



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
D.R. Horton, Inc.
Brookstone Ridge Subdivision

Published: April 4, 2025
Expires: May 5, 2025

**Mobile District
Permit Application No. SAM-2025-00129-MJF**

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: D.R. Horton, Inc.
1641 Pops Ferry Road, Suite B
Biloxi, Mississippi 39532

AGENT: Mr. Dana Sanders
Sanders Environmental
2305 Lewis Gate Drive
Gautier, Mississippi 39553

WATERWAY AND LOCATION: The project would affect wetlands associated with Hester Branch. The project/review area is located on the west side of South Carr Bridge Road, in Section 4, Township 10W, Range 6S; at Latitude 30.554839 and Longitude -88.988288; in Harrison County, Mississippi..

EXISTING CONDITIONS: The subject site is 105.78 acres in size with 26.22 acres of jurisdictional wetlands consisting of 14.33 acres of pine savanna wetland and 11.89 acres of bottomland hardwood wetlands. The parcel also includes 2,818 linear feet of intermittent stream running through the bottomland hardwood wetlands. The parcel has been under timber management with 20-30 year old pine situated on upland areas. The site is located southeast of Carr Bridge Road and approximately 1.53 miles northeast of MS Highway 67. The project area is bordered by Carr Bridge Road on the west, undeveloped land to the south and north and US Forest Lands bordering the east.

PROJECT PURPOSE:

Basic: Construction of a Residential Subdivision.

Overall: Construction of a Residential Subdivision within the D'Iberville area.

PROPOSED WORK: The applicant requests authorization to place clean fill material into 5.62 acres of low-quality pine savannah wetlands and 0.18 acres of bottomland hardwood wetlands. Impacts to wetlands would be for the construction of a 92-lot residential subdivision, four access roads and three detention ponds. Impacts to the bottomland hardwood wetland would be for a culverted road crossing. Approximately 20.42 acres of wetlands would be avoided.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant would avoid approximately 20.42 acres of wetlands (11.71 acres of bottomland hardwood wetlands and 8.71 acres of pine savannah wetlands). The Agent stated the project layout was designed to avoid high quality bottomland hardwood wetlands as much as possible. Best management practices would be utilized during and after all construction activities. Silt fences and other appropriate materials would be installed to block erosion and sedimentation into wetlands outside the project area. Disturbed surfaces would be planted with grass mixtures and/or sodded. Planting and/or sodding would be undertaken as soon as possible after preparation of the project area.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to purchase 11.24 in kind mitigation credits for impacts to 5.62 acres of low quality pine savannah wetlands and 0.54 in kind mitigation credits for impacts to medium quality bottomland hardwood wetlands. Mitigation credits would be purchased from a USACE approved mitigation bank located within the service area of the proposed project.

CULTURAL RESOURCES:

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the [U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary

determination that the proposed project will not affect any listed species or critical habitat.

Table 01: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Eastern Black Rail	<i>Laterallus jamaicensis jamaicensis</i>	Threatened
Red-Cockaded Woodpecker	<i>Picoides borealis</i>	Threatened
Wood Stork	<i>Mycteria americana</i>	Threatened
Black Pine Snake	<i>Pituophis melanoleucus lodingi</i>	Threatened
Dusky Gopher Frog	<i>Rana sevosa</i>	Endangered
Gopher Tortoise	<i>Gopherus polyphemus</i>	Threatened
Louisiana Quillwort	<i>Isoetes louisianensis</i>	Endangered

