

Activity: Strategic Land Protection, Conservation, and Enhancement of Priority Gulf Coast Landscapes in MS (Planning & Implementation)

Unique Identifier: MS_RESTORE_001_002_Cat1

Location: Mississippi; Jackson, Harrison and Hancock counties

Type of Activity: Planning and Implementation

FPL Category: 1 – Funding Approved

Cost Estimate: \$15,500,000

Responsible Council Member: State of Mississippi

Partnering Council Member(s): United States Department of Agriculture, Department of the Interior

Originally submitted by: The State of Mississippi as a component within the proposal “Strategic Land Protection, Conservation, and Enhancement of Priority Lands within the Gulf of Mexico”.

Executive Summary: The components of the Strategic Land Protection, Conservation, and Enhancement of Priority Lands within Mississippi involve planning, strategy development, environmental compliance, and, where appropriate, acquisition of eligible properties. Priority areas for planning and environmental compliance for potential acquisitions could include: Graveline Bay, and Pascagoula / Escatawpa River systems (Jackson County); Turkey Creek, Wolf River (Harrison County); and Hancock County Marsh (Hancock County). Initial priority areas for acquisition were chosen by engaging state agency leads (Mississippi Department of Marine Resources as well as the Secretary of the State), and overlapping those priorities with several other vision and strategy documents, including the conservation vision of U.S. FWS, and the Partnership for Gulf Coast Land Conservation to create priority state acquisitions. Three focal areas were prioritized, where the applicable environmental laws have been addressed, these are: 1) Gulf Islands National Seashore with the National Park Service; 2) the Grand Bay National Wildlife Refuge complex; and 3) the upper reaches of the Biloxi River, Tchoutacabouffa River, and Tuxachanie Creek located within or adjacent to the De Soto National Forest.

PROJECT DESCRIPTION:

Specific Actions/Activities: Under the Strategic Land Protection, Conservation, and Enhancement of Priority Lands proposal, lands will be acquired from willing sellers, under a land acquisition program, using two methods: fee simple acquisition and conservation easements. The lands to be purchased will be carefully selected and acquired at fair market value, using UASFLA standards, unless landowners specifically prefer to do a bargain sale or donation. The expenditure of funds under the Program would occur based upon availability of prioritized, potential acquisition parcels. When available, MDEQ as the State Trustee would actively leverage funding opportunities to maximize the purpose of all acquisitions. The planning portion of the proposal will lead to a prioritized list of lands to be acquired and their eventual restoration, and also cover, from a programmatic perspective, the National Environmental Policy Act (NEPA) and other potentially applicable environmental requirements.

This proposal will also fund acquisition of parcels that have been identified as high priorities and where all applicable environmental laws have been addressed in three focal areas: 1) Gulf

Islands National Seashore with the National Park Service; 2) the Grand Bay National Wildlife Refuge complex; and 3) the upper reaches of the Biloxi River, Tchoutacabouffa River, and Tuxachanie Creek located within or adjacent to the De Soto National Forest. Specifically, the types of lands that are of interest to be acquired include:

- Gulf Islands National Seashore – vulnerable marsh habitat and coastal maritime forest communities (minimum 500 acres)
- Grand Bay National Wildlife Refuge Complex – coastal marsh habitat, long-leaf pine upland habitat, and transitional coastal communities (minimum of 300 acres)
- Upper reaches Biloxi River, Tchoutacabouffa River, and Tuxachanie Creek within or adjacent to De Soto National Forest – riparian corridors and long-leaf pine habitat (minimum of 200 acres)

The six factors listed below are not necessarily in any given priority order, but will be used to prioritize acquisitions within each of the focal areas:

- Scale that supports ecosystem processes: As a stand-alone project, or in conjunction with adjacent protected lands, conserves habitats and ecosystems on a scale that supports natural processes such as fire and predator-prey relationships, and of sufficient size and diversity to meet life-cycle needs and genetic dispersal of focal species.
- Adjacency to existing publicly and/or privately owned/managed lands: This would contribute to expanding the size of existing tracts of public lands that in theory support larger and more diverse plant and animal communities while also allowing for efficiencies with respect to costs associated with ongoing land management activities.
- Support priority birds and wildlife for the region: Habitats that already support priority birds and wildlife (and assumedly high overall biodiversity associated with high habitat quality) inherently have higher value as target sites for acquisition because of the opportunity to provide direct conservation protection of the site.
- Habitat quality and ecological services: This factor weighs the habitat quality of coastal wetland and upland habitats sites and the economic valuation of the associated level of ecological and economic services provided by that site. For example, an intact tidal marsh promotes carbon sequestration as well as supports coastal fisheries and in turn contributes to the local and regional seafood economy.
- Ecological corridors: This factor considers how a site might contribute to creating/expanding a natural ecological corridor across the coastal landscape, especially as part of a transition from one habitat type to the next. This factor may also dovetail with the adjacency factor for some sites (i.e., located directly adjacent to an existing public holding).
- Identified in state and/or federal land acquisition plans and in regional management plans: NGO organizations as well as federal and state agencies have produced countless

strategies, reports, and prioritization lists of items for coastal restoration. There has

been significant due diligence behind identifying lands for priority acquisition. Lands that complement or build upon existing management plans would be prioritized for acquisition.

Deliverables: Acquisition of priority parcels within the State of Mississippi that will provide direct and indirect ecological benefits to Mississippi's Gulf coastal landscape, expand conservation areas, and increase connectivity of protected areas. Furthermore, a prioritized list of acquisitions within the Mississippi Gulf Coast landscape that are covered under a programmatic NEPA document that, subject to compliance with NEPA and other Federal and state laws, will make land acquisitions eligible for future funding under RESTORE. This project anticipates the conservation of at a minimum 1000 acres of high value habitat.

