

## **NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

December 14, 2010

Mississippi Development Authority  
Post Office Box 849  
Jackson, Mississippi 39205  
601-359-3449

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Mississippi Development Authority (MDA). The MDA is providing funding to the Mississippi State Port at Gulfport (Port), which will carry out the project.

### **REQUEST FOR RELEASE OF FUNDS**

On or about January 14, 2011 the MDA will submit a request to the Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) Disaster Recovery Grant funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake a project known as the 24-Acre Fill, New Tenant Terminals and Infrastructure Project at the Port. The project will involve the necessary work to fill the final 24 acres of Mississippi Sound water bottoms authorized by Department of the Army Permit MS96-02828-U, fill the West Pier to +25 feet to make the port facilities resistant to storm surge, and construct new tenant terminals and infrastructure. The proposed project is located on Port property south of U.S. 90 and on fill and structures authorized by Permit MS96-02828-U.

The total estimated project cost for the completion of the Project is \$481,000,000. The project will be funded entirely by CDBG funds. The project site is located on Port property south of U.S. 90 and in the near shore waters of the Mississippi Sound, immediately adjacent to the Port of Gulfport West Pier, in Section 9, Township 8 South, Range 11 West, Harrison County, Mississippi.

## FINDING OF NO SIGNIFICANT IMPACT

The Mississippi Development Authority has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at MDA located at 239 N. Lamar Street, Jackson, MS 39201, and is available for review and may be examined or copied weekdays from 8:00 A.M. to 5:00 P.M.

## PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to MDA as well as DHUD, to ensure that all comments receive full consideration. All comments received by January 13, 2011 will be considered by the MDA prior to DHUD authorizing the request for release of funds. Comments must be prepared and submitted in accordance with the required procedure (24CFR Part 58) and shall be addressed to Mr. Daron Wilson, Mississippi Development Authority, P.O. Box 849 Jackson Ms 39205, or submitted electronically to [disasterrecoverycomments@mississippi.org](mailto:disasterrecoverycomments@mississippi.org). Comments should specify which Notice they are addressing.

## RELEASE OF FUNDS

The MDA certifies to DHUD that Daron Wilson in his capacity as Director, PMO Disaster Recovery Division, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. DHUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the MDA to use DHUD Program Funds.

## OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the MDA's certification received by January 29, 2011 or for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the MDA; (b) the MDA has omitted a step or failed to make a decision or finding required by DHUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DHUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Mr. Scott Davis, Director of Disaster and Special Issues, 451 7<sup>th</sup> Street S.W., Washington, DC 20410. Potential objectors should contact DHUD to verify the actual last day of the objection period.

Daron Wilson  
Director, PMO Disaster Recovery Division  
Mississippi Development Authority

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