



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Justin Giambalvo
RaceTrac, Inc

Published: October 17, 2025
Expires: November 17, 2025

**Mobile District
Permit Application No. SAM-2013-00944-CAA**

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
(USACE)**

**MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY OFFICE OF POLLUTION
CONTROL (MDEQ)**

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). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Justin Giambalvo
RaceTrac, Inc
200 Galleria Parkway South East
Suite 900
Atlanta, Georgia 30339

AGENT: Michael J Henry
Hydrik
2323 Highway 190 East
Suite 2
Hammond, Louisiana 70401

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Mixons Creek. The project/review area is located on the North side of US Highway 98, 500 feet Northwest of the intersection of US Highway 98 and Jackson Rd in Section 9, Township 4 South, Range 14 West; at Latitude 31.320284 and Longitude -89.400723; in Hattiesburg, Forrest County, Mississippi.

EXISTING CONDITIONS: The approximately 11.85-acre parcel features a mixture of undeveloped forestland. The site is wooded with mature trees and dense shrubs. There are no structures currently on the parcel. Aquatic resources on site include forested wetlands.

PROJECT PURPOSE:

Basic: The Corps has determined that the basic project purpose is fuel services.

Overall: The Corps has determined that the overall project purpose is to increase fuel and rest service capacity for vehicles in Forrest County.

PROPOSED WORK: The applicant requests authorization to discharge fill material within waters of the US for the construction of a RaceTrac retail store/fuel store and supporting infrastructure, including sanitary sewer, parking, dumpster, detention ponds, and drainage improvements. Approximately 30,000 cubic yards of clean earthen fill would be placed within 2.5 acres of forested wetlands and 0.25 acre of forested wetlands would be excavated for the retail store/fuel store and supporting infrastructure, including sanitary sewer, parking, dumpster, detention ponds, and drainage improvements.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Wetland impacts associated with the proposed RaceTrac development in Hattiesburg, Mississippi, cannot be further reduced due to a combination of design, access, grading, and regulatory constraints inherent to the site and the project purpose. The development is designed for a full-service commercial fueling and convenience center, including a 6,100-square-foot main building, tractor-trailer wash, scales, parking, stormwater detention, and required circulation areas. The site totals approximately 11.85 acres, of which 2.75 acres are forested wetlands. The Corps has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to purchase credits through a USACE approved mitigation bank prior to the discharge of fill material into waters of the United States. The Corps has not verified the adequacy of the applicant's mitigation proposal at this time.

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. Preliminary review of the USFWS IPaC indicates the following species have the potential to occur in the vicinity of the proposed project: alligator snapping turtle, black pinesnake, gopher tortoise, monarch butterfly, and tricolored bat.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

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.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

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 applicant will apply for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the required advertising and public comment review, a determination relative to water quality certification will be made by the MDEQ.

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.

