

# ENVIRONMENTAL ASSESSMENT

Construction of Eagle Point Park



## **For Information Contact:**

The City of Biloxi, Grant Sponsor

## **Submitted to:**

Mississippi Department of Wildlife, Fisheries, and Parks, State Agency

## **For:**

National Park Service  
Southeast Regional Office  
100 Alabama Street, SW  
Atlanta, GA 30303

*The Land and Water Conservation Fund (LWCF), Stateside Assistance grant program, provides funds to states, and through states to local agencies, for the acquisition and development of outdoor recreation resources. Lands that have received funding through LWCF are protected by section 6(f)3 of the Act unless a conversion is approved by the Secretary of the Interior as delegated to the National Park Service.*

June 25, 2020

# Purpose, Need, Background

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In 1971, following Hurricane Camille, The City of Biloxi received a small federal Land and Water Conservation (LWCF) grant (approximately \$5,140) for the recreational park known as East End Park, thereby protecting it for public outdoor recreation under the LWCF Act, now codified at 54 U.S.C. § 200305(f)(3) (referred to as Section 6(f)(3)). There were no restrictions or covenants filed in the land records. Following Hurricane Katrina, the East End Park was destroyed. The City of Biloxi proposes to transfer contractual obligations under the LWCF Act from 1.5 acres at East End Park to a new 7.235-acre park (hereinafter referred to as the "Replacement Park" or "Eagle Point Park"). The conversion will allow for the construction of a new park that will include, among other things, a walking track, playground equipment, soccer fields, basketball courts, benches, as well as some basic water access and potentially a pavilion for the public to enjoy. Construction of Eagle Point Park can be expected to begin in the near future. It is anticipated that the park will be complete and open to the public by Spring 2021.

East End Park is located near the southeastern portion of the City of Biloxi's beach. The proposed Eagle Point Park is located in the middle of the Woolmarket residential area known as Eagle Point in Biloxi, Mississippi. The replacement park will be near the Biloxi River and Tchoutacabouffa River. (Exhibit A shows the location of the former park and the replacement park.)

Section 6(f)(3) requires that protected parkland that is converted to a use other than outdoor recreation be replaced with property that is of at least equal fair market value and equivalent recreation utility as the property that was converted. The replacement property must constitute a viable recreation unit, or be acquired as an addition to an existing recreation unit. Development of the replacement property may be required to ensure that a level of recreation utility is achieved similar to what was lost at the converted site.

This conversion will meet the requirements set out in Section 6(f)(3). The proposed replacement park vastly exceeds the fair market value and the recreational utility of the current, vacant East End Park. Hurricane Katrina devastated the Gulf Coast in 2005 and this particular area. In 2011, a land swap occurred between the City of Biloxi and a third party, which included the abandoned park area. At the time of the land swap, the park restrictions were not of record, and therefore a conversion was not applied for at that time. Since 2011, the area that was previously East End Park has been vacant and unattended. The Eagle Point Park would provide the community with an increase in space and recreational opportunities that have been missing for too long. In addition to the proposed action, other alternatives have been considered in this assessment.

This environmental assessment (EA) is required to help NPS evaluate the environmental consequences of the proposed action on the human environment and allow the potentially affected public to understand the context for the proposed action.

The EA assesses the suitability of the potential replacement property for replacing the fair market value and the recreation utility equivalency of the 1.5-acre conversion area at East End Park. The EA identifies existing environmental resources on or adjacent to the proposed replacement property and any potential and/or adverse impacts that may result from the acquisition of the proposed replacement property and the initial development proposed to satisfy the conversion.

Based upon the effects of the alternatives, the City of Biloxi is requesting that Mississippi Department of Wildlife, Fisheries & Parks (the State Agency) forward a recommendation to the National Park Service (NPS) to approve the proposed conversion and replacement.

The geographic location of the existing park and proposed conversion property can be seen in Exhibit A. The currently protected portion of East End Park is depicted in Exhibit B (various site plans and photos). The proposed replacement park (Eagle Point Park) is depicted in Exhibit C (various site plans and photos).



# Description of the Alternatives

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Conversions under the LWCF only require evaluation of two alternatives: a No Action alternative (i.e., East End Park remains unaltered) and a Proposed Alternative (i.e., conversion with the construction of Eagle Point Park).

## **NO ACTION**

Under the No Action alternative, no conversion of Section 6(f)(3) protected properties would take place. In this scenario, East End Park would remain unaltered and the replacement park (Eagle Point Park) would not be constructed. The property at the site of the proposed replacement park would remain undeveloped and vacant. The No Action Alternative does not provide for an increase in recreational diversity or opportunity. This scenario would result in less park area compared to the proposed alternative and no additional parks will be built. Additionally the existing conditions of East End Park would remain in place with regard to the surrounding neighborhood, which can be seen in Exhibit 2.

## **PROPOSED ALTERNATIVE**

The proposed alternative is to transfer federal Section 6(f)(3) contractual obligations from the East End Park to a new Section 6(f)(3) protected 7.235-acre replacement park to be known as the Eagle Point Park. The East End Park conversion area can be viewed in (FIGURE) and the Replacement Park (Eagle Point Park) can be viewed in (FIGURE). The area where East End Park was located is underdeveloped, and is currently under control of the third party involved in the 2011 land swap. A map of the post-conversion Section 6(f)(3) protected park boundary can be seen in (FIGURE).

Hurricane Katrina devastated the Gulf Coast in 2005 and this particular area. In 2011, a land swap occurred between the City of Biloxi and a third party, which included the park area. At the time of the land swap, the park restrictions were not of record, and therefore a conversion was not applied for at that time. Since 2011, the area that was previously East End Park has been vacant and unattended. As of March 11, 2020, the appraiser's market value opinion of the fee simple estate is in the amount of \$84,000.

The Replacement Park (Eagle Point Park) consists of 7.235 acres of undeveloped acres located in the middle of the Woolmarket residential area known as Eagle Point in Biloxi, Mississippi. Following an appraisal, the subject site as of May 14, 2020 was \$96,000.00. The City of Biloxi has owned this property since 1986 when it was acquired through annexation. There has never been a park there.

The planned development will include construction on the 7.235-acre land, which was previously remediated from a lagoon, to make room for recreational opportunities. These recreational opportunities will include, among other things, a walking track, playground equipment, soccer fields, basketball courts, benches, as well as some basic water access and potentially a pavilion for the public to enjoy. Located right off of the Interstate-10 in the Woolmarket area of the city of Biloxi, it is easily accessible to the residents of the city and especially the surrounding neighborhoods. There are no City parks in Woolmarket (Ward 7), which is the fastest growing part of Biloxi.

After an inspection of the property, there has been no presence of toxic wastes, asbestos, or surface contaminants.

Public involvement for planning the Eagle Point Park will be promoted through several City Council meetings, Parks Commission meetings, and study sessions. Public comment will be considered throughout the project to address the concerns or comments from the community. The City of Biloxi will solicit public comment for this EA by allowing access to the document to the public.

The estimated timetable for completion will be in early 2021. The anticipated public opening of the Eagle Point Park will be on or before March 2021. The owner of the Eagle Point Park will be the City of Biloxi and will be managed by the City Parks and Recreation Department. A map of the Section 6(f)(3) replacement park's parcel can be seen in Exhibit C.

## **OTHER ALTERNATIVES**

Due to the limited city owned sites available for a viable recreational park, the other alternatives would be impractical to meet the purpose and needs of the City of Biloxi. The proposed creation of the replacement park are necessary to meet the City of Biloxi's needs for this project. Without implementation of the proposed alternative, the City will not have either park due to the prior land swap.

# Affected Environment

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Using the NPS environmental screening form (see appendix #), the City assessed East End Park and Eagle Point Park to determine the resources on site likely to be negatively impacted and describe them as they currently exist here. Impacts to these resources will be described in the next section.

