

Draft Environmental Assessment

City of Gulfport Police and Municipal Court Building

Harrison County, Mississippi

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FEMA

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ACRONYMS AND ABBREVIATIONS

ABFE	advisory base flood elevation
ACHP	Advisory Council on Historic Preservation
amsl	above mean sea level
APE	Area of Potential Effects
BMP	Best Management Practice
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	carbon monoxide
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	decibel
DFIRM	Digital Flood Insurance Rate Map
DNL	Day-Night Average Sound Level
EA	Environmental Assessment
EO	Executive Order
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FFE	Finished Floor Elevation
FIRM	Flood Insurance Rate Map
FPPA	Farmland Protection Policy Act
MDAH	Mississippi Department of Archives and History
MDEQ	Mississippi Department of Environmental Quality
MDMR	Mississippi Department of Marine Resources
MDOT	Mississippi Department of Transportation
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NISTAC	Nationwide Infrastructure Support Technical Assistance Consultants
NO ₂	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O ₃	ozone
OSHA	Occupational Safety and Health Administration



ACRONYMS AND ABBREVIATIONS

Pb	lead
PM _{2.5}	particulate matter less than 2.5 microns
PM ₁₀	particulate matter less than 10 microns
SHPO	State Historic Preservation Office
SO ₂	sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
THPO	Tribal Historic Preservation Officer
USACE	U.S. Army Corps of Engineers
USCB	U.S. Census Bureau
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey



1.0 INTRODUCTION

On August 29, 2005, Hurricane Katrina struck the Mississippi Gulf Coast, causing extensive damage. Subsequently, a Presidential Disaster Declaration, FEMA-1604-DR-MS, was signed for Katrina. The City of Gulfport, Mississippi, has submitted an application for Federal Emergency Management Agency (FEMA) funding under FEMA's Public Assistance Program being administered in response to FEMA-1604-DR-MS for the construction of the Police and Municipal Court Building in Gulfport, Harrison County, Mississippi.

In accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended, and implementing regulations at 44 Code of Federal Regulations (CFR) Part 206, FEMA is required to review the environmental effects of the proposed action prior to making a funding decision. This Environmental Assessment (EA) has been prepared in accordance with FEMA's National Environmental Policy Act (NEPA) regulations found in 44 CFR Part 10.

2.0 PURPOSE AND NEED

The City of Gulfport Police Department and City of Gulfport Municipal Court occupied a total of four buildings within the 2200 block of 15th Street, between 22nd Avenue and 23rd Avenue in Gulfport. The Police Administration building was a 10,159-square-foot, one-story brick building located at 2220 15th Street, that served as the main law enforcement building for the City. The Police Community Services building was a 3,144-square-foot, one-story brick building located at 2211 15th Street. The Municipal Court occupied an 11,188-square-foot, one-story brick building located at 2200 15th Street. The Police Operations building is an approximate 9,000 square-foot, one-story brick building located at 1516 23rd Avenue (Figures 1 and 2, Appendix A).

All four buildings were located outside of both the 100-year floodplain and the Advisory Base Flood Elevation (ABFE). Despite their locations outside of the 100-year floodplain, the Police Administration building, Police Community Services building, and Municipal Court building were flooded with up to 36 inches of saltwater and sewage during Katrina. Damages to each building exceeded the 50% repair/replacement ratio, meeting FEMA's criteria for demolition and replacement of the structures. Due to public health and safety concerns, all three buildings were demolished. The Police Operations building received minor damage and is the lone structure to remain onsite; the building currently houses computer servers for the City and is also used by the Gulfport Police Department as a training facility.

The City of Gulfport Police Department and Municipal Court are currently providing services at a reduced capacity, utilizing the former 28th Street Elementary School, located at 2810 34th Avenue in Gulfport, approximately 1.5 miles northwest of the pre-Katrina locations. This facility is not large enough to fully serve the needs of the Police Department and the Municipal Court and it is not centrally located in downtown Gulfport. Consequently there is a need to provide both the Police Department and Municipal Court with a suitable facility in a location that will efficiently serve the community.



