

ENVIRONMENTAL ASSESSMENT

Copiah County Wildlife Management Area and William Henry Smith, Jr. Land Exchange

COPIAH COUNTY, MISSISSIPPI

Prepared by

Mississippi Department of Wildlife, Fisheries, and Parks
Jackson, Mississippi

In cooperation with

United States Fish and Wildlife Service – Wildlife and Sport Fish
Restoration Program Region 4
Atlanta, Georgia

In accordance with

50 CFR 80.137 for Administrative Requirements of the Pittman –
Robertson Wildlife Restoration and Dingell – Johnson Sport Fish
Restoration Acts

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PURPOSE AND NEED FOR ACTION:

The Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP) purchased in February 2018 a 595 +/- acre tract from Smith Family Wildlife, LLC – Witherspoon LP. This tract is a hardwood timber tract along Foster Creek in Copiah County and its acquisition enhanced conservation and recreational opportunities provided to the public through MDWFP's Copiah County Wildlife Management Area. A tract containing the traditional access to this 595 +/- acres had been previously sold to a private third party and it has been determined that creating a new public access to it would be very expensive.

The MDWFP has reached an agreement regarding a property exchange with Mr. William Henry Smith, Jr. that would provide existing road access to the aforementioned 595 +/- acres. This exchange would involve an 8 acre parcel owned by the MDWFP along the west side of Warren Hood Road (MDWFP Tract hereafter) and a 6 acre parcel owned by Mr. Smith along the east side of Warren Hood Road (Smith Tract hereafter). The eight acre parcel owned by MDWFP was purchased under USFWS Award W-27-L-1. If the exchange can be made, it would not only provide the aforementioned public access to the WMA, but Mr. Smith would benefit from the acquisition of a strip of land that can be clearly posted along Warren-Hood Road, discouraging trespassing that has represented a significant issue under the current property arrangement.

LEGAL DESCRIPTIONS OF TRACTS/EASEMENTS:

MDWFP Tract

A parcel of land containing 7.3 acres +/-, and located in Section 13, Township 10 North, Range 5 East, Copiah County, Mississippi, being more particularly described as follows: Beginning at the approximate intersection of the Barlow North Paved Road (Warren Hood Road) with the South line of the Northeast ¼ of Section 13, Township 10 North, Range 5 East Copiah County, Mississippi run West 208.7 FT, to a point on an old fence which bears North. Said point is 18 FT north of the Henneberry Game Reserve Boundary fence. Thence run North 1859.4 FT to the centerline of the Barlow North Paved Road (Warren Hood Road), thence south 17 degrees 50 minutes East 757.7 FT along the centerline of said road, thence South 16 degrees 37 minutes east 155.5 FT along the centerline of said road, thence South 06 degrees 44 minutes East 100.0 FT along the centerline of said road, thence South 00 degrees 56 minutes East 100.00 FT along the centerline of said road, thence South 06 Degrees 28 minutes West 100.0 FT along the centerline of said road, thence South 09 degrees 09 minutes East 598.7 FT along the centerline of said road to the point of beginning.

Smith Tract

Beginning at an iron pin at the NW corner of the NE ¼ of Section 13, thence run North 89 degrees 50 minutes 14 seconds West for 1060.89 FT to the East right of way of Warren Hood Road, thence along said right of way South 65 degrees 58 minutes 39 seconds East for 739.09 FT, thence along a curve to the right with a chord bearing of South 41 degrees 59 minutes 28 East for 570.50 FT and a radius of 894.72 FT with an Arc length of 580.62 FT, thence run North

00 degrees 19 minutes 44 seconds East for 714.50 FT to the point of beginning. Containing 6.33 acres +/-.

AUTHORITY AND REGULATIONS:

MDWFP

MDWFP is given the power and duty to “conserve, manage, develop, and protect the wildlife of the State of Mississippi” in Section 49-4-8 of the Mississippi Code. In the execution of that power and duty MDWFP “may, in its discretion, purchase by negotiation, contract by option to purchase, provided the option is exercised within a period of ten (10) years from the time executed, the land necessary and requisite for the construction and maintenance of game and fish management projects or game and fish hunting and fishing refuge (Mississippi Code Section 49-5-11).”

Beginning in 1939 with the purchase of 1,300 acres for the purpose of facilitating the recovery of the state’s decimated White-tailed Deer population, MDWFP has developed a network of Wildlife Management Areas (WMAs) throughout Mississippi. The network has been built through a series of strategic acquisitions and disposals of property with the ultimate goal of conserving fish and wildlife populations and providing high-quality recreational opportunities for the public. Often in the history of Mississippi’s WMA network, property acquisitions have been carried out in partnership with the USFWS through the Wildlife and Sport Fish Restoration Program.

USFWS

Proposed removal of federal interest in WMA parcels constitutes a federal action subject to the provisions of the National Environmental Policy Act of 1969, amended. USFWS is therefore required to prepare an environmental assessment to analyze the effects on the human environments and document the findings. USFWS will use this environmental assessment to determine if the proposed action is likely to result in significant impacts to the human environment. If it is determined that there are no significant adverse impacts, USFWS will issue a Finding of No Significant Impact (FONSI). If it is determined, conversely, that significant impacts might occur, the USFWS would be required to prepare and Environmental Impact Statement (EIS).

PUBLIC INVOLVEMENT:

Public input for the land exchange proposal will be solicited through notices placed in the state-wide newspaper, the Clarion Ledger, for a period of 30 days. Respondents will be given the option of submitting comments via email or traditional mailing address.

ALTERNATIVES:

Preferred Action

The preferred action proposed here consists of a land exchange through which MDWFP would acquire a 6.0 acre tract of land providing access through an existing road to 595 +/- acres recently incorporated in to Copiah County WMA in trade for 8.0 acres adjoining property currently owned by Mr. William Henry Smith, Jr. The MDWFP tract has been appraised at \$19,200.00 while the Smith tract is appraised at \$19,500.00. Both parties have agreed to carry out the proposed exchange at no cost.

No Action

Retain the 8.0 acre MDWFP tract and construct, at a cost and with associated environmental disturbance, a new road linking currently disparate portions of Copiah County WMA to provide access for managers and the public.

Other Alternative Considered but Eliminated from Consideration

An alternative to negotiate the outright purchase of the Smith Tract is not feasible and currently not offered by the landowner as an option.

AFFECTED ENVIRONMENT

The MDWFP and Smith Tracts considered for the exchange are both located in Copiah County, Mississippi approximately 19 miles west of the Town of Hazelhurst. The tracts are within Mississippi's East Gulf Coastal Plain Ecoregion (Mississippi State Wildlife Action Plan).

Soils and Topography

The soils on the MDWFP tract are 84.1% Gillsburg Silt Loam and 15.9% Smithdale Sandy Loam (Natural Resources Conservation Service or NRCS) while soils on the Smith Tract are 69.8% Smithdale Sand Loam, 18.2% Loring Silt Loam, and 12.0% Ariel Silt Loam (NRCS).

Elevation on both the MDWFP and Smith Tracts ranges from ~250' to ~300' msl (United States Geological Survey or USGS).

Air Quality

Copiah County, Mississippi is classified as "Attainment/Unclassifiable" for all categories measured under 40 CFR § 81.325 with the exception of Categories "TSP" and "Sulfur Dioxide NAAQS" for which it is classified as "Better than National Standards."

Geological Resources

The State of Mississippi is within the Gulf Coastal Plain Physiographic Province and is further divided into twelve physiographic districts. Copiah County is located within the Piny Woods Physiographic District, which itself is divided into upland areas, intermediate or rolling hill areas and lowland areas (Mississippi Geological, Economic, and Topographical Survey).

Exposed surface strata in Copiah County are commonly assigned to the Miocene, Pleistocene, and Recent series. Materials found at the surface are classified as clastic sediments, being

composed of clay, silt, sand, and gravel. These materials were deposited in deltaic, fluvial, and Aeolian environments.

Water Resources

Neither the MDWFP Tract nor the Smith Tract contain ephemeral or permanent streams, however Foster Creek of the Bayou Pierre drainage flows through the greater Covich County WMA. No lentic systems are found on the MDWFP Tract, Smith Tract, or the greater Covich County WMA.