## **LAND USE**

Land use refers to the current use and planned use of property to achieve or maintain goals as determined by governing authorities. Local governments plan for land uses according to the community's long-range vision and goals.

Land use in the study area is regulated through regional and local land use and transportation plans. Local plans are implemented through municipal or county regulations. The project's consistency with regional and City of Biloxi parks and recreational comprehensive plans was determined by assessing whether these changes support the planned growth and meet the needs of the community.

This section focuses on key land uses issues including: ownership patterns, property values, circulation and transportation, recreation resources, energy resources, overall aesthetics, special characteristics, and accessibility for populations with disabilities.

### East End Park

East End Park is located on parcels currently zoned residential. The protected area is currently situated between Pine Street and Howard Avenue in Biloxi, Mississippi near the beach. The site was previously used as a park when the population of Biloxi was centered in this area. Since Hurricane Katrina, the majority of the population has left. However, East End Park has not been in use following a land swap after Hurricane Katrina destroyed the original park in 2005. There are currently no recreational resources at East End Park. Additionally, any aesthetics of the current park are non-existent due to vacancy after the land swap. The current park does not serve any particular use nor does it have any future plans by the City of Biloxi.

### Eagle Point Park

The Replacement Park is currently zoned RS-10, Low Density Single-Family Residential District by the City of Biloxi. The proposed replacement park site is located off of Pin Oak Drive in the residential area known as Eagle Point. Historically, this parcel was a wastewater lagoon located in the middle of surrounding neighborhoods in the Woolmarket area of the city of Biloxi. The site was formerly utilized as a wastewater area but since Hurricane Katrina the City of Biloxi, through the Harrison County Utility Authority (HCUA), moved such facilities elsewhere. As part of the relocation of wastewater facilities, the HCUA submitted a Lagoon Closure Plan with the Mississippi Department of Environmental Quality (MDEQ). Under the plan, any sludge was removed and tested to ensure non-hazardous materials. The lagoon was then filled with clean dirt, sloped to drain and permanently vegetated. The area has since



been remediated into a large, flat space of clean dirt. Currently, residents do not have a park, just a dirt plain, surrounded by their neighborhood, which is less than ideal for the surrounding community. The surrounding area is a residential subdivision and has rebounded and redeveloped since Hurricane Katrina in 2005 and would benefit significantly from a new park.

## **GEOLOGICAL RESOURCES**

Geological resources refer to the composition and history of soils and rock that may be impacted by project activities. Data was gathered to understand soils and geology in the project area. Information about subsurface conditions was obtained from geological maps, topographical information, and field exploration.

### East End Park

The Web Soils Survey (WSS) operated by the USDA Natural Resources Conservation Service (NRCS), an online soil survey, indicated the subject property contains 100% non-hydric soils.

### Eagle Point Park

The Web Soils Survey (WSS) operated by the USDA Natural Resources Conservation Service (NRCS), an online soil survey, indicated the subject property contains 50.4% non-hydric soils, 30.2% predominately non-hydric soils and 19.4% predominately hydric soils.

## **WATER RESOURCES**

Water resources addressed in this document include surface waters, floodplains, wetlands, groundwater, storm water, and water quality characteristics

### East End Park

East End Park is located in Flood Zones VE-19 (Velocity Zone) and AE-18. The existing elevation is 8-feet, so any structures would have to be at least 10-feet in the air to comply with current FIRM maps and NFIP ordinances. See Flood Zone map attached as Exhibit E.

### Eagle Point Park

Eagle Point Park is located in Flood Zones X500 and AE. The replacement park will be in a residential area near the Biloxi River and Tchoutacabouffa River. The edge of the replacement park will have some water frontage, but there are no wetland issues. There are also no anticipated short-term or long-term impacts to water quantity.

The potential short-term impacts from construction to surface water and groundwater include decreased water quality from erosion and runoff; and contamination of surface and groundwater from construction waste. Runoff from construction activities can result in downstream flooding and erosion, and the deposition of undesirable sediment. However, the National Pollutant Discharge Elimination System (NPDES) Program regulates storm water runoff water quality. The NPDES program is intended to control

and reduce pollutants to water bodies from surface water discharges. State and federal statutes and regulations mandate compliance with the NPDES Permit. The contractor will be required to implement Best Management Practices in order to prevent erosion and sedimentation of area waterways. Although, an increase in miscellaneous trash and debris due to increased use may result from proposed common amenities areas. However, site design will utilize riparian buffers and park management practices will ensure debris is cleared from the site and disposed of appropriately.

The proposed project would not alter the course of a stream and any potential minor impacts to stream flow characteristics would be negligible for this resources. Further there are no anticipated impacts to marine and estuary resources if the project is implemented. A proposed pier/overlook would improve access to the surrounding environment.

In accordance with Executive Order 11988 of May 24, 1977, the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4001 et seq.), and the Flood Disaster Protection Act of 1973 (public Law 93-234, 87 Stat. 975), "Federal agencies shall provide leadership and shall take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains in carrying out its responsibilities for (1) acquiring, managing, and disposing of Federal lands, and facilities; (2) providing Federally undertaken, financed, or assisted construction and improvements; and (3) conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities." The FEMA Flood Insurance Rate Maps (FIRM) was reviewed to determine the affected environment of the proposed project.

The subject property is located in Flood Zones X500 and AE according to FEMA Map# 28047C 0267G. Flood Zone X500 has been determined to be within one percent and 0.2% annual chance floodplain. Flood Zone AE has been determined to be inundated by 100-year flooding for which no BFEs have been established. See Flood Zone map attached as Exhibit F.

According to the online soils survey, the entire 7.235-acre site contains approximately 1.4 acres of wetlands at the edge of the property. However, the proposed park site is 100% dry with minimal evidence of wetlands.

## **AIR QUALITY**

Air quality is measured by the concentration of harmful airborne contamination that can affect the health of humans and animals.

### **East End Park**

Emissions generated from within the old park are minimal, but occasionally include the operation of motorized equipment for purposes of maintenance such as lawn mowers and weed whackers.



### Eagle Point Park

The replacement park site exists as a large, flat space of clean dirt and vegetation. Any emissions generated from within the area are limited to natural processes. These may include a small amount of windblown dust.

## **NOISE**

Noise is defined as unwanted sound and is recognized as having both a physical and psychological component. The physical component is quantifiable by sensors that measure sound pressure levels, while the psychological component (the degree of annoyance) depends on the listener as well as the frequency and time of the varying pattern of the sound. Low frequency (particularly man-made) and impulse sounds are thought to result in higher levels of annoyance. Impulse sounds are sharp sounds that last for short periods of time.

When measuring noise, the decibel scale is used to describe and quantify the noise levels experienced by the receiver. The threshold of human hearing is a 0 decibels. Generally, a 3-decibel increase is barely perceptible to human listeners. A 6-decibel increase corresponds to a doubling of the sounds; however, a 10-decibel increase is necessary for the sound to be perceived as being twice as loud.

### East End Park

Other than small maintenance activities, there are no other substantial sources of noise from vacant land. However, additional noise emitters include nearby commercial and residential activities.

### Eagle Point Park

Other than small maintenance activities, there are no other substantial sources of noise from vacant land. However, additional noise emitters include nearby commercial and residential activities.

## **BIOLOGICAL RESOURCES**

Biological resources refer to plants and wildlife that may occur on the site for a permanent or temporary basis for any period of their lifecycle. Literature and field reviews were conducted to assess the viability of habitat for species of concern and potential impacts related to the project.

Section 7 of the Endangered Species Act (ESA) requires that, through consultation with the USFWS and/or the NMFS, federal actions do not jeopardize the continued existence of any threatened, endangered, or proposed species or result in the destruction or adverse modification of critical habitat. ESA-listed species and habitat presence was assessed in this section.

