



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

CESAM-RD-M
PUBLIC NOTICE NO. SAM-2012-00179-MJF

June 29, 2023

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL (MDEQ) (WQC2012087)

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
DMR-130058

PERMIT MODIFICATION FOR ADDITIONAL IMPACTS TO INCLUDE PLACEMENT OF
FILL IN WETLANDS ASSOCIATED WITH THE CONSTRUCTION OF A CAR
DEALERSHIP, JACKSON 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: Chief Seven, LLC
Attention: Mr. Gary Dodson
5000 Meridian Blvd., Suite 700
Franklin, Tennessee 37067
gary@chiefautogroup.com

WATERWAY AND LOCATION: In wetlands associated with the Escatawpa River, Section 18, Township 7 South, Range 5 West, City of Moss Point, Jackson County, Mississippi. Latitude: 30.432859° N; Longitude: -88.523283°W.

PROPOSED WORK: The applicant is requesting a permit modification to place fill material in an additional 3.11 acres of jurisdictional wetlands for the construction of a car dealership. The original permit (SAM-2012-00179-MJF) was issued on April 24, 2018, to place fill in 6.57 acres of wetlands and required the purchase of 13.14 mitigation credits. The permitted work and required mitigation has been completed. The permit was modified on February 2, 2017, to extend the expiration date from April 24, 2018, to April 24, 2023. A second permit modification was issued June 19, 2019, to add an additional 2.37 acres of fill material to accommodate the required stormwater management basins. Additional mitigation was also required. This permitted work and mitigation for Modification #2 has also been completed. A transfer of ownership was requested and completed January 5, 2023, from Mr. Marshall Smith to Chief Seven, LLC. The current applicant is requesting the additional fill in order to accommodate an expanded car dealership layout. The original project would

accommodate one dealership with approximately 350 spaces for automobiles, an office center, showroom and service center. The new applicant handles Chevrolet, Dodge and Jeep brands and requires two separate showrooms and service centers, approximately 600 spaces for automobiles, as well as the required stormwater management basins.

The applicant has applied for a permit modification to their coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. (DMR-130058)

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. As of the date of this public notice, the applicant has not submitted a certification request to the Mississippi Department of Environmental Quality (certifying authority).

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (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, historic 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, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers 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 of Engineers 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 to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

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 affect historic properties. In accordance with Appendix C of 33 CFR 325, the Corps has determined the permit area consists of the entire subject parcel. The National Register of Historic Places will be consulted for properties listed, or eligible for listing, in the National Register, which are known to exist and would be affected by the proposed work. The Mobile District is seeking comment from the State Historic Preservation Officer regarding the existence, or the potential for existence, of significant cultural and historic properties within the permit area. By letter dated September 28, 2012, the Mississippi Department of Archives and History (MDAH) stated no cultural resources are likely to be affected and therefore, they had no objection with the proposed undertaking (**MDAH Project Log #09-014-12**).

Preliminary review of this application, the U.S. Department of the Interior's List of Endangered and Threatened Wildlife and Plants and the National Marine Fisheries Service list of Mississippi's Threatened and Endangered Species indicate the following federally-listed species are known or expected to occur within the project area: the Gopher Tortoise (T) (*Gopherus polyphemus*), the Louisiana Quillwort (E) (*Isoetes louisianensis*), the Dusky Gopher Frog (E) (*Rana sevosa*), the Alabama Red-Belly Turtle (E) (*Pseudemys alabamensis*), the Black Pine Snake (T) (*Pituophis melanoleucus lodingi*), the Yellow-Blotched Map Turtle (T) (*Graptemys flavimaculata*), the Mississippi Sandhill Crane (E) (*Grus Canadensis pulla*), the Eastern Black Rail (*jamaicensis jamaicensis*) (T), and the Wood Stork (*Mycteria americana*) (T). There is no designated critical habitat within the project action area. At this time, the USACE, Mobile District has made no determination with regard to potential effects of the project on the above-listed species. Further coordination with the U.S. Fish and Wildlife Service (USFWS) and NMFS will be performed as determined to be appropriate.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2012-00179-MJF and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: South Mississippi Branch, with a copy 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, in time to be received within **30 days** of the date of this public notice.

