

Federal Railroad Administration

North Rail Connector Project

FINDING OF NO SIGNIFICANT IMPACT

Submitted Pursuant to 42 U.S.C. 4332 (2)(c)

By the

U.S. Department of Transportation
Federal Railroad Administration

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1. Introduction

The Federal Railroad Administration (FRA) prepared an Environmental Assessment (EA) for the Jackson County Port Authority's (JCPA) North Rail Connector Project (the Project). FRA is administering Fiscal Year 2018 funding for the Project under Consolidated Rail Infrastructure and Safety Improvement (CRISI) grant program. FRA is the lead federal agency under National Environmental Policy Act of 1969 (NEPA), and the U.S. Army Corps of Engineers (USACE) is a cooperating agency for the EA. The Southern Rail Commission (SRC) is the recipient of the CRISI grant funding, JCPA is the Project Sponsor and rail owner, and Mississippi Export Railroad (MSE) is the railroad operator. JCPA is conducting engineering design and acting in coordination with SRC and FRA. JCPA will be responsible for obtaining necessary permits, construction, and any mitigation requirements. MSE, as operator, will acquire right-of-way without using federal funds, and will be responsible for maintenance activities. The new rail will be granted to MSE after 1,000 rail cars are exchanged across the North Rail Connector.

The EA evaluated and assessed the environmental impacts of the proposed Project. The EA examined a Build Alternative and a No Build Alternative. FRA and JCPA selected the Build Alternative as the Preferred Alternative. FRA made the EA available for 30-day agency and public comment beginning on October 24, 2021.

FRA prepared the EA pursuant to: NEPA (42 U.S.C. § 4321 et seq.), and implementing regulations (40 CFR Parts 1500-1508), 23 CFR § 771; 23 U.S.C. § 139; Section 4(f) of the United States Department of Transportation Act (49 USC §303) and implementing regulations (23 CFR Part 774); National Historic Preservation Act (54 USC §306101 et seq.) and implementing regulations (36 CFR Part 800); Clean Air Act as amended (42 USC §7401 et seq.) and implementing regulations (40 CFR Parts 51 and 93); the Endangered Species Act of 1973 (16 USC §1531- 1544) and implementing regulations (50 CFR Part 402); the Clean Water Act (33 USC §1251- 1387) and implementing regulations (33 CFR Parts 320 to 324 and 40 CFR Part 230 and the Magnuson-Stevens Fishery Conservation and Management Act Public Law 94-265 as amended by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (P.L. 109-479) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 4601). FRA made this Finding of No Significant Impact (FONSI) based on information and analysis in the EA. The EA is incorporated by reference to this FONSI.

2. Project Location

The location of the proposed Project would be in Section 19, Township 7 South, and Range 5 West of Jackson County, MS. The approximate center point of the proposed rail is at 30.415546 degrees latitude and - 88.514452 degrees longitude. The new rail resulting from the Project would extend from mile post 2.89 (30.251207/-88.310005) on the north and extend to mile post 2.05 (30.413308/-88.508269) on the east where it would join existing rail that runs to the Kreole Interchange located within the MPITC. The Project Area is located mostly within undeveloped marsh and wooded uplands. The Project Area is bordered on the north by the tidal marsh that borders the Escatawpa River; on the west by tidal marsh followed by the existing MSE rail line and the Highway 63 high-rise bridge; on the south by wooded uplands and residential properties along Orange Grove Road/Elder Street; and on the east by wooded uplands. For more information see Section 1.1 of the EA.

3. Purpose and Need

3.1 Purpose of the Project

The purpose of the proposed Project is to provide additional railroad capacity and connectivity between existing infrastructure to support the growing needs of the Port of Pascagoula, Bayou Casotte Harbor. Currently, freight trains that travel from the north on the MSE line must pass through downtown Moss Point and Pascagoula to the Pascagoula Interchange to join CSX rail. This operation regularly blocks vehicular traffic and creates delays at four major roadway intersections.

3.2 Need for the Project

The proposed Project is needed to remove operational conflicts between railroads, reduce congestion, and accommodate the proposed restoration of passenger rail service.

The need for the proposed Project is supported by the following goals:

1. Achieve a more streamlined and seamless interchange of operations between MSE and CSX;
2. Remove freight operations from CSX's rights-of-way (ROW) along its main line that could aid in reducing congestion and accommodating other freight operations;
3. Reduce potential conflicts with the proposed, restored intercity passenger rail service from New Orleans, LA to Mobile, AL; and,
4. Allow MSE to operate longer trains that are pulled by six-axle locomotives as the current track has a tight curve that is hard for larger trains to navigate.

