



US Army Corps  
of Engineers®

# PUBLIC NOTICE

Applicant:  
Kent Nicaud  
1411 E. Beach Blvd., LLC

Published: February 20, 2026  
Expires: March 23, 2026

**Mobile District**  
**Permit Application No. SAM-2025-00044-DCH**  
**Joint Public Notice: U.S. Army Corps of Engineers (USACE),**  
**Mississippi Department of Environmental Quality Office of**  
**Pollution Control (MDEQ), and Mississippi Department of**  
**Marine Resources (MDMR) (DMR26-000051)**

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) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Kent Nicaud  
1411 E. Beach Blvd., LLC  
849 E. Scenic Drive  
Pass Christian, MS 39571

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

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with the Mississippi Sound. The project/review area is located on the north side of East Beach Blvd, 1.2 miles/feet east of the intersection of East Beach Blvd and Menge Avenue in 21 Section, 8S Township, 12W Range; at Latitude 30.330299 ° North and Longitude 89.196512° West; in Pass Christian, Harrison County, Mississippi.

**EXISTING CONDITIONS:** The 12.5-acre review area is comprised of three undeveloped parcels located north of East Beach Blvd. The review area includes 5.49 acres of low quality, bottomland hardwood wetlands. The surrounding area includes residential developments and the Mississippi Sound.

## **PROJECT PURPOSE:**

**Basic:** The Corps has determined that the basic purpose of the proposed project is to construct a single-family residential subdivision.

**Overall:** The Corps has determined that the overall purpose of the proposed project is to construct a single-family residential subdivision to meet rising demands within the Pass Christian School District.

**PROPOSED WORK:** The applicant requests authorization to discharge fill material into 5.33 acres of low quality, bottomland hardwood wetlands for the construction of a 50-lot residential subdivision.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The proposed design avoids 10 feet of wetlands along the rear lot lines and 5 feet of wetlands behind 3 lots along the northeastern boundary. No fill material will be placed in the avoided areas.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to purchase offsite wetland mitigation credits from an approved mitigation bank in the state of Mississippi.

**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), National Marine Fisheries Service (NMFS) SERO Section 7 Mapper, and the NMFS Critical Habitat Mapper were used to determine if any threatened, endangered, proposed, or candidate species, and/or any proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

<b>Species Common Name and/or Critical Habitat Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>	<b>USACE Effect Determination</b>
Alabama Red-Bellied Turtle	Pseudemys alabamensis	Endangered	No Effect

Dusky Gopher Frog	<i>Rana sevosa</i>	Endangered	No Effect
Eastern Black Rail	<i>Laterallus jamaicensis ssp. jamaicensis</i>	Threatened	No Effect
Gopher Tortoise	<i>Gopherus polyphemus</i>	Threatened	No Effect
Gulf Sturgeon (CH)	<i>Acipenser oxyrinchus</i>	Threatened	No Effect
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened	No Effect
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	Endangered	No Effect
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered	No Effect
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Endangered	No Effect
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened	No Effect
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	No Effect
Piping Plover (CH)	<i>Charadrius melodus</i>	Threatened	No Effect
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened	No Effect
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	No Effect
West Indian Manatee	<i>Trichechus manatus</i>	Threatened	No Effect

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries 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.

**ESSENTIAL FISH HABITAT:** Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). No essential fish habitat will be impacted as all fill material will be placed above the mean high tide line. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

**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 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.

The Clean Water Act (CWA) Section 401 Certification Rule (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.

**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 March 20, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Sarah Piesco at [sarah.m.piesco@usace.army.mil](mailto:sarah.m.piesco@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Sarah Piesco, 100 Canal Street Mobile AL 36611. 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 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.