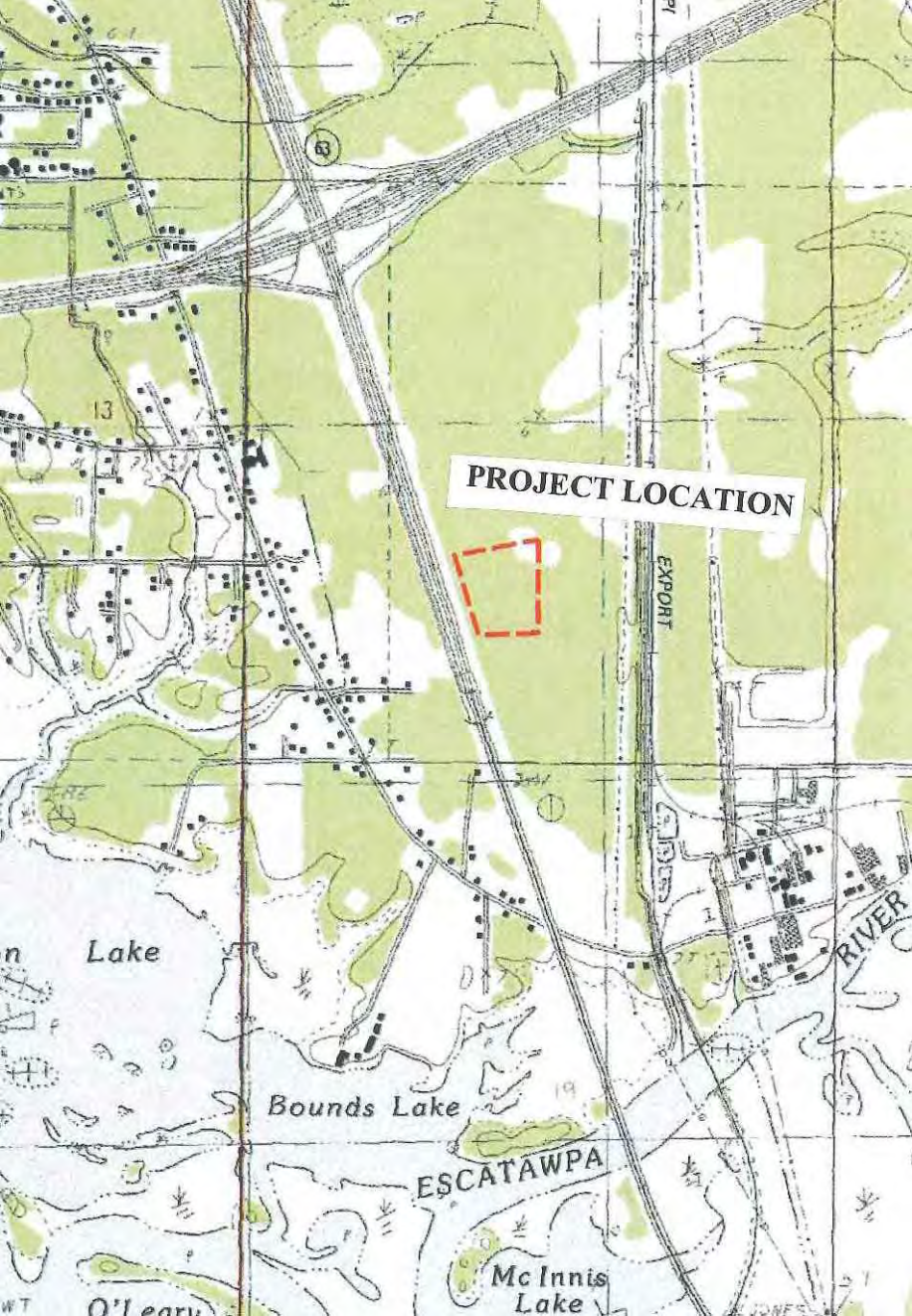
If you have any questions concerning this publication, you may contact the project manager for this application, **Maryellen J. Farmer** (maryellen.j.farmer@usace.army.mil), at (251) 509-6240. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our website at: www.sam.usace.army.mil and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

