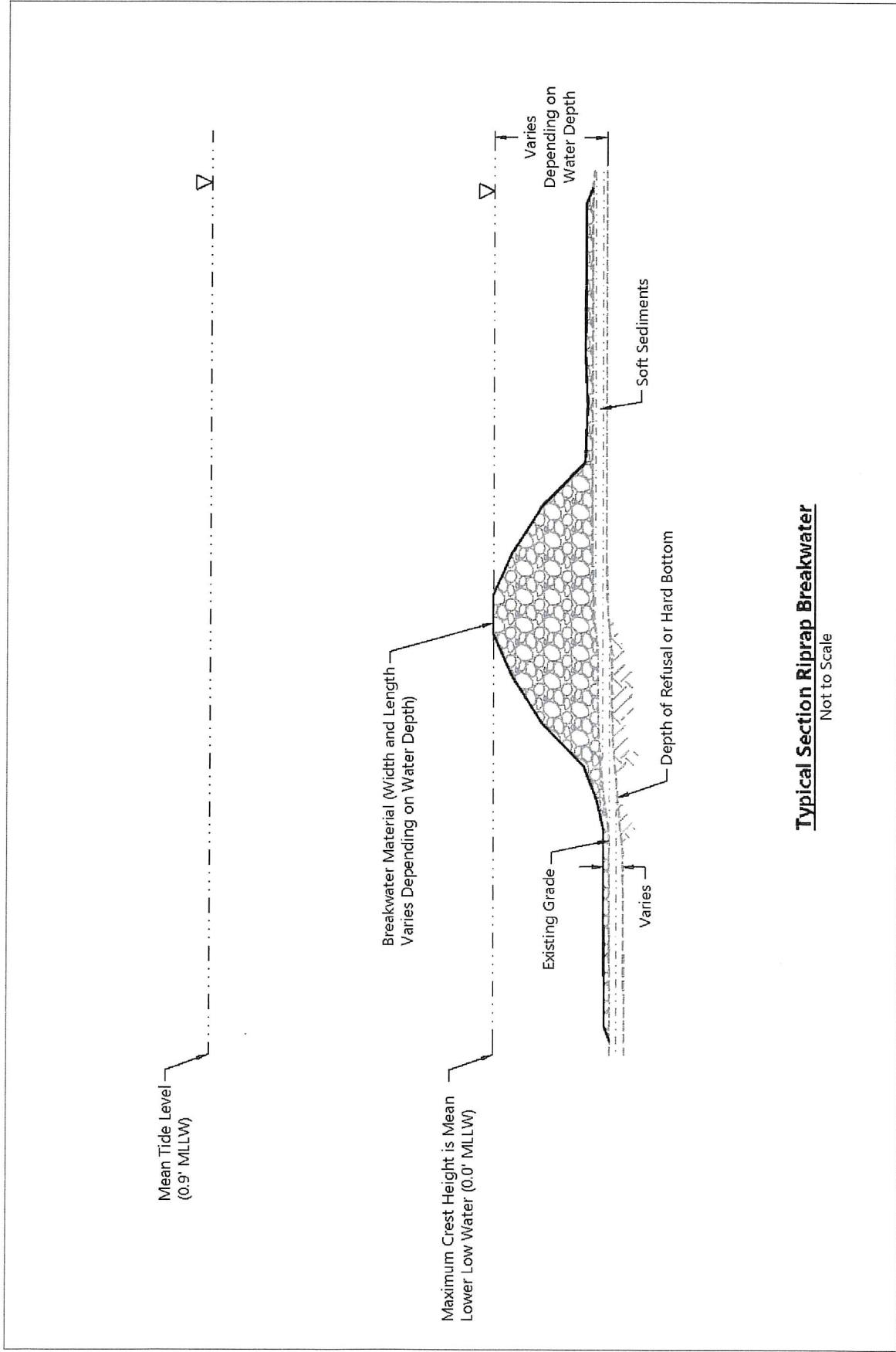

Executive Director

POST THIS NOTICE CONSPICUOUSLY AT SITE OF WORK



ANCHOR
 CONSULTING

Figure 3
Design Concepts - Wolf River
 Preliminary Basis of Design Report - Wolf River Living Shoreline and Subtidal Reef
 Restoring Living Shorelines and Reefs in Mississippi Estuaries
 Mississippi Department of Environmental Quality