3.0 ALTERNATIVES

This section describes the alternatives that were considered in addressing the purpose and need stated in Section 2. Two alternatives were evaluated: the No Action Alternative, and the Proposed Action Alternative, which is the construction of the consolidated Police and Municipal Court building.

Alternative 1: No Action

Under the no action alternative, the City of Gulfport Police and Municipal Court Building would not be built. The Police Department and Municipal Court would continue to operate at a reduced capacity, utilizing the former 28th Street Elementary School building.

Alternative 2: Construction of the Police and Municipal Court Building (Proposed Action)

Under the Proposed Action Alternative, the City of Gulfport would consolidate the functions of the Police Administrative Building, Police Community Services Building, and Municipal Court Building into a single Police and Municipal Court Building. The new multi-use facility would be constructed on the approximate 4.2-acre site formerly occupied by the Police Department and Municipal Court buildings along the 2200 block of 15th Street between 22nd and 23rd Avenues (Figures 1 and 2, Appendix A). The proposed project site is entirely developed and currently is used as a location for City of Gulfport temporary office trailers (see site photographs in Appendix B). The proposed project site is located in a commercial area in downtown Gulfport, adjacent to the Harbor Square Historic District, which is listed in the National Register of Historic Places (NRHP). The site is bound to the north by railroad tracks, to the south by 15th Street and commercial property, the west by 23rd Avenue, and to the east by 22nd Avenue. The proposed project site is located outside of the 100-year floodplain (Flood Zone X) and ABFE (FEMA, 2002; FEMA, 2006), but is within the 500-year floodplain (MDEQ, 2007).

The proposed facility would include a 67,847-square-foot, three-story building, approximately 205 parking spaces, a water tower, a wastewater storage bladder, and a chiller. The building would contain two municipal courtrooms and associated office space, police department office and training space, evidence and records storage space, and inmate holding cells. The preliminary site plan and a conceptual rendering of the proposed structure are shown in Figures 3 and 4 in Appendix A. Prior to construction of the proposed facility, the site would be cleared of all remaining buildings, foundations, and paved surfaces with excavation up to a depth of 5 feet below the existing grade.

Hurricane Katrina highlighted the need for a storm shelter that can house first responders and critical government officials within Gulfport. Therefore, the City of Gulfport proposes to utilize separate FEMA Hazard Mitigation Grant Program funding to design the new facility to FEMA 361 shelter standards, with occupancy for 275 emergency responders and other key personnel. In accordance with the National Insurance Flood Program (NFIP) and FEMA's floodplain management requirements (44 CFR Part 9.4[c]), the proposed facility will be elevated above the 500-year floodplain to a finished floor elevation (FFE) of 26 feet above mean sea level (asml).

Access to the proposed project site would be from the west via 23rd Avenue, from the south via 15th Street, and from the east via 22nd Avenue. The new facility would utilize existing municipal water, electricity, sewerage and telephone utilities on the project site. Additional on-site water and sewerage capabilities provided by the proposed water tower and wastewater storage bladder



will allow the facility to be self sufficient after storm events and meet FEMA 361 shelter standards.

The Proposed Action includes two non-FEMA-funded activities:

- The City of Gulfport proposes to utilize city funding for the demolition of the existing Police Operations Building.
- The City is also seeking assistance from the Mississippi Power Company to relocate the existing overhead power transmission corridor, which extends north to south through the center of the property, underground directly below the existing lines.

The Council on Environmental Quality (CEQ) regulations implementing NEPA direct federal agencies to avoid improper segmentation when analyzing environmental impacts, in particular with regard to connected actions; for example, actions that are interdependent parts of a larger action and that depend on the larger action for justification (40 CFR 1508.25[a]).

4.0 AFFECTED ENVIRONMENT AND IMPACTS

The following table summarizes the potential impacts of the Proposed Action Alternative and conditions or mitigation measures to offset those impacts. Following the summary table, any areas where potential impacts were identified will be discussed in greater detail.

