



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

December 21, 2021

DR Horton LLC
Joel Coleman
25366 Profit Drive
Daphne, Alabama 36526

Re: DR Horton, LLC,
Palm Point Subdivision
Jackson County
COE No. SAM-2020-00440-MJF
WQC No. WQC2020090

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

Palm Point Subdivision: Filling of 33.44 acres of pine savanna wetlands is for the construction of a residential subdivision. The subdivision adjacent to Belle Fontaine Road in Ocean Springs, Jackson County, Mississippi. The proposed project would avoid approximately 1.92 acres of wetlands onsite. The applicant proposes to provide in-kind mitigation through a mitigation bank. The wetlands are associated with Graveline Bayou. [SAM-2020-00440, WQC2020090].

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 be required to connect to an MDEQ Office of Pollution Control approved wastewater collection and treatment system. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B)

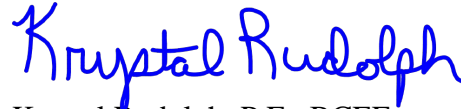
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2. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal: vertical) and shall be immediately seeded, stabilized, and maintained. (11 Miss. Admin. Code Pt. 6, R.1.1.1.B.)
3. Appropriate best management practices (BMPs) 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 wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately. (11 Miss. Admin Code Pt. 6, R. 1.1.1.B.)
4. The Post Construction Water Quality Plan dated October 15, 2021, shall be implemented concurrent with project construction and maintained as proposed. (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (9))
5. Mitigation for the impacts of 33.44 acres 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 33.44 acres of 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 or stream areas. (11 Miss. Admin. Code Pt. 6, R 1.3.4 A (2))
6. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.)
7. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3))

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 Leah DeYoung.

Sincerely,



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

cc: Maryellen Farmer, U.S. Army Corps of Engineers, Mobile District
Department of Marine Resources
U.S. Fish and Wildlife Service
Environmental Protection Agency
Dana Sanders