For more information see Section 1.2 of the EA.

4.0 Alternatives

4.1 Alternatives Considered But Removed from Further Consideration

Prior to initiation of the NEPA process, six location or construction alternatives were considered by Project Sponsor. Section 2.1.1 of the EA describes each of these alternatives, and the reasons why they were determined to not meet the need and purpose of the proposed Project or could not be reasonably constructed.

4.2 No Build Alternative

The No-Build Alternative was considered in the EA and analyzes what would happen if there are no Project improvements in comparison to the Build Alternative. The No-Build Alternative was not selected because it would not meet the purpose and need of the project. Under the No Build Alternative, a new rail layout to connect MSE and the JCPA line at the interchange located within the MPITC would not be constructed. The connectivity and capacity of the line would remain unchanged. The existing rail line that passes through downtown Moss Point and Pascagoula would remain operational and conflicts with MSE and CSX freight operations would continue to occur at the downtown Pascagoula Interchange. Rail would not be freed up for use for the potential passenger rail operations planned for the area.

4.3 Build Alternative

The Build Alternative would begin at mile post 2.89 south of the Escatawpa River swing bridge and end at mile post 2.05 where it ties into existing rail that provides access to the MPITC. The new rail would be constructed at the same elevation as the existing rail; however, it will be constructed on pilings instead of on fill. Construction would be from existing rail in order to avoid impacts to the marsh outside of the proposed footprint. The single track railbed would be 15 feet wide and the elevation would be approximately 5 feet above the mean high tide.

The Build Alternative would cross over approximately 3,265 feet of marsh wetlands and 394 feet of uplands. This distance over the wetlands would allow use of elevated rail. This alternative includes 2,852 feet of elevated rail over marsh, approximately 413 feet of rail on fill through marsh and 394 feet of new or modified rail on uplands. An existing road crossing over Orange Grove Road would be relocated approximately 475 feet to the west to provide a curve that will accommodate longer trains and faster speeds. This alternative would impact approximately 0.90 acres of wetlands from fill at the elevated rail pilings and abutments and through the 413 feet of marsh. Mitigation would be required, and a draft Permittee Responsible Mitigation Plan was prepared and submitted to and approved by National Marine Fisheries Service (NMFS), USACE and Mississippi Department of Marine Resources (DMR). The plan includes creation of approximately 1.0 acres of tidal marsh. Construction is expected to take approximately one year, and cost approximately \$15 million. For more information see Section 2.3 of the EA.

4.4 Selected Alternative

The Selected Alternative for the North Rail Connector Project is the Build Alternative, as described above, and in further detail in Section 2.3 of the EA. The Selected Alternative best meets the purpose and need of the Project. The main distinguishing features of the Selected Alternative is its ability to safely allow train speeds of 20-25 mph, while minimizing impact to the environment and surrounding community.

5. Affected Environment and Environmental Consequences

Based upon the EA, FRA concluded the Selected Alternative will have no foreseeable significant impact on the quality of the natural and human environment. FRA finds the Selected Alternative is best able to achieve the Project's purpose and need without significant environmental impacts.

Chapter 3 of the EA described the affected environment, defined the Study Area, and explained the analysis methodology for each resource. Chapter 4 of the EA analyzed the potential temporary and long-term effects of the Project to each resource. As noted in Section 4.13 of the EA, in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations (36 CFR Part 800) FRA determined, in consultation with the State Historic Preservation Officer, that the Project would have no effect to historic properties. Additionally, FRA's environmental review for the Project included an analysis of potential impacts to resources protected under Section 4(f) of the USDOT Act of 1966. There are no publicly owned parks, recreation areas, historic sites (publicly or privately owned), wildlife and waterfowl refuges or other types of publicly owned lands within the Project area. See Section 4.14 of this EA for more information. A summary of other potential effects is provided below:

Anticipated Impacts to Affected Environment Resources for the Selected Alternative