Affected Environment	Impacts	Mitigation
Geology and Soils	No impacts to geology are anticipated. Short-term minor impacts to soils may occur.	Appropriate Best Management Practices (BMPs), such as installing silt fences and revegetating bare soils immediately upon completion of demolition, excavation, and construction to stabilize soils
Surface Water	Temporary short-term impacts to downstream surface waters are possible during demolition and construction activities.	The applicant would prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a National Pollutant Discharge Elimination System (NPDES) permit prior to construction. Appropriate BMPs, such as installing silt fences and revegetating bare soils, would minimize runoff. A General Permit from the Mississippi Department of Environmental Quality (MDEQ) will be required for control of erosion and sediment.



Affected Environment	Impacts	Mitigation
Groundwater	No impacts to groundwater are anticipated.	None.
Floodplains	The proposed project site is located outside of the 100-year floodplain, but within the 500-year floodplain.	The building will be elevated above the 500-year flood elevation to a FFE of 26 feet amsl.
Waters of the U.S. including Wetlands	No impacts to waters of the U.S., including wetlands, would occur.	Appropriate BMPs, such as installing silt fences and stabilizing soils would minimize runoff into nearby waters of the U.S.
Transportation	A minor temporary increase in the volume of construction traffic on roads in the immediate vicinity of the proposed project site is anticipated.	Construction vehicles and equipment would be stored on site during project construction and appropriate signage would be posted on affected roadways.
Public Health and Safety	No impacts to public health and safety are anticipated.	All construction activities would be performed using qualified personnel and in accordance with the standards specified in Occupational Safety and Health Administration (OSHA) regulations. Appropriate signage and barriers would be in place prior to construction activities to alert pedestrians and motorists of project activities.
Hazardous Materials	No impacts to hazardous materials or wastes are anticipated.	Any hazardous materials discovered, generated, or used during construction would be disposed of and handled in accordance with applicable local, state, and federal regulations.
Socioeconomic Resources	No impacts to socioeconomic resources would occur.	None.
Environmental Justice	No disproportionately high or adverse effect on minority or low-income populations would occur. All populations would benefit from Police Department and Municipal Court services.	None.



Affected Environment	Impacts	Mitigation
Air Quality	Short-term impacts to air quality would occur during the demolition and construction period.	Construction contractors would be required to water down construction areas when necessary; fuel-burning equipment running times would be kept to a minimum; engines would be properly maintained.
Noise	Short-term noise impacts would occur at the proposed project site during the demolition and construction period.	Construction would occur during normal business hours and equipment would meet all local, state, and federal noise regulations.
Biological Resources	The project site is previously developed and does not provide habitat for wildlife or any federally listed species.	None
Cultural Resources	No impacts to archeological or cultural resources are anticipated.	Prior to the commencement of construction activities, the City of Gulfport shall coordinate with FEMA to determine whether archeological monitoring will be required during site excavation.

4.1 Geology and Soils

The proposed project site is underlain by coastal deposits, and an unconsolidated geologic formation consisting of loam, sand, gravel, and clay (MARIS, 2008).

The proposed project site contains soils mapped as Eustis loamy sand and Plummer loamy sand (USDA/NRCS, 2008). The Eustis series consists of deep, somewhat excessively drained soils formed in coarse-textured marine or fluvial sediments (USDA/NRCS, 2001). The Plummer series consists of very deep, poorly or very poorly drained soils formed in marine or fluvial sediments (USDA/NRCS, 2007). The Plummer Series is listed as a hydric soil; the Eustis Series is not (USDA/NRCS, 2008).