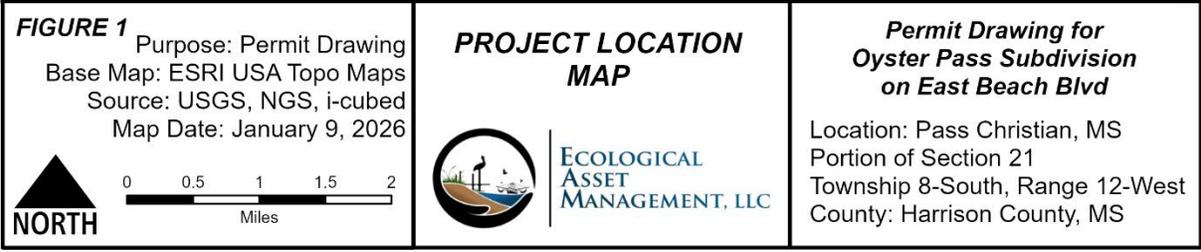
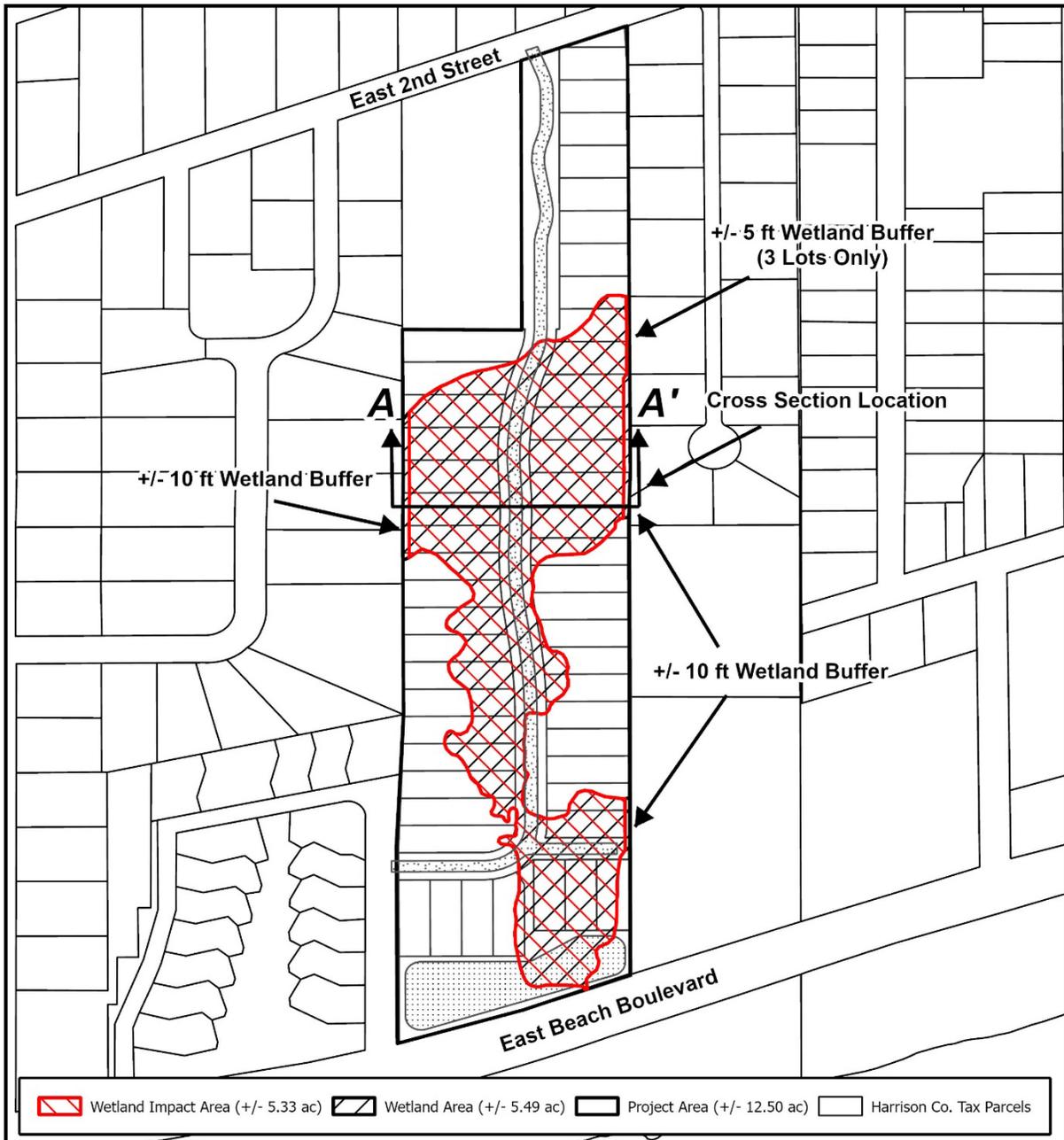
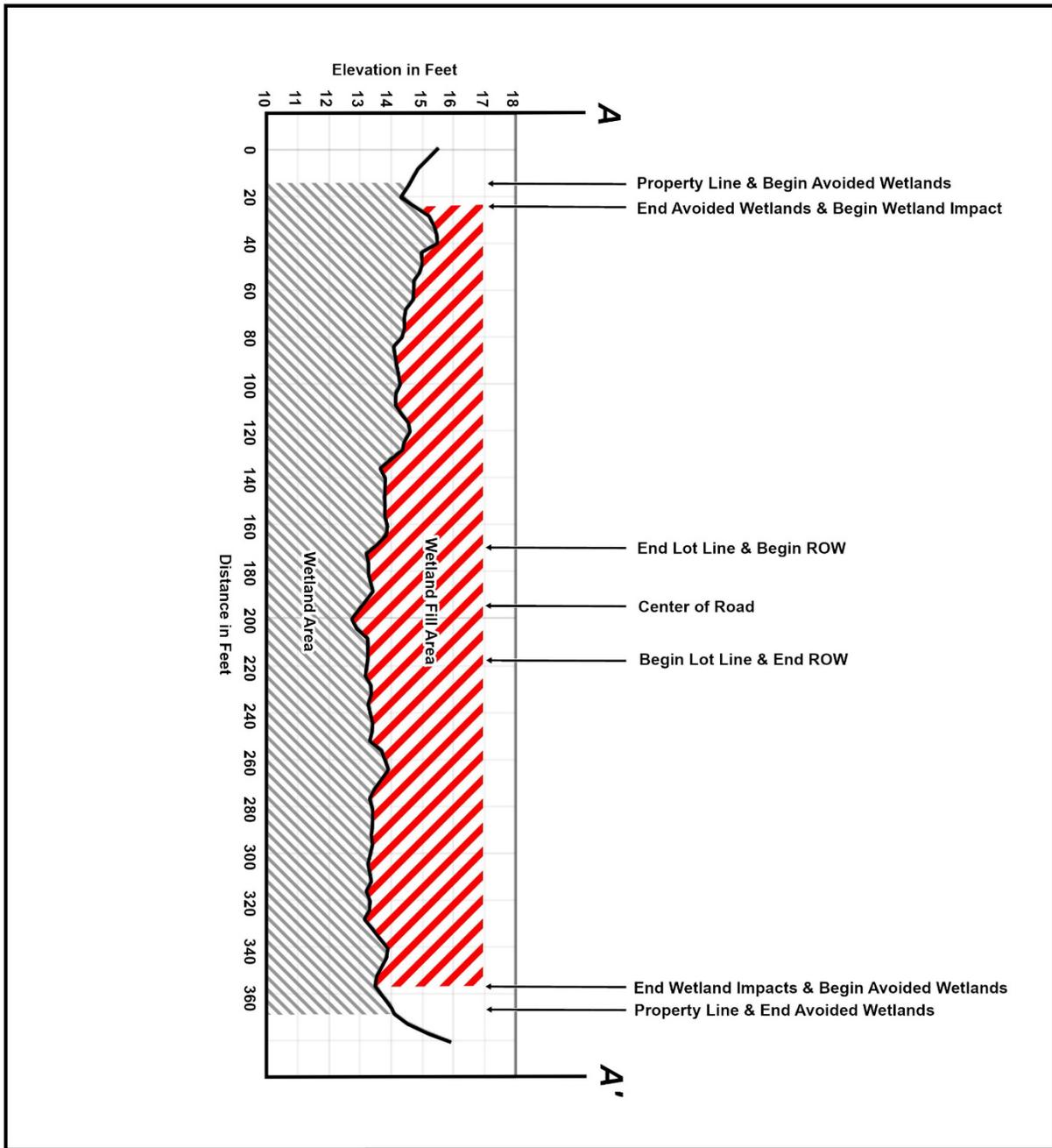