Affected Environment Resources	Anticipated Impacts – Selected Alternative
Air Quality	<p><i>Construction:</i> Minor and temporary impacts due to construction activities.</p> <p><i>Operational:</i> Long term net benefit due to decrease of vehicle emissions from freight volume transferring from highways to rail system.</p>
Water Quality	<p><i>Construction:</i> Minor and temporary impacts due to construction activities. Construction discharges are controlled by implementation of a Storm Water Pollution Prevention Plan.</p> <p><i>Operational:</i> No long term impacts associated with operation of the Project.</p>
Noise and Vibration	<p><i>Construction:</i> minor and temporary impacts due to construction activities (trucks and heavy equipment operation) may occur. Temporary vibration impacts from pile driving.</p> <p><i>Operational:</i> Two properties are within the Moderate Impact zone for noise. These properties are in an area where the railroad already exists, so there are no new impacts from the Build Alternative. No properties would be significantly negatively impacted by vibration associated with operation of the Project. No long term impacts to adjacent properties.</p>
Wetland Areas	<p><i>Construction:</i> Permanent impact due to approximately 0.90 acres of wetland from filling. Impact is mitigated by creation of 1.0 acres of tidal wetlands.</p> <p><i>Operational:</i> None</p>
Floodplains	<p><i>Construction:</i> Fill of 413 linear feet of marsh and would reduce the floodplain function at this location. Filling of approximately 0.90 acres of wetlands would be offset by creation of approximately 1.0 acre of tidal wetlands. This is “in kind” wetland creation and would allow the floodplain function of flood protection to continue.</p> <p><i>Operational:</i> No reduction in the function of the floodplain due to operation of the Project. With implementation of the Project’s in-kind tidal wetland creation, there would be no significant encroachment on floodplains as defined in US DOT Order 5650.2.</p>

Endangered Species or Wildlife	<i>Construction:</i> Temporary disturbance of the area during construction. <i>Operational:</i> No long term adverse impact. USFWS concurs that filling of wetlands “may effect but is not likely to adversely affect” the Alabama Red-bellied Turtle. With implementation of the PRMP, NMFS concurs the proposed Project would not have an adverse effect on EFH in the area. Project
Use of Energy Resources	<i>Construction:</i> Minor impacts due to construction activities. <i>Operational:</i> Long term beneficial impacts.
Aesthetic and Design Quality Impacts	<i>Construction:</i> Minor and temporary due to the presence of construction equipment. <i>Operational:</i> None
Land Use and Community Facilities	<i>Construction:</i> None <i>Operational:</i> None
Socioeconomic Environment	<i>Construction:</i> Temporary positive impacts to employment and income from construction activity. <i>Operational:</i> Fuel and cost savings related to freight shipping. Long term positive impacts to employment at the Port of Pascagoula and potential tenants.
Environmental Justice	<i>Construction:</i> None <i>Operational:</i> None
Public Safety and Hazardous Materials	<i>Construction:</i> None <i>Operational:</i> None
Cultural Resources	<i>Construction:</i> None <i>Operational:</i> None
Section 4(f) Properties	<i>Construction:</i> None <i>Operational:</i> None
Solid Waste Disposal	<i>Construction:</i> Minor and temporary due to construction waste <i>Operational:</i> None

6. Commitments and Mitigation Measures

As described in Chapter 4 of the EA, JCPA is required to comply with all applicable federal, state, and local laws and permitting requirements during the implementation of the Selected Alternative.

The following commitments and mitigation measures were identified in Chapter 4 of the EA to address and reduce adverse impacts of the Project. Additional measures may also be implemented as necessary and as identified. JCPA is responsible for ensuring all environmental commitments identified in this FONSI are fully implemented.

Noise and Vibration: Construction noise will be limited to daytime hours at various locations along the Project corridor. The construction noise impacts will be mitigated as necessary by implementing the following:

- Avoid nighttime construction in residential neighborhoods.
- Locate stationary construction equipment as far as possible from noise sensitive sites. Re-route construction-related truck traffic along roadways that will cause the least disturbance to residents.
- Monitor and maintain equipment to meet noise limits.
- Minimize the use of generators to power equipment.
- Limit use of public address systems.

Wetlands and Floodplains: The Grantee will provide mitigation for impacts to 0.90 acres of wetlands by implementation of a Permittee Responsible Mitigation Plan (PRMP). The PRMP includes creation of approximately 1.0 acre of tidal wetlands to replace that impacted by the Project by fill at the elevated rail abutments and approximately 413 linear feet of wetlands. This is “in kind” wetland creation and would allow the floodplain function of flood protection to continue. With implementation of the Project’s in-kind tidal wetland creation, there will be no significant impact to wetlands or encroachment on floodplains as defined in US DOT Order 5650.2.