Publication Date: 2016/03/02 11:32 AM | User: jhulmer
 Filepath: K:\Projects\1232-Mississippi Estuaries Living Shoreline\1232-RP-018 (Wolf River).dwg (Wolf River) (Section A - Option 1)



Figure 4
Section A-A' Riprap Breakwater Option

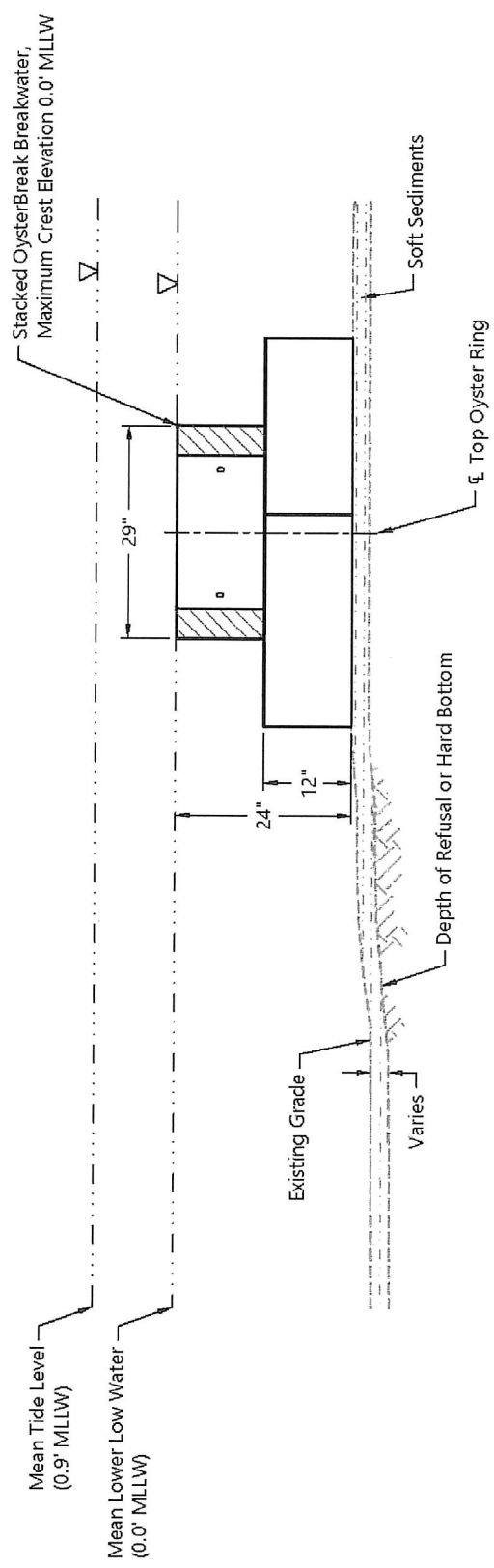
Preliminary Basis of Design Report - Wolf River Living Shoreline and Subtidal Reef
 Restoring Living Shorelines and Reefs in Mississippi Estuaries
 Mississippi Department of Environmental Quality



Plot Date: 2016/06/02 11:32 AM | User: dhojima
File Path: K:\Projects\1232-Mississippi Department of Environmental Quality\Mississippi Estuaries Living Shoreline\1232-AP-018 (Wolf River.dwg - Section A - Option 2)

