



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001

CESAM RD-M  
PUBLIC NOTICE NO. SAM-2012-00253-PAH

January 9, 2020

**JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF POLLUTION CONTROL**

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**WETLAND FILL FOR THE CONSTRUCTION OF A RESIDENTIAL SUBDIVISION,  
D'IBERVILLE, HARRISON COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: DR Horton, Inc.**  
15366 Profit Drive  
Daphne, Alabama 35826

**AGENT: Mr. Dana Sanders**  
19032 Old Port Gibson Road  
Utica, Mississippi 39175

**LOCATION: In wetlands directly abutting Tuxachanie Creek, off Ollie Lane, Section 18, Township 6 South, Range 9 West, D'Iberville, Harrison County, Mississippi.**

**WORK: The applicant proposes to fill 0.77 acres of wetlands for the development and construction of Phase 4 of a single family subdivision. The applicant proposes to construct a more or less circular drive through the property with associated cul-de-sacs in portions of the site which will contain single family lots, house pads, all utilities/drainage and sediment/detention basins. The streets will be curbed and guttered to conform to local requirements.**

**EXISTING CONDITIONS: The area around the property consists of a private residence and undeveloped forested land. The property lies about 0.5 mile south of Tuxachanie Creek, which is located in the headwaters of the Tchoutacabouffa River and wetlands of the property drain generally north and eastward toward the creek. One pond is located on the northwest side of the project area. The central portion of the property was**

formerly a farm house and there are some small pastures that are now overgrown around the house site.

**PROJECT PURPOSE:** The purpose of the project is the creation of a single family subdivision.

**The U.S. Army Corps of Engineers (USACE) initially determined the basic project purpose is for construction of a residential subdivision and is considered a non-water dependent activity.**

**MITIGATION:** The applicant is proposing mitigation for impacts to wetland areas through the purchase of an appropriate number of wetland mitigation credits from an approved wetlands mitigation bank.

Final compensatory mitigation will be evaluated by the USACE and cooperating resource agencies throughout the review process for the proposed project.

The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a) (1) of the Clean Water Act and upon completion of the required advertising; a determination relative to certification will be made.

The applicant has applied for coastal zone consistency from the State of Mississippi Department of Marine Resources in accordance with Section 57-15-6 of the Mississippi Code Annotated.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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 benefit 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 the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, protected species, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and in general, the needs and welfare of the people.

The USACE 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 USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on 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 and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held for consideration of this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to effect cultural and historic properties within the permit area. This site has previously been evaluated by the State Historic Preservation Officer regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. In accordance with Appendix C of 33 CFR Part 325, the Corps has determined that the permit area is the full area of development for the overall project footprint.

The proposed project site lies within the range of several federally listed species. At least one listed species have been observed on the site, or in the vicinity. The project will be coordinated through officials of the U.S. Fish and Wildlife Service regarding any possible impacts to listed species.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2012-00253-PAH** and should be directed to the District Engineer, U.S. Army Engineer District, Coastal Branch, Attention: Mr. Philip Hegji, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Attention: Ms. Florance Bass Post Office Box 2261, Jackson, Mississippi 39225 and the Mississippi Department of Marine Resources, Attention: Chris Pickering, 1141 Bayview Avenue, Suite 501, Biloxi, Mississippi 39530.

**All Comments should be received no later than 30 days from the date of this Public Notice.** If you have any questions concerning this publication, you may contact the project manager at (251) 690-3222, or email at [philip.a.hegji@usace.army.mil](mailto:philip.a.hegji@usace.army.mil). Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/Mission/Regulatory.aspx](http://www.sam.usace.army.mil/Mission/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps of Engineers


