

FINDING OF NO SIGNIFICANT IMPACT

Improve Access to the Georgia State Memorial

VICKSBURG NATIONAL MILITARY PARK

On June 23, 2011, the National Park Service (NPS) issued an Environmental Assessment (EA) analyzing impacts associated with proposals to improve access to the Georgia State Memorial at Vicksburg National Military Park (VICK). The Georgia State Memorial is included in the National Register of Historic Places which encompasses all of Vicksburg National Military Park, and is on the park's List of Classified Structures (#3364). The proposed improvement of access is needed in order to preserve this important National Register property, improve visitor interpretative and accessibility opportunities, protect public and employee health, safety and welfare, and improve park operational efficiency.

The purpose of this document is to record the decision of the NPS and to declare a Finding of No Significant Impact (FONSI) pursuant to the Council on Environmental Quality's (CEQ) regulations for implementing the National Environmental Policy Act Of 1969 (NEPA).

Background

The Georgia State Memorial is one of twenty-eight state memorials erected at Vicksburg National Military Park. Dedicated in October 1962, the memorial is located on the South Loop of the VNMP tour road, approximately 300 ft from Tour Stop 14 (Ft. Garrott) and is isolated from the tour route. Originally situated on the park tour road, the memorial stands on the roadbed which connected the current park tour road with Confederate Avenue now located outside the park's southern boundary. In the mid-1960s, Congress directed that the lower third of VNMP be turned over to the City of Vicksburg, and the property was quitclaimed to the city. Consequently, the park's tour road was turned into a 'closed loop' route within the park by removal of the pavement between the park tour road and city-owned road. Given its present location, the Georgia State Memorial has become spatially isolated along the park's tour route. While traveling the park tour road, attention is predominantly focused on the Ft. Garrott earthwork at Tour Stop 14, and the visual presence of the monument is often missed. Additionally, access to the memorial is currently along the grassed former roadbed raising issues concerning accessibility and visitor safety.

Purpose and Need for the Proposed Action

National Park Service *Management Policies 2006* and *Director's Order 28* stress the need for protection and preservation of significant historic properties such as the park's state memorials and monuments. The park's General Management Plan (GMP), Interpretive Prospectus (IP), Long-Range Interpretive Plan (LRIP), and Cultural Resource Management Plan (CRMP) all call for relocation of the Georgia State Memorial. Optimum visitor experience at Vicksburg is not being offered because the Georgia State Memorial is currently isolated from visitors and access is limited to only those park visitors who can walk the grassed roadbed to the memorial. As a

crucial and integral part of the park story, the Georgia State Memorial needs to be more visually apparent and accessible to visitors. However, given its present location, visitors often miss the memorial while traveling the tour route, nor can they fully appreciate its historic significance.

The shortcomings described above must be addressed for the project to be considered a success. Specific project purposes are:

- Maintain integrity of this National Register property and retain compatibility with other historic park structures;
- Protect public and employee health, safety, and welfare by meeting Occupational Safety and Health Administration standards for safe and effective accessibility, and by reducing the need for hazardous maintenance activities; and
- Provide enhanced visitor interpretation and educational opportunities, including improved access to the Georgia State Memorial for a broader understanding of its place in story of the Campaign and Siege of Vicksburg.

Alternatives Considered

The NPS considered three alternatives in the EA process: two action alternatives and a “no-action” alternative (see below). The alternatives are described in more detail in the EA.

Alternative A: No Action Alternative (Continue Current Management)

The memorial will remain in its current location and routine maintenance (mowing) would continue. Precautions would be taken to help ensure safety of visitors in the vicinity. The structure will continue to be impacted by its visual isolation, resulting in the continued loss of a significant and a vital interpretive opportunity.

Alternative B: Relocation of the Georgia State Memorial (Preferred Alternative)

The memorial would be moved approximately 300 ft closer to the park tour road. The memorial will still be situated in an area of historical integrity as it will rest along the line occupied by Brig. Gen. Alfred Cumming’s Georgia Brigade during the Siege of Vicksburg. This alternative would provide better visual access from the vehicles traveling the tour route, and also a safer means of visitor access. It would place the memorial closer to the Tour Stop 14 parking area, allowing visitors to better approach the memorial from the roadside. Additionally, interpretive media would be placed to draw greater attention to the memorial’s location and accessibility. This alternative would better ensure the health, comfort, safety, and security of visitors, as well as complying with applicable accessibility regulations.