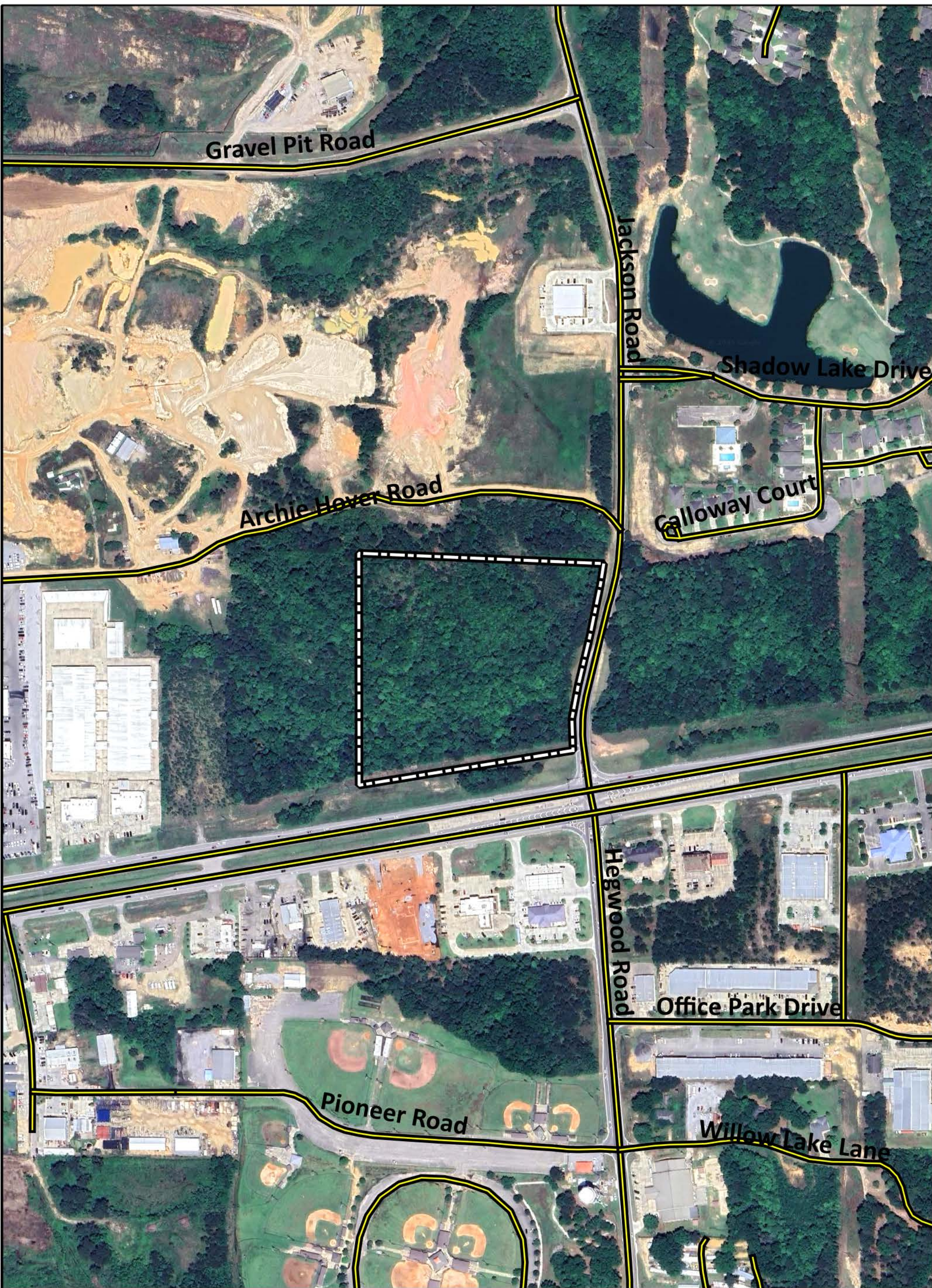
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 November 17, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Alexi Archer at Cristin.A.Archer@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Alexi Archer, Post Office Box 2288, Mobile, Alabama 36628. Copies of all comments should be furnished to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 2261, Jackson, Mississippi 39530. Please refer to the permit application number in your comments.

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.