Section 305(b)(4) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires that each federal agency shall consult on any action authorized, funded, or undertaken, or proposed to be authorized, funded, or undertaken, by the agency that may adversely affect any essential fish habitat (EFH) identified in the MSA. This environmental assessment does not discuss MSA further as there is no fish

habitat within the project area.

#### East End Park

There are no known issues.

#### Eagle Point Park

In accordance with Section 7 of the Endangered Species Act of 1973 (ESA), as amended, a review was conducted to identify the species on the USFWS list of threatened and endangered having ranges in the City of Biloxi. The replacement park area is not listed as critical habitat for protected species and there are no ecosystems on site.

### **CULTURAL RESOURCES**

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. As part of the Section 106 process, NPS and the RCO work with consulting parties including the SHPO (i.e. DAHP) and Native American Tribes.

Listed and eligible historic properties are recorded in the National Register of Historic Places (NRHP). Historic properties may be buildings or other structures, objects, districts, archaeological sites, or traditional cultural properties. Section 106 also applies to historic properties that have not yet been listed or formally determined to be eligible for listing on the NRHP, including eligible properties that have not yet been discovered or evaluated.

#### East End Park

A search has revealed that there are no known historic properties in the project vicinity nor was there any cultural resources discovered during the previous development of the park.

#### Eagle Point Park

A search has revealed that there are no known historic properties in the project vicinity and there are no known archeological sites registered in the area.

### **ENVIRONMENTAL JUSTICE, SOCIOECONOMICS, AND DISABILITY ACCESS**

Title VI of the Civil Rights Act of 1964 and subsequent Executive Order 12898 requires that federal activities consider possible disproportionate and high adverse environmental effects to minorities and low-income populations. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 establishes a policy for the fair and equitable treatment of individuals and businesses displaced as a direct result of programs or projects undertaken by a federal agency or with federal financial assistance.

#### East End Park

According to the United States Census Bureau, East End Park is located in Census Tract 1, Harrison County, Mississippi. The demographics relating to race and ethnicity indicate that 49% of the population is white, 6% of the population is black, 15% of the population is Asian, 28 % of the population is Hispanic, and the remaining 2% of the population is of mixed race and/or ethnicities.

The area has been designated as a Low-Income Community (Census Tract #28047000100). The United States Census Bureau reports 97% of the population's household income is under \$50,000 with only 3% of the population maintaining a household income of \$100,000 to \$200,000. The median household income is \$9,957, which is about one-fifth of the amount in Harrison County and about one-quarter of the amount in Mississippi.

The old park property is vacant and owned by a third party. Since there are no publicly available facilities, there are no requirements for ADA complaint facilities.

#### Eagle Point Park

According to the United States Census Bureau, the property for the proposed replacement park is located in Census Tract 34.02, Harrison County, Mississippi. The demographics relating to race and ethnicity indicate that 74% of the population is white, 14% of the population is black, 6% of the population is Asian, 3% of the population is Hispanic, and the remaining 3% of the population is of mixed race and/or ethnicities.

The United States Census Bureau reports 39% of the population's household income is under \$50,000, 33% of the population maintains a household income of \$50,000 to \$100,000, and 28% of the population maintains a household income of \$100,000 to \$200,000. The median household income is \$68,065, which is about 1.5 times the amount in Harrison County and 1.5 times the amount in Mississippi.

The replacement park property is a remediated lagoon with no public access. Since there are no publicly available facilities, there are no requirements for ADA complaint facilities. However, facilities constructed to satisfy the conversion will comply with ADA requirements.

#### **HAZARDOUS MATERIALS**

An investigation of existing and historic hazardous materials storage and spills is provided to identify and evaluate known toxic sites that may contribute to contamination, affect construction, or incur cleanup liability.

#### East End Park

There is no record of existing historic storage or use of hazardous materials nor has there been any record of the park being used as a toxic site.

#### Eagle Point Park

There is no record of existing historic storage or use of hazardous materials nor has there been any record of the park being used as a toxic site.

## Environmental Impact

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This section discusses the direct and indirect impacts resulting from the Section 6(f)(3) conversion and construction of the replacement park. It is the purpose of this environmental assessment to address impacts associated with the Section 6(f)(3) conversion and the construction of the replacement park, but not post-conversion development that may or may not occur.

### **LAND USE**

This section discusses the effect of land use changes resulting from the conversion and implications on recreational resources.

#### East End Park

The Section 6(f)(3) conversion at East End Park removes federal protection from the park area, allowing for development of non-outdoor recreational uses. No zoning changes are proposed as part of this project; however, future land use may require such. There will be no need to remove recreational resources from East End Park because it currently stands vacant. Due to the current non-usage of the park, there will be little to no impact on the ability of the community to utilize the park area post-conversion.

The conversion will have no adverse traffic and circulation impacts because there are no construction or land use changes proposed and the park remains vacant. Further, the conversion will not alter the overall aesthetics since no construction is proposed.

#### Eagle Point Park

The replacement park would include 7.235 acres of Section 6(f)(3) protected land to compensate for the original 1.5 acres removed from East End Park. The vacant land will be developed into park facilities including the replacement of existing landscape with lawn area. Conceptual plans of park amenities include open space, natural area, a walking track, playground equipment, soccer fields, basketball courts, benches, as well as some basic water access and potentially a pavilion for the public to enjoy. Much of the surrounding area is zoned for residential, which will provide easy access to the surrounding community. The property for the proposed replacement park is currently owned by the City of Biloxi.

Development of the replacement park is anticipated to slightly increase traffic on local roads due to visitors coming to and from the park. Many visitors will walk from their homes. Parking lots will be created at a sufficient size to meet the demand of the public. Existing roads are capable of handling additional traffic volume.



Aesthetics are subjective attributes that depend on the perspective of the viewer. Construction at the replacement park will replace the current leveled dirt with a managed park area. The park will be designed to be visually appealing while providing the needed recreational resources.

## **GEOLOGICAL RESOURCES**

### East End Park

There will be no impacts to geological resources in the East End Park conversion area as no construction activities are proposed.

### Eagle Point Park

There will be minimal impacts to geological resources in the East End Park conversion area as only park conversion construction activities are proposed.

## **WATER RESOURCES**

### East End Park

There will be no impacts to surface waters, floodplains, wetlands, groundwater, storm water, and water quality because the area will remain untouched with no construction activities proposed.

### Eagle Point Park

The potential short-term impacts from construction to surface water and groundwater include decreased water quality from erosion and runoff; and contamination of surface and groundwater from construction waste. Runoff from construction activities can result in downstream flooding and erosion, and the deposition of undesirable sediment. However, the National Pollutant Discharge Elimination System (NPDES) Program regulates storm water runoff water quality. The NPDES program is intended to control and reduce pollutants to water bodies from surface water discharges. State and federal statutes and regulations mandate compliance with the NPDES Permit. The contractor will be required to implement Best Management Practices in order to prevent erosion and sedimentation of area waterways. Although, an increase in miscellaneous trash and debris due to increased use may result from proposed common amenities areas. However, site design will utilize riparian buffers and park management practices will ensure debris is cleared from the site and disposed of appropriately.

The proposed project would not alter the course of a stream and any potential minor impacts to stream flow characteristics would be negligible for this resources. Further there are no anticipated impacts to marine and estuary resources if the project is implemented.

The subject property is possibly located in Flood Zones X500 and AE according to FEMA Map# 28047C 0267G. The local floodplain administrator and/or FEMA must be consulted prior to any construction or impacts affecting flood volume storage or flows.

Federal, state and local floodplain regulations will ensure that any impacts to floodplain resources are negligible.

According to the online soils survey, the site contains approximately 1.4 acres of wetlands on the edge of the property. However, the site for the proposed park amenities is 100% dry with minimal evidence of wetlands.

## **AIR QUALITY**

### **East End Park**

The conversion is not anticipated to have any adverse impacts to air quality. Removing the Section 6(f)(3) designation from the park will have no impact as the Third Party owner will continue to maintain the grounds.