Floodplains and Wetlands

Zero percent of the MDWFP Tract and 0% of the Smith Tract are categorized as wetland (Pepper Appraisal Services). About 60% of the MDWFP Tract falls within the Foster Creek Floodplain, while no portion of the Smith Tract is categorized as floodplain.

Archeological, Historical, and Cultural Resources

Pursuant to Section 106 of the National Historic Preservation Act, a review of the MDWFP and Smith Tracts will be requested from Mississippi's State Historic Preservation Office, the Mississippi Department of Archives and History. This environmental assessment will be updated when the review has been completed. A request to consult the tribal historic preservation offices was submitted to the United States Fish and Wildlife Service Region 4 Wildlife and Sport Fish Restoration Program.

Recreation

Virtually all recreational activity occurring at Covich County WMA involves hunting and this has been the case since the WMA's establishment in 1949. White-tailed Deer and Wild Turkey are the most sought-after species, but Bobwhite Quail, Fox Squirrel, Gray Squirrel, Raccoon, Opossum, and Bobcat are taken recreationally as well.

SOCIO-ECONOMIC RESOURCES:

Population

As of 1 July 2017, the United States Census Bureau estimates the population of Covich County to be 28,516. Covich County is mostly rural with the main population center being Hazelhurst, Mississippi (pop. 4,009).

Employment

As of 1 July 2017, the United States Census Bureau estimates the civilian employed population of Covich County to be 13,745.

Income

Using data collected between 2013 and 2017 the United States Census Bureau estimates the median household income for Covich County to be \$38,046 and per capita income to be \$18,756.

BIOLOGICAL ENVIRONMENT

Vegetation

Both the MDWFP and Smith Tracts contain Mixed Pine and Hardwood stands. Greater Covich County WMA contains Mixed Pine and Hardwood Stands, Loesse Forest and Beech-Magnolia stands. Plants recognized as conservation concern by the Mississippi Natural Heritage Program are not known from the two tracts, but greater Covich WMA is known to harbor Louisiana Trillium (*Trillium ludovicianum*), Fetid Trillium (*Trillium foetidissimum*), and Florida Keys Hemp Vine (*Mikania cordifolia*).

Wildlife

Covich County WMA supports significant populations of White-tailed Deer (*Odocoileus virginianus*), Eastern Wild Turkey (*Meleagris gallopavo silvestris*), Bobwhite Quail (*Colinus virginianus*), Fox Squirrel (*Sciurus niger*), Gray Squirrel (*Sciurus carolinensis*), and Eastern Cottontail Rabbit (*Sylvilagus floridanus*) and hunting for these species accounts for virtually all of the recreational activity currently occurring on the WMA. To this date, no targeted breeding bird surveys have occurred at Covich WMA.

Fisheries

A recreational fishery does not exist on Covich WMA, however a low-order tributary of Bayou Pierre, Foster Creek, does flow through the greater WMA. A recent survey of Foster Creek within the WMA documented the following fishes:

<i>Etheostoma lynceum</i>	Brighteye Darter
<i>Lepomis megalotis</i>	Longear Sunfish
<i>Petromyzontidae</i>	Lamprey
<i>Cyprinella camura</i>	Bluntnose Shiner
<i>Cyprinella venusta</i>	Blacktail Shiner
<i>Hybognathus nuchalis</i>	Mississippi Silvery Minnow
<i>Luxilus chrysocephalus</i>	Striped Shiner
<i>Nocomis leptoccephalus</i>	Bluehead Chub
<i>Notropis longirostris</i>	Longnose Shiner
<i>Pimephales notatus</i>	Bluntnose Minnow
<i>Semotilus atromaculatus</i>	Creek Chub
<i>Erimyzon oblongus</i>	Creek Chubsucker
<i>Hypentelium nigricans</i>	Northern Hogsucker
<i>Aphredoderus sayanus</i>	Pirate Perch
<i>Fundulus olivaceus</i>	Blackspotted Topminnow
<i>Etheostoma whipplei</i>	Redfin Darter
<i>Percina vigil</i>	Saddleback Darter
<i>Noturus miurus</i>	Brindled Madtom
<i>Noturus phaeus</i>	Brown Madtom
<i>Ameiurus natalis</i>	Yellow Madtom
<i>Lepomis gulosus</i>	Warmouth Sunfish
<i>Lepomis cyanellus</i>	Green Sunfish
<i>Micropterus salmoides</i>	Largemouth Bass
<i>Micropterus punctulatus</i>	Spotted Bass
<i>Fundulus catenatus</i>	Northern Studfish

Federally Threatened and Endangered Species

No species listed as “Threatened” or “Endangered” are documented from the MDWFP or Smith Tracts according to the Mississippi Natural Heritage Program. Listed species are known from Copiah County, however:

SPECIES/CRITICAL HABITAT	STATUS¹
Copiah County	
Bayou darter <i>Etheostoma rubrum</i>	T
Gulf sturgeon <i>Acipenser oxyrinchus desotoi</i>	T
Louisiana black bear <i>Ursus americanus luteolus</i>	DLR
Pearl darter <i>Percina aurora</i> (Pearl River System)	T
Red-cockaded woodpecker <i>Picoides borealis</i>	E
Ringed map turtle <i>Graptemys oculifera</i>	T

STATUS: E=endangered, T=threatened, DLR=delisted due to recovery

See “APPENDIX III” for Section 7 Consultation documentation.

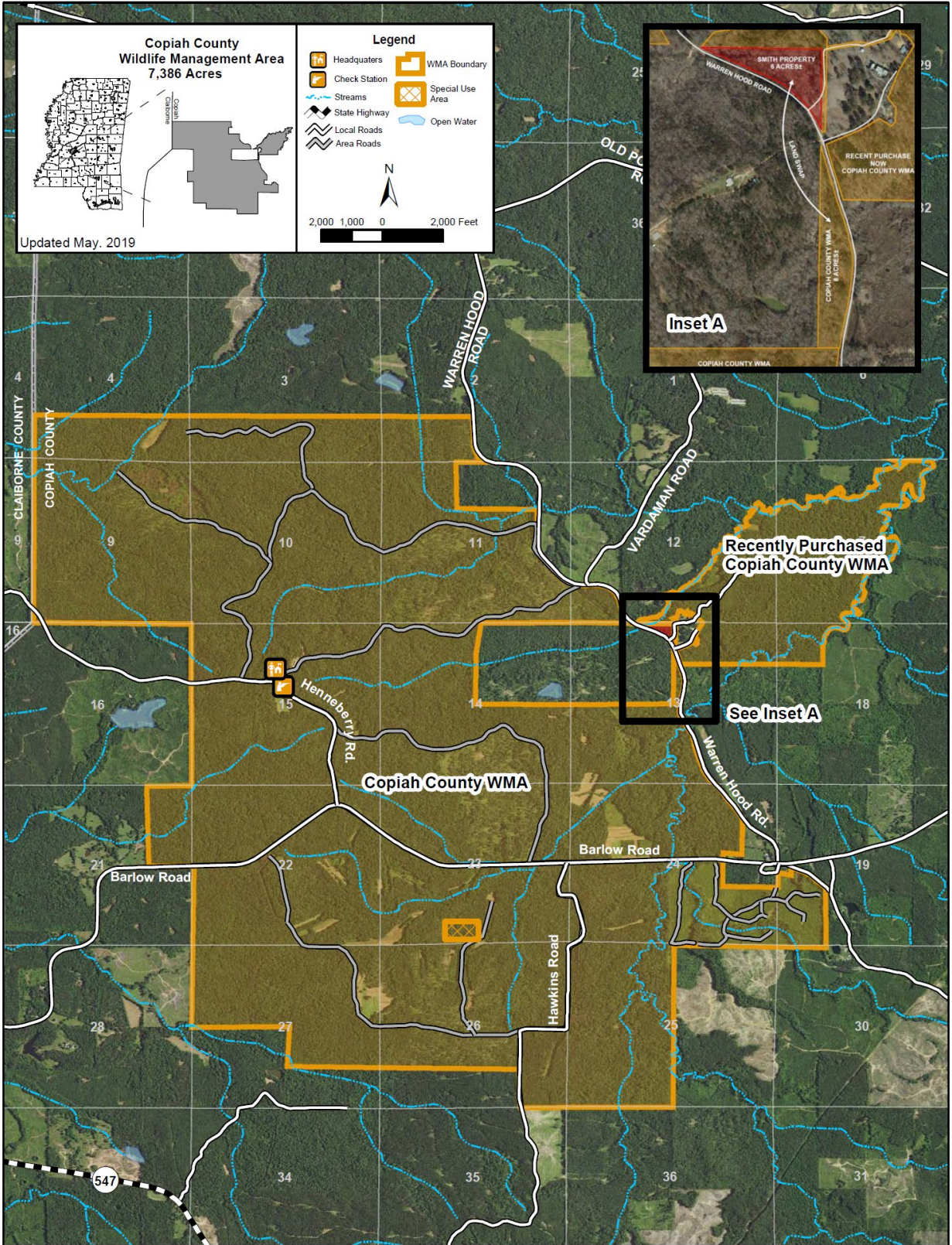
ENVIRONMENTAL QUALITY ASSESSMENT

See “APPENDIX IV” for an environmental quality assessment conducted according to Fannie Mae DUS guidelines of the MDWFP Tract and “APPENDIX V” for an environmental quality assessment conducted according to Fannie Mae DUS guidelines of the Smith Tract.

