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Fairhope developer sentenced to 9 months in prison for filling in Mississippi wetlands

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 (<http://connect.gulfive.com/staff/bamaap/index.html>) By The Associated Press (<http://connect.gulfive.com/staff/bamaap/posts.html>) on April 17, 2014 at 7:25 PM, updated April 17, 2014 at 7:52 PM

GULFPORT, Mississippi -- A real estate developer convicted of illegally filling wetlands will serve nine months in prison and six months of home confinement.

William R. "Rusty" Miller, a real estate developer from Fairhope, Ala., was sentenced Thursday by U.S. District Judge Louis Guirola Jr. He pleaded guilty in December to one count of unpermitted filling of wetlands, after being indicted in November 2012 on 11 counts.

Miller must also pay a \$15,000 fine, \$19,246 in victim restitution, and serve one-year of supervised release after completing his sentence.

The developer admitted to having caused the ditching, draining and filling of wetlands in 2007 at 10 locations on a 1,710-acre parcel of undeveloped property without getting permission from the U.S. Army Corps of Engineers. The work lowered the water table, destroying the marsh, which could have allowed Miller to develop a planned Stennis Technology Park, houses and businesses.

Miller was a part owner of Hancock County Land, one of three related companies that bought the land in 2001. Criminal charges stated Miller was told when buying the acreage that as much as 80 percent was federally protected and was unlikely to be approved for development unless the company preserved some other wetlands.

Hancock County Land previously pleaded guilty on related charges. The company agreed to pay a penalty of \$1 million, perform wetland restoration and preservation ordered by the court, donate 272 acres to the Land Trust for the Mississippi Coastal Plain, pay \$100,000 toward court costs of the Gulf Restoration Network and pay a civil penalty of \$95,000. Gulf Restoration Network filed a federal civil suit in 2008 over Miller's actions.

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