PROJECT LOCATION



n Lake

Bounds Lake

ESCATAWPA

McInnis Lake

O'Leary

EXPORT

RIVER

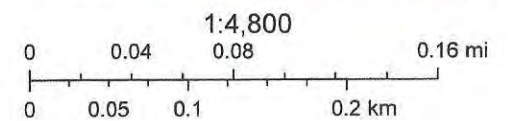
JONES

FIGURE 1. SITE LOCATION CHIEF SEVEN LLC PROPERTY



March 22, 2023

- Parcels
- Primary Roads
- Major
- Center Lines



Jackson County GIS, 1

FIGURE 1. PROPOSED CHIEF SEVEN LLC
CHEVEROLET/DODGE/JEEP DEALERSHIP
MOSS POINT, MISSISSIPPI

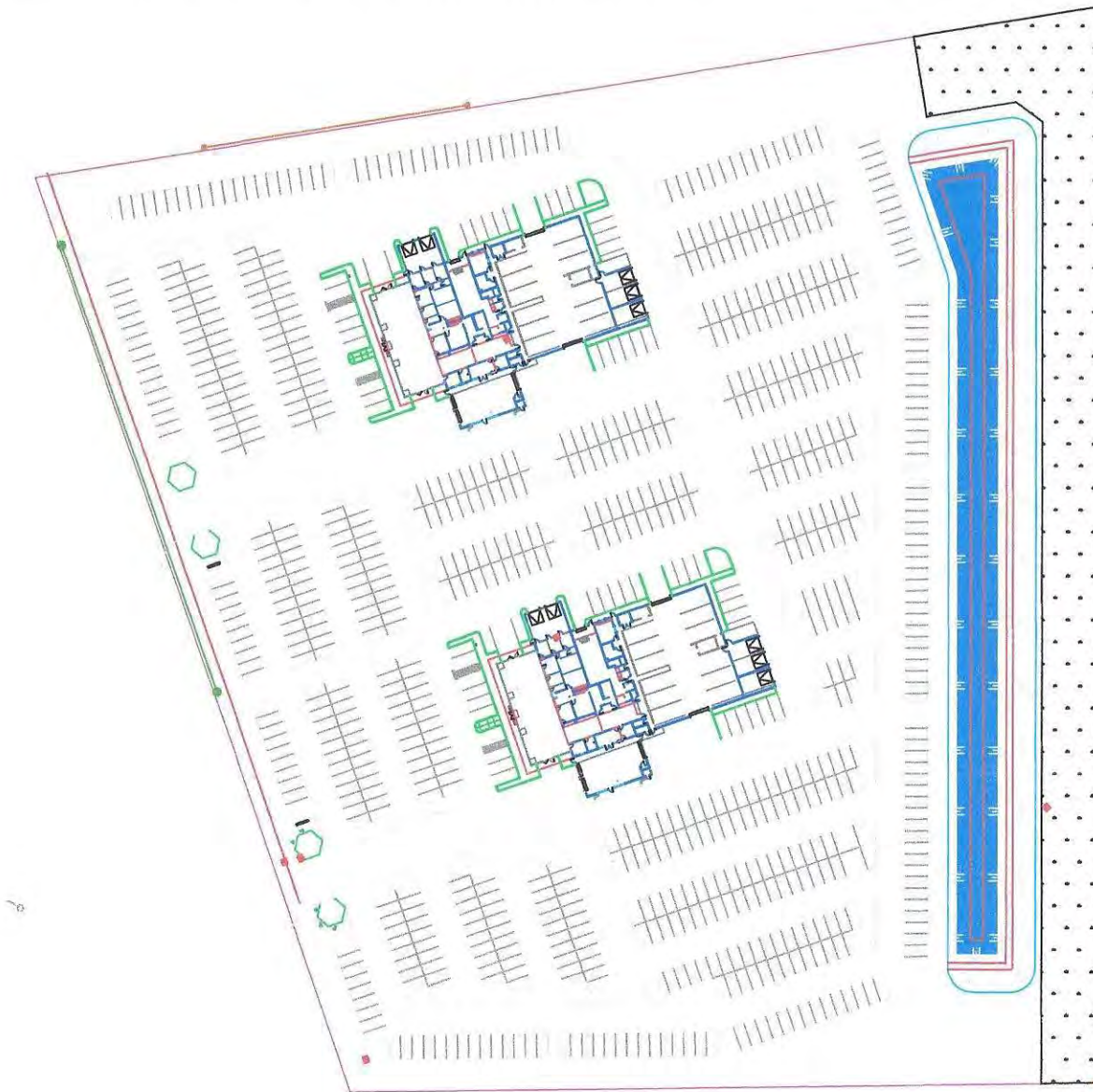
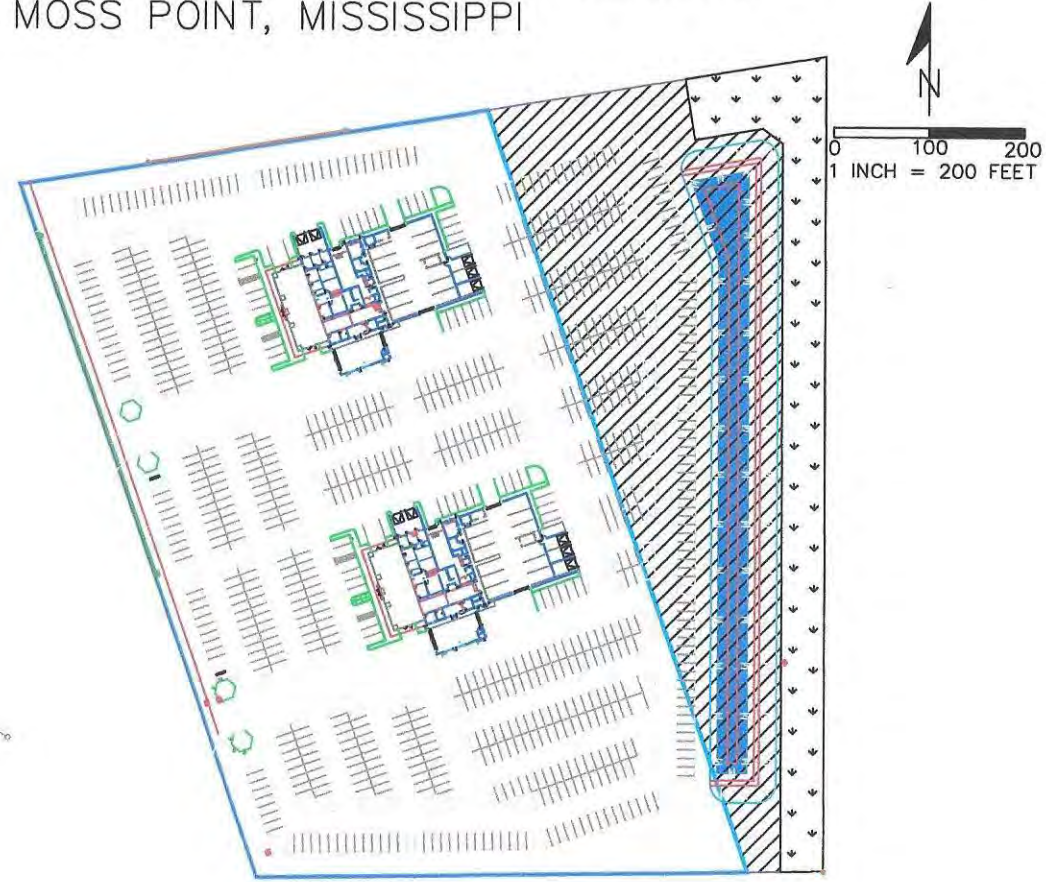

