



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

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**Mobile District  
Permit Application  
No. SAM-2026-01292**

Published: July 29, 2026  
Expires: August 28, 2026

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**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**  
**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF**  
**POLLUTION CONTROL (MDEQ) AND**  
**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES (MDMR)**

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), Mobile District has received an application for a Department of the Army (DA) 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 and information necessary to evaluate the probable impact on the public interest regarding the proposed activity as described below and as shown on the enclosed drawings.

**APPLICANT:** Culbertson & Sons, LLC  
P.O. Box 7178  
D'Iberville, MS 39540

**AGENT:** Mitch Tinsley  
Ecological Asset Management, LLC  
530 Main Street  
Suite B  
Bay St. Louis, MS 39520

**LOCATION OF PROPOSED ACTIVITY:** The proposed activity would affect waters of the United States associated with an unnamed tributary to the Tchoutacabouffa River. The project/review area is located on the North side of Interstate 10, 600 feet East of Cedar Lake Road in Section 7, Township 7 South, Range 9 West; at Latitude 30.449238 and Longitude -88.928049; in Biloxi, Harrison County, Mississippi.

**PROPOSED ACTIVITY:** The applicant is requesting a DA permit to fill approximately 3.69 acres of medium quality wetlands to construct a car dealership, detail shop, and service center. The proposed commercial development would include 483 parking spots, roads, building pads and associated utilities. The purpose of the project as stated by the applicant is to construct a car dealership to meet the demands for automotive retail and maintenance services in Biloxi and surrounding areas.

**MITIGATION:** The applicant has provided the following information to explain how impacts to waters of the United States associated with the proposed activity are to be avoided, minimized, and compensated for. The project layout was designed to avoid as

much jurisdictional wetlands as possible and utilize onsite uplands to the maximum extent possible. The project site contains approximately 7.81 acres of jurisdictional wetlands, of which approximately 4.12 acres would be avoided and a stream running north/south on the eastern portion of the property would also be avoided. For impacts to 3.69 acres of medium-quality wetlands, the applicant is proposing compensatory mitigation through the purchase of wetland mitigation credits from an approved mitigation bank. Additionally, Best Management Practices (BMPs) would be employed to ensure fill material would not contaminate surrounding wetlands and/or other waters of the U.S.

The USACE will determine the type and amount of compensatory mitigation necessary to offset losses of waters of the United States which may result from the proposed activity in accordance with 33 CFR § 332.

**HISTORIC PROPERTIES/CULTURAL RESOURCES:** Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), requires Federal agencies to consult with the appropriate State and/or Tribal Historic Preservation Officers to take into account the effects of actions they undertake or permit on historic properties listed in or eligible for listing in the National Register of Historic Places.

The USACE 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.

The USACE's final eligibility and effect 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, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the USACE-identified permit area.

**ENDANGERED SPECIES:** Section 7 of the Endangered Species Act (ESA) (16 U.S.C. § 1536) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or that may adversely modify designated critical habitat (or critical habitat proposed such designation). Preliminary review of this application and the 2025 Standard Local Operating Procedures Endangered Species (SLOPES) indicate the following federally listed species or species proposed for listing have the potential to occur in the action area: Eastern Black Bird (T), MS Sandhill Crane (E), Red-cockaded Woodpecker (T), Alabama Red-Bellied Turtle (E), Black Pine Snake (T), Dusky Gopher Frog (E), Gopher Tortoise (T), Alligator Snapping Turtle (PT) and Louisiana Quillwort (E).

This notice serves as request to the USFWS 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 of 1899 (33 U.S.C. § 408) because the activity, in whole or in part, would not alter, occupy, or use a USACE Civil Works project.

**WATER QUALITY CERTIFICATION:** An Individual Water Quality Certification may be required from MDEQ pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341).

The Clean Water Act (CWA) Section 401 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.

**COASTAL ZONE MANAGEMENT:** The applicant has applied for Coastal Zone Management (CZM) consistency from the Mississippi Department of Marine Resources in accordance with the State Coastal Zone Management Program under DMR26-000333.