The Farmland Protection Policy Act (FPPA) states that federal agencies must “minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses...” According to the U.S. Department of Agriculture (USDA) Soil Survey for Harrison County, Eustis loamy sand is listed as a farmland soil of statewide importance (USDA/NRCS, 2008). However, according to the FPPA, “Farmland” does not include land that is already in or committed to urban development. In accordance with FPPA regulations set forth in 7 CFR Part 658.2(a), the project site meets the definition of farmland “already in” urban development because it is mapped as an urban area with a “tint overprint” on the U.S. Geological



Survey (USGS) 7.5 minute topographic map (USGS, 1994). Therefore a FPPA conversion form is not required.

No Action Alternative – Under the No Action Alternative, no impacts to geology or soils would occur because there would be no construction.

Proposed Action Alternative – Under the Proposed Action Alternative, no impacts to geology would occur because only surficial disturbance would occur on the project site. Soils on the project site would be disturbed to develop the property. To minimize the potential for erosion, appropriate BMPs would be implemented at the proposed project site; BMPs would include the installation of silt fences and revegetation of soils.

On December 10, 2008, a letter requesting project review was sent to the Natural Resources Conservation Service (NRCS) (Appendix C). To date, no response has been received.

4.2 Water Resources

4.2.1 Surface Water

The Clean Water Act (CWA), as amended in 1977, established the basic framework for regulating discharges of pollutants into the waters of the U.S.

The proposed project site is located approximately 0.25 mile north of the Gulf of Mexico. The project site is relatively flat with an elevation of approximately 23 feet amsl. Topography in the vicinity of the project site slopes gently south toward the Gulf of Mexico. There are no streams or drainage channels on or in the immediate vicinity of the project site. Water from the project site drains via surface flow toward the Gulf of Mexico or is collected in city storm drains. Site visits conducted by Nationwide Infrastructure Support Technical Assistance Consultants (NISTAC) and FEMA biologists on September 30, 2008, verified these findings.

No Action Alternative – Under the No Action Alternative, no impacts to surface water would occur because there would be no construction.

Proposed Action Alternative – Under the Proposed Action Alternative, short-term impacts to downstream surface waters would occur during the demolition and construction periods due to soil erosion during ground disturbing activities. The applicant would be required to submit a SWPPP and NPDES permit application prior to construction. To reduce impacts to surface water, the applicant would implement appropriate BMPs, such as installing silt fences and revegetating bare soils. A General Permit from MDEQ will be required for control of erosion and sediment.

On December 10, 2008, letters requesting project review were sent to the U.S. Environmental Protection Agency (EPA) Water Management District, the MDEQ Office of Pollution Control, and the Mississippi Soil and Water Conservation Commission (Appendix C). No responses have been received to date.

4.2.2 Floodplains

Executive Order (EO) 11988 (Floodplain Management) requires federal agencies to avoid direct or indirect support of development within the 100-year floodplain, or the 500-year floodplain for critical actions, whenever there is a practicable alternative. FEMA uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain and the 500-year floodplain for the



NFIP. Consistent with EO 11988, both conventional FIRMs and Preliminary Digital FIRMs (DFIRMs) were examined during the preparation of this EA. The conventional FIRM placed the proposed project site outside of both the 100-year and 500-year floodplains (FEMA, 2002). However, the DFIRM placed the proposed project site in Flood Zone X, outside of the 100-year floodplain, but within the 500-year floodplain (MDEQ, 2007). FEMA has also developed ABFE maps (based on flood frequency analysis) that update the flood risk data with information on storms that have occurred in the past 25 years, including Hurricane Katrina. The ABFE map shows that the proposed project site is located outside of the ABFE (FEMA, 2006).

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to floodplains.

Proposed Action Alternative – Under the Proposed Action Alternative, the City of Gulfport Police and Municipal Court Building would be built on a site located outside of the 100-year floodplain and ABFE, but within the 500-year floodplain. The elevation of the 500-year floodplain in the area is 23.4 feet amsl, and the proposed building would be elevated to a FFE of 26 feet amsl. In accordance with EO 11988, FEMA’s Eight-Step Planning Process for Floodplains was completed to identify, minimize, and mitigate floodplain impacts (Appendix D).