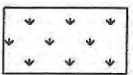


FIGURE 2. PROPOSED WETLAND IMPACT MAP
CHEVEROLET/DODGE/JEEP DEALERSHIP
MOSS POINT, MISSISSIPPI



WETLAND IMPACT — 3.11 ACRES 

AVOIDED WETLANDS — 1.02 ACRE 

NORTH
SCALE: 1" = 500'

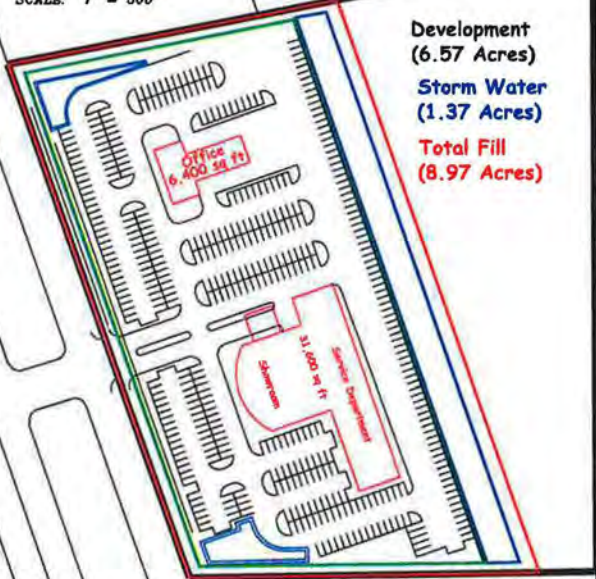


Exhibit 3: Revised Development Plan
Car Dealership Hwy 63
Jackson County, Mississippi

NORTH
SCALE: 1" = 500'

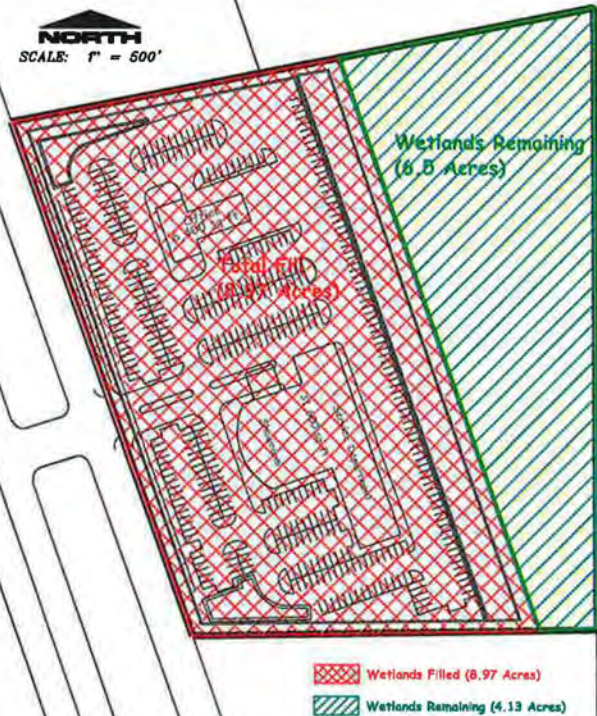


Exhibit 3A: Revised Fill Plan
Car Dealership Hwy 63
Jackson County, Mississippi