**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 USACE jurisdiction has not been verified by USACE personnel.

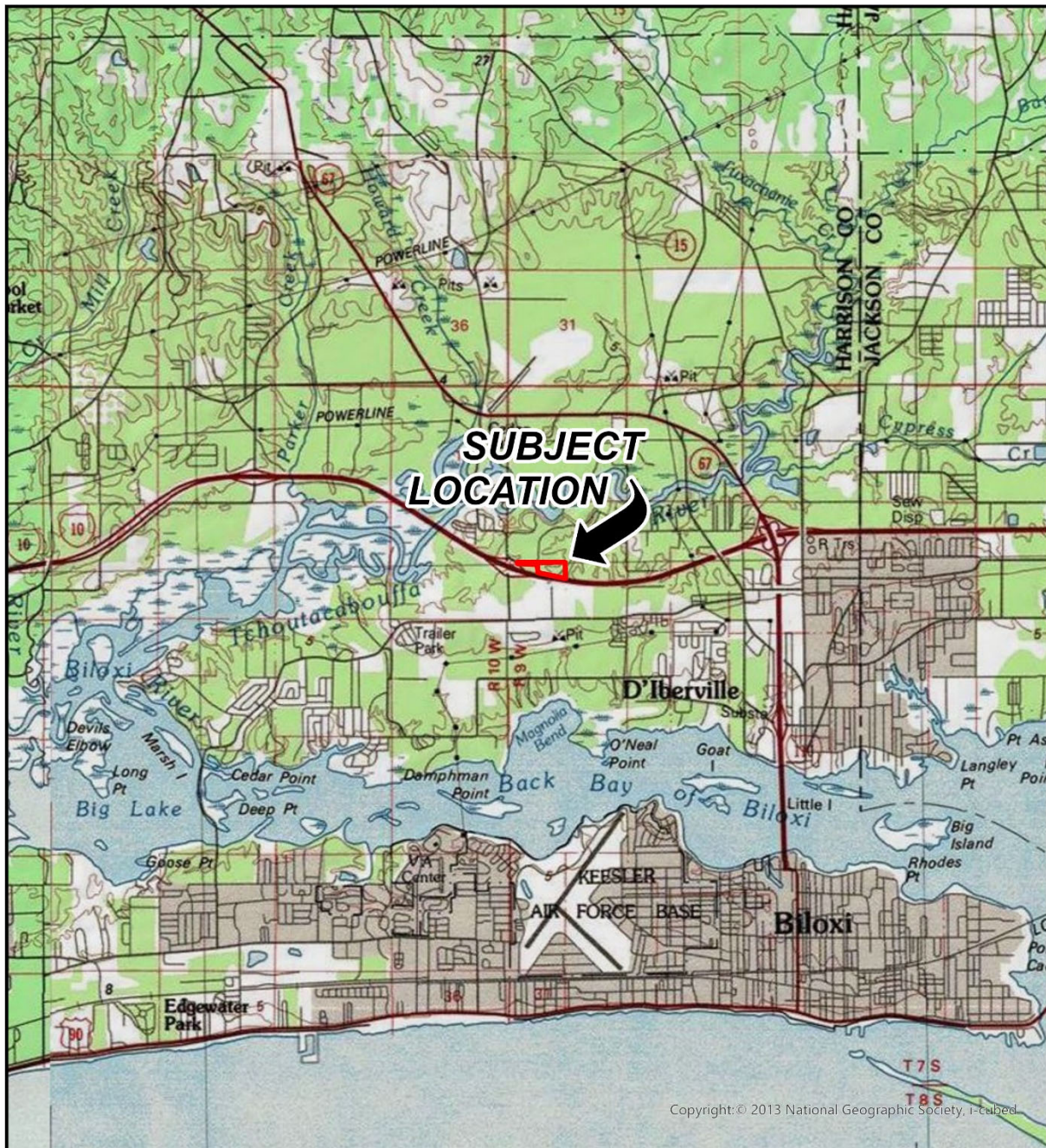
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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, aesthetics, 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, Environmental Protection Agency (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 USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Tribal Nations; 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 proposed activity. 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 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 comments or objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested permit. Please note that all comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act.