Hazardous Materials: In order to identify potential hazardous materials that may be encountered during construction, JCPA will ensure that a Phase I Environmental Site Assessment is prepared for the proposed Project area within 6 months prior to construction. Any recognized environmental condition identified that has the potential to impact the Project Area will be addressed by JCPA to ensure the appropriate responsible party maintains responsibility for any regulatory requirements for remedial actions or environmental closure.

Air Quality: In order to mitigate emissions, construction activities will be performed in accordance with construction level Best Management Practices. Strategies that will be considered during construction include:

- use of dust suppression measures such as a water truck on unpaved areas;
- apply water suppression at least twice a day to all active construction areas to minimize dust;
- tarp all trucks hauling soil, sand, and other loose materials or require that all trucks maintain at least two feet of freeboard;
- use water sweepers to sweep all paved access roads, parking areas and staging areas at construction sites daily, use water sweepers to sweep all streets daily if visible soil material is carried onto adjacent public streets;
- hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- limit traffic speeds on unpaved roads to 15 miles per hour;
- introduce appropriate erosion control measures to reduce sediment runoff to public roadways;
- replant vegetation as quickly as possible to minimize erosion in disturbed areas;

- use alternative fuels for construction equipment;
- when feasible, minimize equipment idling time, and maintain properly tuned equipment.

Water Quality: Stormwater runoff during construction will be managed by using best management practices including silt fence or turbidity curtains. Stormwater management from the upland portion of the Project would be tied into the stormwater management features of the existing rail.

Traffic: Temporary impacts may be associated with construction with trucks and machinery in the area. A temporary detour, for approximately three weeks to a month, may be required during the relocation of the rail crossing. At least 7 days prior to establishing a detour on Orange Grove Road, the adjacent residents, the City of Moss Point and emergency response providers will be notified of the road closure.

Cultural Resources: JCPA will ensure that fill is obtained from a MDEQ permitted dirt pit. JCPA will provide SHPO with more information regarding the source of the fill material prior to start of construction. In the event that Native American artifacts or human remains are inadvertently encountered during construction, JCPA will immediately stop work and contact the FRA, SHPO, Mississippi Band of Choctaw Indians, and Choctaw Nation of Oklahoma.

7.0 Coordination and Consultation

7.1. Public and Agency Involvement

FRA and JCPA coordinated with federal, state, and local agencies; railroads (MSE and SRC); Federally-recognized tribes; and the public while preparing the EA. FRA informed the public, and the entities they consulted with during preparation of the EA, of the 30-day comment period on the Draft EA through a notice in the *Press Register* on October 24, 2021 and direct e-mail correspondence (see Appendix A). FRA posted the EA to a project website at the start of the 30-day public and agency review. Notice of the comment period was also posted to the Federal Infrastructure Permitting Dashboard. A hard copy of the EA was placed at the City of Moss Point City Hall for review. For more information see Chapter 5 of the EA.

7.2. Comments Received During 30-Day EA Public Review

Mississippi State Historic Preservation Office responded by email/letter on October 25, 2021, that they had reviewed the EA and had no objection to the assessment.

None of the comments received during the 30-day public and agency comment period required any changes to the EA (see Appendix B). No comments expressed concern that the Project would have significant impacts to the natural or human environment.

8. Conclusion

FRA finds that the North Rail Connector Project as presented and assessed in the attached EA; associated technical reports; mitigation measures required; and comments offered by agencies, stakeholders, the public on this record, satisfies the requirements of NEPA (42 U.S.C. §§ 4321 *et seq.*), Council on Environmental Quality regulations (40 CFR parts 1500-1508), and 23 CFR § 771. The Selected Alternative would have no foreseeable significant impact on the quality of the human or natural environment provided it is implemented in accordance with the commitments identified in this FONSI, Jackson County Port Authority will be responsible for conducting all mitigation including the Permittee Responsible Mitigation Plan and conducting ongoing monitoring and maintenance of the mitigation area and ensuring that the mitigation commitment is fully implemented. FRA also satisfied requirements under Section 4(f) of the USDOT Act of 1966. The EA provides sufficient evidence and analysis for FRA to determine that an Environmental Impact Statement is not required for the North Rail Connector Project as presented.