**APPENDIX I: Map Depicting MDWFP and Smith Tracts
Proposed for Exchange**



APPENDIX II: Map Depicting Copiah County Wildlife Management Area



APPENDIX III: Section 7 Consultation

**REGION 4
INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION FORM**

Originating Person: Matt Roberts

Telephone Number: 601-432-2198 **E-Mail:** matt.roberts@wfp.ms.gov

Date: 12 April 2019

PROJECT NAME (Grant Title/Number):

- I. Service Program: Federal Aid**
 Clean Vessel Act
 Coastal Wetlands
 Endangered Species Section 6
 Partnerships for Wildlife
 Sport Fish Restoration
 Wildlife Restoration
 Farm Bill Section 390
- II. State/Agency:** Mississippi Department of Wildlife, Fisheries, and Parks
- III. Station Name:** Jackson Office
- IV. Description of Proposed Action (attach additional pages as needed):**
Fee title land acquisition and disposal.

Background

The Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP) purchased in February 2018 a 595 +/- acre tract from Smith Family Wildlife, LLC – Witherspoon LP. This tract is a hardwood timber tract along Foster Creek in Copiah County and its acquisition enhanced conservation and recreational opportunities provided to the public through MDWFP's Copiah County Wildlife Management Area. A tract containing the traditional access to this 595 +/- acres had been previously sold to a private third party and it has been determined that creating a new public access to it would be very expensive.

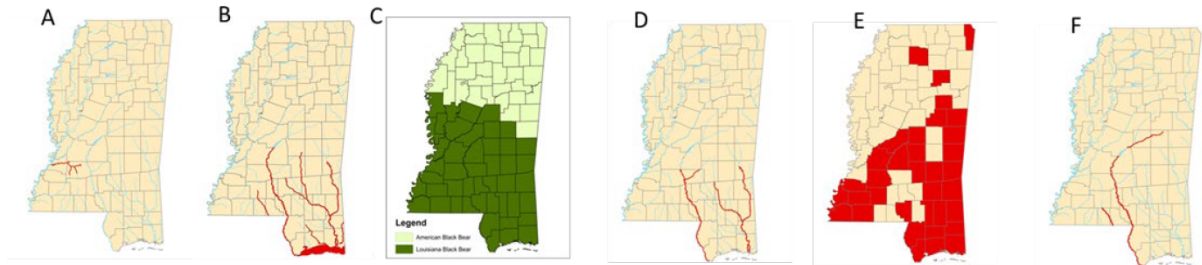
Proposed Activity

The MDWFP has reached an agreement regarding a property exchange with the Smith Family that would provide existing road access to the aforementioned 595 +/- acres. This exchange would involve an 8 acre parcel owned by the MDWFP along the west side of Warren Hood Road and a 6 acre parcel owned by the Smith Family along the east side of Warren Hood Road. The eight acre parcel owned by MDWFP was purchased under USFWS Award W-27-L-1. If the exchange can be made, it would not only provide the aforementioned public access to the WMA, but the Smith Family would benefit from the acquisition of a strip of land that can be clearly posted along Warren-Hood Road,

discouraging trespassing that has represented a significant issue under the current property arrangement.

V. **Pertinent Species and Habitat:** A query of the Mississippi Natural Heritage Program/NatureServe Database has returned no records of Threatened or Endangered Species from the properties examined here, nor do the properties encompass critical habitat for any listed species. Because of this, we expect that our actions will have no negative impacts. Federally listed species are known from Copiah County, MS however and we do list those in the table below.

E. **Include species/habitat occurrence map:** Bayou Darter (A), Gulf Sturgeon (B), Louisiana Black Bear (C), Pearl Darter (D), Red-cockaded Woodpecker (E), Ringed Map Turtle (F)



B. **Complete the following table:**

SPECIES/CRITICAL HABITAT	STATUS ¹
Copiah	
Bayou darter <i>Etheostoma rubrum</i>	T
Gulf sturgeon <i>Acipenser oxyrinchus desotoi</i>	T
Louisiana black bear <i>Ursus americanus luteolus</i>	DLR
Pearl darter <i>Percina aurora</i> (Pearl River System)	T
Red-cockaded woodpecker <i>Picoides borealis</i>	E
Ringed map turtle <i>Graptemys oculifera</i>	T

STATUS: E=endangered, T=threatened, PE=proposed endangered, PT=proposed threatened, CH=critical habitat, PCH=proposed critical habitat, C=candidate species, DLR=delisted due to recovery

VI. Location (attach map):



- A. **Ecoregion Number and Name:**
- A. **County and State:**
Copiah County; State of Mississippi

- C. **Section, township, and range (or latitude and longitude):**

Legal Description for MDWFP Property

A parcel of land containing 7.3 acres +/-, and located in Section 13, Township 10 North, Range 5 East, Copiah County, Mississippi, being more particularly described as follows: Beginning at the approximate intersection of the Barlow North Paved Road (Warren Hood Road) with the South line of the Northeast ¼ of Section 13, Township 10 North, Range 5 East Copiah County, Mississippi run West 208.7 FT, to a point on an old fence which bears North. Said point is 18 FT north of the Henneberry Game Reserve Boundary fence. Thence run North 1859.4 FT to the centerline of the Barlow North Paved Road (Warren Hood Road), thence south 17 degrees 50 minutes East 757.7 FT along the centerline of said road, thence South 16 degrees 37 minutes east 155.5 FT along the centerline of said road, thence South 06 degrees 44 minutes East 100.0 FT along the centerline of said road, thence South 00 degrees 56 minutes East 100.00 FT along the centerline of said road, thence South 06 Degrees 28 minutes West 100.0 FT along the centerline of said road, thence South 09 degrees 09 minutes East 598.7 FT along the centerline of said road to the point of beginning.

Legal Description for Smith Property

Beginning at an iron pin at the NW corner of the NE ¼ of Section 13, thence run North 89 degrees 50 minutes 14 seconds West for 1060.89 FT to the East right of way of Warren Hood Road, thence along said right of way South 65 degrees 58 minutes 39 seconds East for 739.09 FT, thence along a curve to the right with a chord bearing of South 41 degrees 59 minutes 28 East for 570.50 FT and a radius of 894.72 FT with an Arc length of 580.62 FT, thence run North 00 degrees 19 minutes 44 seconds East for 714.50 FT to the point of beginning. Containing 6.33 acres +/-.

- D. **Distance (miles) and direction to nearest town:** 19 Miles West of Hazelhurst, MS

- F. **Species/habitat occurrence:** No federally listed species are documented from the properties under consideration here. The properties under consideration here do not encompass critical habitat for any federally listed species.