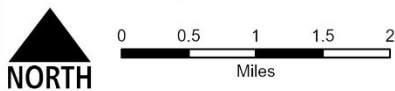
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless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

The Mobile District will receive written comments on the proposed activity, as outlined above, until August 28, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs/public-notice>. Alternatively, you may submit comments to Maryellen Farmer at [maryellen.j.farmer@usace.army.mil](mailto:maryellen.j.farmer@usace.army.mil) or U.S. Army Corps of Engineers, Mobile District, Attention: Maryellen Farmer, 100 Canal Street, Mobile, AL 36602-1901. 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. Please refer to **"SAM-2026-01292"** in your comments.





**FIGURE 1** Purpose: Permit Drawing  
 Base Map: ESRI USA Topo Maps  
 Source: USGS, NGS, i-cubed  
 Map Date: June 2, 2026



### PROJECT LOCATION MAP



ECOLOGICAL  
ASSET  
MANAGEMENT, LLC

### Permit Drawing for Auto Dealership near Cedar Lake Road & I10

Location: D'Iberville, MS  
 Portion of Section 7;  
 Township 7-South; Range 9-West  
 County: Harrison County, MS

Figure 1. Project Location

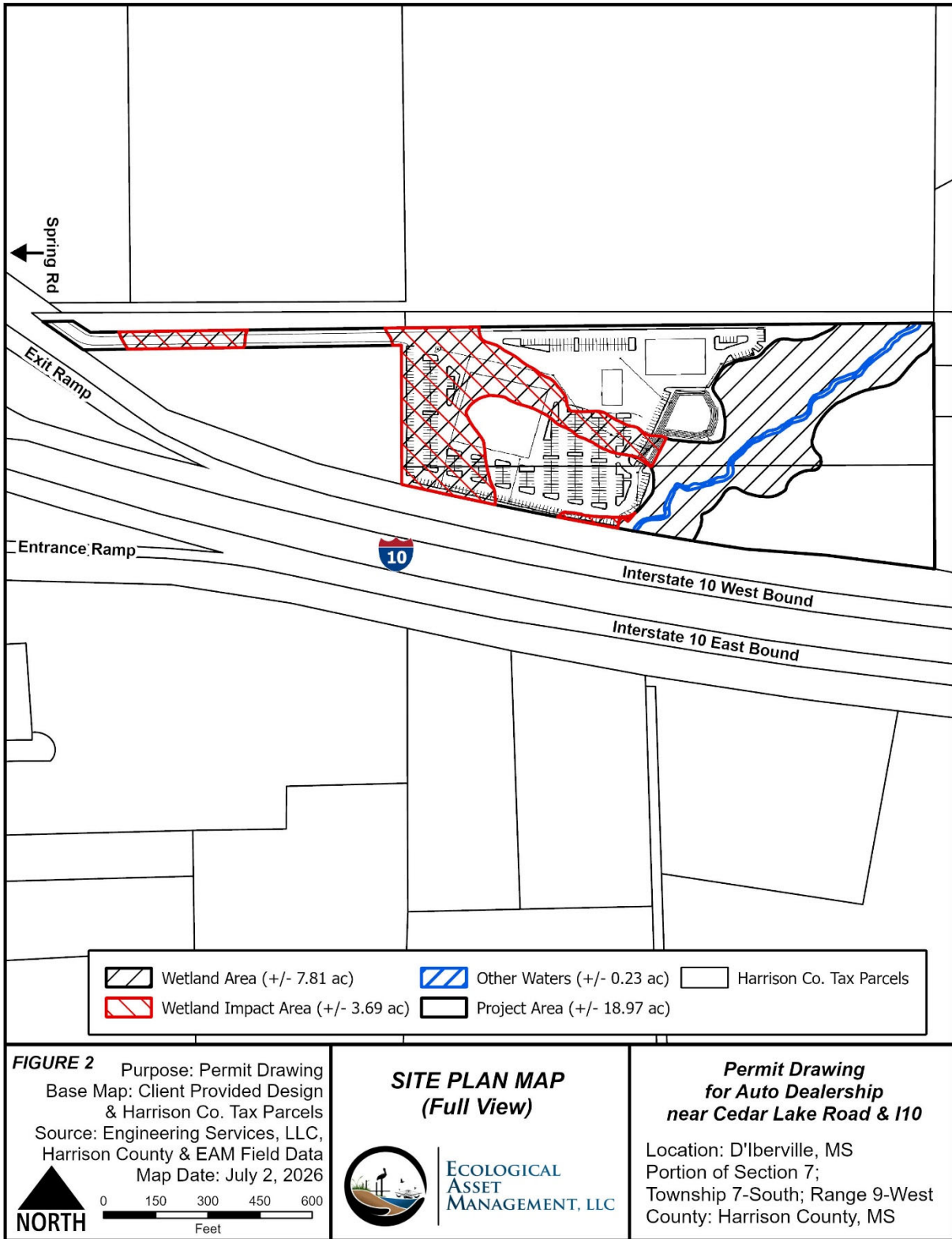


Figure 2. Existing Site Plan



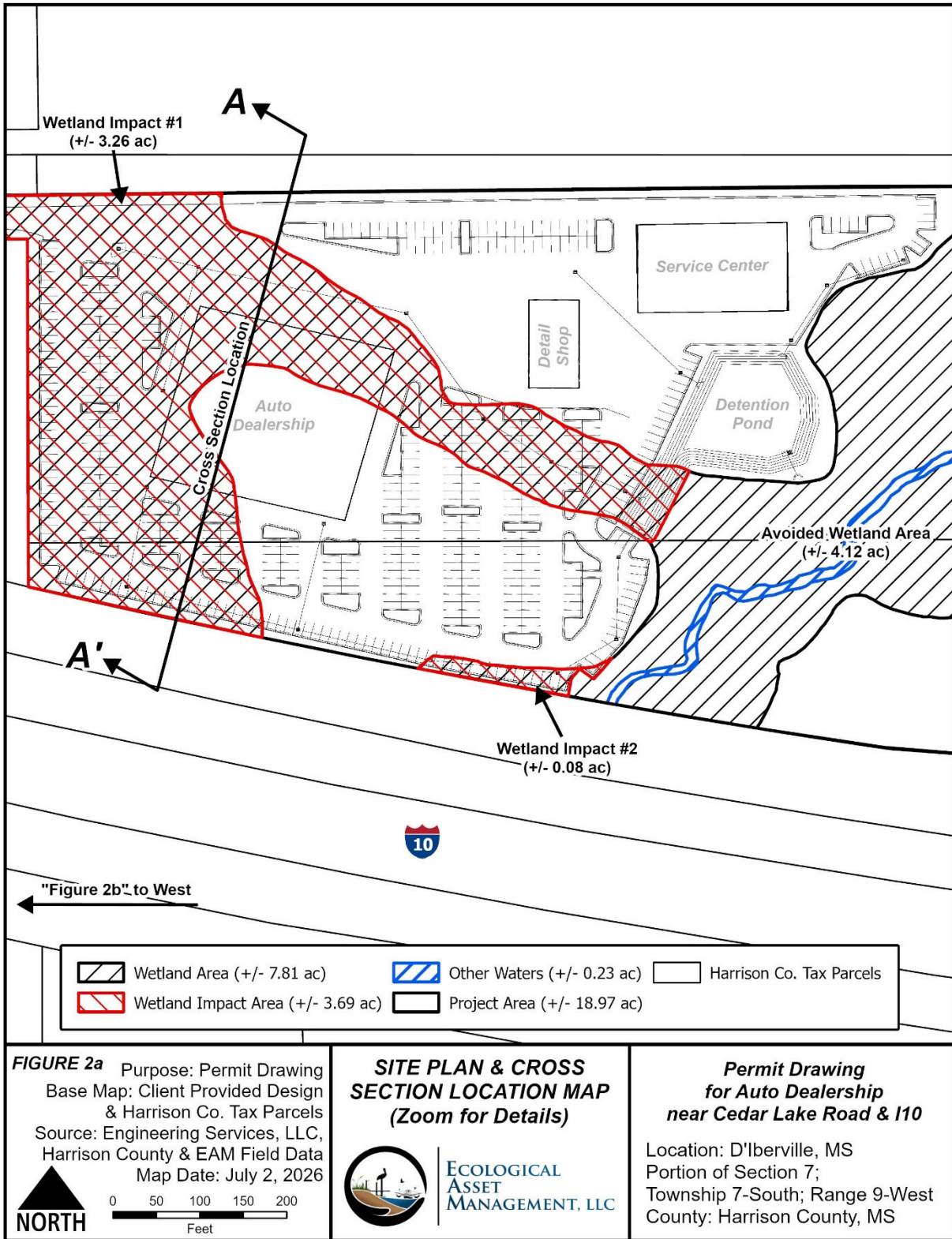


Figure 2a. Existing Site Plan & Cross Section Location (Zoom for Details)