### **Eagle Point Park**

At the proposed park site, there may be a small increase in emissions during the construction phase. Maintenance equipment may also create small emissions. Additional emissions will result from vehicles entering, exiting, and idling in the parking lots and from trips to and from the park

Temporary emissions will be generated during construction from sources including dust, construction equipment, and motor vehicles etc. These would occur only during the construction phase, and all vehicles would meet local, state, and federal emissions standards. The impact will be insignificant compared to other local and regional emissions.

## **NOISE**

### **East End Park**

The Section 6(f)(3) conversion at East End Park will not have an impact on noise. The current state of the old park area is vacant therefore it is usually quiet.

### **Eagle Point Park**

Noise generated from the replacement park will increase from preexisting conditions but will still remain low compared to nearby sources. The loudest anticipated noise resulting from the replacement park is the additional traffic driving in and out of the park area. However, given the location of the new park, residents of the surrounding neighborhoods will be able to walk to the park allowing the noise to not increase significantly due to automobiles. Additionally there will be an increase due to typical noise volumes associated with recreational activities such as soccer, basketball, running, etc.

Additional increases in noise will result from maintenance activities such as mowing and trimming. Talking from visitors will add to the noise environment. Noise will also increase temporarily during the construction phase of the project.

Areas surrounding the Eagle Point Park currently experience elevated noise from the interstate, recreational boaters, as well as other construction that has been ongoing in the area. Any anticipated increase in noise associated with the park will be relatively minor compared to existing sources.

## **BIOLOGICAL RESOURCES**

### East End Park

The conversion will have no effect on ESA-listed species, plant or animal species of concern, nor will it influence the prevalence of invasive species since the project does not propose construction activities. Additionally, there are no ESA-listed species or habitats nor are there any plants and animals of concern within the park area. The area is primarily maintained as lawn and does not contain invasive species other than naturalized weeds interspersed in the lawn area.

### Eagle Point Park

Eagle Point park area is almost entirely populated by non-invasive species. The current area is large patch of dirt and vegetation which will be replaced with a lawn grass. Regular mowing and trimming will keep the grass low and prevent seed production. Removal of the invasive species will reduce the coverage and proliferation of invasive species in the area.

The proposed replacement park area is not listed as a critical habitat for protected species and there are no unique ecosystems on site that would be affected by this plan. Overall, only negligible impacts to wildlife resources and biological habitats are expected from the implementation of the proposed park.

## **CULTURAL RESOURCES**

### East End Park

Since no construction will occur in the East End Park area, there will be no direct impacts to cultural resources. However, the removal of the Section 6(f)(3) protection is an adverse effect that can impact cultural resources if present. This site has been previously developed and cultural resources were not found during that time. Based on the absence of archaeological materials in the vicinity and distance to historical sites it is unlikely that the proposal will have any impact on cultural resources.

### Eagle Point Park

It is unlikely that park development will have an impact on cultural resources due to the absence of cultural materials found during the survey. Should archaeological deposits or materials be encountered during development of the park, work will be halted immediately and MDAH will be notified. In the event of inadvertent discovery of human remains, all work will stop and the appropriate authorities will be contacted.

## **ENVIRONMENTAL JUSTICE, SOCIOECONOMICS, AND DISABILITY ACCESS**

The conversion will result in a net increase of park area and recreational resources that benefit all community members including minorities and low-income populations.

#### East End Park

There will be no disproportionately high and adverse impact to the minority or low-income population because East End Park has already been vacant for years and there are currently no recreational resources to remove. There will be no impacts to the socioeconomic environment. Further, accessibility would not be affected if the existing park remained in its current condition. There are numerous adjacent park and recreational amenities in close proximity to the old park.

#### Eagle Point Park

The replacement park provides a net increase in park area and recreational resources that will benefit all populations, including low-income and minority demographics. All park activities at the replacement park will be free, thereby providing greatest benefit to low-income demographics.

The park area and recreational resources provided by the replacement park are superior to the vacant East End Park. The project will result in a greatly needed park, allowing a larger population of the city to enjoy the new and improved park area.

Impacts associated with construction (such as noise, air quality, etc.) of the replacement park will impact all populations equally. Both minorities and low-income populations will benefit from the increased size in park facilities and resources.

Development of the replacement park is anticipated to provide short-term employment for the construction phase. Construction jobs are typically well paying middle class positions. Additional long-term employment will be created to fill maintenance positions that keep the park operable. These will include duties such as lawn care, trash and restroom cleanup, and gardening.

The replacement park will provide access to people with disabilities including handicap parking, ADA compliant curb ramps, paved low slope trails, and handicap restrooms. The park will be compliant with all federal, state, and local regulations regarding accessibility for peoples with disabilities.

## **HAZARDOUS MATERIALS**

#### East End Park

The Section 6(f)(3) conversion will have no effect on toxic or hazardous materials since no construction activity is proposed.

#### Eagle Point Park

Park activities will include motor vehicle operations for maintenance such as lawn mowers and trimmers that could potentially result in a small spill. Parked Vehicles add



to this risk as well. Overall the risk associated with these activities is relatively low, as the severity of any such event would be minimal. During the construction phase, heavy equipment will be operated onsite. All contractors will use best practices and follow state guidelines to prevent contamination from inadvertently being released during construction.

# Cumulative Effects

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Cumulative effects on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions (40 CFR § 1508.7). Cumulative effects analysis is a National Environmental Policy Act (NEPA) requirement to address issues that may arise in combination with other projects to the local, regional, or global level.

Project related emissions, while insignificant by themselves, contribute to significant regional air quality impacts and global climate change. The small amount of emissions generated from the Eagle Point Park is not anticipated to produce a measurable impact on air quality or climate change.

# Mitigation Measures

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The project mitigates for the Section 6(f)(3) conversion at East End Park with the creation of the Eagle Point replacement park. The replacement park adequately compensates for park resources by providing a property with greater area, greater assessed value, and greater recreational utility.

Environmental impacts associated with development of Eagle Point Park will be mitigated per the NEPA mitigation sequence including avoidance, minimization, restoration, reducing over time, and compensation (40 CFR § 1508.20). Construction impacts will be minimized using BMPs to prevent or minimize inadvertent environmental harm.

# Coordination and Consultation

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## **AGENCIES AND PERSONNEL CONSULTED**

1. City of Biloxi
2. Mississippi Department of Wildlife, Fisheries, and Parks
3. Jason Overstreet, Overstreet Engineering
4. John Wilson, Harrison County Utility Authority
5. Christy LeBatard, City of Biloxi, Engineer
6. John Myers, Appraiser
7. Peter Abide, City Attorney

## **PUBLIC INVOLVEMENT**

The public has been involved throughout the planning process in both the features and location of the replacement park. The City and State officials have worked diligently to find a solution that best meets the needs of the entire City of Biloxi. They were central to determining the site location and features of the proposed conversion plan.

City Council Meetings and notification of hearings were held to involve the public in the Section 6(f)(3) conversion process. These allowed the opportunity for the public to comment on plans for the proposed plan. All public comments were given consideration when deciding on project outcomes.

The planning of the Eagle Point Park is consistent with the goals and objectives of the City of Biloxi Parks and Recreation Comprehensive Plan. The comprehensive plan provides recreational resources consistent with the identified need of the community.

Under State Environmental Policy Act (SEPA) and NEPA, the review process involves disclosing proposed actions, their potential impacts, and identifies mitigation measures necessary to avoid and minimize expected impacts. This document will be made available to the public and all comments within the 30-day comment period will be considered.

Intergovernmental review of this project includes review of this environmental assessment by the City of Biloxi; the Mississippi Department of Wildlife, Fisheries, and Parks, State Agency; and the National Park Service.