11.85 ACRES
HATTIESBURG, MISSISSIPPI
FORREST COUNTY
NAD 1983 MSP EAST FIPS 2301
SITE CNTR: 31.320284,-89.400723

200 0 200 400 600 800 FT

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH



RGB AERIAL

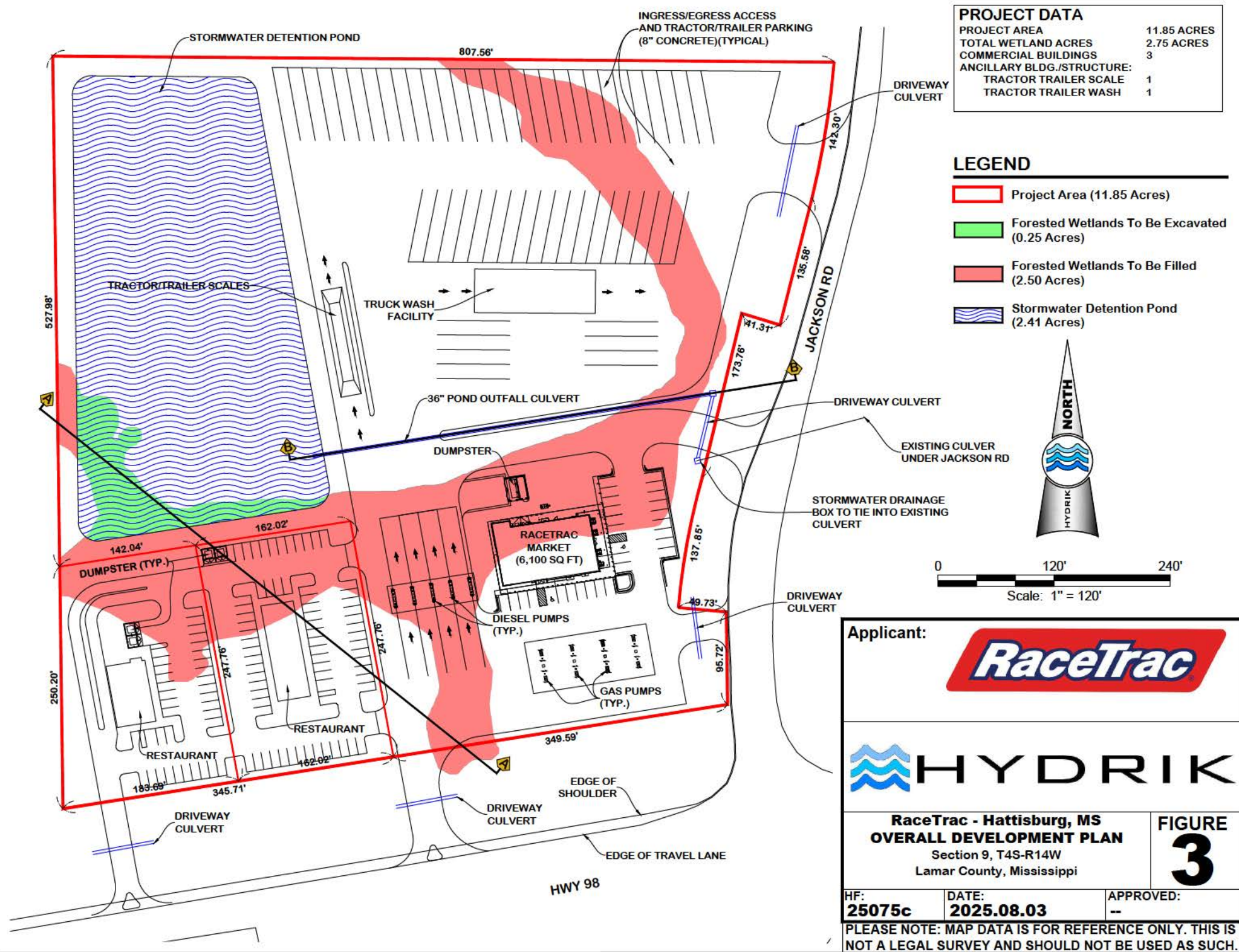
RaceTrac

FIGURE 1B

HF:25075C

DATE:083125

 **HYDRIK**



PROJECT DATA	
PROJECT AREA	11.85 ACRES
TOTAL WETLAND ACRES	2.75 ACRES
COMMERCIAL BUILDINGS	3
ANCILLARY BLDG./STRUCTURE:	
TRACTOR TRAILER SCALE	1
TRACTOR TRAILER WASH	1

- LEGEND**
- Project Area (11.85 Acres)
 - Forested Wetlands To Be Excavated (0.25 Acres)
 - Forested Wetlands To Be Filled (2.50 Acres)
 - Stormwater Detention Pond (2.41 Acres)