Jamie P. Rennert

Jamie P. Rennert
Director, Office of Infrastructure Investment
Federal Railroad Administration

12/14/2021

Date

FRA's Office of Railroad Policy and Development, with assistance from FRA's Office of Chief Counsel, prepared this document in 2021 in accordance with 23 CFR § 771. For further information regarding this FONSI contact:

Amanda Murphy
Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 202-339-7231
Email: Amanda.murphy2@dot.gov

The following organization(s) assisted FRA's Office of Railroad Policy and Development in the preparation of the attached Environmental Assessment:

U.S. Army Corps of Engineers, Mobile District
Jackson County Port Authority

Appendix A: EA Stakeholder and Public Notices

State of Alabama,) ss

County of Mobile)

Cristy Boyington being duly sworn, deposes that he/she is principal clerk of Alabama Media Group; that Press Register is a public newspaper published in the city of Mobile, with general circulation in Mobile County, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Press Register 10/24/2021


Principal Clerk of the Publisher

Sworn to and subscribed before me this 25th day of October 2021


Notary Public



ENVIRONMENTAL ASSESSMENT
30 DAY PUBLIC REVIEW OF
THE NORTH RAIL CONNECTOR PROJECT

The Jackson County Port Authority (JCPA) is proposing to undertake the North Rail Connector Project. The Project would connect existing rail owned by Mississippi Export Railroad that crosses over the Escatawpa River in Moss Point, Mississippi, to existing JCPA-owned rail that crosses through the Moss Point Industrial and Technology Complex and provides access to the Port of Pascagoula, Bayou Casotte Harbor. The Federal Railroad Administration (FRA) is the lead federal agency for this Environmental Assessment (EA), and the U.S. Army Corps of Engineers is a cooperating agency. The EA was prepared in accordance with the requirements of the National Environmental Policy Act and other federal environmental laws such as Section 404 of the Clean Water Act, Section 7 of the Endangered Species Act, and Section 4(f) of the Department of Transportation Act, and Section 106 of the National Historic Preservation Act. The EA is available for 30-day public review and comment at: <https://railroads.dot.gov/environmental-reviews/north-rail-connector-project>. A hard copy of the EA is available for review at Moss Point City Hall (4320 McInnis Ave, Moss Point, MS 39563). Comments should be submitted to Amanda Murphy, FRA Environmental Protection Specialist, at Amanda.murphy2@dot.gov

PRESS REGISTER
October 24, 2021

From: [Murphy, Amanda \(FRA\)](#)
To: [Murphy, Amanda \(FRA\)](#)
Cc: ["sfeathers@portofpascagoula.com"](mailto:sfeathers@portofpascagoula.com)
Bcc: ["Rudolph.C.Villarreal@usace.army.mil"](mailto:Rudolph.C.Villarreal@usace.army.mil); ["Greg.Christodoulou@dmr.ms.gov"](mailto:Greg.Christodoulou@dmr.ms.gov); ["willa.brantley@dmr.ms.gov"](mailto:willa.brantley@dmr.ms.gov); ["FBass@mdeg.ms.gov"](mailto:FBass@mdeg.ms.gov); ["cspan@mdeg.ms.gov"](mailto:cspan@mdeg.ms.gov); ["hbell@mdah.ms.gov"](mailto:hbell@mdah.ms.gov); ["bwhite@mdah.ms.gov"](mailto:bwhite@mdah.ms.gov); ["david_felder@fws.gov"](mailto:david_felder@fws.gov); ["January.Murray@noaa.gov"](mailto:January.Murray@noaa.gov); ["KCarleton@choctaw.org"](mailto:KCarleton@choctaw.org); ["ithompson@choctawnation.com"](mailto:ithompson@choctawnation.com); ["mmiller@mserr.com"](mailto:mmiller@mserr.com); ["lmorrison@comptonengineering.com"](mailto:lmorrison@comptonengineering.com); ["Rashard_Howard@csx.com"](mailto:Rashard_Howard@csx.com); ["Will_Roseborough@csx.com"](mailto:Will_Roseborough@csx.com); ["mwilliams@mdeg.ms.gov"](mailto:mwilliams@mdeg.ms.gov); ["anika.morgan@cityofmosspoint.org"](mailto:anika.morgan@cityofmosspoint.org); ["msilverman@cityofpascagoula.com"](mailto:msilverman@cityofpascagoula.com); ["nicole.hodges@mmns.ms.gov"](mailto:nicole.hodges@mmns.ms.gov); ["cwalters@mdot.ms.gov"](mailto:cwalters@mdot.ms.gov); ["dseyfarth@mdot.ms.gov"](mailto:dseyfarth@mdot.ms.gov); ["agreer@portofpascagoula.com"](mailto:agreer@portofpascagoula.com); ["msmith@portofpascagoula.com"](mailto:msmith@portofpascagoula.com); ["joey@comptonengineering.com"](mailto:joey@comptonengineering.com); ["Brian_Fulton@co.jackson.ms.us"](mailto:Brian_Fulton@co.jackson.ms.us); ["melton_harris@co.jackson.ms.us"](mailto:melton_harris@co.jackson.ms.us); Dixon, Marc (FRA); Martin, Andrea (FRA); Osterhues, Marlys (FRA); ["makingadifference@jccivicaaction.org"](mailto:makingadifference@jccivicaaction.org); ["sue.wright@cityofmosspoint.org"](mailto:sue.wright@cityofmosspoint.org); ["donna.joseph@cityofmosspoint.org"](mailto:donna.joseph@cityofmosspoint.org); ["gfreeland@jcedf.org"](mailto:gfreeland@jcedf.org); ["steve@renfro.us"](mailto:steve@renfro.us); Munz, Pauline (FRA)
Subject: Public Review: North Rail Connector Project (Moss Point, MS) Environmental Assessment
Date: Friday, October 22, 2021 3:00:00 PM