Alternative C: Construct an Accessible Footpath to the Georgia State Memorial in its Current Location

The memorial would remain in its current position and an approximately 300-ft, maintained footpath would be created, leading from the tour road to and around the memorial. The footpath would be graded, sloped, and covered with appropriate material to comply with accessibility regulations, and offer

visitors a safer access route to the memorial. Additionally, interpretive media would be placed to draw greater attention to the memorial's location and accessibility.

Selected Alternative

The NPS has chosen Alternative B from the EA (Relocation of the Georgia State Memorial) as the selected alternative. Through the EA process, the NPS has determined that this alternative successfully fulfills identified objectives without resulting in a significant impact to the human environment. Specifics of the selected alternative are as follows:

The memorial would be moved approximately 300 ft closer to the park tour road. The memorial will still be situated in an area of historical integrity as it will rest along the line occupied by Brig. Gen. Alfred Cumming's Georgia Brigade during the Siege of Vicksburg. This alternative would provide better visual access from the vehicles traveling the tour route, and also a safer means of visitor access.

The memorial would be placed closer to the tour road through use of a crane and other appropriate machinery to lift and relocate the monument. A new concrete foundation would be constructed at this location, which would allow for a stronger, better anchored base pad for the memorial. The old foundation pad would be removed and the area re-landscaped. As the monument would be located much closer to the Tour Stop 14 parking area, visitors would be afforded a better opportunity to approach the memorial from the roadside.

Additionally, interpretive media would be placed to draw greater attention to the memorial's location and accessibility. This alternative would better ensure the health, comfort, safety, and security of visitors, as well as complying with applicable accessibility regulations.

Objectives for this project (i.e., what must be achieved for the project to be considered a success) were determined by park and regional staff, and were integral in the development of the plan to improve access to the structure. Generally, the objective in taking this action is to preserve vital cultural and natural resources, as well protect public health and safety. Specific objectives of this action are to:

- Preserve and maintain the integrity of this National Register property and retain compatibility with other historic park structures,
- Improve and enhance visitor interpretation and educational opportunities, including access to the Georgia State Memorial for a broader understanding of its place in American history,
- Protect public and employee health, safety and welfare by meeting Occupational Safety and Health Administration standards for safe and effective access, and by reducing the need for hazardous maintenance activities, and
- Improve the park's operational efficiency and sustainability and meet goals established pursuant to the Government Performance and Results Act.

Alternative B provides the most desirable combination of actions for meeting these objectives and fulfilling the park's mission to protect and preserve its cultural and natural resources.

Alternative B was chosen because it provides the greatest benefit to park resources, with minor to moderate adverse environmental impacts.

Mitigation and Minimization Measures of the Selected Alternative

For all action alternatives, best management practices and mitigation measures would be used to prevent or minimize potential adverse effects associated with the project. These practices and measures would be incorporated into the project construction documents and plans.

Resource protection measures undertaken during project implementation will include, but will not necessarily be limited to, those listed in the table below. This FONSI is predicated on implementation of these best management practices and mitigation measures.

Mitigation Measures and Best Management Practices

Potential Effect on:	Mitigation Measure or Best Management Practice
Cultural Resources	<p>If not already accomplished, extant historic portions of the memorial that require reconstruction or restoration would be documented as called for in the <i>Secretary of the Interior's Standards for the Treatment of Historic Properties</i> (NPS 1995b) prior to any disassembly.</p> <p>Documentary evidence from period plans, maps, and drawings and from the presence of existing structural elements would be used to provide for accurate reconstruction and rehabilitation of the structure. Wherever possible, the design, texture, color, materials, and scale of the original elements would be ascertained from existing information.</p> <p>New materials (i.e., concrete foundation pad) would be carefully selected to accurately replicate the form and character of the original monument construction.</p> <p>To limit impacts on the landscape around the Georgia State Memorial, wherever possible construction activities such as storage of new or removed materials, vehicular traffic, staging areas, and movement and placement of machinery would occur in a previously disturbed area away from the view of park visitors.</p> <p>To minimize ground disturbance, all staging areas, materials stockpiling, vehicle storage, and other construction-related facilities and areas would be located in a previously disturbed area or on hardened surfaces such as the existing parking areas. Mortar would be mixed at the staging areas and transported to the Georgia State Memorial site.</p> <p>Areas around the Georgia State Memorial disturbed by restoration and rehabilitation would be revegetated with grass and landscape plantings</p>

and other landscape elements as appropriate. The types and locations of replacement vegetation would be carefully chosen to, where possible, replicate historic elements of the cultural landscape while avoiding introduction of problem exotic plants.