VII. Determination of Effects:

- A. **Explanation of effects of the action on species and critical habitats in item V.
B (attach additional pages as needed):**

SPECIES/ CRITICAL HABITAT	IMPACTS TO SPECIES/CRITICAL HABITAT
Louisiana black bear <i>Ursus americanus luteolus</i>	None expected
Bayou darter <i>Etheostoma rubrum</i>	None expected
Gulf sturgeon <i>Acipenser oxyrinchus desotoi</i>	None expected
Pearl darter <i>Percina aurora</i> (Pearl River System)	None expected
Red-cockaded woodpecker <i>Picoides borealis</i>	None expected
Ringed map turtle <i>Graptemys oculifera</i>	None expected

- B. **Explanation of actions to be implemented to reduce adverse effects:**

SPECIES/ CRITICAL HABITAT	ACTIONS TO MITIGATE/MINIMIZE IMPACTS
Louisiana black bear <i>Ursus americanus luteolus</i>	NA
Bayou darter <i>Etheostoma rubrum</i>	NA
Gulf sturgeon <i>Acipenser oxyrinchus desotoi</i>	NA
Pearl darter <i>Percina aurora</i> (Pearl River System)	NA
Red-cockaded woodpecker <i>Picoides borealis</i>	NA
Ringed map turtle <i>Graptemys oculifera</i>	NA

VIII. Effect Determination and Response Requested:

SPECIES/ CRITICAL HABITAT	DETERMI- NATION			RESPONSE REQUESTED
	NE	NA	AA	
Louisiana black bear <i>Ursus americanus luteolus</i>	✓			Concurrence
Bayou darter <i>Etheostoma rubrum</i>	✓			Concurrence
Gulf sturgeon <i>Acipenser oxyrinchus desotoi</i>	✓			Concurrence
Pearl darter <i>Percina aurora</i> (Pearl River System)	✓			Concurrence
Red-cockaded woodpecker <i>Picoides borealis</i>	✓			Concurrence
Ringed map turtle <i>Graptemys oculifera</i>	✓			Concurrence

¹DETERMINATION/RESPONSE REQUESTED:

NE = no effect. This determination is appropriate when the proposed action will not directly, indirectly, or cumulatively impact, either positively or negatively, any listed, proposed, candidate species or designated/proposed critical habitat. Response Requested is optional but a “Concurrence” is recommended for a complete Administrative Record.

NA = not likely to adversely affect. This determination is appropriate when the proposed action is not likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat or there may be beneficial effects to these resources. Response Requested is a “Concurrence”.

AA = likely to adversely affect. This determination is appropriate when the proposed action is likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat. Response Requested for listed species is “Formal Consultation”. Response Requested for proposed or candidate species is “Conference”.

Matthew C. Roberts 4/12/2019
signature (State Representative) date
Director of Grants Management
title

X. Reviewing Division of Federal Aid Staff Evaluation:

A. Concurrence _____ Nonconcurrency _____

B. ESA Section 7 Coordinator Consulted _____

C. Remarks (attach additional pages as needed):

signature	date
title	office

X. Reviewing Ecological Services Office Evaluation:

A. Concurrence X Nonconcurrency _____

B. Formal consultation required _____

C. Conference required _____

D. Informal conference required _____

E. Remarks (attach additional pages as needed):

<u> Stan Russ </u>	<u> 4/25/19 </u>
signature	date
<u> Field Supervisor </u>	<u> MSFO </u>
title	office

X. Chief -- Division of Federal Aid:

A. Concurrence _____ Nonconcurrency _____

signature	date
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APPENDIX IV: Environmental Quality Assessment of MDWFP Tract

**Phase I Environmental Assessment for
the MDWFP – 8 acre tract – on Copiah Co. WMA --March 2019
Assessment by the Mississippi Dept. of Wildlife, Fisheries, and Parks**

**PHASE I ENVIRONMENTAL ASSESSMENT
Property Log**

Fannie Mae Commitment #

Property Address MDWFP property bordering the west side of Warren Hood Rd. on the
Copiah County Wildlife Management Area. – 8 acres total.

Borrower Address

_____NA_____

Borrower Phone

_____N/A_____

Lender Company Name

_____N/A_____

Lender

Underwriter

_____N/A_____

Environmental
Assessor

Dennis Riecke, Environmental Coordinator

Firm Name and Address
(If different than
Lender)

Miss. Dept. of Wildlife, Fisheries and Parks (MDWFP)
1505 Eastover Dr. Jackson, MS 39211

Assessor Phone

601-432-2207

Date Assessment Completed: Onsite inspection on March 20, 2019;
Report completed March 26, 2018

Phase I Assessment Results Acceptable

**Phase I Environmental Assessment for
the MDWFP – 8 acre tract – on Copiah Co. WMA --March 2019
Assessment by the Mississippi Dept. of Wildlife, Fisheries, and Parks**

**PHASE I ENVIRONMENTAL ASSESSMENT
Results Summary & Recommendation**

1.1. Phase I Assessment Results (check applicable result for each hazard)

<u>Hazard</u>	Acceptable	<u>Acceptable Requires O&M</u>	<u>Fail</u>	<u>Fail, Possible Remedy</u>	<u>Phase II Required</u>
Asbestos	x	_____	_____	_____	_____
PCB	x	_____	_____	_____	_____
Radon	x	_____	_____	_____	_____
UST	x	_____	_____	_____	_____
Waste Sites	x	_____	_____	_____	_____
Lead-Based Paint	x	_____	_____	_____	_____
Other	x	_____	_____	_____	_____

1.2. Attach a brief explanation for each hazard requiring a Phase II Assessment. List data deficiencies, test results etc., requiring further assessment.

1.3. Attach a brief explanation for each hazard that is acceptable but requires Operations and Maintenance ("O&M") actions. What actions are required and how should they be performed?

1.4. Attach a brief explanation for each failed hazard that could be corrected with remedial actions. What actions are required and how should they be performed?

1.5. Comments:

Onsite inspection by Dennis Riecke, MDWFP on March 20, 2019. I walked on the property and took notes and digital pictures. This property is owned by the MDWFP and is part of the Copiah County Wildlife Management Area (WMA). The property is entirely wooded with little underbrush. There is a small power line which has been cleared of timber that traverses the property. The property is devoid of buildings, litter, dump sites and chemicals. The property is long and narrow and bordered on the east side by Warren Hood Road. The western property line runs straight north paralleling Warren Hood Rd and the adjacent landowner to the west is Mr. Skippy Smith. There is a hill on the eastern side along Warren Hood Road which slopes to the west. There are deep ravines on western side that lead to a flowing creek on the 8 acre tract. This property was assessed because it is part of a proposed land swap or trade between the MDWFP and Mr. Skippy Smith who owns a 6 acre tract immediately to the north along the east side of Warren Hood Rd. Since this 8 acre tract is of roughly equal value to Mr. Skippy Smith's 6 acre tract, the landowners (Mr. Skippy Smith and the MDWFP) intend to do a land trade. Mr. Skippy Smith will trade his ownership in the 6 acre tract for ownership in the MDWFP 8 acre tract. MDWFP acquisition of Mr. Smith's 6 acre tract would allow MDWFP to construct an access road to the 585 acre tract that was purchased in May 2018 for inclusion in the

**Phase I Environmental Assessment for
the MDWFP – 8 acre tract – on Copiah Co. WMA --March 2019
Assessment by the Mississippi Dept. of Wildlife, Fisheries, and Parks**

Copiah County WMA. Digital pictures of both land tracts are on the MDWFP server in the following folders W:\Environmental Assessments\Skippy Smith 6 acre tract March 2019 and W:\Environmental Assessments\Copiah County WMA 8 acre trade March 2019.



Signature: _____ Date: March 26, 2019

**Phase I Environmental Assessment for
the MDWFP – 8 acre tract – on Copiah Co. WMA --March 2019
Assessment by the Mississippi Dept. of Wildlife, Fisheries, and Parks**

**PHASE I ENVIRONMENTAL ASSESSMENT
Environmental Hazards Information Sources**

Check any information sources used to perform the Phase I Assessment.