Enclosures

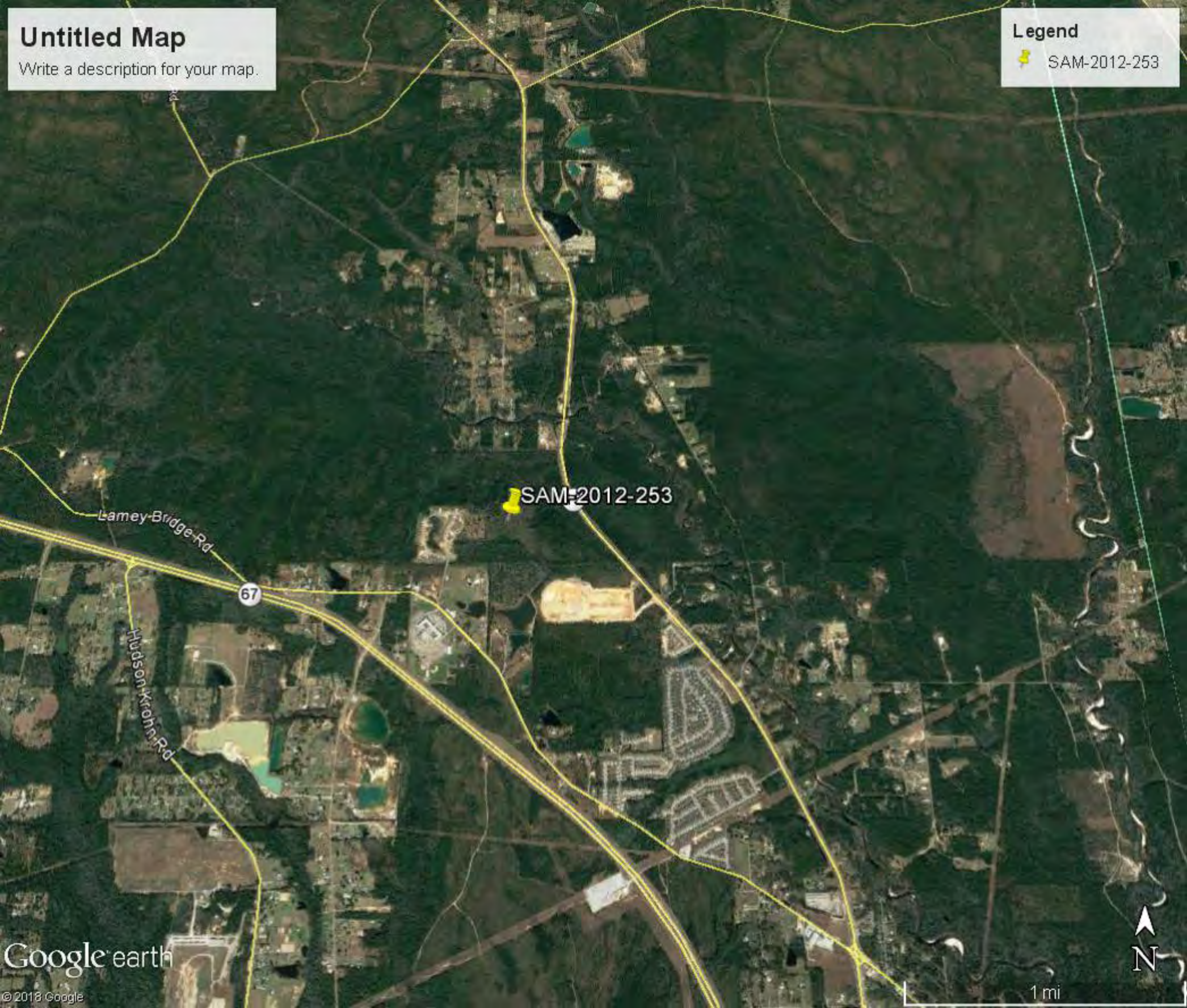


# Untitled Map

Write a description for your map.