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The USACE is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by USACE.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Mississippi Department of Environmental Quality (MDEQ). The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), requires certification for any license or permit that authorizes an activity that may result in a discharge. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the

applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

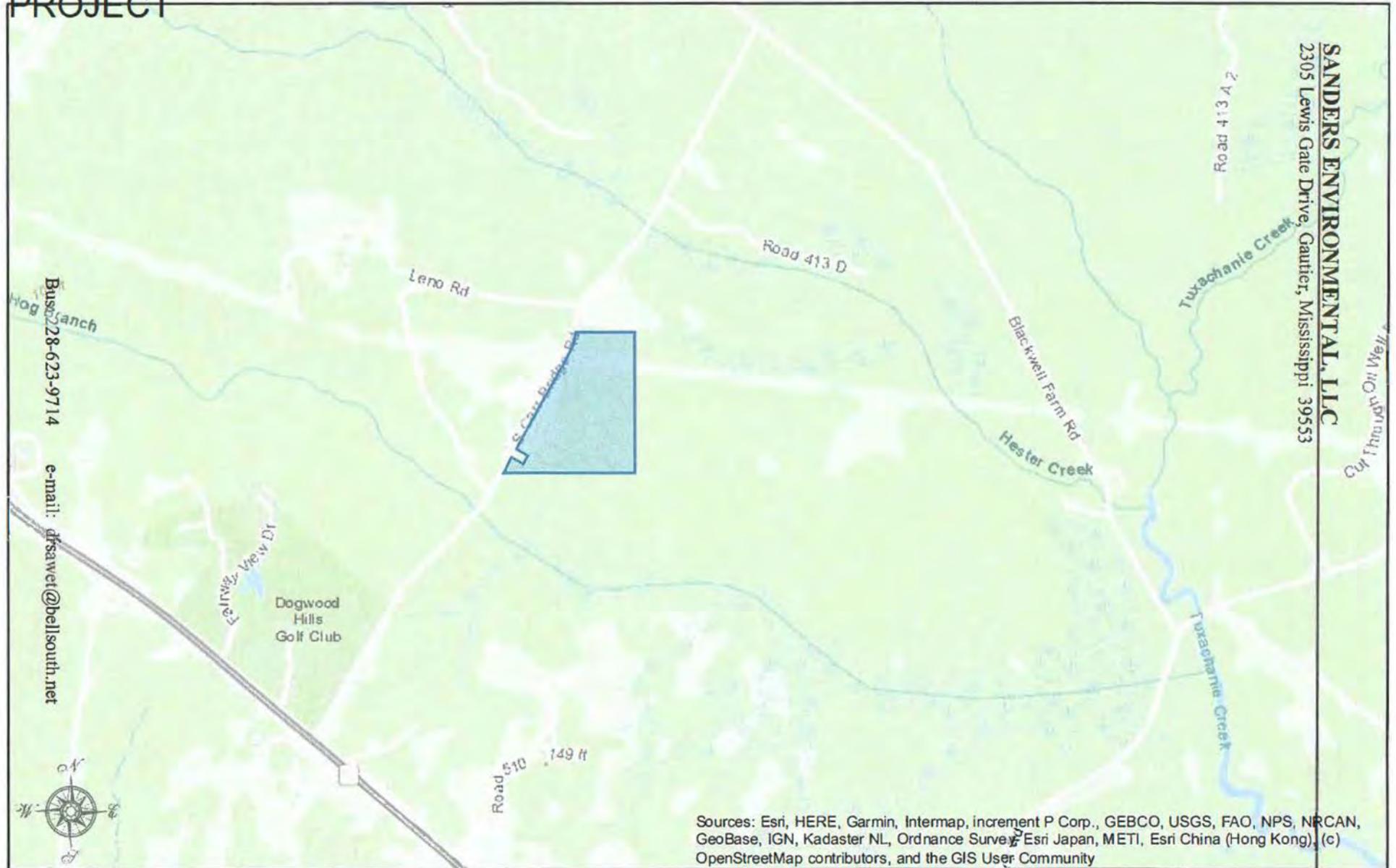
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Mobile District will receive written comments on the proposed work, as outlined above, until May 5, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Ms. Maryellen Farmer at maryellen.j.farmer@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Ms. Maryellen Farmer, 1141 Bayview Avenue, Suite 2300, Biloxi, Mississippi, 39530. Please refer to the permit application number in your comments. Copies of all

comments should be furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39225, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Biloxi, Mississippi 39530.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

FIGURE 1. SITE LOCATION MAP FOR BROOKSTONE RIDGE BRIDGE SUBDIVISION PROJECT



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURRY, TAX ASSESSOR.