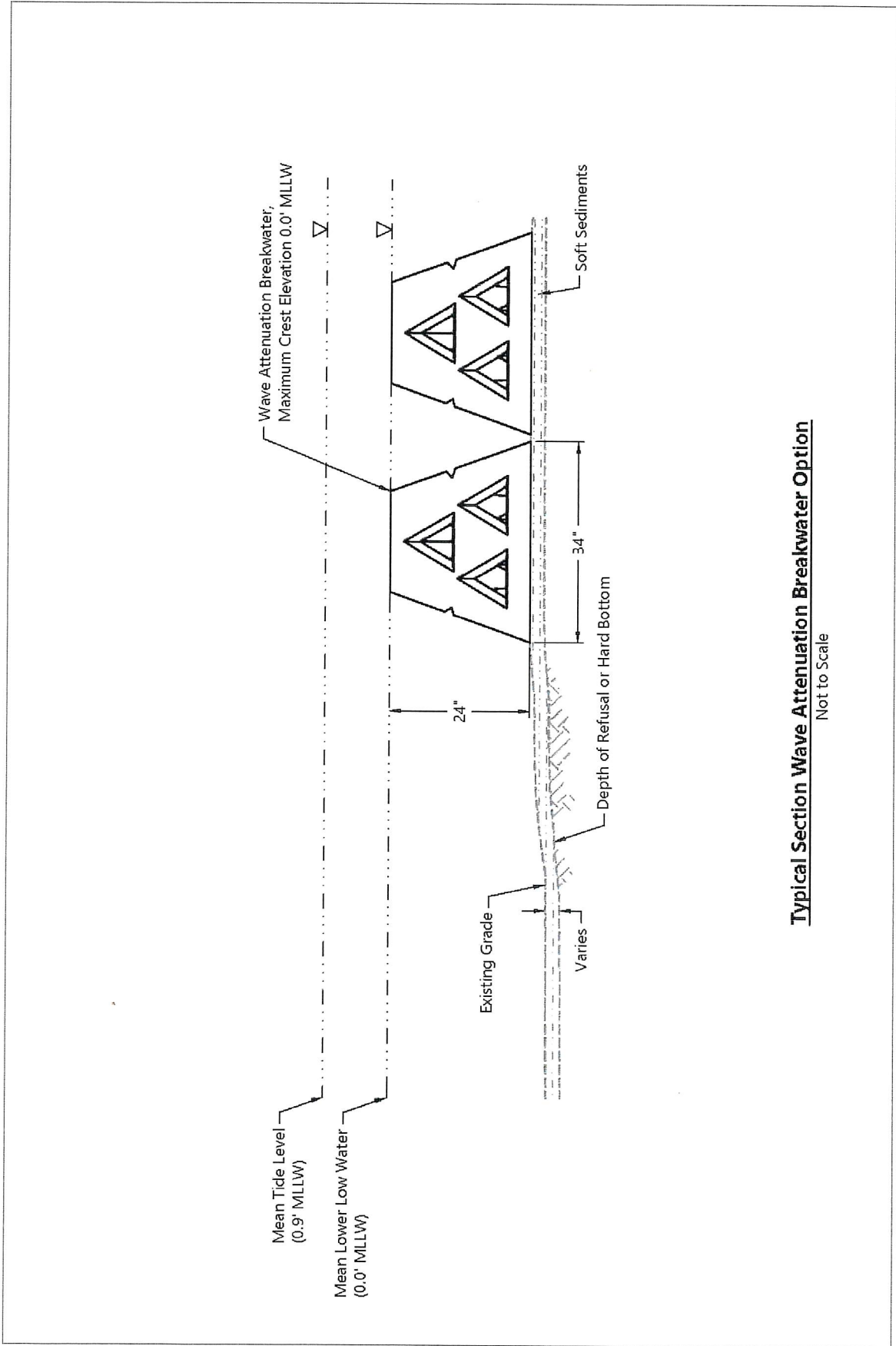
Figure 5

Section A-A' Oyster Break Breakwater Option
Preliminary Basis of Design Report - Wolf River Living Shoreline and Subtidal Reef
Restoring Living Shorelines and Reefs in Mississippi Estuaries
Mississippi Department of Environmental Quality