Historical, architectural, and archeological records would be reviewed to determine the levels of previous disturbance in the area of potential effect. Should areas of archeological potential be identified, further investigations would be conducted and appropriate mitigating measures would be developed prior to ground-disturbing activities.

Potential ground-disturbing activities such as removal of existing landscape features would be carefully planned because these areas may harbor presently unknown archeological resources. Construction documents would include stop-work provisions should archeological resources be uncovered and the contractor would be apprised of these protective measures during the pre-construction conference. Areas known to contain sensitive cultural resources would be identified in the construction operations plan.

Work limits would be established and clearly marked to protect resources, and all protection measures would be clearly stated in the construction specifications. Workers would be instructed to avoid conducting activities beyond the construction zone and their compliance monitored by the project Contracting Officer's Technical Representative.

Archeological monitoring of ground disturbance in currently inaccessible paved areas or areas beneath and adjacent to existing structures would help ensure that all cultural resources were identified and documented during the construction process.

If previously unknown archeological resources were discovered, work would be stopped in the area of any discovery, protective measures would be implemented, and procedures outlined in 36 *Code of Federal Regulations* 800 would be followed. Resources would be evaluated for their National Register of Historic Places significance, and adequate mitigation of project impacts (in consultation with appropriate agencies) and adjustment of the project design would take place to avoid or limit the adverse effects on resources.

Personnel would be educated about the nature of the cultural resources at the project site and the need for protection. Stop-work provisions would be included in construction documents in the event that archeological resources were uncovered. Although, in many cases, the preferred method to protect identified archeological resources is to avoid further disturbance by relocation of the impact to another non-sensitive site, the

	<p>preferred method here would be professional documentation of the find prior to additional ground-disturbing activities.</p> <p>To reduce unauthorized collecting, construction personnel would be educated about cultural resources in general and the need to protect any cultural resources encountered. Work crews would be instructed regarding the illegality of collecting artifacts on federal lands to avoid any potential Archeological Resources Protection Act violations. This would include instructions for notifying appropriate personnel if human remains were discovered.</p>
Construction-related effects on soils	<p>Standard best management practices to limit erosion and control sediment release would be employed. Such measures include use of silt fencing, limiting the area of vegetative disturbance, use of erosion mats, and covering banked soils to protect them until they are reused.</p>
Public Health and Safety	<p>An accident prevention program would be a required submittal. This plan would include job hazard analyses associated with each major phase of the proposed project and would emphasize both worker and public safety. It would include planning for emergency situations, including fires, tornados, building collapse, explosions, power outages, and rainstorms.</p> <p>The plan would also take into consideration the nature of the construction, site conditions, including seasonal weather conditions and the degree of risk or exposure associated with the proposed activity. Regular project inspections and safety meetings would ensure the safety of the premises both to construction staff and visitors.</p> <p>A defined work area perimeter would be maintained to keep all construction-related impacts within the affected area. All paved areas that are subject to vehicular and pedestrian traffic would be kept clean of construction debris and soils. Sweeping of these areas would be implemented as necessary.</p> <p>Visitor safety would be ensured both day and night by fencing of the construction limits of the proposed action. Areas not safe for public entry would be marked and signed for avoidance. Unsafe conditions would be inspected for and corrected as soon as practicable to minimize the potential for staff or visitor injury.</p> <p>To the degree possible, impacts would be mitigated by the use of best management practices to reduce generation of dust and by limits on the types of chemicals (low VOC ratings) used in new construction and the rehabilitation.</p>
Visitor Experience	<p>Educational materials and interpretive information would describe the work and importance of the activity so visitors would understand the the need for relocation. Information would be prepared and distributed to</p>