1. Overall Property Description

- Building Specifications
- Zoning or Land Use Maps (e.g., Sanborn)
- Aerial Photos
- Title History
- List of Commercial Tenants On-site
- Site Survey
- Interviews with Local Fire, Health, Land Use or Environmental Enforcement Officials
- Verification of Public Water and Sewer
- Interviews with Builder and/or Property Manager
- Other _____

2. Asbestos

- Dated Building Construction or Rehabilitation Specifications
- Engineer's/Consultant's Asbestos Report
- Other -- Site Survey

3. Polychlorinated Biphenyls

- Utility Transformer Records
- Site Survey of Transformers
- Site Soil, Groundwater PCB Test Results
- Other -- Site Survey

4. Radon

- Water Utility Records
- Gas Utility Records
- On-Site Radon Test Results
- Other -- Site Survey

5. Underground Storage Tanks

- Oil, Motor Fuel and Waste Oil Systems Reports
- CERCLIS/RCRIS Results on Neighborhood (within radius of one mile)
- Site Soil and Groundwater Tests
- Site Tank Survey

**Phase I Environmental Assessment for
the MDWFP – 8 acre tract – on Copiah Co. WMA --March 2019
Assessment by the Mississippi Dept. of Wildlife, Fisheries, and Parks**

Other -- Site Survey

6. Waste Sites

- CERCLIS/RCRIS Results on neighborhoods (within radius of one mile)
- State EPA site lists for neighborhoods (within radius of one mile)
- Federal Facilities Docket
- Site Soil and Groundwater Test Results

Other -- Site Survey

7. Lead-Based Paint

- Lead Paint Survey
- Certification/Compliance Records

Other -- Site Survey

8. Additional Hazards

- Urea Formaldehyde Foam Insulation Survey
- Interior Air Test Results
- Lead in Drinking Water Test Results

Other -- Site Survey

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**PHASE I ENVIRONMENTAL ASSESSMENT
Assessment Checklist**

Answer all applicable questions by checking the appropriate box.
(Y - Yes, N - No, DK - Don't Know)

2. Asbestos

Note: All asbestos related assessments, testing, and remedial action programs must be in compliance with EPA document "Guidance for Controlling Asbestos - Containing Materials in Buildings" (EPA 560/5-85-024, 1985). All O&M Plans must be in conformance with EPA document "Managing Asbestos in Place: A Building Owner's Guide to Operations and Maintenance Programs for Asbestos Containing Materials" (EPA, Pesticides & Toxic Substances (TS-799) 20T-2003, July 1990).

- | | Y | N | DK |
|---|--------------------------|-------------------------------------|--------------------------|
| 2.1. Was (were) the building(s) constructed prior to 1979? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2.2. Does a site walk through reveal any visible evidence of asbestos? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2.3. Is there any documented evidence of asbestos (e.g., building plans)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Note: If the answer to all three of the above questions (2.1, 2.2, 2.3) is "no", then stop, the Property is acceptable for asbestos. If the answer to any of the questions is "yes" or "don't know", answer the question below.

- 2.4. Is there an asbestos survey that included physical sampling by a qualified firm performed since 1979 that indicates that the Property is free of asbestos?

Note: If the answer to question 4 is "yes", then stop, the Property is acceptable for asbestos. Otherwise, the Property may be deemed "acceptable, requires O&M" if the assessor believes that enough documentation has already been collected and conditions warrant such a response. If not, either the Property fails or a Phase II Assessment is required.

- 2.5. Comments:
There are not any buildings on this property. Therefore there is no asbestos on site.

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2.6. Phase I Assessment Results (circle one) - Asbestos

	Acceptable Requires <u>O&M</u>	Fail <u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u> Y <input checked="" type="radio"/> N DK
<u>Acceptable</u> <input checked="" type="radio"/>				

3. Polychlorinated Biphenyls (PCBs)

- | | |
|--|---|
| | Y N DK |
| 3.1. Are there any PCB transformers or PCB contaminated transformers anywhere on the Property? | [] <input checked="" type="checkbox"/> [] |
| 3.2. Is there any visible or documented evidence of soil or groundwater contamination from PCBs on the Property? | [] <input checked="" type="checkbox"/> [] |

Note: If the answer to both questions (3.1 & 3.2) is "no", then stop, the Property is acceptable for PCBs. If the answer to any question is "don't know" then stop, a Phase II Assessment is required and all regulatory requirements must be met. Otherwise, answer the questions below.

- | | |
|--|----------|
| 3.3. (If question 3.1 above is "yes".) Are any of the transformers owned by any party with an interest in the Property or located inside any of the residential buildings? | [] [] [] |
| 3.4. (If question 3.1 above is "yes".) Are any of the transformers badly labeled, damaged, or show indications of poor maintenance? | [] [] [] |
| | Y N DK |
| 3.5. (If question 3.1 above is "yes".) Is there any evidence of leakage on or around the transformers? | [] [] [] |
| 3.6. (If question 3.2 above is "yes".) Have PCB concentrations of 50 ppm or greater been found in contaminated soils or groundwater? | [] [] [] |

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Note: If the answers to questions 3.3, 3.4, 3.5, and 3.6 are all "no", then the Property is acceptable for PCBs. Otherwise, the Property either fails or requires a Phase II Assessment.

3.7. Comments:

There is a small electric power line on the site but no transformers were present on the site.

3.8. Phase I Assessment Results (circle one) – PCB's

	<u>Acceptable</u>	<u>Acceptable</u> Requires <u>O&M</u>	<u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u> Y <input checked="" type="checkbox"/> N DK
	<input checked="" type="checkbox"/>				

4. Radon

Y N DK

4.1. Were the results of an EPA approved short-term radon tests performed in the lowest public areas of the building(s) within the last six months, at/or below 4 pCi/l or 0.02 WL?

[] [] []

Note: If the answer is "no" or "don't know", then stop, a Phase II Assessment, including on-site testing, is required. If the answer is "yes", answer the questions below.

Comment:

There were no buildings on site, therefore there was no EPA approved short term radon test performed.

Y N DK

4.2. Is there any evidence that nearby structures have elevated indoor levels of radon or radon progeny?

[] []

4.3. Have local water supplies been found to have elevated levels of radon or radium?

[] []

4.4. Is the Property located on or near sites that currently are or formerly were used for uranium, thorium or radium extraction, or for phosphate processing?

[] []

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Note: If the answer to questions 4.2, 4.3, or 4.4 is "yes", then a Phase II Assessment is required. If the answer to questions 4.2, 4.3, and 4.4 is "no", then the Property is acceptable for radon. A Property may be acceptable for radon with a "don't know" answer for questions 4.2, 4.3, or 4.4, but the assessor must justify the decision.

4.5. Comments:

Since there are no buildings on the site, there is not an EPA approved short-term radon test result available.

4.6. Phase I Assessment Results (circle one) - Radon

	Acceptable Requires <u>O&M</u>	<u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u> Y N DK
Acceptable				
X				

5. Underground Storage Tanks (USTs)

Note: In the questions below, "API" stands for American Petroleum Institute and "NFPA" stands for National Fire Protection Association
Y N DK

5.1. Is there a current site survey performed by a qualified engineer which indicates that the Property is free of any USTs? [] []

Y N DK

5.2. Is there any visible or documented evidence of soil or groundwater contamination on the Property? [] []

5.3. Are there any petroleum storage and/or delivery facilities (including gas stations) or chemical manufacturing plants located on adjacent properties? [] []

Note: If the answer to question 5.1 is "yes" and the answers to questions 5.2 and 5.3 are "no", then stop, the Property is acceptable for USTs. If the answer to questions 5.2 or 5.3 is "yes" or "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to questions 5.1, 5.2, and 5.3 are all "no" then answer the questions below.

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Y N DK

5.4. Are there any active underground tank facilities on-site for such activities as motor fuel, waste oil, or fuel oil storage?

5.5. (If "yes" to question 5.4.) Have these facilities been maintained in accordance with applicable laws and regulations and with sound industry standards? (e.g., API Bulletin 1621 and 1623; NFPA Bulletin 329, 70, 77, etc. or successor documents)

Note: If the answer to 5.4 is "no", skip to question 5.8 below. If the answer to 5.4 is "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to 5.5 is "no" or "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to both questions 5.4 and 5.5 is "yes", answer the questions below.

5.6. (If "yes" to question 5.4.) Are any of the tanks more than 10 years old?

5.7. (If "yes" to question 5.6.) Have all of the tanks that are more than 10 years old been successfully tested for leaks within the last year using an API approved test?

Note: If the answer to question 5.6 is "no", answer the questions below. If the answer to question 5.6 is "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to question 5.7 is "yes", then answer the questions below. Otherwise, stop, either the Property fails or a Phase II Assessment is required.

5.8. Are there any deactivated USTs on the Property?

5.9. (If "yes" to question 5.8.) Were all of the tanks deactivated in accordance with applicable laws and regulations and with sound industry practices? (e.g., API Bulletins #1604 and #2202 or NFPA Bulletin #30; or successor documents)?

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Note: If the answer to question 5.8 is "no", or if the answer to question 5.9 is "yes" then the Property is acceptable for USTs. If the answer to question 5.8 is "don't know", or if the answer to question 5.9 is "no" or "don't know", then either the Property fails or a Phase II Assessment is required.