# Appendix #

## Environmental Screening Form East End Park

A. ENVIRONMENTAL RESOURCES Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.	Not Applicable-Resource does not exist	No/Negligible Impacts-Exists but no or negligible impacts	Minor Impacts	Impacts Exceed Minor EA/EIS required	More Data Needed to Determine Degree of Impact EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Sound (noise impacts)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Water quality/quantity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Stream flow characteristics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Marine/estuarine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Floodplains/wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Land use/ownership patterns; property values; community livability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Circulation, transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Unique or important wildlife/wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Unique or important fish/habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Introduce or promote invasive species (plant or animal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc. <i>Most conversions exceed minor impacts. See Step 3.B</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Accessibility for populations with disabilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Overall aesthetics, special characteristics/features	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Minority and low-income populations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Energy resources (geothermal, fossil fuels, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other agency or tribal land use plans or policies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. Land/structures with history of contamination/hazardous materials even if remediated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Other important environmental resources to address.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>B. MANDATORY CRITERIA</b> <b>If your LWCF proposal is approved, would it...</b>	<b>Yes</b>	<b>No</b>	<b>To be determined</b>
1. Have significant impacts on public health or safety?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O. 11988); and other ecologically significant or critical areas.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office. (Attach SHPO/THPO Comments)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Reviewers

The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.

1. Peter Abide, City Attorney
2. Christy LeBatard, City Engineer
- 3.

The following individuals conducted a site inspection to verify field conditions. List name of inspector(s), title, agency, and date(s) of inspection.

1. John Myers, Appraiser
2. Christy LeBatard, City Engineer
- 3.

# Appendix #

## Environmental Screening Form Eagle Point Park

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A. ENVIRONMENTAL RESOURCES Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.	Not Applicable- Resource does not exist	No/Negligible Impacts- Exists but no or negligible impacts	Minor Impacts	Impacts Exceed Minor EA/EIS required	More Data Needed to Determine Degree of Impact EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Sound (noise impacts)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Water quality/quantity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Stream flow characteristics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Marine/estuarine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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9. Circulation, transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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13. Unique or important fish/habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Introduce or promote invasive species (plant or animal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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16. Accessibility for populations with disabilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Overall aesthetics, special characteristics/features	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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20. Minority and low-income populations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Energy resources (geothermal, fossil fuels, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other agency or tribal land use plans or policies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

23. Land/structures with history of contamination/hazardous materials even if remediated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Reviewers

The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.

1. Jason Overstreet, Overstreet Engineering
2. John Wilson, Harrison County Utility Authority
3. Christy LeBatard, City of Biloxi, Engineer



**The following individuals conducted a site inspection to verify field conditions. *List name of inspector(s), title, agency, and date(s) of inspection.***

- 1. John Myers, Appraiser**
- 2. Christy LeBatard, City Engineer**

# Appendix #

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- Exhibit A - Map of Biloxi showing locations of old East End Park and proposed replacement park.
- Exhibit B - Enlarged detail of old East End Park location.
- Exhibit C - Enlarged detail of proposed Eagle Point replacement park.
- Exhibit D- Clean-Closure Letter
- Exhibit E - East End Park Flood Zone Map
- Exhibit F - Eagle Point Park Flood Zone Map

# EXHIBIT

## “A”



**EXHIBIT**

**“B”**





### Subject Photo Plot Plan

*The subject photos that are presented over the next few pages are identified above in the Photo Plot Plan.*

