

## Submitting the appropriate materials

Generally, four items must be submitted to apply for a wetlands permit: a completed Joint Application and Notification Form, project diagrams, an environmental assessment and marina requirements, if applicable.

## Application

The application requires basic information from the applicant, including address of the project location, name and addresses of adjacent landowners, project description, project schedule, and estimated cost of the project. Authorization must be submitted in order for the permitting agencies to discuss the project with a third party such as an environmental consultant. An agent authorization form can be downloaded from the DMR website or a letter can be written authorizing the agent as the developer's representative and should be submitted with the application. It is important to complete all required information and provide all required signatures with the application.

## Project Diagrams

Diagrams of the project should be drawn to an appropriate and uniform scale and indicate the location and acreage of the wetlands to be affected by the project. Diagrams should also reflect the boundaries and ownership of adjacent land and indicate all existing and proposed structures including those on adjacent uplands.

## Marina Requirements

If applicable, consult with DMR and DEQ to obtain marina-screening checklists.

## Environmental Assessment Requirements

The EA represents perhaps the most common difficulty in the permitting process. This document should explain the project's impacts on the wetlands environment and reflect a good faith effort to avoid negative environmental impacts. Like the application, it is important that this document contain a thorough response to all required information.

**Project Description:** The project should be clearly and specifically defined, including all dimensions, fill areas and avoided areas. A wetland delineation is necessary for an accurate description.

**Purpose and Need for the Project:** The primary purpose of project should be described. If the project is designed to induce future development, contemplated future projects and master plans should be included.

**Public Interest:** This should include a description of any public benefit to be derived from the proposed project and the extent of the public use of the project.

**Project Impacts:** Direct and indirect effects on the biological integrity and productivity of wetland communities and ecosystems should be discussed.

**Affected Environment:** A developer must describe existing conditions of the proposed site, including information on topography, hydrology, soils, vegetation, and wildlife utilization. The quantity and quality of all wetlands should be discussed, as well as whether they are proposed to be impacted or avoided.

**Alternatives Analysis:** The failure to adequately complete this information often causes problems in the permitting process. In this analysis a developer must demonstrate that alternative sites have been investigated and that the project has been designed to avoid impact to wetlands.

Specifically, developers must demonstrate why the project location and site configuration were chosen. This analysis should include a description of other locations considered, their potential environmental impacts, and reasons they were rejected. Alternative site design should reflect the absence of options with less wetland impact and the lack of compatibility between other designs and amenities and the project's purpose.

**Mitigation Plan:** For projects that impact wetlands, developers are required to provide in-kind compensation for the loss of wetlands. The plan must detail a proposal to compensate for the unavoidable loss of wetlands. Mitigation may be provided through either the purchase of credits from an approved mitigation bank or through restoration, enhancement, creation, and/or preservation of wetlands similar to those impacted.

**Stormwater Management:** Stormwater measures are required for the construction phase and possibly the operation and post-construction phases of the project. These measures should be briefly described in the environmental assessment, while complete stormwater plans should be provided directly to DEQ. For information on these requirements or to obtain an application, the applicant should contact DEQ's General Permits Branch and/or the Water Quality Certification Branch for information about requirements.

**Wastewater Treatment:** Information regarding wastewater treatment, such as will-serve letters and documentation of capacity for treatment facilities to be utilized, should be provided in the permit application. Contact DEQ's Municipal and Private Facilities Branch

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**Dr. Bill Walker: 228.523.4170**  
**Jan Boyd: 228.523.4102**

## Pre-Application

While a pre-application meeting is not mandatory, it can significantly expedite communication between the developer and appropriate agencies and reduce the occurrence of future complications.

In an effort to streamline project review, DMR will coordinate with the other regulatory agencies to include them at pre-application meetings. USACE and DMR have set aside the fourth Tuesday of each month for these meetings. Please contact DMR to be placed on the agenda.

At this meeting, a developer should be prepared to present diagrams, descriptions of the project, and a wetland delineation for the property. Permitting officials will study the proposed development and make suggestions for expediting the permit process and making the process proceed more smoothly. At this session, a developer can gauge the likelihood of approval and determine environmental concerns that must be addressed.

## Nationwide Permits:

One option for a shortened permit process is the Nationwide Permit process. USACE can authorize these permits for projects that have only minimal environmental impacts. If a project falls under Nationwide Permit classifications, a permit can be issued in only 45 days from the date of a complete application. A developer should contact the USACE about a Nationwide Permit if their plan involves the fill of ½ acre of wetlands or less. However, the application should be submitted to the DMR.

Residential and commercial developments are eligible for a Nationwide Permit when ½ acre or less of wetlands are impacted, provided the wetlands are not adjacent to tidal marsh or waters. If less than 1/10 acre of non-tidal wetlands are impacted, the developer is not required to complete an application.

## Contact Information

Mississippi Department of Marine Resources  
1141 Bayview Avenue  
Biloxi, MS  
Phone: 228-374-5000  
<http://www.dmr.state.ms.gov>

Mississippi Department of Environmental Quality  
Municipal and Private Facilities Branch & Water Quality Certification Branch  
Phone: 601-961-5171  
<http://www.deq.state.ms.us>

U.S. Army Corps of Engineers  
Regulatory Division, Mobile District  
Jason W. Steele  
Team Leader, MS Coastal Branch  
Phone: (228) 523-4116  
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## Wetlands Permitting: The Process



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A developer planning any project affecting wetlands and/or navigable waters must seek an authorization through the wetlands permitting process. This process may appear daunting and complicated, but can be easily navigated by taking the right steps.

All wetlands impacts within Mississippi's three coastal counties (Hancock, Harrison and Jackson) must be authorized by the Department of Marine Resources (DMR), the Department of Environmental Quality (DEQ) and the U.S. Army Corp of Engineers (USACE). While all three agencies are involved with the application process, the application should be submitted to DMR who will facilitate coordination among the appropriate agencies.

For developers, the key to a successful and speedy permit is communication. Contact DMR early in the process to begin coordination with all appropriate agencies. See contact information on the last page of this brochure.