MISSISSIPPI LEGISLATURE REGULAR SESSION 2004

By: Senator(s) Dawkins

To: Ports and Marine Resources

SENATE BILL NO. 2517

AN ACT TO AMEND SECTION 49-27-9, MISSISSIPPI CODE OF 1972, TO REVISE THE PERMIT FEE SCHEDULE FOR CONSTRUCTION PROJECTS IN THE COASTAL WETLANDS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 49-27-9, Mississippi Code of 1972, is amended as follows:

49-27-9. (1) No * * * coastal wetlands shall be altered without a permit unless excluded in Section 49-27-7. Any person proposing to alter, directly or indirectly, any coastal wetlands or adjacent waters shall file an application for a permit with the commission in the form and with any information as the commission may prescribe. * * * Applicants shall submit one (1) of the following fees:

(a) Private, single-family construction projects for recreational access or shoreline alterations with a combined impact or shaded area of:

(i) Not more than 1500 square feet..... $ 50.00

(ii) More than fifteen hundred (1500) square feet..... 300.00

(b) Projects associated with a commercial or industrial operation with a combined impact or shaded area of:

(i) Not more than fifteen hundred (1500) square feet..... 300.00

(ii) More than fifteen hundred (1500) square feet and less than one (1) acre..... 1,000.00

(c) Projects associated with a commercial or industrial operation with a combined impact or shaded

area exceeding one (1) acre of impact to state water bottoms, coastal wetlands or adjacent wetlands, or any proposed off-shore petroleum exploration or development..... 5,000.00 and the costs of a court reporter required for public or evidentiary hearing specific to the project.

(d) The appropriate fee shall be submitted along with the application and made payable to the Department of Marine Resources.

No permit shall be required under this chapter of any individual who seeks to construct, without impacts to coastal wetlands, a home, fishing camp or similar structure on his own property.

(2) If the commission determines that the activity, area or entity is exempt or requires no permit, and that the activity, area or entity complies with the notification requirement and the coastal wetland policy as required under Section 49-27-7, the commission may reduce the application fee by fifty percent (50%).

SECTION 2. This act shall take effect and be in force from and after July 1, 2004.