**SUBJECT PARCEL PHOTOGRAPHS**

Date Taken: 3/11/2020

Taken By: jdm



**Photo #1** – View looking west across subject property from Pine Street



**Photo #2** – View looking east across subject property



## SUBJECT PARCEL PHOTOGRAPHS

Date Taken: 3/11/2020

Taken By: jdm



**Photo #3** – View looking northwest at Sewer Lift Station situated on subject property



**Photo #4** – View looking southwest across subject site  
(Grand Casino Parking Garage in background)

**SUBJECT PARCEL PHOTOGRAPHS**

Date Taken: 3/11/2020

Taken By: jdm



**Photo #5** – View looking southeast across subject site



**Photo #6** – View looking north across northwestern portion of subject property.



**SUBJECT PARCEL PHOTOGRAPHS**

Date Taken: 3/11/2020

Taken By: jdm

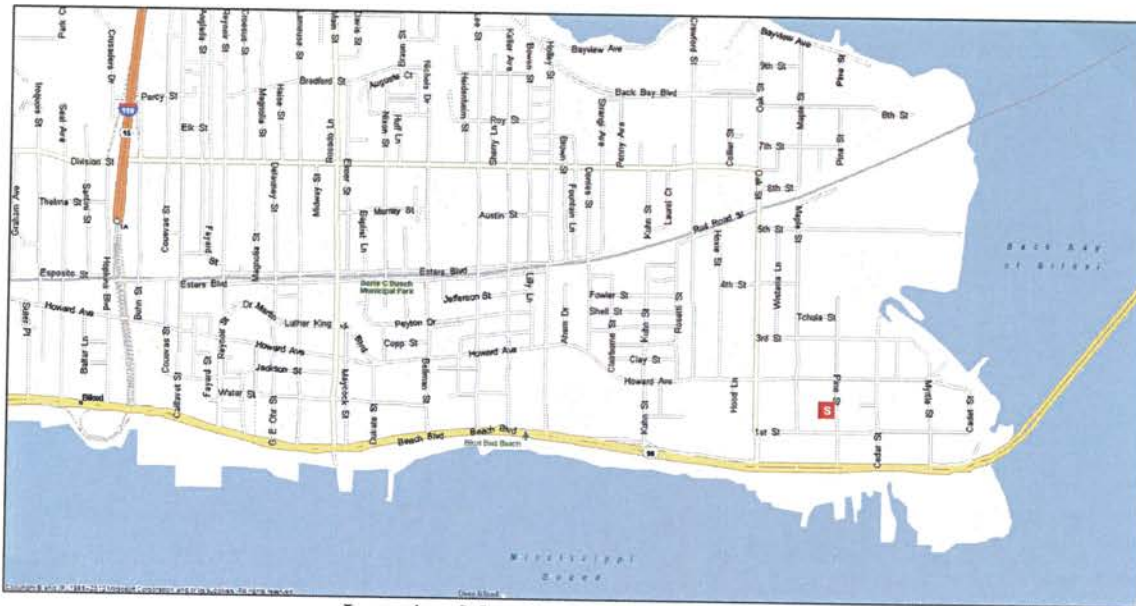


**Photo #11** – View looking northeast across subject property

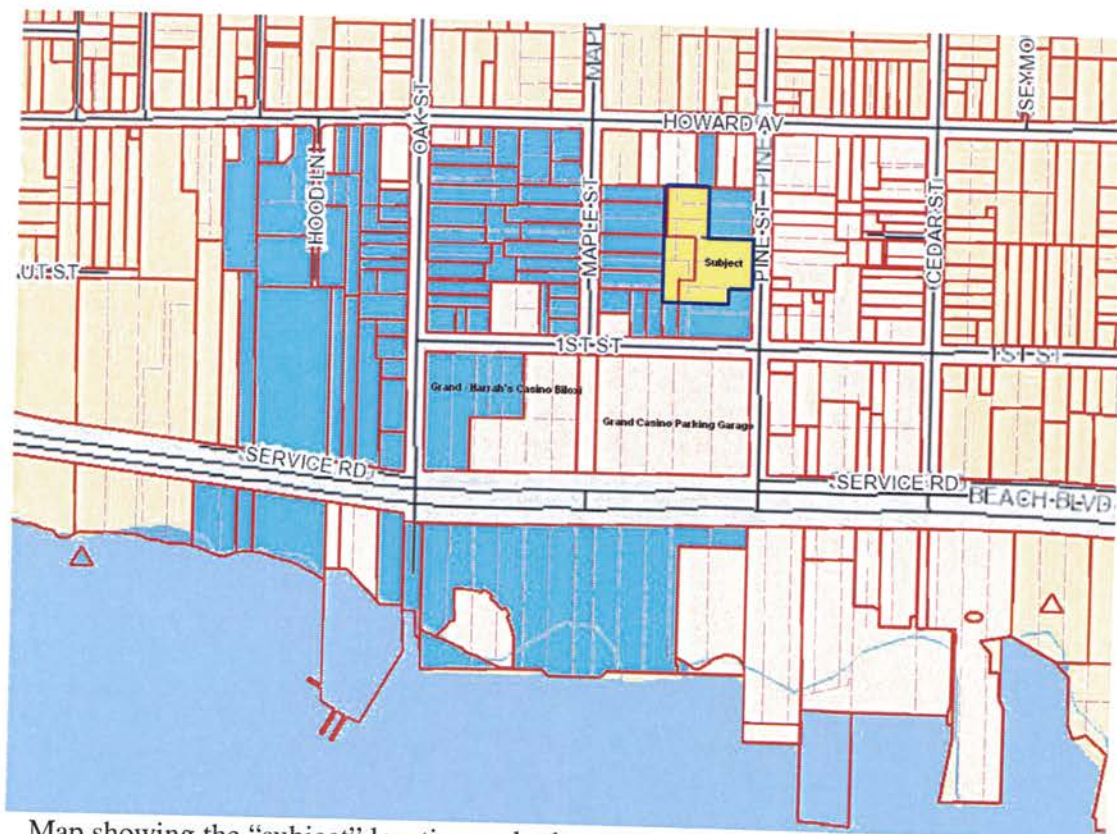


**Photo #12** – View looking east across subject site  
(above ground chlorine line (along left) is located on adjoining property according to City Engineering)





Location Map for subject property

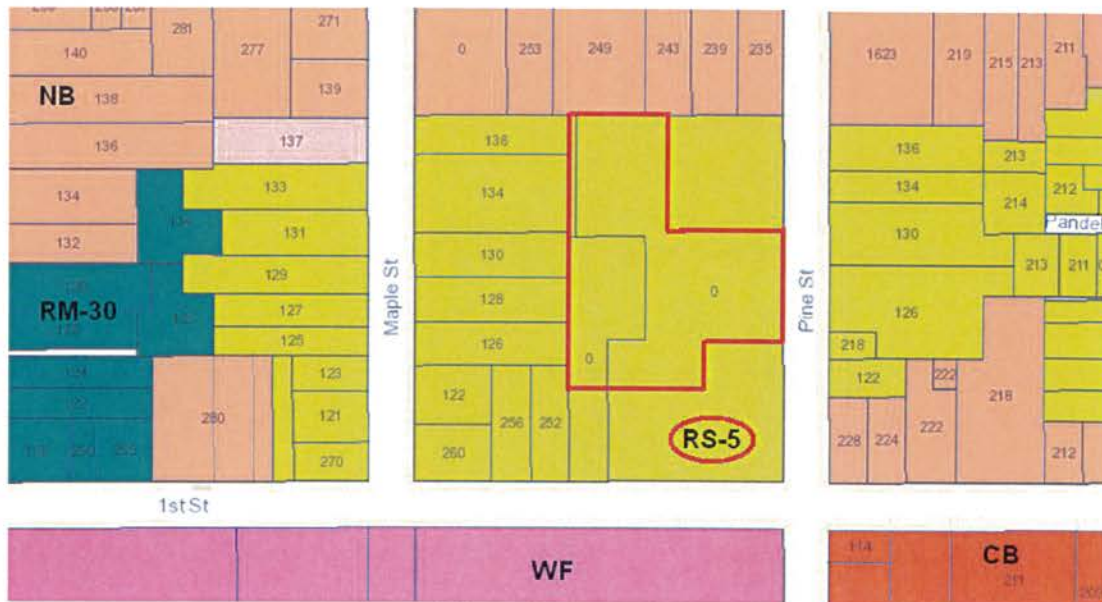


Map showing the "subject" location and other properties owned by Grand Biloxi LLC  
 Subject Property in Yellow – Properties owned by Grand Biloxi LLC in Blue