Typical Section Oyster Break Breakwater Option

Not to Scale



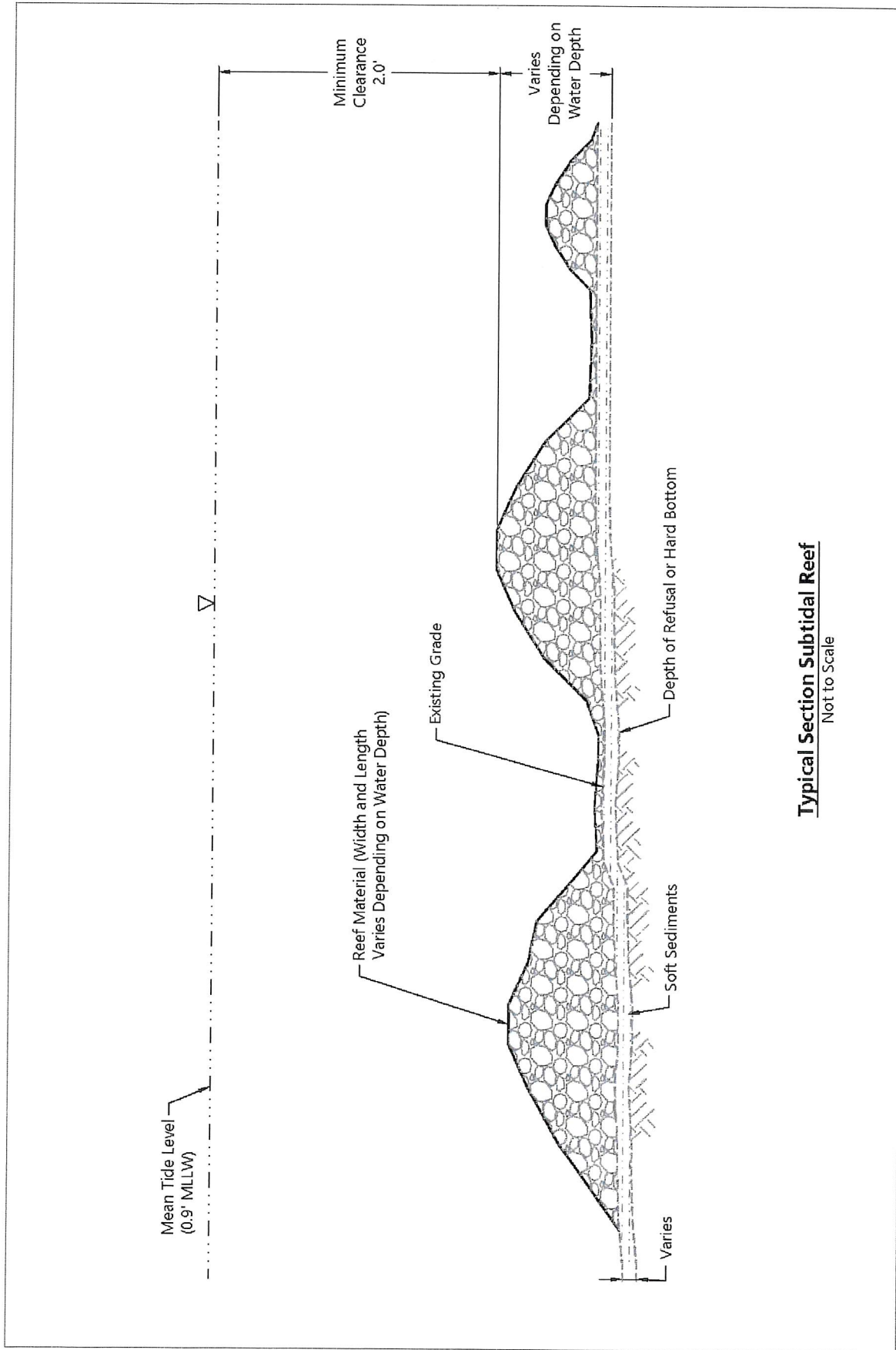
Typical Section Wave Attenuation Breakwater Option
Not to Scale

Publication Date: 2/16/2020 11:22 AM | User: jholmer
 Filepath: K:\Projects\1222 - Mississippi\Estuaries Living Shoreline\1222-RP-018 (Wolf River).dwg Wolf River (Section A - Option 3)



Figure 6
Section A-A' Wave Attenuation Device Breakwater Option

Preliminary Basis of Design Report - Wolf River Living Shoreline and Subtidal Reef
 Restoring Living Shorelines and Reefs in Mississippi Estuaries
 Mississippi Department of Environmental Quality



Typical Section Subtidal Reef

Not to Scale

Publication Date: 2/16/2012 11:32 AM | User: dholmer
 Filepath: K:\Projects\1232-Mississippi Department of Environmental Quality\Mississippi Estuaries Living Shoreline\1232-RP-01E (Wolf River).dwg Wolf River (Section B)