4.2.3 Waters of the U.S. including Wetlands

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to Section 404 of the CWA. Additionally, EO 11990 (Protection of Wetlands) requires federal agencies to avoid, to the extent possible, adverse impact to wetlands.

The proposed project site is approximately 0.25 mile north of the Gulf of Mexico. The National Wetlands Inventory map identified no potential wetland areas located on the project site (USFWS, 2008a). A site visit by NISTAC and FEMA biologists on September 30, 2008, confirmed that the proposed project site does not contain wetlands. For an area to be considered a wetland by the USACE, the area must have evidence of wetland hydrology, hydrophytic vegetation, and hydric soils. The proposed project site is almost entirely developed or paved and contains only small areas of landscaped vegetation. Although the site contains hydric soils, there is no evidence of wetland hydrology or wetland vegetation.

The Coastal Zone Management Act (CZMA) enables coastal states, including Mississippi, to designate state coastal zone boundaries and develop coastal management programs to improve protection of sensitive shoreline resources and guide sustainable use of coastal areas. According to the National Oceanic and Atmospheric Administration (NOAA), the proposed project site is located within the Mississippi Coastal Zone (NOAA, 2004).

No Action Alternative – Under the No Action Alternative, no impacts to waters of the U.S., including wetlands, would occur because there would be no construction.

Proposed Action Alternative – Under the Proposed Action Alternative, no impacts to waters of the U.S., including wetlands would occur because the proposed project site does not contain wetlands. On December 10, 2008, letters requesting project review were sent to the Mississippi Department of Marine Resources (MDMR), Bureau of Wetlands Permitting, and to the USACE Mobile District. In a response letter dated January 13, 2009, MDMR stated that the agency had no objections to the proposed project provided there are no direct or indirect impacts to coastal

wetlands and no coastal program agency objects to the proposal (Appendix C). No response has been received from the USACE to date.

4.3 Transportation

The proposed project site for the Gulfport Police and Municipal Court Building is located in downtown Gulfport and is comprised, in part, of land occupied by the former Police Department and Municipal Court buildings. Access to the site would be from the west via 23rd Avenue, from the south via 15th Street, and from the east via 22nd Avenue. (Figure 3, Appendix A). All three of these roads are classified by the Mississippi Department of Transportation (MDOT) as collector roadways (MDOT, 2005)

No Action Alternative – Under the No Action Alternative, no impacts to transportation would occur because no construction would occur.

Proposed Action Alternative – Under the Proposed Action Alternative, some short-term impacts to transportation and site access are anticipated during construction activities. There would be a minor temporary increase in the volume of construction traffic on roads in the immediate vicinity of the proposed project site that could potentially result in a slower traffic flow for the duration of the construction phase. To mitigate potential delays, construction vehicles and equipment would be stored on site during project construction and appropriate signage would be posted on affected roadways.

As the proposed project would return the City's police and municipal court operations to their pre-disaster location within the downtown area, it is anticipated that traffic levels in the area would return to pre-Katrina levels. No long-term impacts to transportation are anticipated. On December 10, 2008, a letter requesting project review was sent to MDOT (Appendix C). To date, no response has been received.

4.4 Environmental Justice

EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Socioeconomic and demographic data for the project area were reviewed to determine if a disproportionate number of minority or low-income persons have the potential to be adversely affected by the proposed project.

The City of Gulfport has a population of 69,084 individuals. According to the U.S. Census Bureau (USCB) 2005-2007 American Community Survey, the median household income reported in the City of Gulfport was \$37,963, with 18.5 percent of individuals living below the poverty level. The median household income reported in all of Harrison County was \$43,654, with 14.8 percent of individuals living below the poverty level. The median household income in the State of Mississippi was \$35,632, with 21.1 percent of individuals living below the poverty level (USCB, 2008). Minorities represented 41.5 percent, 27.9 percent, and 39.3 percent, respectively, of the City of Gulfport, Harrison County, and the State of Mississippi populations.