	<p>park visitors by park staff. Signage and programs also would provide safety information for visitors.</p> <p>Visitor information to minimize adverse effects to visitors from changes in parking availability near Tour Stop 14 (Ft. Garrott) would be developed.</p> <p>Specific provisions would ensure that the majority of material deliveries were made during the week, rather than on weekends or holidays. By the same token, most of the disruptive work would not occur on weekends or holidays. Disruptive early morning or late evening deliveries would be minimized to the extent possible. The contractor will be encouraged to deliver the majority of materials in the early morning hours, before 10:00 a.m.</p> <p>All construction equipment would be equipped with mufflers kept in proper operating conditions, and when possible, equipment would be shut-off rather than allowed to idle. Standard noise abatement measures would include the following elements: a schedule that minimizes impacts to adjacent noise-sensitive areas, use of the best available noise control techniques wherever feasible, use of hydraulically or electrically powered impact tools when feasible, and location of stationary noise sources as far from sensitive public use areas as possible.</p>
Sustainability and Conservation Potential	<p>The contractor would be encouraged to use carpooling and other techniques that would minimize the trip generation of the construction activity. Shipment of materials in full loads would also be encouraged, and vehicles and equipment would be maintained to minimize pollution generation.</p>

Environmentally Preferred Alternative

The NPS Handbook for implementing Director's Order #12 (*Conservation Planning, Environmental Impact Analysis, and Decision Making*) requires that EAs identify the environmentally preferred alternative. Simply put, "this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources." (Q6a) (516 DM 6 4.10(A)(5)).

The Council on Environmental Quality (CEQ) regulations and National Park Service Policy state that environmental assessments prepared pursuant to NEPA must include a section stating how each alternative analyzed in detail would or would not achieve the requirements of NEPA sections 101 and 102(1) and other environmental laws and policies. 40 CFR 1502.2(d). This requirement is met within the National Park Service by (a) describing how each alternative meets the criteria set forth in NEPA section 101(b), and (b) identifying any conflicts between the alternatives analyzed in detail and other environmental laws and policies. Section 101(b) of the National Environmental Policy Act identifies six criteria for assessing whether a proposed

federal action complies with the national environmental policy as set forth in the act. Specifically, the act directs that a proposed federal action should:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
- Ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
- Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
- Preserve important historic, cultural and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

In the National Park Service, the No Action alternative may also be considered in identifying the environmentally preferred alternative. However, in the present instance, continuing current management of the Georgia State Memorial would be the least effective course in meeting the above criteria. Without relocation, there is a strong potential for the Georgia State Memorial to suffer detrimental effects from its visual isolation as impacts from vegetation encroachment, tree damage, or undetected vandalism may go unnoticed for extended periods of time. Additionally, in its present location, the limited access to the memorial poses a safety threat to staff and visitors alike, and a continuation of these conditions would only exacerbate the threat.

Alternatives B and C fully address the park's need to enhance public health and safety and safeguard vital historic resources. The park was created to preserve the cultural and natural resources and interpret for the visiting public the story of this Civil War battlefield. Relocation of the Georgia State Memorial, and providing better visual presence and accessibility to the memorial would improve the park's ability to meet its mandate to preserve these resources. In addition, relocation of the Georgia State Memorial would enhance the visitor opportunities in this part of the park, be consistent with National Park Service policy, and protect public (and staff) health and safety.

Both alternatives B and C would achieve the requirements of NEPA sections 101 and 102(1). However, Alternative B (preferred alternative) would do so by using less long-term energy than Alternative C. Therefore, Alternative B (preferred alternative) is the environmentally preferable alternative.

Why the Selected Alternative will Not Have a Significant Effect on the Human Environment

Consideration of the effects described in the EA, and a finding that they are not significant, is a necessary and critical part of this FONSI, as required by 40 CFR §1508.13. Significance criteria

are defined in 40 CFR § 1508.27. These criteria direct NPS to consider direct, indirect, and cumulative impacts of the proposed action, as well as the context and intensity of impacts:

Context. This measure of significance considers the setting within which an impact was analyzed in the EA, such as the affected region, society as a whole, affected interest, and/or a locality. The selected alternative affects only the immediate local area, in terms of resources, employees, and/or visitors. Therefore, any possible impact is limited to this level of least significance.

Intensity. This measure of significance refers to the severity of impacts, which may be both beneficial and adverse, and considers measures that will be applied to minimize or avoid impacts. As directed by 40 CFR § 1508.27, intensity is evaluated by considering the following factors:

Impacts that may be both Beneficial and Adverse

The selected alternative will have impacts on a historic structure (Georgia State Memorial) that are moderate and beneficial; impacts to the cultural landscape will be minor to moderate and adverse. For public health and safety, impacts will be long-term, direct, minor to moderate, and beneficial. Similarly, impacts to visitor use and experience, including accessibility for individuals with disabilities, will be long-term, direct, moderate to major, and beneficial. Impacts to park operations will be long-term, direct, minor, and beneficial. In light of the foregoing, the proposed action would not result in significant impacts on the human environment.