NORTH

HYDRİK

0

120'

240'

Scale: 1" = 120'

Applicant:

HYDRİK

RaceTrac - Hattisburg, MS
OVERALL DEVELOPMENT PLAN
Section 9, T4S-R14W
Lamar County, Mississippi

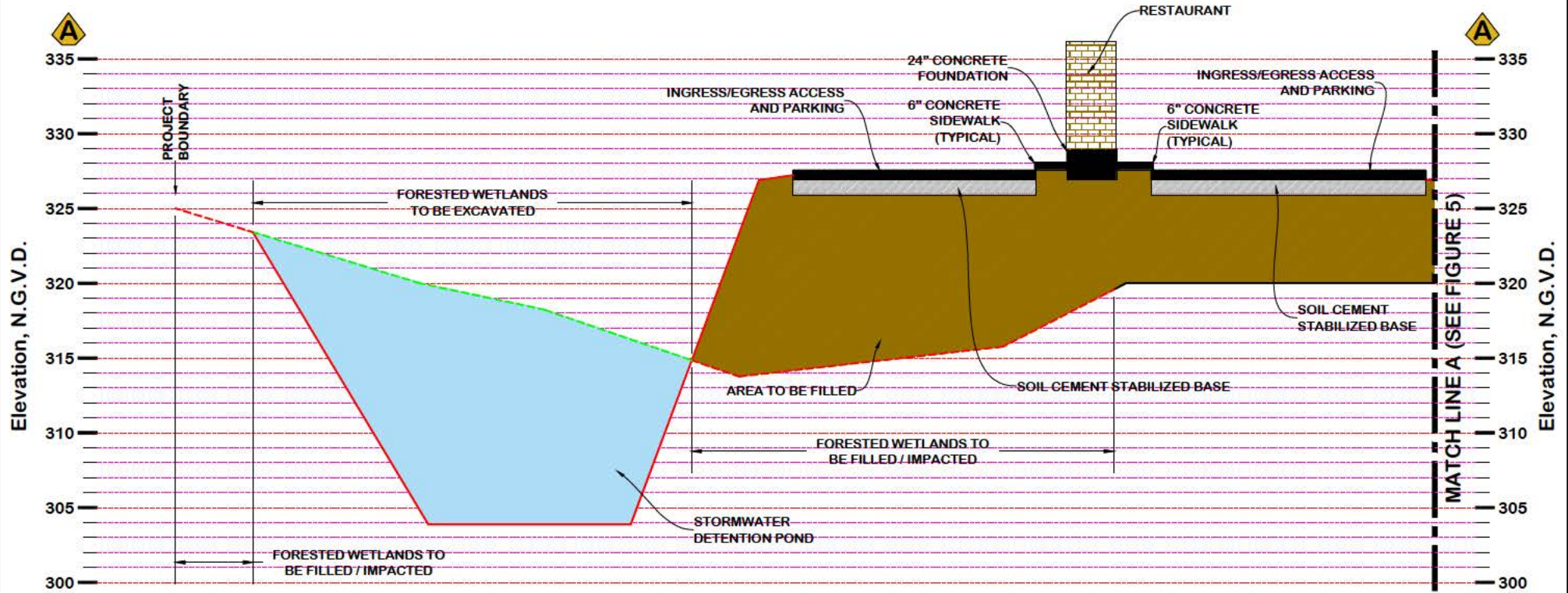
FIGURE 3

HF: 25075c

DATE: 2025.08.03

APPROVED: --

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.



LEGEND

- Concrete
- Soil Cement Base
- Proposed Fill
- Area To Be Excavated

- Existing Non-Wetland Natural Ground
- Proposed Grade
- Forested Wetlands To Be Filled / Impacted
- Forested Wetlands To Be Excavated



HF:
25075c

DATE:
2025.08.03

APPROVED:
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Applicant:



RaceTrac - Hattisburg, MS
Section 9, T4S-R14W
Lamar County, Mississippi

FIGURE

4