No Action Alternative – Under the No Action Alternative, there would be no disproportionately high and adverse effect on minority or low-income populations. All populations would be adversely impacted by the reduced capacity and efficiency of the City of Gulfport Police Department and Municipal Court.

Proposed Action Alternative – Under the Proposed Action Alternative, there would be no disproportionately high and adverse effect on minority or low-income populations. Implementation of the Proposed Action would benefit all populations within the City of Gulfport by providing the police department and municipal court with the facilities necessary to carry out their daily operations efficiently and effectively.

4.5 Air Quality

The Clean Air Act (CAA) requires that states adopt ambient air quality standards. The standards have been established in order to protect the public from potentially harmful amounts of pollutants. Under the CAA, the EPA establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect public welfare by promoting ecosystems health, and preventing decreased visibility and damage to crops and buildings. EPA has set National Ambient Air Quality Standards (NAAQS) for the following six criteria pollutants: ozone (O₃), particulate matter (PM_{2.5}, PM₁₀), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), and lead (Pb). According to MDEQ, the entire state of Mississippi is classified as in attainment, meaning that criteria air pollutants do not exceed the NAAQS (MDEQ, 2008).

No Action Alternative – Under the No Action Alternative, there would be no short- or long-term impacts to air quality because no construction would occur.

Proposed Action Alternative – Under the Proposed Action Alternative, short-term impacts to air quality could occur during demolition of the Police Operations Building and construction of the new Police and Municipal Court Building. To reduce temporary impacts to air quality, construction contractors would be required to water down construction areas when necessary. Emissions from fuel-burning internal combustion engines (e.g., heavy equipment and earthmoving machinery) could temporarily increase the levels of some of the criteria pollutants, including CO, NO₂, O₃, PM₁₀, and non-criteria pollutants such as volatile organic compounds. To reduce the emission of criteria pollutants, fuel-burning equipment running times would be kept to a minimum and engines would be properly maintained.

4.6 Noise

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses including residences, schools, or hospitals (EPA, 1974).



No Action Alternative – Under the No Action Alternative, there would be no construction and therefore no noise impacts.

Proposed Action Alternative – Under the Proposed Action Alternative, short-term increases in noise levels are anticipated during the demolition and construction period. To reduce noise levels, construction activities would take place during normal business hours. Equipment and machinery utilized at the proposed project site would meet all local, state, and federal noise regulations.

4.7 Biological Resources

The proposed project site consists of approximately 4.2 acres of previously developed land, currently in use as a temporary office trailer complex. Based on a site visit on September 30, 2008, approximately 95% of the project site was covered with buildings or pavement and 5% with landscaping.

The U.S. Fish and Wildlife Service (USFWS) lists the following federally endangered (E) and threatened (T) animal species for Harrison County (USFWS, 2008b):

Common Name	Scientific Name	Status
Louisiana black bear	<i>Ursus americanus luteolus</i>	T
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T (CH)
Piping plover	<i>Charadrius melodus</i>	T (CH)
Gopher tortoise	<i>Gopherus polyphemus</i>	T
Green sea turtle	<i>Chelonia mydas</i>	T
Loggerhead sea turtle	<i>Caretta caretta</i>	T
Kemp’s ridley sea turtle	<i>Lepidochelys kempii</i>	E
Mississippi gopher frog	<i>Rana capito sevosa</i>	E
Louisiana quillwort	<i>Isoetes louisianensis</i>	E
Alabama red-bellied turtle	<i>Psuedemys alabamensis</i>	E
Leatherback turtle	<i>Dermochelys comacea</i>	E
West Indian manatee	<i>Trichechus manatus</i>	E
Brown pelican	<i>Pelecanus occidentalis</i>	E
Red-cockaded woodpecker	<i>Picoides borealis</i>	E
(CH) = listed with critical habitat		

Because the proposed project site is disturbed and almost completely developed, it does not contain habitat for any federally listed threatened or endangered species; therefore, it is unlikely that any threatened or endangered species are present.

No Action Alternative – Under the No Action Alternative, there would be no impacts to biological resources.

