



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Joe Cloyd and Chris Eaton
Sawgrass Development, LLC

Published: December 18, 2025
Expires: January 19, 2026

**Mobile District
Permit Application No. SAM-2025-00539-KPJ
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) DMR25-000378**

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: Joe Cloyd and Chris Eaton
Sawgrass Development, LLC
1011 Iberville Drive
Ocean Springs, Mississippi 39564

AGENT: Patrick Mooney
BMA Consulting Engineers
401 Cowan Road
Suite A
Gulfport, Mississippi 39507

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Davis Bayou. The project/review area (Parcel ID: 787.25-04-0001.00M) is located on the North side of Highway 90 (Bienville Boulevard), 0.80 miles west of the intersection of Highway 90 and Highway 57 in Section 25, Township 7 South, Range 8 West; at Latitude 30.405751 and Longitude -88.734184; in Ocean Springs, Jackson County, Mississippi.

EXISTING CONDITIONS: The approximately 16-acre undeveloped parcel is made up of approximately 12.25 acres of pine savanna wetlands. The property was harvested of trees approximately in the 1990's and has since grown back. The surrounding area includes undeveloped, forested land, residential developments, and commercial properties.

PROJECT PURPOSE: As stated by the applicant, the purpose of this project is to create multi-family housing to alleviate pressure in the housing market of Jackson County, Ocean Springs, MS as well as the entire Mississippi Gulf Coast. The development will facilitate the easing of housing pressures as well as grant preferred accommodations for childcare of its patrons.

Basic: The Corps has determined that the basic purpose of the proposed project is to construct a mixed-use development for multi-family housing and commercial businesses.

Overall: The Corps has determined that the overall purpose of the proposed project is to provide multi-family housing and commercial businesses in the Ocean Springs, Jackson County, Mississippi area.

PROPOSED WORK: The applicant requests authorization to place clean fill material into approximately 11.37 acres of pine savannah wetlands associated with the construction of a 216-unit, multi-family housing development, daycare facility, and office spaces for the Ocean Springs, Mississippi area.

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 applicant asserts that avoidance and minimization do not need to occur for this project.

COMPENSATORY MITIGATION: The applicant has not proposed compensatory mitigation for this project. The applicant asserts that the subject wetlands do not meet the SCOTUS definition of jurisdictional wetlands and thus should not require compensatory mitigation.

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 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.

Table 1. ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Alabama red-bellied turtle	<i>Pseudemys alabamensis</i>	Endangered
Dusky Gopher Frog	<i>Rana sevosa</i>	Endangered
Eastern Black Rail	<i>Laterallus jamaicensis</i>	Threatened
Gopher Tortoise	<i>Gopherus polyphemus</i>	Threatened
Louisiana Quillwort	<i>Isoetes louisianensis</i>	Endangered
Mississippi Sandhill Crane	<i>Antigone canadensis pulla</i>	Endangered
Piping Plover	<i>Charadrius melodus</i>	Threatened
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened

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 Corps.

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 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. 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).

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.

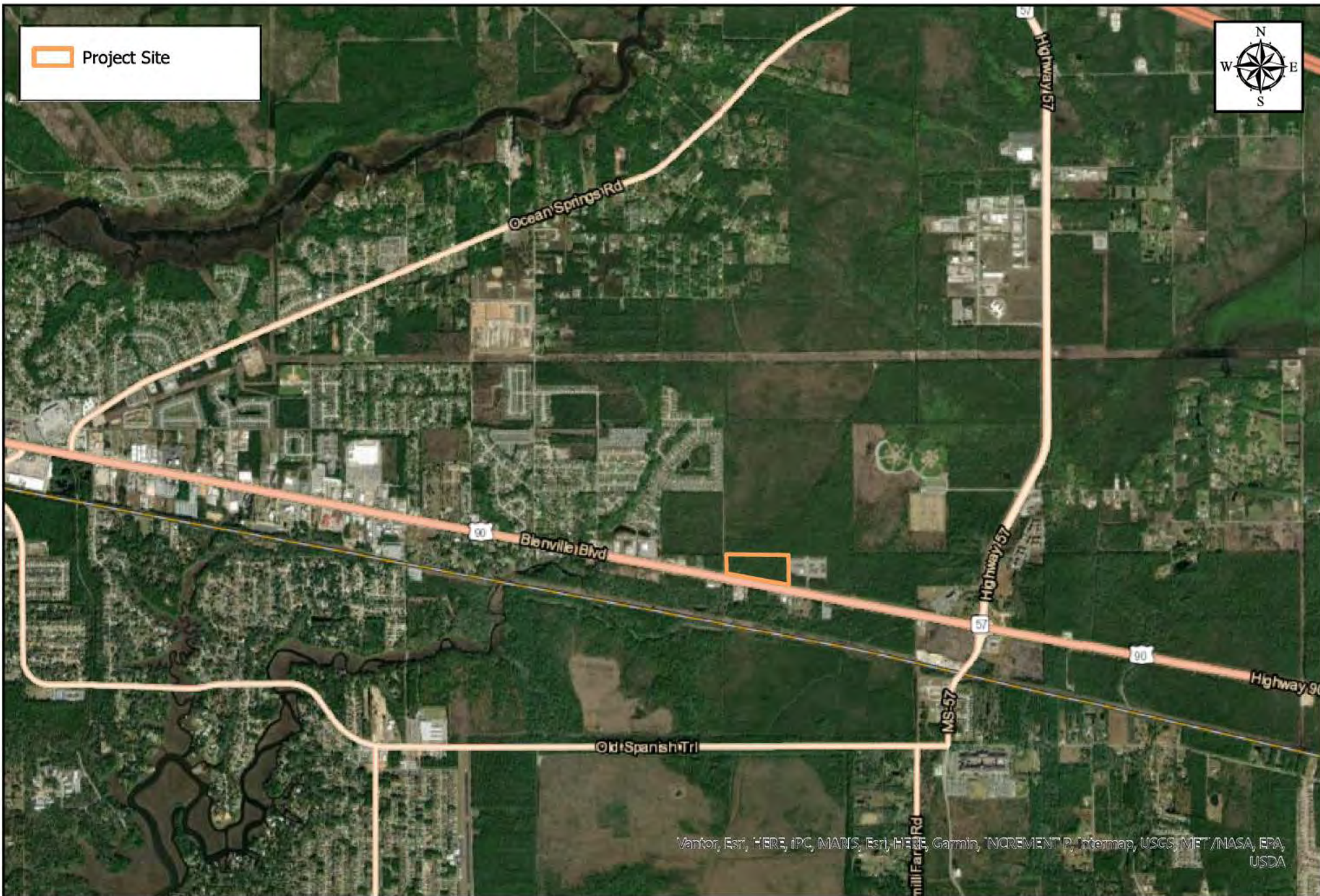
The Mobile District will receive written comments on the proposed work, as outlined above, until January 16, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Karen Jordan at karen.p.jordan@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Karen Jordan, P.O. 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 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.