## Legend

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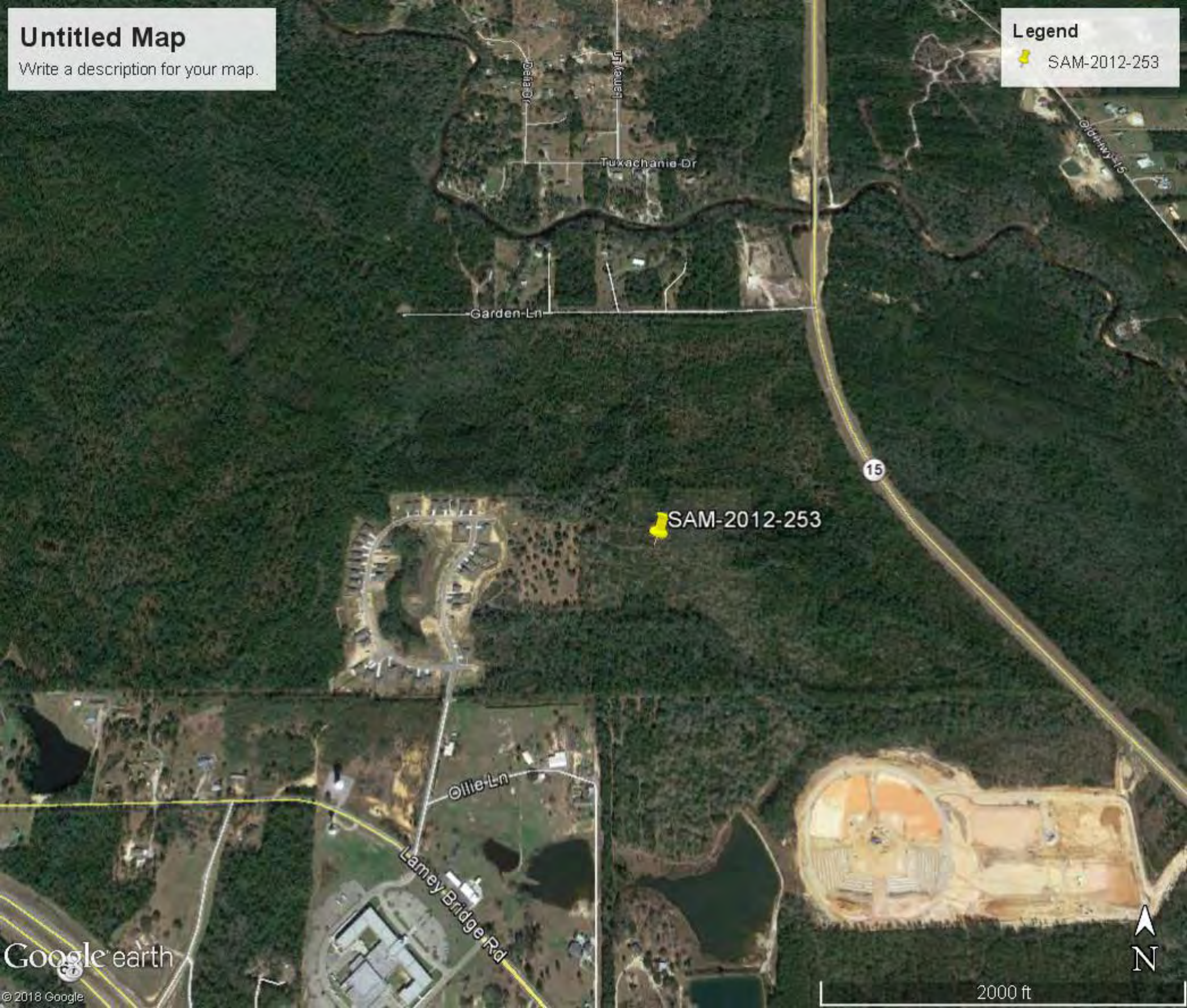


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Write a description for your map.