MAP DATE: February 7, 2025

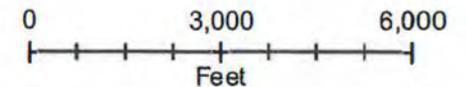
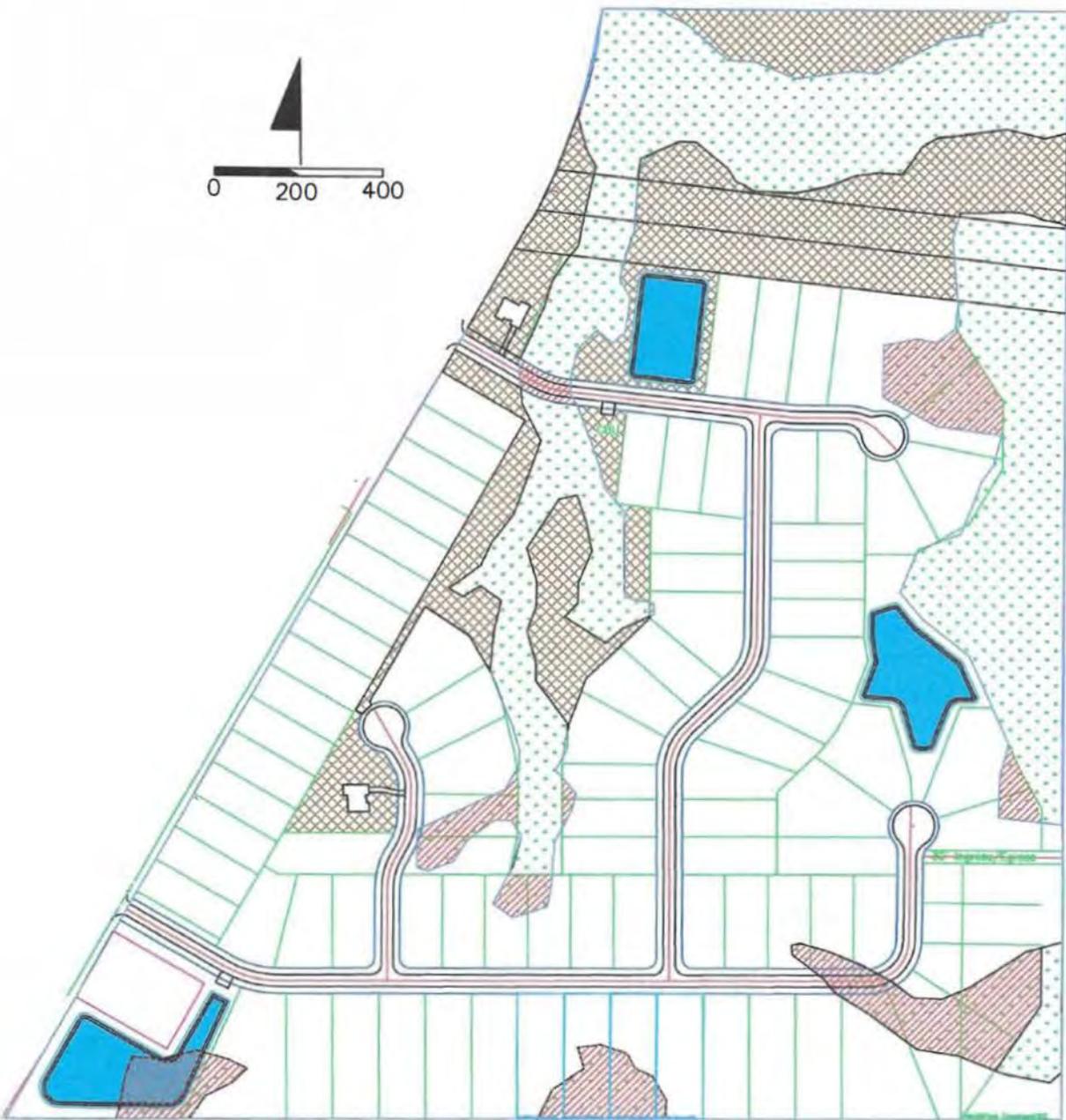