Dear Interested Party,

The purpose of this email is to invite you to review and provide comments on the North Rail Connector Project Environmental Assessment (EA). **The public comment period will be open until Wednesday, November 24, 2021.** A public notice announcing the availability of the EA for review will be published in the a local newspaper (*Press Register*) on Sunday, October 24, 2021.

The Federal Railroad Administration (FRA), in cooperation with the U.S. Army Corps of Engineers Mobile District, prepared the EA to analyze the effects of the Jackson County Port Authority's (JCPA) proposed North Rail Connector Project on the natural and human environment. The EA was prepared pursuant to National Environmental Policy Act of 1969, and coordinated with the requirements for other federal environmental laws including, but not limited to the, National Historic Preservation Act, Endangered Species Act, and Clean Water Act.

The proposed project would connect rail owned by Mississippi Export Railroad that crosses over the Escatawpa River just east of Highway 63 in Moss Point, Mississippi to an existing JCPA-owned rail line that crosses through the Moss Point Industrial and Technology Complex. The purpose of the proposed project to provide additional railroad capacity and connectivity between existing infrastructure to support the growing needs of the Port of Pascagoula, Bayou Casotte Harbor. The proposed project is needed to remove operational conflicts between railroads, reduce congestion, and accommodate the proposed restoration of passenger rail service.

The EA is available to review at: <https://railroads.dot.gov/environment/environmental-reviews/north-rail-connector-project>. A hard copy of the EA is also available for review in the public documents room at Moss Point City Hall: 4320 McInnis Ave, Moss Point, MS 39563.

If you have any comments, please email them to me by November 24, 2021.

Thank you,
Amanda Murphy
Environmental Protection Specialist
Federal Railroad Administration

Appendix B: EA Comments

October 25, 2021

Amanda Murphy, Environmental Protection Specialist
Environment and Project Engineering Division
Federal Railroad Administration
1200 New Jersey Avenue, SE
West Building, Mail Stop 20
Washington, DC 20590

RE: North Rail Connector Project Draft Environmental Assessment (FRA), MDAH
Project Log #10-144-21 (04-060-21), Jackson County

Dear Ms. Murphy:

We have reviewed your October 20, 2021, Draft Environmental Assessment, received on October 25, 2021, for the above referenced project in accordance with our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After review, we have no objections to the assessment.

If you have any questions, please do not hesitate to contact us.

Sincerely,



Hayley E. Smith
Federal Programs Specialist

FOR: Katie Blount
State Historic Preservation Officer

From: [Lindsey Bilyeu](#)
To: [Murphy, Amanda \(FRA\)](#)
Subject: RE: Public Review: North Rail Connector Project (Moss Point, MS) Environmental Assessment
Date: Tuesday, November 23, 2021 10:22:53 AM

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Ms. Murphy,

The Choctaw Nation of Oklahoma thanks the FRA for providing the correspondence regarding the above referenced EA. The Choctaw Nation Historic Preservation Department has no comments to offer at this time.