5.10. Comments:

Site visit revealed that there are not any Underground Storage Tanks on the property. There was no evidence of oil or chemical spills on the property.

5.11. Phase I Assessment Results (circle one) – Underground Storage Tanks

	Acceptable Requires <u>O&M</u>	Fail, Possible Remedy <u>Fail</u>	Phase II Required <u>Y</u> N DK
Acceptable	X		

6. Waste Disposal Facilities

- | | |
|---|---------------------|
| | Y N DK |
| 6.1. Is there any documented or visible evidence of dangerous waste handling on the subject Property or adjoining sites (e.g., stressed vegetation, stained soil, open or leaking containers, foul fumes or smells, oily ponds etc.)? | [] [x] [] |
| 6.2. Was the Property ever used for research, industrial, or military purposes during the last 30 years? | [] [x] [] |
| 6.3. Has space on the Property ever been leased to commercial tenants who are likely to have used, transported, or disposed toxic chemicals? (e.g., dry cleaner, print shop, service stations, etc.). | [] [x] [] |
| 6.4. Is water for the Property provided either by a private company or directly from a well on the Property? | [] [x] [] [] |
| | Y N DK |
| 6.5. Are there any obvious high risk neighbors on adjacent properties engaged in producing, disposing, storing or transporting hazardous waste, chemicals or substances? | [] [x] [] |

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6.6. Does the Property or any site within 1 mile, appear on any state or federal list of hazardous waste sites (e.g., CERCLIS, RCRIS, etc.). [] []

Note: If the answer to all of questions 6.1 through 6.6 is "no", then stop, the Property is acceptable for Waste Disposal Facilities. Otherwise, the Property either fails or a Phase II Assessment is required.

6.7. Comments:
There was no evidence of waste storage or waste spills on the property. There are no water wells on the site and water service is not current provided to the site.

6.8. Phase I Assessment Results: (circle one) – Waste Disposal Facilities

Acceptable	Acceptable Requires <u>O&M</u>	<u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u> Y <input checked="" type="checkbox"/> DK
<input checked="" type="checkbox"/>				

7. Lead-Based Paint (More than 0.5% by dry weight)

Y N DK

7.1. Was the Property constructed after 1978 and are all buildings free of chipping or deteriorating paint? [] []

7.2. Does the Property have a current, valid certification from applicable state or local authorities demonstrating it is in full compliance with Lead-Based Paint laws, ordinances, or regulations regardless of what eligible tenant population may live there? (Answer "no" if no certification process exists.) [] []

Note: If the answer to either question 7.1 or 7.2 is "yes", then stop, the Property is acceptable for Lead-Based Paint. Otherwise, answer the question below.

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Y N DK

7.3. Do the results of mandatory on-site sampling and analysis of representative surfaces from interior common areas and multiple unit bedrooms (include "chewable" areas as well as damaged or deteriorating paints) and exterior surfaces indicate that the Property is free of Lead-Based Paints? Between 10 (minimum) and 30 (maximum) samples must be taken (target a ratio of 10 samples per 100 units).

Note: If the answer to question 7.3 is "yes", then stop, the Property is acceptable for Lead-Based Paint. If the answer to question 7.3 is "don't know", then the Property is unacceptable for Lead-Based Paint. If the answer to question 7.3 is "no", answer the question below.

7.4. Is the Property currently in violation of any applicable law, ordinance, or regulation in anyway relating to Lead-Based Paint?

Note: If the answer to question 7.4 is "yes" or "don't know", then the Property is unacceptable for Lead-Based Paint. If the answer to question 7.4 is "no", (or, if an unacceptable Property is remediated for Lead-Based Paint so that it is no longer in violation of applicable laws, ordinances, or regulations) then the Property is considered "acceptable, requires O&M", provided that an O&M Plan is developed and that the Borrower and Lender execute the Fannie Mae Lead-Based Paint O&M Agreement (see Exhibit X-3). (This Agreement must be assigned to Fannie Mae at loan delivery.)

7.5. Comments:

There are not any buildings on this property. There is no paint to sample. Therefore the property is Acceptable for Lead Paint.

7.6. Phase I Assessment Results (circle one) – Lead Paint

	Acceptable Requires O&M	Fail	Fail, Possible Remedy	Phase II Required Y N DK
Acceptable X	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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8. Additional Hazards

8.1. Do the tenant areas contain Urea Formaldehyde Foam Insulation (UFFI) that was installed less than a year ago? Y N DK
[] []

8.2. (If the answer to question 1 is "yes" or "don't know") Did the current HVAC system meet ASHRAE standards (standard 62-73 and successors) when it was installed? Y N DK
[] [] []

Note: If the answer to question 8.1 is "no", or if the answer to question 8.2 is "yes", then the Property is acceptable for UFFI. Proceed to question 8.3. If the answer to question 8.2 is "no" or "don't know", then the Property fails for UFFI. The application may continue, but the Lender must demonstrate prior to Commitment by Fannie Mae that the ventilation system currently meets ASHRAE standards. Proceed to question 8.3.

8.3. Is the Property served by publicly regulated municipal water and sewage services? [] []

Note: If the answer to question 8.3 is "yes", then proceed to question 8.4. If the answer is "no" or "don't know", then the Property is not acceptable for Phase I water and sewage services. A Phase II Assessment plan must be developed by the Lender and approved by the Fannie Mae Property Regional Office before a waiver will be considered. Proceed to question 8.4.

8.4. Does the local utility providing the drinking water meet current EPA requirements for lead concentrations? Y N DK
[] []

Note: If the answer to question 8.4 is "yes", then the Lender should confirm that the Property is in compliance with all state and local disclosure laws. With that confirmation, the Property is acceptable for lead in drinking water. Proceed to question 8.5. If the answer is "no" or "don't know", the Lender must contact the utility and obtain a description of the affirmative plan the utility is following to come into compliance. In addition, the Lender must also contact the local health authorities and implement any required response and notification measures. Proceed to question 8.5.

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Y N DK

8.5. Is there any evidence of illegal or dangerous on-site application, handling, or storage of maintenance chemicals such as pesticides, rodenticides, fertilizers, cleaners, paints, solvents, swimming pool cleaners, etc.?

[] []

Note: If the answer to question 5 is "no", then the Property is acceptable for maintenance chemicals. If the answer is "yes" or "don't know", then the Property fails the Phase I Assessment. However, if (1) there are no violations of applicable law or regulations, and (2) a Phase II Assessment is not warranted, the Property can be made "acceptable" or "acceptable, requires O&M" through on-site clean-up and, if appropriate, the creation of an O&M Plan for maintenance chemicals.

8.6. Comments:

There are not any buildings on this property so there are no hazards from Urea Formaldehyde Foam Insulation or a HVAC system. It is unknown whether or not the local utility providing the drinking water meets the current EPA requirements for lead concentrations. We will not be installing any drinking water faucets on this property. There is no evidence of dumping or of maintenance chemicals being stored on this site.

8.7. Phase I Assessment Results: (circle one) - Additional Hazards

	Acceptable Requires <u>O&M</u>	<u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u> Y <input checked="" type="checkbox"/> DK
<u>Acceptable</u> <input checked="" type="checkbox"/>				

APPENDIX V: Environmental Quality Assessment of Smith Tract

PHASE I ENVIRONMENTAL ASSESSMENT

Property Log

Fannie Mae Commitment #

Property Address Smith Property adjacent to Copiah County WMA.
About 585 acres

Borrower Address

_____ NA _____

Borrower Phone

_____ N/A _____

Lender Company Name

_____ N/A _____

Lender

Underwriter

_____ N/A _____

Environmental
Assessor

Dennis Riecke, Environmental Coordinator

Firm Name and Address
(If different than
Lender)

Miss. Dept. of Wildlife, Fisheries and Parks
1505 Eastover Dr. Jackson, MS 39211

Assessor Phone

601-432-2207

Date Assessment Completed: Onsite inspection on May 21, 2018; Report completed June 8, 2018

Assessment Results Acceptable

PHASE I ENVIRONMENTAL ASSESSMENT

Results Summary & Recommendation

1. Phase I Assessment Results (check applicable result for each hazard)

<u>Hazard</u>	<u>Acceptable</u>	<u>Acceptable Requires O&M</u>	<u>Fail</u>	<u>Fail, Possible Remedy</u>	<u>Phase II Required</u>
Asbestos	X	---	---	---	---
PCB	X	---	---	---	---
Radon	X	---	---	---	---
UST	X	---	---	---	---
Waste Sites	X	---	---	---	---
Lead-Based Paint	X	---	---	---	---
Other	X	---	---	---	---

2. Attach a brief explanation for each hazard requiring a Phase II Assessment. List data deficiencies, test results etc., requiring further assessment.