Ecological Benefits/Outcomes and Metrics: Areas acquired will be placed in conservation for perpetuity. Ecological benefits would change as the system is restored but could include water quality and quantity improvements, biodiversity enhancements, increased habitat connectivity and reduced edge effects. Several hundred acres are anticipated to be acquired whether by acquisition or easement. The environmental compliance planning effort will lead to a prioritized list of lands to be acquired and cover all compliance associated with a land acquisition program as well as habitat restoration of those lands. When fully implemented, the land acquisition program, significant acreage of land would be conserved in perpetuity to provide direct and indirect ecosystem services to adjacent ecosystems, as well as downstream receiving waters of the Gulf of Mexico.

Leveraging and Co-Funding:

- **Building on prior or other investments:** This proposal will be coordinated with and leveraged against the \$3.6 million NFWF GEBF Mississippi Comprehensive Restoration Plan as well as the DOI strategic conservation assessment (Unique Identifier MS_RESTORE_001_009_Cat1 in Appendix K. Gulf-wide) to ensure that the efforts are complementary of each other rather than duplicative.

Duration of Activity: 5 years.

Life of Activity: Over 30 years

RESPONSE TO SCIENCE REVIEWS:

Comment: A question was raised concerning the criteria of prioritizing lands on existing state, federal and non-governmental organization lists and a concern that the description of the criteria should be more explicitly tied to the primary goal of conserving and restoring habitat.

Response: The listing of a site on a current regional or federal land acquisition plan is only one of six factors to be considered; all six factors are important elements of an overall selection process.

Comment: Scientific evaluation comments included concerns regarding the effects of sea level rise, land subsidence, and proposed large-scale Mississippi River diversions on acquired lands or easements, rendering them functionally obsolete. One suggestion was that modeling and GIS-based spatial analyses could help address the issues of these and other science-based risks, in the planning stages.

Response: These risks will be fully evaluated under the related prioritization of tracts, and future planning component and will be used in the overall selection process for parcel acquisition or easements.

Comment: Another issue raised was that although the case was made for the need for land protection on private lands, the proposal also recognized that outright land acquisition is often infeasible and easements are a better option.

Response: Both options will be explored during the related planning component; it is likely that landowners will find value in both options during the implementation phase of the project.

Comment: For the planning and technical assistance request for funding there were no specific science review issues. In general scientific evaluation comments included concerns regarding the effects of sea level rise, land subsidence, and proposed large-scale Mississippi River diversions on acquired lands or easements, rendering them functionally obsolete.

Response: These risks will be fully evaluated under the prioritization of acquisition, as well as the environmental compliance planning component and will be used in the overall selection process for parcel acquisition.

Comment: Other comments included the need for more discussion of scientific lessons learned from previous efforts at land protection in the Gulf Region, additional science-based statistics on value of land conservation to habitat protection, and the inclusion of scientific case studies on the habitat benefits of land protection in the Gulf region.

Response: These will be more fully developed during the planning component and values and benefits captured as a result of lands acquired.

ENVIRONMENTAL COMPLIANCE:

Council approval of funding for the planning portion of this activity will not involve or lead directly to ground-disturbing activities that may have significant effects on the environment individually or cumulatively, nor does it commit the Council to a particular course of action affecting the environment. The Council has considered potential extraordinary circumstances, including potential negative effects to threatened and endangered species, essential fish habitat, Tribal interests and/or historic properties, where applicable, and has determined that no such circumstances apply. Accordingly, the Council has determined that this planning activity is covered by the Council's National Environmental Policy Act (NEPA) Categorical Exclusion (CE) for planning, research or design activities (Section 4(d)(3) of the Council's NEPA Procedures).

The Council has reviewed the implementation portions of this activity with respect to compliance with NEPA and other applicable environmental requirements. These implementation components have independent utility – as implementation of any one of them would produce environmental benefits

independent of the other conservation measures described herein. Accordingly, the Council is expediting implementation of high priority land acquisition using the following three NEPA compliance documents:

(1) For land acquisitions associated with the Grand Bay National Wildlife Refuge, the Council is adopting the 2012 Department of Interior Land Protection Plan and Final Environmental Assessment for the Expansion of the Grand Bay National Wildlife Refuge. The Council has prepared a Finding of No Significant Impact (FONSI) associated with this action.

(2) For land acquisitions associated with the De Soto National Forest, the Council is using a U.S. Department of Agriculture (USDA) CE. (Pursuant to the Section 4(d)(4) of the Council's NEPA Procedures, the Council can use member CEs when that member has advised the Council that the CE is appropriate in the given case and that there are no extraordinary circumstances.) USDA has advised the Council that use of the subject CE would be appropriate for this action, and that there are no extraordinary circumstances.

(3) For land acquisitions associated with the Gulf Islands National Seashore, the Council is using a Department of Interior CE. The Department of Interior has advised the Council that this CE covers the subject land acquisition activities, and that there are no extraordinary circumstances. (Please note that the specific parcel numbers have been redacted, consistent with Council policy regarding non-disclosure of information pertaining to private lands. This policy can be found at Section 4(f) of the Council's NEPA Procedures.)

For all land acquisitions in this program, the Council has also ensured compliance with the Endangered Species Act, National Historic Preservation Act, and other potentially applicable environmental requirements. The Council's NEPA Procedures, signed CE documentation, and the EA/FONSI for these three independent activities can be found [here](#).