Proposed Action Alternative – The proposed project site almost completely developed and provides little habitat for wildlife and no suitable habitat for any federally listed threatened or endangered species. The small areas of landscaping would be removed during demolition and construction and would be replaced upon completion of construction, so impacts to biological resources would be minimal. There would be no impacts to threatened or endangered species. A consultation letter requesting project review was sent to the USFWS on December 10, 2008. In a response letter dated December 15, 2008, USFWS stated that the proposed project will not affect any federally listed threatened or endangered species because suitable habitat does not exist within the project boundary (Appendix C).

4.8 Cultural Resources

Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 CFR Part 800, requires federal agencies to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on federal projects that will have an effect on historic properties prior to implementation. Historic properties are defined as archeological sites, standing structures, or other historic resources listed in or eligible for listing in the NRHP.

A FEMA Archeologist and a FEMA Architectural Historian, both qualified in their respective disciplines under the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), conducted an assessment of the project's potential to affect historic properties within the Area of Potential Effects (APE). The APE is the geographic area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The APEs for archeological and aboveground historic properties have been previously established through FEMA consultation with the Mississippi State Historic Preservation Office (SHPO). For archeological resources, the APE consists of the proposed project site; for above ground historic properties, the APE is typically a 0.5-mile radius extended out around the proposed project site. However, FEMA adjusted the APE to a 0.25-mile radius to account for the proposed project's limited visual exposure beyond that distance due to the project site's downtown location and the low rise of the proposed building.

A review of the SHPO site files and maps indicated that very few archaeological investigations have been executed within a 2-mile radius of the APE. Survey 07-187 consisted of monitoring at Grasslawn during its demolition and two corridor surveys (98-088 and 99-173) were conducted for Highway 49. All three surveys produced negative results.

With the exception of a brick building, the Police Operations Center, that appears to be 45 years or older, the only other structures present on the site are several temporary trailers used for office space by the City of Gulfport. The existing urban terrain is flat and is covered with approximately 95 percent concrete and 5 percent landscaping. The only exposed ground surface is on the northern boundary along the railroad tracks. This surface exhibited years of disturbance and had no evidence of significant cultural remains. Due to existing ground disturbance (past construction, utilities, etc.) of the proposed project site, sub-surface cultural resources are unlikely to be present; if present, they are unlikely to be intact.



The above-ground historic properties APE is a 0.25-mile radius around the proposed project site, which allows for adequate evaluation of potential adverse effects of demolition of the existing structure and of the new construction. The Police Operations Building, located at 1516 23rd Avenue, sits visually isolated in the midst of parking lots and immediately adjacent to temporary trailers used for office space. The building is a low scale, one-story, painted white brick structure and appears to have been a back-of-house type of structure at the rear of the proposed project site and adjacent to the CSX railroad tracks which border the northern boundary. The building is rectilinear in shape with windows of various sizes but predominantly 9-over-9 double-hung windows. It has a flat roof and appears to date from circa 1960. It exhibits no particular style and is architecturally indistinctive. It has a small, more recent addition on the east side of the main structure. The building does not possess the level of exceptional importance required to be listed on the NRHP.

The proposed project site is located adjacent to the east of the Gulfport Harbor Square National Register Historic District, which ends at 23rd Avenue. Along with a fairly recently constructed fire station are several other low scale intrusions on the edge of this historic district along 23rd Avenue that block the view of this district from the proposed project site under review. Low scale construction lies north of the proposed project site and beyond – including the CSX railroad tracks and a power company substation. These structures serve as a barrier between the proposed project site and a potential new National Register Historic District where the Queen Anne vernacular styled cottages form the lower or southern boundary. To the east of the site are low scale modern brick structures and temporary buildings, parking lots, a three-story parking garage, and the large Dan M. Russell U. S. Courthouse building.

FEMA determined that the Police Operations Building has no architectural or historical significance and the proposed demolition of the structure will not cause an adverse effect; the proposed new construction will be more in keeping with the character of the adjacent Harbor Square National Register Historic District.