## SITE DESCRIPTION



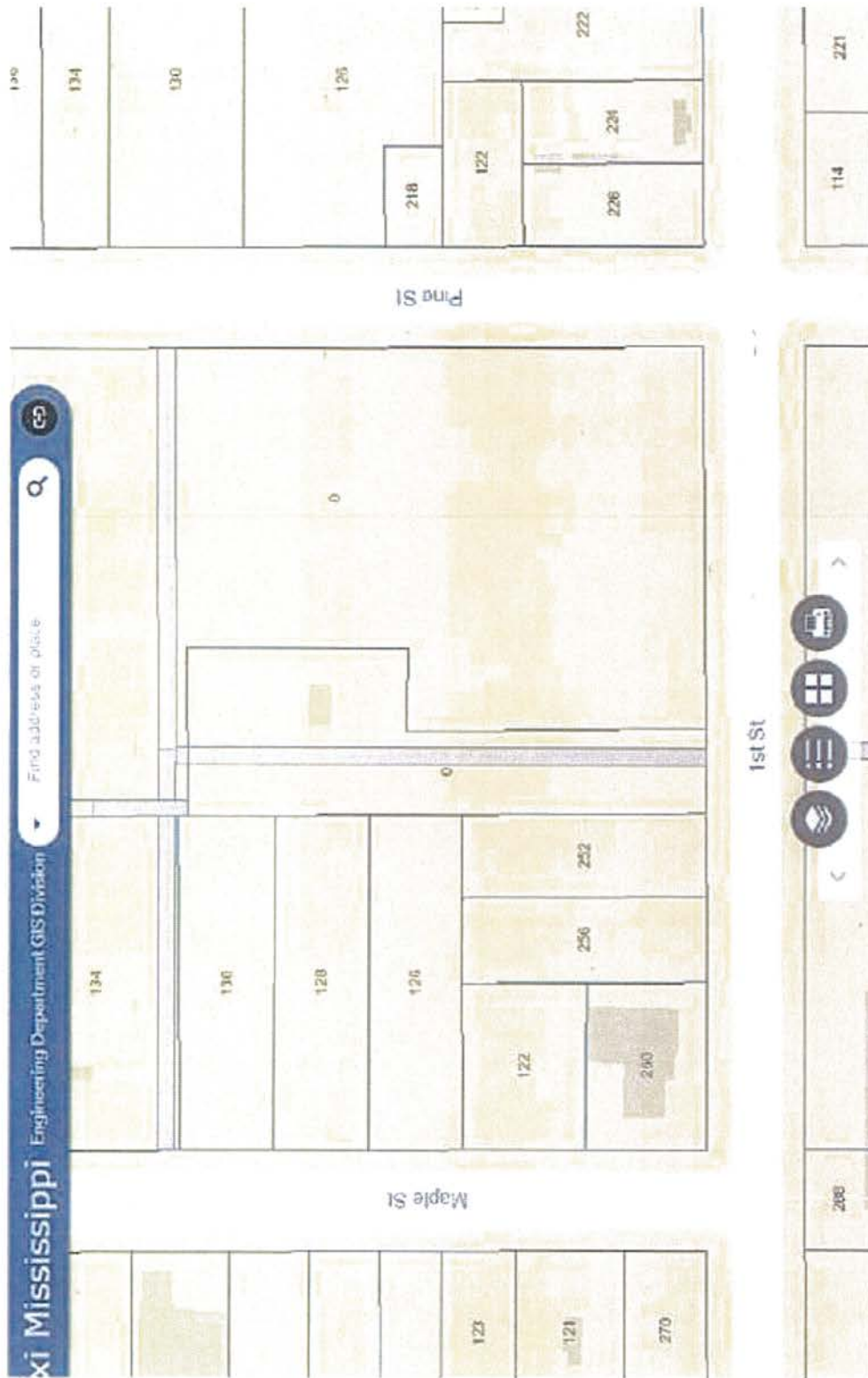
*Aerial View of Subject Property\**



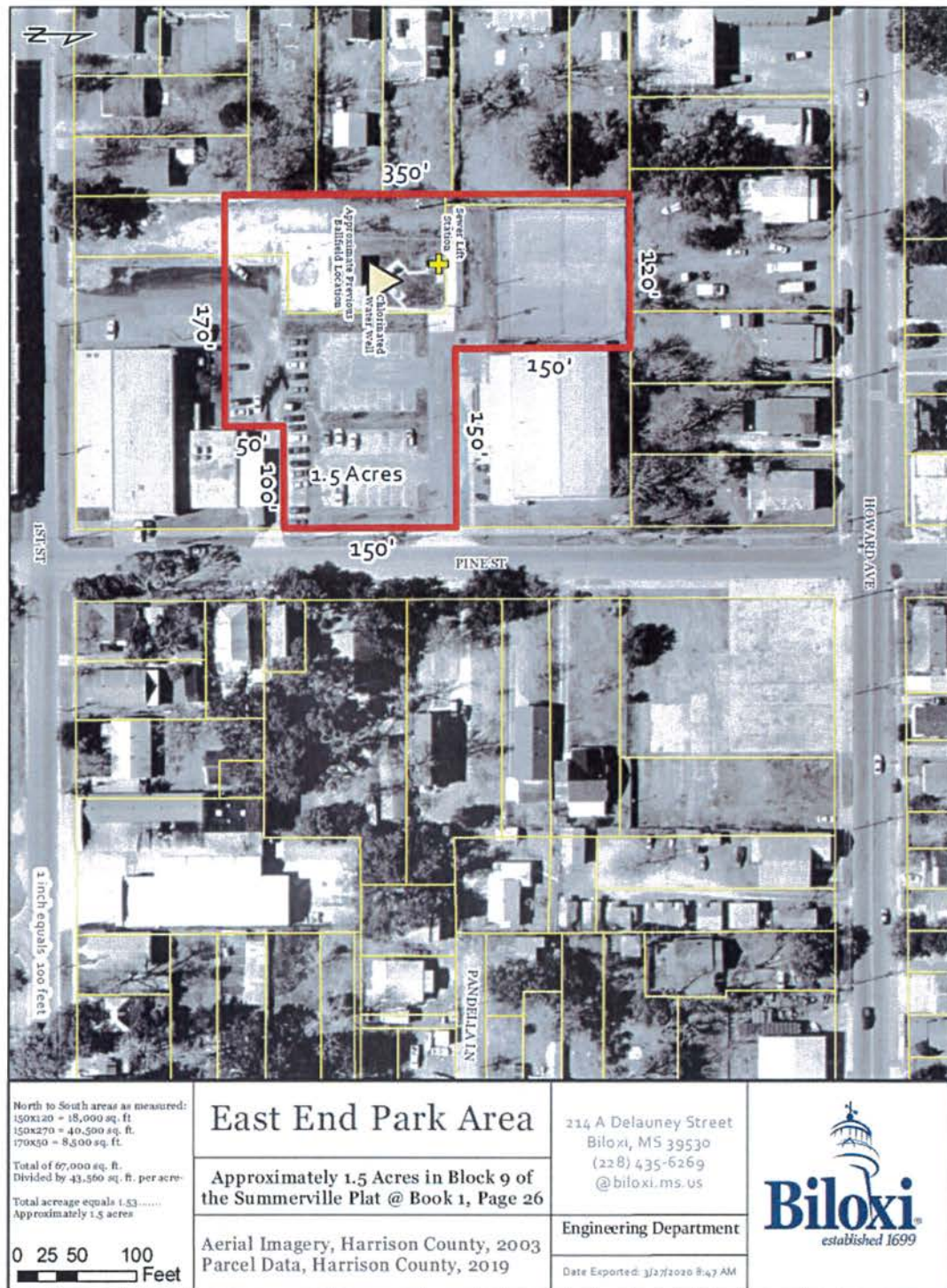
*Copy of City of Biloxi Zoning Map*



Copy of City of Biloxi Engineering Drawings Showing Easements



**Copy of East End Park Area and Dimensions Drawing (provided by City of Biloxi)**



# EXHIBIT

## “C”





**Subject Photo Plot Plan**

*The subject photos that are presented over the next few pages are identified above in the Photo Plot Plan.*

**SUBJECT PARCEL PHOTOGRAPHS**

Date Taken: 4/30/2020

Taken By: jdm



**Photo #5** – View looking west across northern portion of subject site



**Photo #6** – View looking south across eastern portion of subject property



**SUBJECT PARCEL PHOTOGRAPHS**

Date Taken: 4/30/2020

Taken By: jdm



**Photo #23** – Interior view across subject property



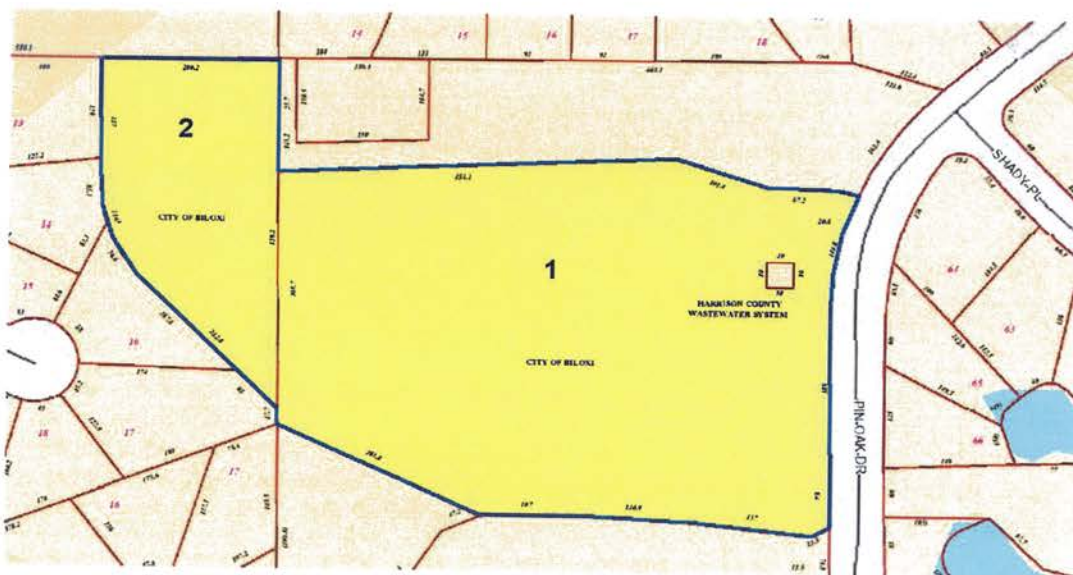
**Photo #24** – Interior view across subject property

## PROPERTY IDENTIFICATION & LOCATION

The subject is located just south of Interstate 10 and West Oaklawn Road, on the west side of Pin Oak Drive, in the Woolmarket area of Biloxi, Harrison County, Mississippi.