Figure 1. Project Location



<p><b>FIGURE 2</b> Purpose: Permit Drawing          Base Map: Phelan Engineering, LLC          Source: Phelan Engineering, LLC          &amp; EAM Field Data          Map Date: January 9, 2026</p> <p><b>NORTH</b></p> <p>0 100 200 300 400          Feet</p>	<p><b>SITE PLAN &amp; CROSS SECTION LOCATION MAP</b></p> <p><b>ECOLOGICAL ASSET MANAGEMENT, LLC</b></p>	<p><b>Permit Drawing for Oyster Pass Subdivision on East Beach Blvd</b></p> <p>Location: Pass Christian, MS          Portion of Section 21          Township 8-South, Range 12-West          County: Harrison County, MS</p>
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Figure 2. Existing Site Plan & Cross Section Location



**FIGURE 3** Purpose: Permit Drawing  
 Base Map: USGS (2014) LiDAR  
 Digital Elevation Model  
 Source: MARIS & EAM  
 Map Date: January 9, 2026

**NORTH**

**SCALE: As Shown**

**CROSS SECTION  
DRAWING**



**ECOLOGICAL  
ASSET  
MANAGEMENT, LLC**

**Permit Drawing for  
Oyster Pass Subdivision  
on East Beach Blvd**

Location: Pass Christian, MS  
 Portion of Section 21  
 Township 8-South, Range 12-West  
 County: Harrison County, MS

Figure 3. Typical Cross Section Drawing