FEMA sent consultation letters dated January 21, 2009, to the Mississippi Department of Archive and History (MDAH) and to the Mississippi Band of Choctaw Indians Tribal Historic Preservation Officer (THPO) requesting project review and comment (Appendix C). FEMA sent an additional letter dated January 21, 2009, to MDAH requesting concurrence with FEMA's findings that the Police Operations Building is not eligible for listing in the National Register of Historic Places and that no historic properties would be affected (Appendix C).

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to archeological or cultural resources.

Proposed Action Alternative – Under the Proposed Action Alternative, no impacts to archeological or cultural resources are anticipated. A response letter from MDAH, dated February 2, 2009, provided MDAH concurrence with FEMA's determinations and stated that MDAH has no reservations with the undertaking, with the provision for monitoring, if appropriate (Appendix C). No THPO response has been received to date.

Prior to beginning construction activities, the City of Gulfport shall coordinate with FEMA to determine whether archeological monitoring will be required during site excavation.



5.0 CUMULATIVE IMPACTS

According to CEQ regulations, cumulative impacts represent the “impact on the environment which results 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. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).” In accordance with NEPA and to the extent reasonable and practical, this EA considered the combined effect of the Proposed Action Alternative and other actions occurring or proposed in the vicinity of the proposed project site.

The City of Gulfport and the entire Mississippi Gulf coast are undergoing recovery efforts after Hurricanes Katrina and Gustav caused extensive damages. The recovery efforts in Gulfport include demolition, reconstruction, and new construction. In particular, the City of Gulfport is currently completing a downtown modernization project, which includes the refurbishment of building facades, sidewalk replacements, and underground utility work. These projects and the proposed action may have a cumulative temporary impact on air quality in Gulfport by increasing criteria pollutants during construction activities. No other cumulative effects are anticipated.

6.0 PUBLIC INVOLVEMENT

FEMA is the lead federal agency for conducting the NEPA compliance process for the proposed project in Gulfport, Mississippi. It is the goal of the lead agency to expedite the preparation and review of NEPA documents and to be responsive to the needs of the community and the purpose and need of the proposed action while meeting the intent of NEPA and complying with all NEPA provisions.

The City of Gulfport will notify the public of the availability of the draft EA through publication of a public notice in a local newspaper. FEMA will conduct an expedited public comment period commencing on the initial date of publication of the public notice.

7.0 AGENCY COORDINATION AND PERMITS

The following agencies and organizations were contacted by letter requesting project review during the preparation of this EA. Responses received to date are included in Appendix C.

- U.S. Army Corps of Engineers, Mobile District, Regulatory Division
- U.S. Department of Agriculture, Natural Resources Conservation Service
- U.S. Environmental Protection Agency, Region 4, Water Management Division
- U.S. Fish and Wildlife Service, Jackson Field Office
- Mississippi Department of Agriculture and Commerce
- Mississippi Department of Archives and History
- Mississippi Band of Choctaw Indians Tribal Historic Preservation Officer

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- Mississippi Department of Environmental Quality, Office of Pollution Control, Environmental Permits Division
 - Mississippi Department of Marine Resources, Bureau of Wetlands Permitting
 - Mississippi Department of Transportation, Environmental Division
 - Mississippi Soil and Water Conservation Commission

In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.

8.0 CONCLUSIONS

No impacts to geology, groundwater, floodplains, wetlands, public health and safety, hazardous materials, socioeconomic resources, environmental justice, biological resources, or cultural resources are anticipated under the Proposed Action Alternative.

During the construction period, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated. All short-term impacts will be mitigated utilizing BMPs, such as silt fences, proper equipment maintenance, and appropriate signage. No long-term impacts are anticipated.

9.0 REFERENCES

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Appendix A

Figures

Appendix B
Site Photographs

Appendix C
Agency Coordination

Appendix D

Eight-Step Planning Process for Floodplains and Wetlands