Location Map for subject property

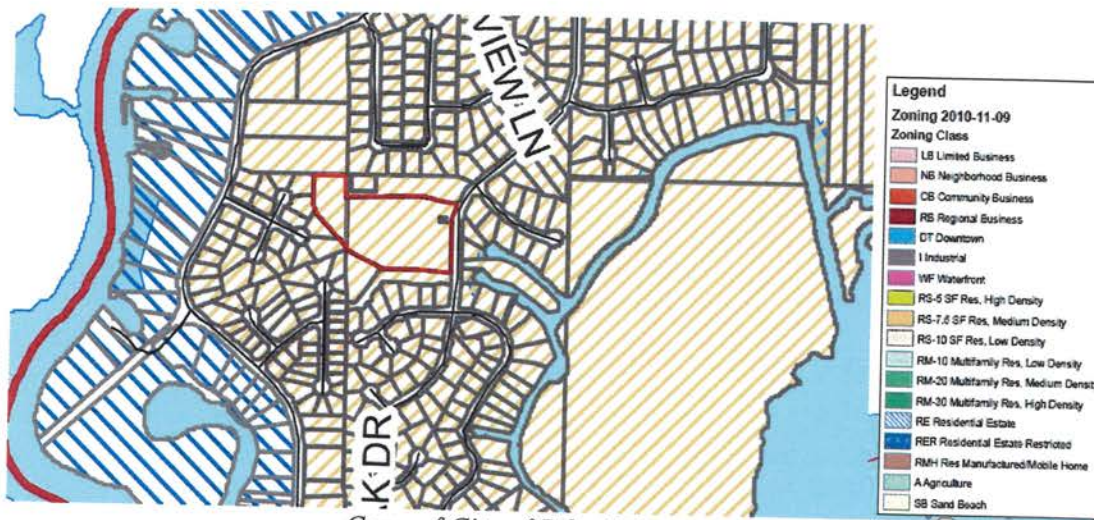


GIS of Subject Property





*Aerial View of Subject Property\**



*Copy of City of Biloxi Zoning Map  
 \*Site outlined in Red*



# EXHIBIT

## “D”

161 Lameuse St., Suite 203  
Biloxi, MS 39530  
228-967-7137



630 Delmas Ave., Suite B  
Pascagoula, MS 39567  
228-967-7137

November 9, 2018

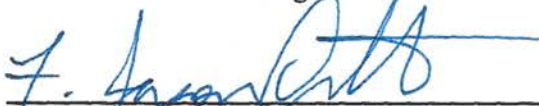
**CERTIFICATION FORM FOR THE OFF-SITE CLOSURE OF A  
MUNICIPAL WASTEWATER TREATMENT (MWW) LAGOON**

MDEQ/EPD Municipal & Private Facilities Branch  
P. O. Box 2261  
Jackson, MS 39225

Based on my oversight and involvement with this MWW lagoon closure project, I hereby certify to the best of my belief and knowledge that closure of Eagle Point Sewage Lagoon is now complete. All of the wastewater and sludge were removed as described in the closure plan approved by the MDEQ. Subsequently, the emptied lagoon has been covered with clean earthen fill material to restore its natural grade and then sloped, compacted and seeded to prevent the ponding of water and/or erosion of the earthen cover.

I am submitting this correspondence on behalf of the lagoon owner to verify the completion of the clean closure.

Harrison County Utility Authority  
Name and Address of Lagoon Owner

  
Signature of Registered Professional Engineer

11.9.2018

Date

F. Jason Overstreet  
Typed Name (as signed)

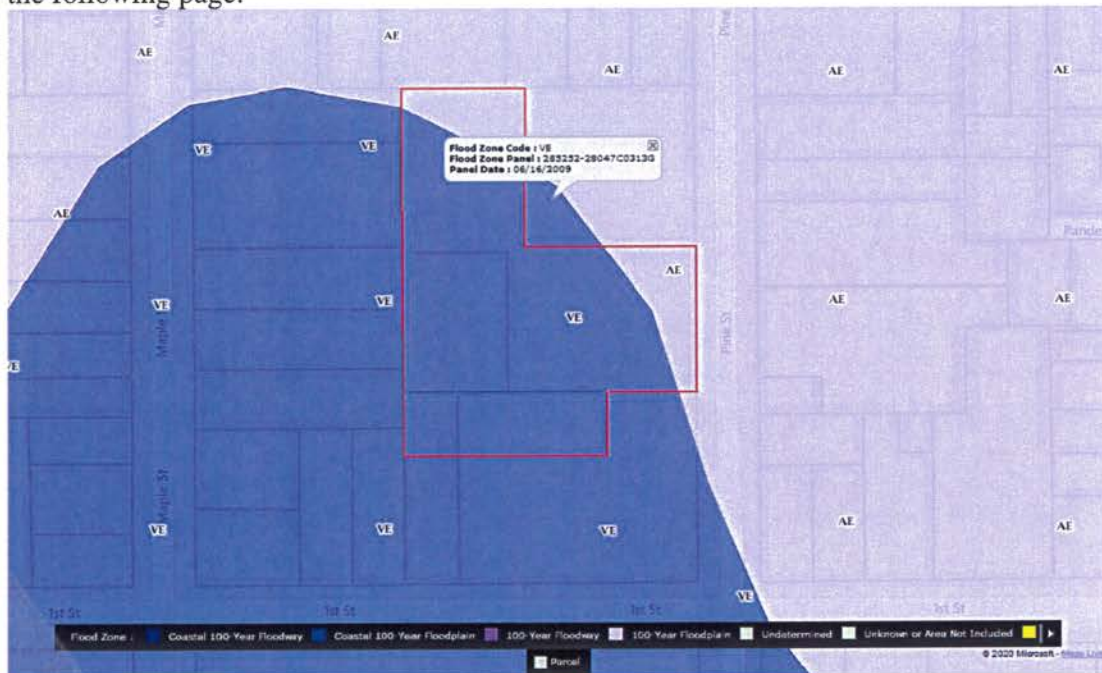


# EXHIBIT

## “E”

## FLOOD PLAIN

The subject property is possibly located in Flood Zones VE and AE according to FEMA Map# 28047C 0313G. Flood Zone VE has been determined to be inundated by 100-year flooding with velocity hazard. Flood Zone AE has been determined to be inundated by 100-year flooding for which no BFEs have been established. See copy of flood map on the following page.



*Copy of Flood Map of Subject Property*

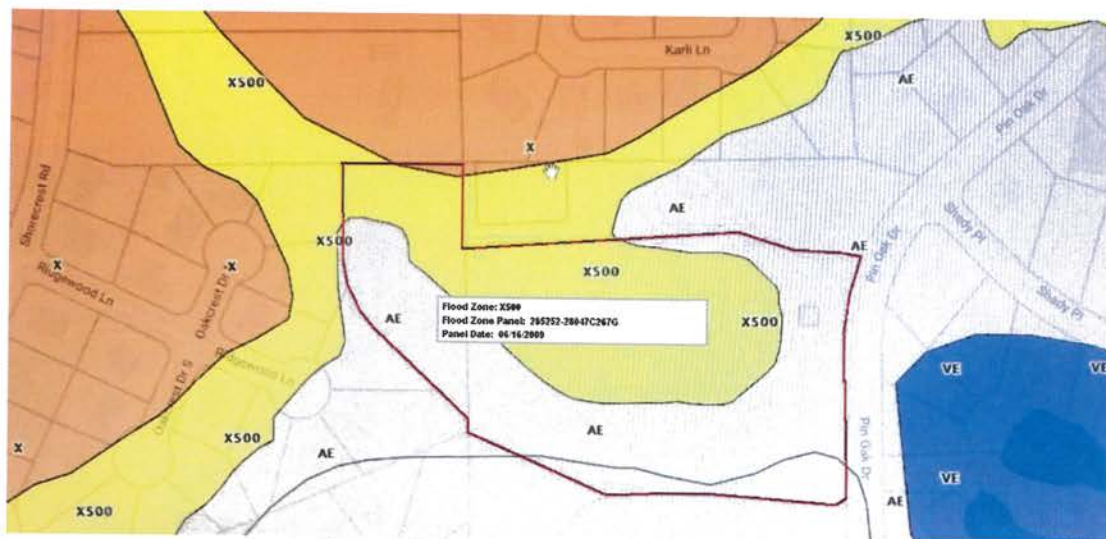
# EXHIBIT

## “F”



## FLOOD PLAIN

The subject property is possibly located in Flood Zones X500 and AE according to FEMA Map# 28047C 0267G. Flood Zone X500 has been determined to be within one percent and 0.2% annual chance floodplain. Flood Zone AE has been determined to be inundated by 100-year flooding for which no BFEs have been established. See copy of flood map on the following page.



*Copy of Flood Map of Subject Property*