



**STATE OF MISSISSIPPI**  
TATE REEVES  
GOVERNOR  
**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**  
CHRIS WELLS, INTERIM EXECUTIVE DIRECTOR

April 22, 2020

Mr. Joel Coleman  
DR Horton, Inc.  
25366 Profit Drive  
Daphne, Alabama 35826

Dear Mr. Coleman:

Re: Highlands Subdivision, The  
Harrison County  
COE No. SAM201200253PAH  
WQC No. WQC2020001

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

The Highlands Subdivision: This project is Phase 4 of Highlands Subdivision. The proposed project includes completing the development of the previously authorized project (SAM-00252-PAH). This partially developed site needs new authorization since this previous authorizations have expired. The applicant is proposing to fill 0.77 acres of jurisdictional wetlands for the construction of Highland Subdivision. The subdivision will consist of 129 residential home lots on a 53.09 acre site, of which 10.80 acres is considered wetlands. The site contains approximately 2.10 acres of wet pine savannah wetlands and 1.83 acres of hardwood bottom wetlands to be filled, which drains into the Tuxahanie Creek. The proposed project would also consist of internal roads, utilities, house pads, driveways, and nine (9) detention ponds. Mitigation has been proposed through the purchasing of mitigation credits form and approved mitigation bank. The site is located in D'Iberville, Harrison County, Mississippi. [SAM201200253PAH, WQC2020001].

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

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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. 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.
2. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. In the event of any BMP failure, corrective actions shall be taken immediately.
3. Coverage under a Storm Water Construction General NPDES Permit shall be obtained prior to the start of construction activities. **No construction activities shall begin until such approvals are obtained.**
4. The post-construction Storm Water Management Plan, submitted by Dennis Stieffel and Associates, P.A., Inc. received on February 26, 2020, shall be implemented concurrent with project construction and properly maintained.
5. Mitigation for the impacts of 0.77 acre of wetlands shall be provided by the purchase of mitigation credits from an approved mitigation bank. The number of credits must be in accordance with banking prospectus and should be based upon that required for impacting 0.77 acre of wetland. 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.
6. 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.**
7. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.
8. 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.

Mr. Joel Coleman

Page 3 of 3

April 22, 2020

If you have any questions, please contact Montie Hardaway Glenn at (601) 961-5596.

Sincerely,



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

KR: mhg

cc: Philip A. Hegji, U.S. Army Corps of Engineers, Mobile District  
Jennifer Wilder, Department of Marine Resources  
Paul Necaize, U.S. Fish and Wildlife Service  
Molly Martin, Environmental Protection Agency  
Dana Sanders, D.R. Sanders and Associates, Inc.