Degree of Effect on Public Health and Safety

Improved access to the Georgia State Memorial under the selected alternative will include relocating the memorial 300 ft closer to the park tour road. This relocation will also provide for a safe means of visitor egress, and will help ensure the health, comfort, safety, and security of visitors and park staff, and protect public and employee health, safety, and welfare by meeting Occupational Safety and Health Administration standards for safe and effective accessibility, and reducing the need for hazardous maintenance activities.

Unique Characteristics of the Geographic Area such as Proximity to Historic or Cultural Resources, Park Lands, Prime Farmlands, Wetlands, Wild and Scenic Rivers, or Ecologically Critical Areas

Vicksburg National Military Park protects nationally significant cultural resources, including historic structures, historic objects, and cultural landscapes. The entire park is listed in the National Register of Historic Places. Based on the EA findings, it has been determined that the selected alternative will not have significant impacts to unique characteristics in the park, the immediate vicinity, or regionally. Impacts will be confined to the Georgia State Memorial and adjoining cultural landscape, and will range in intensity from minor to moderate. The NPS will implement specific mitigation actions to minimize adverse impacts to the Georgia State Memorial and surrounding area. There are no other unique characteristics of the geographic area that are affected by the proposed improved access.

Degree to which Effects on the Quality of the Human Environment are Likely to be Highly Controversial

Department of the Interior regulations implementing NEPA provide that the term “controversial” refers to “circumstances where a substantial dispute exists as to the environmental consequences of the proposed action and does not refer to the existence of opposition to a proposed action, the effect of which is relatively undisputed.” 46 CFR § 46.30. In the present instance, no substantial dispute exists as to the environmental consequences of improving access to the Georgia State Memorial. Therefore, the effects from the selected alternative are not likely to be highly controversial.

Degree to which the Possible Effects on the Human Environment are Highly Uncertain or Involve Unique or Unknown Risks

The effects of the selected alternative are straightforward and easily predicted. The NPS has determined that the extent and degree of uncertainty regarding impacts or unique or unknown risks is not significant.

Degree to which the Action Establishes a Precedent for Future Actions with Significant Effects or Represents a Decision in a Principle about a Future Consideration

The selected alternative is in line with similar efforts to improve access to historic structures throughout the National Park System. Nothing in the selected alternative establishes a precedent that would result in significant effects in the management of the park or any other areas in the National Park System.

Whether the Action is Related to Other Actions with Individually Insignificant but Cumulatively Significant Impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact to the environment.

The proposal to improve access to the Georgia State Memorial is a discreet and locally contained action. There are no significant cumulative impacts associated with the selected alternative.

Degree to which the Action may Adversely Affect Districts, Sites, Highways, Structures, or Objects Listed or Eligible for Listing in the National Register of Historic Places or may Cause Loss or Destruction of Significant Scientific, Cultural or Historic Resources

The NPS, as a Federal land-holding agency, is required to locate, inventory, and nominate properties to the National Register of Historic Places, and to exercise caution to protect such properties under Section 106 of the NHPA.

After applying the Advisory Council on Historic Preservation’s criteria of adverse effects (36 CFR Part 800.5, *Assessment of Adverse Effects*), NPS concludes that implementation of the preferred alternative (Relocation of the Georgia State Memorial) would not have an adverse

effect on any historic structure or the cultural landscape of Vicksburg National Military Park. The Mississippi State Historic Preservation Officer (SHPO) has concurred in this determination. A copy of the SHPO's letter is attached to this FONSI (Appendix A).

Degree to which the Action May Affect an Endangered or Threatened Species or Critical Habitat

Historical review and field observations were performed to identify the presence of threatened or endangered species or potential habitat for these species. No special status species are located in the project area, nor is any associated habitat for such species. The selected alternative will not affect any threatened or endangered species.

Whether the Action Threatens a Violation of Federal, State, or Local Law or Requirements Imposed for the Protection of the Environment

The selected alternative does not threaten a violation of any Federal, State, or local law or requirement imposed for the protection of the environment.

Public Involvement

The project to improve accessibility to the Georgia State Memorial through relocation of the monument was initially proposed in 1990.

The project proposal was re-instituted in 2011, and the EA was released for public review on June 23, 2011. The majority of comments received by the NPS during the EA comment period were in favor of implementation of the preferred alternative as described herein.