## Legend

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FIGURE 2. HIGHLANDS PHASE 4 PROJECT LAYOUT MAP  
DIBERVILLE, HARRISON COUNTY, MS

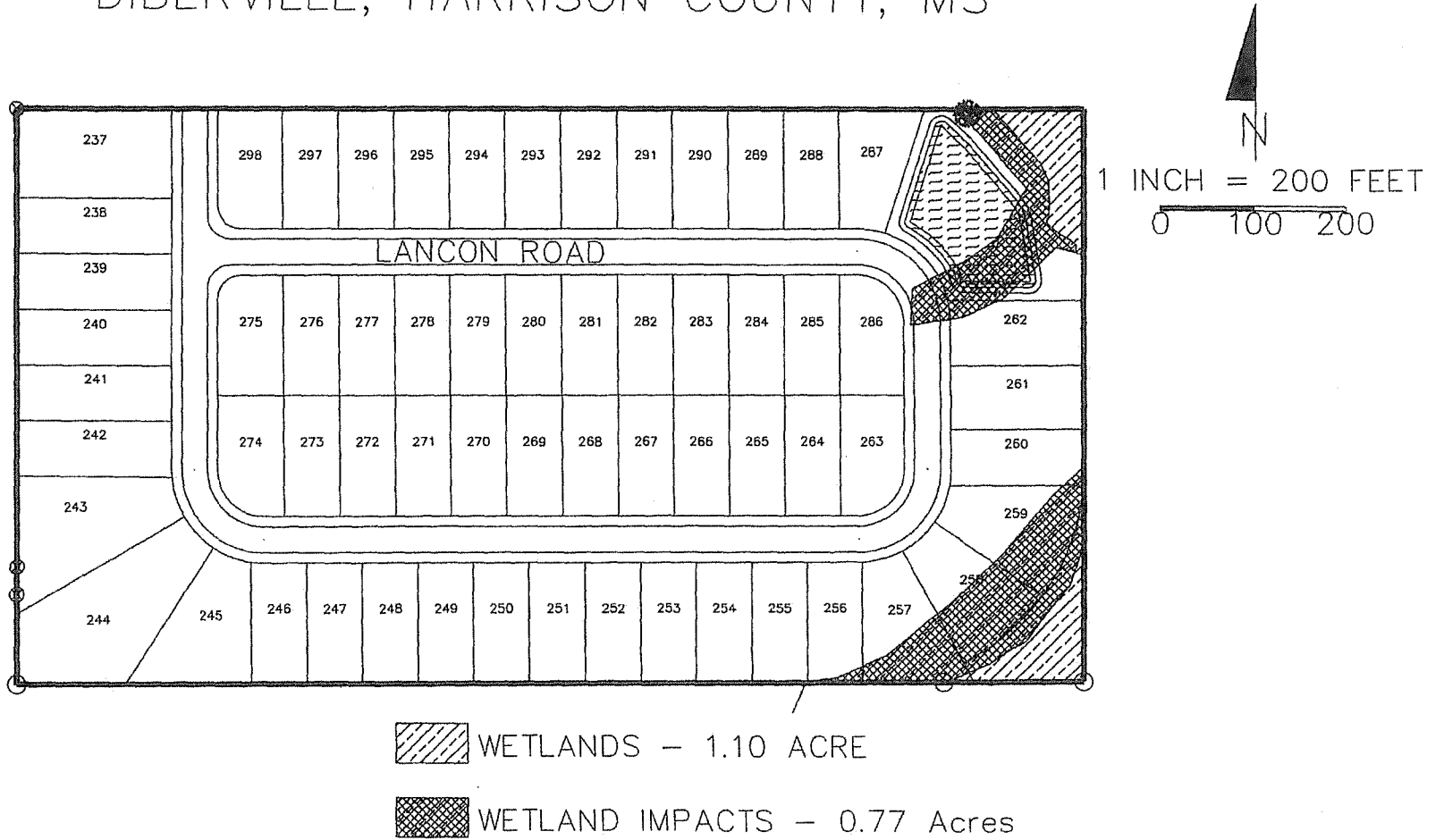




FIGURE 3. CROSS SECTION MAPS FOR HIGHLANDS PHASE 4