FIGURE 2. BROOKSTONE RIDGE SUBDIVISION PROJECT LAYOUT



-  Wetlands: 26.22 Acres
-  Impacted Wetlands: 5.8 Acres
-  Common Area in Uplands: 11.2 Acres
Total Common Area: 33.9 Acres (AVOIDED WETLANDS + NONWETLAND)

FIGURE 2. BROOKSTONE RIDGE SUBDIVISION IMPACT MAP



Wetlands: 26.22 Acres



PINE SAVANNA WETLAND IMPACT - 5.62 ACRES

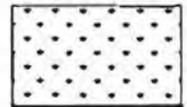


BOTTOMLAND HARDWOOD WETLAND IMPACT - 0.18 ACRE

BROOKSTONE RIDGE SUBDIVISION
HABITAT MAP



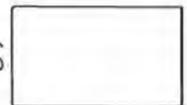
PINE SAVANNA WETLAND – 14.33 ACRES



BOTTOMLAND HARDWOOD WETLAND – 11.89 ACRES



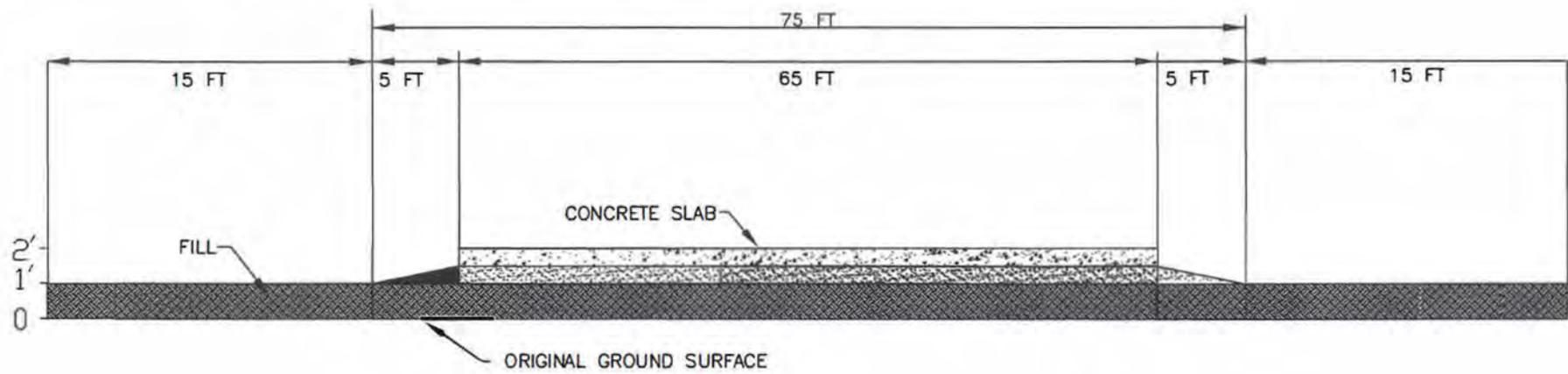
NONWETLAND 79.56 ACRES



INTERMITTENT STREAM – 2818 LINEAR FEET



FIGURE 3. CROSS-SECTION OF TYPICAL LOT IN WETLANDS, BROOKSTONE RIDGE SUBDIVISION PROJECT, HARRISON COUNTY, MS



CROSS-SECTION OF TYPICAL LOT IN WETLANDS
(VERTICAL SCALE IN FEET ABOVE GROUND SURFACE)

FIGURE 4. SECTION VIEW OF STREET CROSSING THROUGH A WETLAND