On July 13, 2011, two open houses were held in the field at the Georgia State Memorial site, one at 10:00 a.m. and one at 3:30 p.m. These on-site meetings invited public discussion on the proposed alternatives and their associated impacts. Neither meeting elicited any public participation.


Comments were received from the Georgia Divisions of the Sons of Confederate Veterans and the United Daughters of the Confederacy, both of which supported the preferred Alternative B – *Relocation of the Georgia State Memorial*. The local newspaper, the Vicksburg Post, printed an editorial endorsing improved accessibility to the Georgia State Memorial, but advocated for Alternative C – *Construct an Accessible Footpath to the Georgia State Memorial in its Current Location*.

Section 106 consultation was completed as required by the NHPA, with the Mississippi SHPO again concurring with the finding of no adverse impact (Appendix A). Consultation was also initiated with the U.S. Fish & Wildlife Service as required by the Fish & Wildlife Coordination Act; however, no response was received from the U.S. Fish & Wildlife Service. As a courtesy, an opportunity to comment was also extended to the Georgia SHPO, but no response to messages left for Dr. David Crass, Director of the Historic Preservation Division for the Georgia Department of Natural Resources (and Deputy SHPO) was received.

Conclusion

The selected alternative (Alternative B – Relocation of the Georgia State Memorial) does not constitute an action that normally requires preparation of an Environmental Impact Statement (EIS). The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are minor and temporary in effect. There are no unmitigated adverse impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the NRHP or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, cumulative effects or elements of precedent were identified. Implementation of the selected alternative will not violate any Federal, State or local environmental protection laws.

Based on the forgoing, it has been determined that an EIS is not required for this project and thus will not be prepared.

Recommended:  8 August 2011
ACTING → Superintendent, Vicksburg
National Military Park Date

Approved:  8/10/11
Regional Director, Southeast Region Date

Appendix A

MISSISSIPPI DEPARTMENT *of* ARCHIVES AND HISTORY



PO Box 571, Jackson, MS 39205-0571
601-576-6850 • Fax 601-576-6975
mdah.state.ms.us
H.T. Holmes, Director

July 11, 2011

Mr. R. Mitchell Madell
Superintendent
Vicksburg National Military Park
3201 Clay Street
Vicksburg, Mississippi 39183

RECEIVED
JUL 12 2011
VICKSBURG N.M.P.

RE: Assessment of Proposed Improved Access to Georgia Monument at VNMP,
MDAH Project Log #06-167-11, Warren County

Dear Superintendent Madell:

We have reviewed the VNMP's request for comment regarding a cultural resource assessment, received on June 24, 2011, for the above referenced project and its alternatives, in accordance with our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After reviewing the information provided, it is our determination that the preferred Alternative B would have no adverse impact to cultural resources. We recommend that you consult with the State of Georgia State Historic Preservation Office as a courtesy. If any earth disturbing work is required for this project, we recommend your office assess potential impacts and consult with our office regarding earth-disturbing work outside of the existing rights-of-way.

Please do not hesitate to call if you have any questions or concerns.

Sincerely,

Greg Williamson
Review and Compliance Officer

FOR: H.T. Holmes
State Historic Preservation Officer

Appendix B

Impairment Determination

The Prohibition on Impairment of Park Resources and Values

NPS Management Policies 2006, Section 1.4.4, explains the prohibition on impairment of park resources and values:

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

What is Impairment?

NPS *Management Policies 2006*, Section 1.4.5, *What Constitutes Impairment of Park Resources and Values*, and Section 1.4.6, *What Constitutes Park Resources and Values*, provide an explanation of impairment.

Impairment is an impact that, in the professional judgment of the responsible National Park Service manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values.

Section 1.4.5 of *Management Policies 2006* states:

An impact to any park resource or value may, but does not necessarily, constitute impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute an impairment if it is an unavoidable result of an action necessary to preserve or restore the integrity of park resources or values and it cannot be further mitigated.

Per Section 1.4.6 of *Management Policies 2006*, park resources and values that may be impaired include:

- the park's scenery, natural and historic objects, and wildlife, and the processes and condition that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structure, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

Impairment may result from NPS activities in managing the park, visitor activities, or activities undertaken by concessionaires, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park, but this would not be a violation of the Organic Act unless the NPS was in some way responsible for the action.