If you have any questions, please contact me.

Thank you,

Lindsey D. Bilyeu, MS
Senior Section 106 Reviewer
Choctaw Nation of Oklahoma
Historic Preservation Department
Office: (580) 642-8377
Cell: (580) 740-9624

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
<https://www.fisheries.noaa.gov/region/southeast>

November 22, 2021

F/SER46/JM:rs
225-380-0089

Ms. Amanda Murphy, Environmental Protection Specialist
U.S. Department of Transportation, Federal Railroad Administration
Environmental and Project Engineering Division
Office of Infrastructure Investment
1200 New Jersey Avenue, Southeast
Washington, DC 20590

Dear Ms. Murphy:

NOAA's National Marine Fisheries Service (NMFS) has received your email dated October 22, 2021, including a draft Environmental Assessment (EA) in accordance with the National Environmental Policy Act for the North Rail Connector project. The Federal Railroad Administration (FRA) is the lead federal agency for this project and responsible for ensuring compliance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; P.L. 104-297). The applicant, the Jackson County Port Authority, proposes to discontinue use of a section of rail line, construct a new rail connection to the existing rail line using elevated pilings, and fill 0.90 acre of estuarine wetlands east of Highway 63 in Jackson County, Mississippi.

The wetlands in the vicinity of the project consist of tidally influenced brackish marsh. Water bottoms in the project area are composed of a mixture of sand and mud substrates. The proposed project is in an area potentially designated as essential fish habitat (EFH) for various life stages of federally managed species, including red drum, brown shrimp, and white shrimp. The primary categories of EFH affected by project implementation, are estuarine emergent wetlands, estuarine water column, and estuarine water bottoms. Detailed information on federally managed fisheries and their EFH is provided in the 2005 generic amendment of the Fishery Management Plans for the Gulf of Mexico prepared by the Gulf of Mexico Fishery Management Council. The generic amendment was prepared as required by the Magnuson-Stevens Act.

In addition to being designated as EFH for various federally managed fishery species, wetlands, and water bottoms in the project area provide nursery and foraging habitats for a variety of economically important marine fishery species such as blue crab, gulf menhaden, spotted sea trout, sand trout, southern flounder, and striped mullet. Some of these species serve as prey for other fish species managed by the Gulf of Mexico Fishery Management Council (e.g., mackerels, snappers, and groupers) and highly migratory species managed by NMFS (e.g., billfishes and sharks). Wetlands in the project area also produce nutrients and detritus, important components of the aquatic food web, which contributes to the overall productivity of the Pascagoula Bay estuary.



Section 305(b)(4)(A) of the Magnuson-Stevens Act requires NMFS to provide EFH conservation recommendations (CRs) for any federal action or permit which may result in adverse impacts to EFH. In a letter dated February 11, 2021, to the United States Army Corps of Engineers (USACE) under the Department of the Army permit SAM-2021-00025-RCV, the NMFS provided three EFH CRs on the North Rail Connector project to ensure the conservation of EFH and associated marine fishery resources. The FRA initiated EFH consultation with NMFS via letter dated March 10, 2021. The NMFS found the EFH assessment, alternatives analysis, and draft permittee responsible mitigation and monitoring plan (PRMMP) dated March 2021, provided by FRA included sufficient information to ensure adverse impacts to EFH would be adequately offset through a PRMMP to create approximately 1.0 acre of tidal marsh habitat. In letters dated March 23, 2021 to FRA and USACE, the NMFS concurred the proposed project would not have an adverse effect on EFH in the area given the implementation of the PRMMP. At that time, NMFS removed our CRs for the North Rail Connector project, unless future modifications are proposed which may result in adverse impacts to EFH. Additionally, NMFS has reviewed the draft EA dated October 2021 and concurs the proposed project would not have an adverse effect on EFH in the area given the implementation of the PRMMP.

Thank you for consulting with our staff on this project. If you wish to discuss this project, further or have questions concerning our recommendations, please contact January Murray at (225) 380-0089, or by email at January.Murray@noaa.gov.

Sincerely,



for/ Pace Wilber
Acting Assistant Regional Administrator
Habitat Conservation Division

c:
FRA, Murphy
USACE, Mobile, Villarreal
FWS, Jackson, Necaie
F/SER46, Swafford
F/SER4, Dale
Files