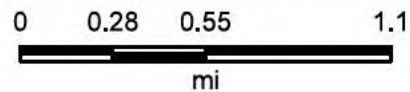
MOBILE DISTRICT
U.S. Army Corps Of Engineers

Attachments

Project Site



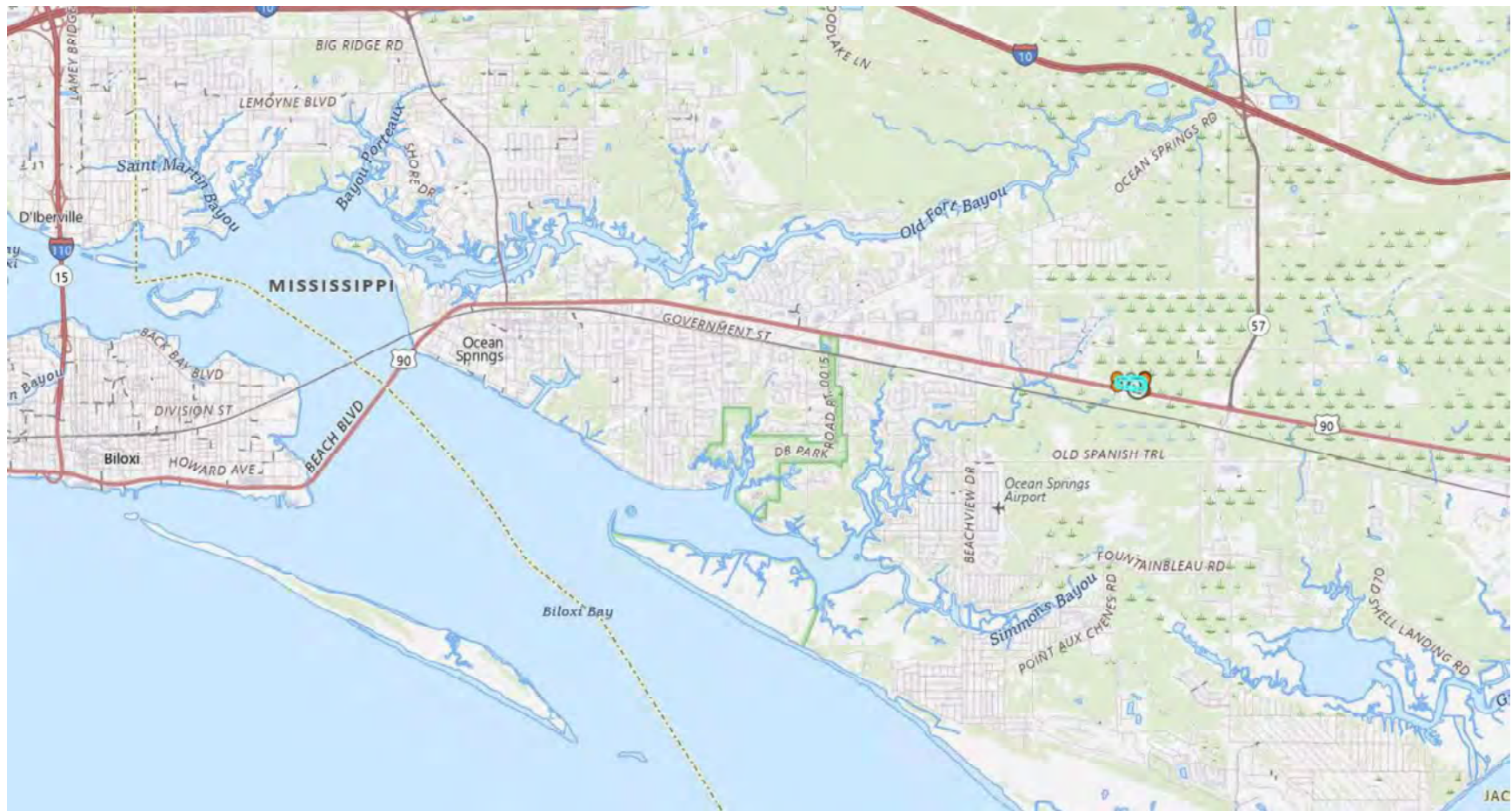
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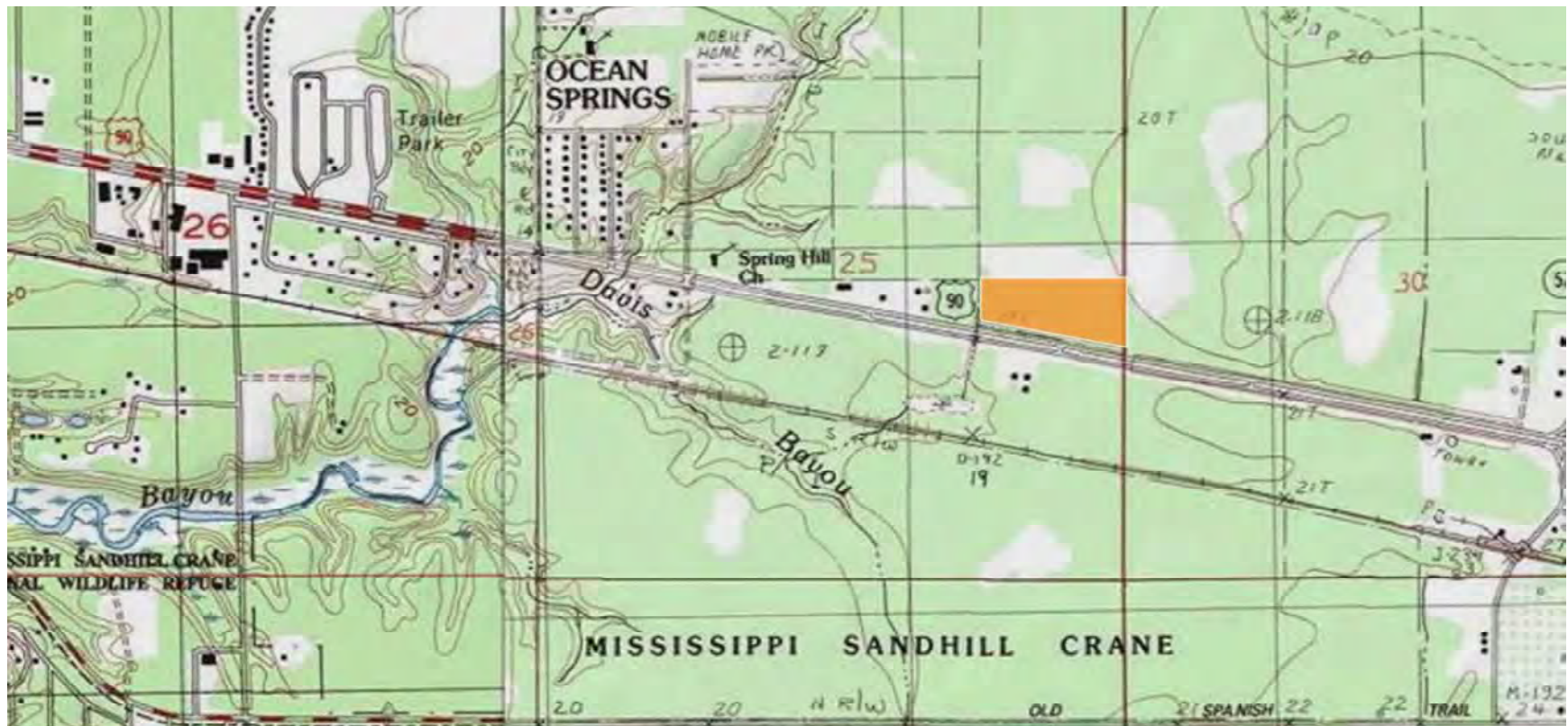
Map Created by: Karen P. Jordan

Date: 12/17/2025

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere



Appendix 1 – Vicinity- The National Map - USGS



Appendix 2 - Site Location- USGS 7.5 minute Series- USA Topo Maps