How is an Impairment Determination Made?

Section 1.4.7 of *Management Policies 2006* states, "[i]n making a determination of whether there would be an impairment, an NPS decision maker must use his or her professional judgment. This means that the decision-maker must consider any environmental assessments or environmental impact statements required by the National Environmental Policy Act of 1969 (NEPA); consultations required under Section 106 of the National Historic Preservation Act (NHPA); relevant scientific and scholarly studies; advice or insights offered by subject matter experts and others who have relevant knowledge or experience; and the results of civic engagement and public involvement activities relating to the decision.

Management Policies 2006 further define "professional judgment" as "a decision or opinion that is shaped by study and analysis and full consideration of all the relevant facts, and that takes into account the decision-maker's education, training, and experience; advice or insights offered by subject matter experts and others who have relevant knowledge and experience; good science and scholarship; and, whenever appropriate, the results of civic engagement and public involvement activities relation to the decision

Impairment Determination for the Preferred Alternative

This determination on impairment has been prepared for the preferred alternative described on page 3 of the FONSI. An impairment determination is made for all resource impact topics analyzed for the Preferred Alternative. An impairment determination has not made for visitor experience, socioeconomics, public health and safety, environmental justice, land use, and park operations because impairment findings relate back to park resources and values, and these

impact areas are not generally considered to be park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values.

Through a review of the list of significance criteria, the NPS has determined that implementation of the selected alternative will not result in impairment to the park's resources and values. This conclusion is based on a thorough analysis of the environmental impacts described in the site-specific EA, public comment, relevant scientific studies and professional judgment as guided by the direction in NPS *Management Policies 2006*.

Vicksburg National Military Park Purpose Statements

Purpose statements reaffirm the reasons for which the park was set aside as part of the national park system. They are intended to document NPS' assumptions about what the park's establishing legislation really means so that those assumptions can be understood by others.

The purpose of Vicksburg National Military Park and Vicksburg National Cemetery is:

- Congress established Vicksburg National Military Park on February 21, 1899, "to commemorate the campaign and siege and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and were carried on..."
- In July 1862, Congress enacted legislation through an Omnibus Act, initiating the establishment of national cemeteries, "for the burial of deceased soldiers and sailors" ...which included Vicksburg National Cemetery.
- On September 17, 1990, Congress further directed the Secretary of the Interior to "interpret the campaign and siege of Vicksburg from April 1862 to July 4, 1863, and the history of Vicksburg under Union occupation during the Civil War and Reconstruction."

Vicksburg National Military Park Significance Statements

Significance statements clearly describe the regional, national, or global significance of those park resources that preserve a portion of America's heritage. In addition, these statements help NPS personnel prioritize park management alternatives by identifying what is most important when allocating limited funding and staff resources.

The Vicksburg National Military Park and Vicksburg National Cemetery are significant because:

- Vicksburg's topography reveals unique features of steep ridges and ravines, loess terrain, and 200-foot bluffs, located on an oxbow of the Mississippi River. Though the river's course has changed, many of the land attributes and those of the overall Vicksburg campaign landscape persist today, identifying the area as a focus for settlement and a point from which to control the river.
- Control of the Mississippi River which supported and enhanced commerce throughout the nation and facilitated transport of essential military supplies was a strategic objective of both armies and defined the Western Campaign of the Civil War. Simultaneous Union

victories at Vicksburg and Gettysburg in July 1863 marked a decisive turning point in the Civil War.

