



STATE OF MISSISSIPPI  
TATE REEVES  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

January 14, 2020

Certified Mail No. 7018 0360 0000 7113 5493

Mr. J. Coleman  
DR Horton, Inc.  
25366 Profit Drive  
Daphne, AL 36526

Dear Mr. Coleman:

Re: Meginley Subdivision  
Harrison County  
COE No. SAM201900444RCV  
WQC No. WQC2019032

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, DR Horton, Inc., an applicant for a Federal License or permit to conduct the following activity:

DR Horton, Inc., Meginley Subdivision: The Mississippi Department of Environmental Quality is presently reviewing the above referenced project in which the applicant, DR Horton, is applying for a Department of the Army permit to construct a housing development on a 24.10 acre tract which contains 9.32 acre of medium-quality bottomland hardwood wetlands, of which 2.77 acre is proposed to be permanently filled for lots, roads, and utilities. The applicant states that minimization of wetland impacts will be carried out by best management practices in all areas where bare ground exists in order to minimize sediment loading of surface runoff. The site is located in west of U.S. Highway 15 and east of Lamey Bridge Road in wetlands adjacent to the Tuxahanie Creek.

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. The development shall connect to an Office of Pollution Control approved wastewater collection and treatment system. **No construction shall begin until all wastewater approvals are obtained.**

2. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal: vertical) and shall be immediately seeded, stabilized and maintained.
3. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetlands areas. In the event of any BMP failure, corrective actions shall be taken immediately.
4. Coverage under a Stormwater Construction General NPDES Permit shall be obtained prior to the start of construction activities. **No construction activities shall be until such approvals are obtained.**
5. The final post-construction Stormwater Management Plan submitted by Dennis Stieffel & Associates, P.A., Inc. on October 3, 2019, shall be implemented concurrent with project construction and maintained to function as proposed.
6. Mitigation for the impact of 2.77 acres of bottomland hardwood wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with the banking prospectus and should be based upon that required for impacting 2.77 acres of bottomland hardwood wetlands. **Written verification of credit purchase must be provided to the Office of Pollution Control prior to the commencement of any work in the wetland areas.**
7. 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 Ms. Morgan White.

Sincerely,



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

KR: CSH

cc: Mr. Rudolph C. Villarreal, U.S. Army Corps of Engineers, Mobile District  
Ms. Willa Brantley, Department of Marine Resources  
Mr. Paul Ncaise, U.S. Fish and Wildlife Service  
Ms. Molly Martin, Environmental Protection Agency  
Mr. Dana Sanders, D.R. Sanders and Associates, Inc.  
Mr. Dennis Stieffel, Dennis Stieffel & Associates, P.A., Inc.