3. Attach a brief explanation for each hazard that is acceptable but requires Operations and Maintenance ("O&M") actions. What actions are required and how should they be performed?

4. Attach a brief explanation for each failed hazard that could be corrected with remedial actions. What actions are required and how should they be performed?

5. Comments:

Onsite inspection on May 21, 2018 by ATV by Dennis Riecke, MDWFP; Art Kennard, MDWFP and Bennett Chotard, realtor for the seller Mr. Smith. Toured property from the existing roads and trails. Rode along the creek that is not named and along Fosters creek which borders the property on the east and north. Property has been managed for timber. Periodic logging to remove large sweetgum trees. A small storage shed, an old quail rearing pen, several elevated shooting houses, a large culvert, a spray tank , a gas tank, some oil rums, some Roundup drums and trash in a ravine site should be removed once the land is purchased. Pictures of these

items are posted to the W: drive



Signature: _____

_____ Date: June 8, 2018

PHASE I ENVIRONMENTAL ASSESSMENT
Environmental Hazards Information Sources

Check any information sources used to perform the Phase I Assessment.

1. Overall Property Description

- | | |
|---|--|
| <input type="checkbox"/> Building Specifications | <input type="checkbox"/> Zoning or Land Use Maps
(e.g., Sanborn) |
| <input type="checkbox"/> Aerial Photos | <input type="checkbox"/> List of Commercial Tenants |
| <input type="checkbox"/> Title History | <input type="checkbox"/> On-site |
| <input checked="" type="checkbox"/> Site Survey | <input type="checkbox"/> Verification of Public
Water and Sewer |
| <input type="checkbox"/> Interviews with Local
Fire, Health, Land
Use or Environmental
Enforcement Officials | <input type="checkbox"/> Interviews with Builder,
and/or Property Manager |
| | <input type="checkbox"/> Other _____ |

2. Asbestos

- | |
|--|
| <input type="checkbox"/> Dated Building Construction or Rehabilitation
Specifications |
| <input type="checkbox"/> Engineer's/Consultant's Asbestos Report |
| <input checked="" type="checkbox"/> Other Site Survey |

3. Polychlorinated Biphenyls

- Utility Transformer Records
- Site Survey of Transformers
- Site Soil, Groundwater PCB Test Results
- Other Site Survey

4. Radon

- Water Utility Records
- Gas Utility Records
- On-Site Radon Test Results
- Other Site Survey

5. Underground Storage Tanks

- Oil, Motor Fuel and Waste Oil Systems Reports
- CERCLIS/RCRIS Results on Neighborhood (within radius of one mile)
- Site Soil and Groundwater Tests
- Site Tank Survey
- Other Site Survey

6. Waste Sites

- CERCLIS/RCRIS Results on neighborhoods (within radius of one mile)
- State EPA site lists for neighborhoods (within radius of one mile)
- Federal Facilities Docket
- Site Soil and Groundwater Test Results
- Other Site Survey

7. Lead-Based Paint

- Lead Paint Survey
- Certification/Compliance Records
- Other Site Survey

8. Additional Hazards

- Urea Formaldehyde Foam Insulation Survey
- Interior Air Test Results
- Lead in Drinking Water Test Results
- Other Site Survey

PHASE I ENVIRONMENTAL ASSESSMENT
Assessment Checklist

Answer all applicable questions by checking the appropriate box.
(Y - Yes, N - No, DK - Don't Know)

Y N DK

1. Asbestos

Note: All asbestos related assessments, testing, and remedial action programs must be in compliance with EPA document "Guidance for Controlling Asbestos - Containing Materials in Buildings" (EPA 560/5-85-024, 1985). All O&M Plans must be in conformance with EPA document "Managing Asbestos in Place: A Building Owner's Guide to Operations and Maintenance Programs for Asbestos Containing Materials" (EPA, Pesticides & Toxic Substances (TS-799) 20T-2003, July 1990).

- | | | |
|----|--|---|
| 1. | Was (were) the building(s) constructed prior to 1979? | [] <input checked="" type="checkbox"/> [] |
| 2. | Does a site walk through reveal any visible evidence of asbestos? | [] <input checked="" type="checkbox"/> [] |
| 3. | Is there any documented evidence of asbestos (e.g., building plans)? | [] <input checked="" type="checkbox"/> [] |

Note: **If the answer to all three of the above questions is "no", then stop, the Property is acceptable for asbestos.** If the answer to any of the questions is "yes" or "don't know", answer the question below.

- | | | |
|----|--|-------------|
| 4. | Is there an asbestos survey that included physical sampling by a qualified firm performed since 1979 that indicates that the Property is free of asbestos? | [] [] [] |
|----|--|-------------|

Note: If the answer to question 4 is "yes", then stop, the Property is acceptable for asbestos. Otherwise, the Property may be deemed "acceptable, requires O&M" if the assessor believes that enough documentation has

already been collected and conditions warrant such a response. If not, either the Property fails or a Phase II Assessment is required.

5. Comments:

6. Phase I Assessment Results (circle one) - Asbestos

	Acceptable Requires <u>O&M</u>	Fail <u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u>
X				
				Y N DK

2. Polychlorinated Biphenyls (PCBs)

- 1. Are there any PCB transformers or PCB contaminated transformers anywhere on the Property?
- 2. Is there any visible or documented evidence of soil or groundwater contamination from PCBs on the Property?

Note: If the answer to both questions is "no", then stop, the Property is acceptable for PCBs. If the answer to any question is "don't know" then stop, a Phase II Assessment is required and all regulatory requirements must be met. Otherwise, answer the questions below.

- 3. (If question 1 above is "yes".) Are any of the transformers owned by any party with an interest in the Property or located inside any of the residential buildings? [] [] [] []
- 4. (If question 1 above is "yes".) Are any of the transformers badly labeled, damaged, or show indications of poor maintenance? [] [] [] []
- 5. (If question 1 above is "yes".) Is there any evidence of leakage on or around the transformers? [] [] [] []
- 6. (If question 2 above is "yes".) Have PCB concentrations of 50 ppm or greater been found in contaminated soils or groundwater? [] [] [] []

Note: If the answers to questions 3, 4, 5, and 6 are all "no", then the Property is acceptable for PCBs. Otherwise, the Property either fails or requires a Phase II Assessment.

7. Comments:
No transformers on site.

8. Phase I Assessment Results (Circle one) – PCB's

	Acceptable Requires <u>O&M</u>	Fail, Possible <u>Fail</u> <u>Remedy</u>	Phase II <u>Required</u>
Acceptable X			

3. Radon

- 1. Were the results of an EPA approved short-term radon tests performed in the lowest public areas of the building(s) within the last six months, at/or below 4 pCi/l or 0.02 WL?

Note: If the answer is "no" or "don't know", then stop, a Phase II Assessment, including on-site testing, is required. If the answer is "yes", answer the questions below.

- 2. Is there any evidence that nearby structures have elevated indoor levels of radon or radon progeny?

- 3. Have local water supplies been found to have elevated levels of radon or radium?

- 4. Is the Property located on or near sites that currently are or formerly were used for uranium, thorium or radium extraction, or for phosphate processing?

Note: If the answer to questions 2, 3, or 4 is "yes", then a Phase II Assessment is required. If the answer to questions 2, 3, and 4 is "no", then the Property is acceptable for radon. A Property may be acceptable for radon with a "don't know" answer for questions 2, 3, or 4, but the assessor must justify the decision.

- 5. Comments:
Since there are no buildings on the site . There is not a EOA approved short-term radon test result available.

6. **Phase I Assessment Results (circle one) - Radon**

	Acceptable Requires <u>O&M</u>	<u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u>
Acceptable				
X				

Y N DK

- 4. Underground Storage Tanks (USTs)

Note: In the questions below, "API" stands for American Petroleum Institute and "NFPA" stands for National Fire Protection Association

- 1. Is there a current site survey performed by a qualified engineer which indicates that the Property is free of any USTs?
- 2. Is there any visible or documented evidence of soil or groundwater contamination on the Property?
- 3. Are there any petroleum storage and/or delivery facilities (including gas stations) or chemical manufacturing plants located on adjacent properties?