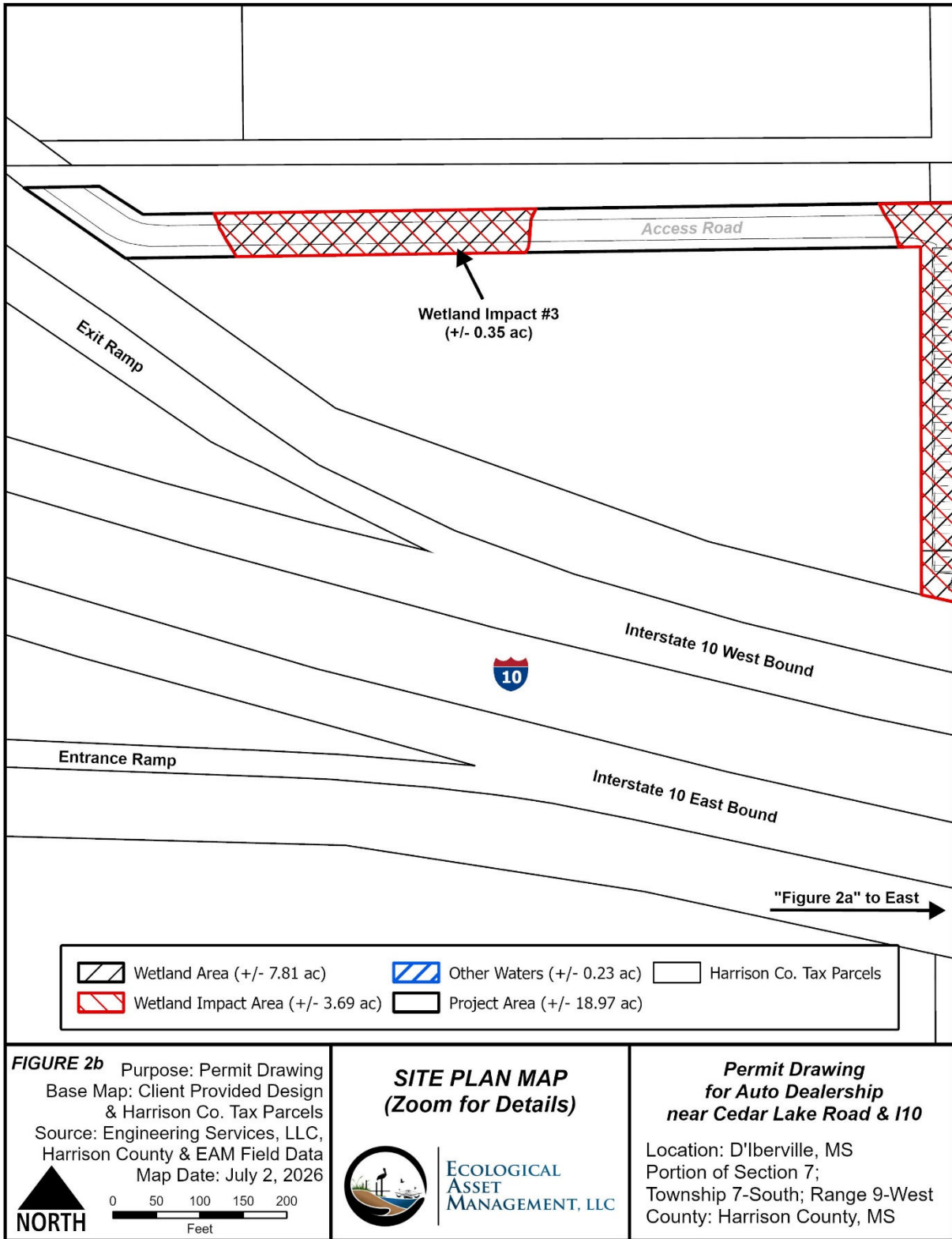


Figure 2b. Existing Site Plan (Zoom for Details)