Figure 7
Section B-B' Subtidal Reef

Preliminary Basis of Design Report - Wolf River Living Shoreline and Subtidal Reef
 Restoring Living Shorelines and Reefs in Mississippi Estuaries
 Mississippi Department of Environmental Quality

MISSISSIPPI CODE of 1972 ANNOTATED
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*** Current through the 2017 Regular and 1st Extraordinary Sessions ***

TITLE 49. CONSERVATION AND ECOLOGY
CHAPTER 27. COASTAL WETLANDS PROTECTION ACT

Miss. Code Ann. § 49-27-61 (2017)

§ 49-27-61. Charges for materials removed under permit; alternative for dredge material disposal

(1) (a) The commission shall charge Fifty Cents (50 cent(s)) per cubic yard for any sand or gravel removed from wetlands and Twenty-five Cents (25 cent(s)) per cubic yard for any other materials removed from coastal wetlands by a permittee or his agent under the terms of any permit issued.

(b) There shall be no charge levied by the commission for the removal of one hundred (100) cubic yards or less of any material removed from wetlands by a permittee or his agent under the terms of any permit issued.

(c) The commission may waive these charges on any project of a governmental agency or any project wherein expenditures are made as the result of a governmental grant or governmental bond proceeds.

(d) Any party participating in the beneficial use of dredge materials programs under subsection (2) shall be exempt from these charges.

(2) The department shall require any party permitted to conduct dredging activities of over two thousand five hundred (2,500) cubic yards to participate in the department programs involving beneficial use of dredge materials, provided the material is suitable and a beneficial use site is available. If approved by the executive director, or his designee, a party may deposit acceptable dredge materials in a designated location for a fee not to exceed fifty percent (50%) of the fair market cost to transport and dispose of the material in an approved upland site. The department shall consider in-kind services for offsetting depositional charges. SOURCES: Laws, 1973, ch. 385, § 11; Laws, 1988, ch. 408, § 3; Laws, 1994, ch. 578, § 46; Laws, 2005, ch. 371, § 2; Laws, 2010, ch. 412, § 1, eff from and after July 1, 2010.



STATE OF MISSISSIPPI
PHIL BRYANT
GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
GARY C. RIKARD, EXECUTIVE DIRECTOR

January 25, 2019

Ms. Valerie Alley
MDEQ Office of Restoration
515 East Amite Street
Jackson, Mississippi 39201

Dear Ms. Alley:

Re: MDEQ, Early Restoration, Bay
St. Louis Reef Delisle
Harrison County
COE No. SAM201801024JRO
WQC No. WQC2018057

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, to Mississippi Department of Environmental Quality, an applicant for a Federal License or permit to conduct the following activity:

MDEQ, Early Restoration, Bay St. Louis Reef Delisle: To reduce shoreline erosion, reduce marsh loss and restoration of secondary productivity. The project is proposed, identified as "The Wolf River Living Shoreline and Subtidal Reef Component", as part of the programmatic portions of an early restoration agreement, entitle "Framework for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill" (Framework Agreement). The Deepwater Horizon "Framework Agreement" was developed as an initial step toward the restoration of natural resources injured be the Deepwork Horizon spill. The applicant proposes to place 1,800-2,500 cubic yards of fill into waters of the U.S. to create approximately 1,600 linear feet of breakwater. The fill material will consist of riprap, oyster breaks, and/or wave attenuation devices. The project also includes the placement of approximately 16,200 cubic yards of rock material in waters of U.S. to create approximately 30 acres of subtidal reef near existing reefs at the mouth of the Wolf River. [SAM201801024JRO, WQC2018057].

January 25, 2019

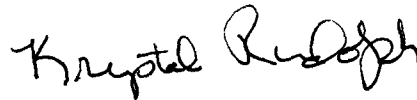
The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. 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 we can be of further assistance, please contact us.

Sincerely,



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

HMW: mhg

cc: Jeremy Overstreet, U.S. Army Corps of Engineers, Mobile District
Alane Young, Covington Civil and Environmental, LLC
Chris Pickering, Department of Marine Resources
Paul Necaie, U.S. Fish and Wildlife Service
Molly Martin, Environmental Protection Agency