Note: If the answer to question 1 is "yes" and the answers to questions 2 and 3 are "no", then stop, the Property is acceptable for USTs. If the answer to questions 2 or 3 is "yes" or "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to questions 1, 2, and 3 are all "no" then answer the questions below.

- 4. Are there any active underground tank facilities on-site for such activities as motor fuel, waste oil, or fuel oil storage?
- 5. (If "yes" to question 4.) Have these facilities been maintained in accordance with applicable laws and regulations and with sound industry standards? (e.g., API Bulletin 1621 and 1623; NFPA Bulletin 329, 70, 77, etc. or successor documents)

Note: **If the answer to 4 is "no", skip to question 8 below.** If the answer to 4 is "don't know", then stop, either the Property fails or a Phase II

Assessment is required. If the answer to 5 is "no" or "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to both questions 4 and 5 is "yes", answer the questions below.

6. (If "yes" to question 4.) Are any of the tanks more than 10 years old?

7. (If "yes" to question 6.) Have all of the tanks that are more than 10 years old been successfully tested for leaks within the last year using an API approved test?

Note: If the answer to question 6 is "no", answer the questions below. If the answer to question 6 is "don't know", then stop, either the Property fails or a Phase II Assessment is required. If the answer to question 7 is "yes", then answer the questions below. Otherwise, stop, either the Property fails or a Phase II Assessment is required.

8. Are there any deactivated USTs on the Property?

9. (If "yes" to question 8.) Were all of the tanks deactivated in accordance with applicable laws and regulations and with sound industry practices? (e.g., API Bulletins #1604 and #2202 or NFPA Bulletin #30; or successor documents)?

Note: If the answer to question 8 is "no", or if the answer to question 9 is "yes" then the Property is acceptable for USTs. If the answer to question 8 is "don't know", or if the answer to question 9 is "no" or "don't know", then either the Property fails or a Phase II Assessment is required.

10. Comments:
 Site visit revealed that there are not any Underground Storage Tanks on the

property.

11. Phase I Assessment Results (Circle One) – Underground Storage Tanks

Acceptable	Acceptable Fail, Requires	Possible	Phase II
X	<u>O&M</u>	<u>Fail</u>	<u>Remedy</u>
			Y N DK

5. Waste Disposal Facilities

1. Is there any documented or visible evidence of dangerous waste handling on the subject Property or adjoining sites (e.g., stressed vegetation, stained soil, open or leaking containers, foul fumes or smells, oily ponds etc.)? [] []

2. Was the Property ever used for research, industrial, or military purposes during the last 30 years? [] []

3. Has space on the Property ever been leased to commercial tenants who are likely to have used, transported, or disposed toxic chemicals? (e.g., dry cleaner, print shop, service stations, etc.). [] []

4. Is water for the Property provided either by a private company or directly from a well on the Property? [] [] []

5. Are there any obvious high risk neighbors on adjacent properties engaged in producing, disposing, storing or transporting hazardous waste, chemicals or substances? [] []

6. Does the Property or any site within 1 mile, appear on any state or federal list of hazardous waste sites (e.g., CERCLIS, RCRIS, etc.).

Note: **If the answer to all of questions 1 through 6 is "no", then stop, the Property is acceptable for Waste Disposal Facilities.** Otherwise, the Property either fails or a Phase II Assessment is required.

7. Comments: No water onsite.

8. Phase I Assessment Results: (Circle One) – Waste Disposal Facilities

	Acceptable Requires <u>O&M</u>	<u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u>
Acceptable X				
				Y N DK

6. Lead-Based Paint (More than 0.5% by dry weight)

1. Was the Property constructed after 1978 and are all buildings free of chipping or deteriorating paint?
2. Does the Property have a current, valid certification from applicable state or local authorities demonstrating it is in full compliance with Lead-Based Paint laws, ordinances, or regulations regardless of what eligible tenant population may live there? (Answer "no" if no certification process exists.)

Note: If the answer to either question 1 or 2 is "yes", then stop, the Property is acceptable for Lead-Based Paint. Otherwise, answer the question below.

- 3. Do the results of mandatory on-site sampling and analysis of representative surfaces from interior common areas and multiple unit bedrooms (include "chewable" areas as well as damaged or deteriorating paints) and exterior surfaces indicate that the Property is free of Lead-Based Paints? Between 10 (minimum) and 30 (maximum) samples must be taken (target a ratio of 10 samples per 100 units).

Note: If the answer to question 3 is "yes", then stop, the Property is acceptable for Lead-Based Paint. If the answer to question 3 is "don't know", then the Property is unacceptable for Lead-Based Paint. If the answer to question 3 is "no", answer the question below.

- 4. Is the Property currently in violation of any applicable law, ordinance, or regulation in anyway relating to Lead-Based Paint?

Note: If the answer to question 4 is "yes" or "don't know", then the Property is unacceptable for Lead-Based Paint. **If the answer to question 4 is "no", (or, if an unacceptable Property is remediated for Lead-Based Paint so that it is no longer in violation of applicable laws, ordinances, or regulations) then the Property is considered "acceptable, requires O&M",** provided that an O&M Plan is developed and that the Borrower and Lender execute the Fannie Mae Lead-Based Paint O&M Agreement (see Exhibit X-3). (This Agreement must be assigned to Fannie Mae at loan delivery.)

- 5. Comments:

6. Phase I Assessment Results (circle one) – Lead Paint

	Acceptable Requires <u>O&M</u>	Fail <u>Fail</u>	Fail, Possible Remedy <u>Remedy</u>	Phase II Required
Acceptable				
X				
				Y N DK

7. Additional Hazards

1. Do the tenant areas contain Urea Formaldehyde Foam Insulation (UFFI) that was installed less than a year ago? [] []
2. (If the answer to question 1 is "yes" or "don't know") Did the current HVAC system meet ASHRAE standards (standard 62-73 and successors) when it was installed? [] [] []

Note: If the answer to question 1 is "no", or if the answer to question 2 is "yes", then the Property is acceptable for UFFI. Proceed to question 3. If the answer to question 2 is "no" or "don't know", then the Property fails for UFFI. The application may continue, but the Lender must demonstrate prior to Commitment by Fannie Mae that the ventilation system currently meets ASHRAE standards. Proceed to question 3.

3. Is the Property served by publicly regulated municipal water and sewage services? [] []

Note: If the answer to question 3 is "yes", then proceed to question 4. If the answer is "no" or "don't know", then the Property is not acceptable for Phase I water and sewage services. A Phase II Assessment plan must be developed by the Lender and approved by the Fannie Mae Property Regional Office before a waiver will be considered. Proceed to question 4.

4. Does the local utility providing the drinking water meet current EPA requirements for lead concentrations? [] []

Note: If the answer to question 4 is "yes", then the Lender should confirm that the Property is in compliance with all state and local disclosure laws. With that confirmation, the Property is acceptable for lead in drinking water. Proceed to question 5. If the answer is "no" or "don't know", the Lender must contact the utility and obtain a description of the affirmative plan the utility is following to come into compliance. In addition, the Lender must also contact the local health authorities and implement any required response and notification measures. Proceed to question 5.

- 5. Is there any evidence of illegal or dangerous on-site application, handling, or storage of maintenance chemicals such as pesticides, rodenticides, fertilizers, cleaners, paints, solvents, swimming pool cleaners, etc.?

Note: If the answer to question 5 is "no", then the Property is acceptable for maintenance chemicals. If the answer is "yes" or "don't know", then the Property fails the Phase I Assessment. However, if (1) there are no violations of applicable law or regulations, and (2) a Phase II Assessment is not warranted, the Property can be made "acceptable" or "acceptable, requires O&M" through on-site clean-up and, if appropriate, the creation of an O&M Plan for maintenance chemicals.

- 6. Comments:

7. Phase I Assessment Results: (Circle One)- Additional Hazards

	Acceptable Requires <u>O&M</u>	Fail <u>Fail</u>	Fail, Possible <u>Remedy</u>	Phase II <u>Required</u>
Acceptable X				

Some appliances and other trash have been dumped in a ravine near the county road.