- Vicksburg's crossroads of river, rail, and highway combined with imposing defenses and a critical strategic objective, produced one of the most complex and protracted engagements of the Civil War involving joint operations between the Army and Navy, overland and over-water troop movement, and diversion, siege, and defense tactics.
- Accomplishments of the U.S. Colored Troops in the Vicksburg Campaign proved their resolve and ability to effectively fight, which resulted in an ensuing surge of enlistment and respect for their contributions. Following the siege of Vicksburg, the Union garrison that remained used Vicksburg as a base of operations for raids, expeditions, commerce, and communication that assisted Union operations for the remainder of the war.
- The *U.S.S. Cairo* is the only surviving city-class gunboat constructed using the most advanced technology of the era, including steam propulsion, ironclad armor, and shallow-draft design. This technology changed the strategy and tactics of naval warfare on western rivers and was essential to the Union fleet which aided in securing control of the Mississippi River.
- Vicksburg's society was transformed by war, enduring changes that ranged from deprivation and destruction of a prosperous community to liberation of formerly enslaved people.
- Reconstruction efforts following the war were reflected in changes occurring in regional and national politics, economies, and society as a whole. Vicksburg became a microcosm of these changes and consequences.
- The monuments at Vicksburg comprise one of the largest collections of significant outdoor art in the state and one of the most extensive in the world. Representing the states involved and through their intricate symbolism, they commemorate the campaign, siege, and defense of Vicksburg. Commemoration continues today as a result of national reunification.
- Vicksburg National Cemetery honors service men and women of several wars by properly caring for their remains. It contains the most Union Civil War soldiers' graves in the country including many of U.S. Colored Troops and those of unknown soldiers. The cemetery provides opportunities for personal connections with those who died during events that have shaped the present-day nation.
- Vicksburg National Military Park is one of the first five national military parks established through the steadfast efforts of Union and Confederate veterans who experienced war firsthand over its grounds. It preserves a memorial owed to faithful soldiers and sailors, and perpetuates their history as permanent object lessons for the benefit of present and future generations, both nationally and internationally.
- As a piece of public domain, Vicksburg National Military Park, with its natural, cultural, and historical resources, today plays a vital role in our nation's heritage and provides a place of peace, reflection, enjoyment, and community engagement.

Affected Landscape

Vicksburg National Military Park is located on the north side of Vicksburg, Mississippi, less than a mile from Interstate 20. The park receives approximately 1 million visitors per year who stay an average of 2 hours each (NPS 2003). Travel to the park is accomplished largely by private

automobile or by charter bus. The nearest commercial airport is in Jackson, Mississippi, approximately 50 miles to the east (NPS 2011).

The most popular activity at the park is touring the battlefield and cemetery by car, charter bus, or on foot. The park has a main visitor center with interpretive displays, a bookstore, and a theater that presents an 18-minute introductory film. The visitor center is the usual starting point for embarking on the 16-mile-long interpretive loop that passes through the Union siege and Confederate defense lines.

Vicksburg National Military Park has a high concentration of monuments and historic structures, with over 1,350 monuments, markers, tablets and plaques, 70 bronze castings, 149 cannon and carriages, 9 historic bridges, 6 buildings, and an ironclad river gunboat (the U.S.S. Cairo). Vicksburg National Cemetery also contains approximately 18,000 headstones (NPS 2011).

Midway through the interpretive loop, visitors encounter the Union gunboat, the U.S.S. Cairo. This ironclad, river class gunboat was sunk in December 1862 by underwater Confederate mines just north of Vicksburg in the Yazoo River. The Cairo was raised in 1964, acquired by Vicksburg National Military Park in 1973, and restored in 1985 to give visitors the opportunity to experience this unique piece of military hardware. The nearby U.S.S. Cairo Museum houses a variety of artifacts recovered from the Cairo during salvage operations (NPS 2011).

Adjacent to the U.S.S. Cairo is Vicksburg National Cemetery. Established in 1866, it contains 18,300 graves, the identities of more than 13,000 of which are unknown. Most of the dead were Union soldiers from the Civil War, but soldiers from the Spanish-American War, World War I, World War II, and the Korean War also are interred here (NPS 2011).

Located near the site designated as “Tour Stop No. 14” along the park’s 16-mile-long driving tour route, the Georgia State Memorial is situated on the South Loop along the VNMP tour road 300 ft from the earthwork known as Ft. Garrott. This area was one of the focal point of military operations during the siege and defense of Vicksburg. Every year the park hosts about one million visitors, and the Georgia State Memorial is a key element in the park’s legislative mandate to interpret the history of Vicksburg, including both the battle and the period encompassing the Union occupation of Vicksburg through Reconstruction times.

Cultural Resource Topics

- **Historic structures and landscapes**

The Georgia State Memorial is included in the National Register of Historic Places which encompasses all of Vicksburg National Military Park, and is on the park’s List of Classified Structures (#3364). The park’s General Management Plan (GMP), Long-Range Interpretive Plan (LRIP), and Cultural Resource Management Plan (CRMP) all call for relocation of the Georgia State Memorial.

Alternative B, relocation of the Georgia State Memorial (preferred alternative), would have impacts to the historic structure that were long-term, direct, moderate, and beneficial. The alternative would relocate a structure currently visually isolated from the

park visitor, while still being situated in an area of historical integrity as it will rest along the line occupied by Brig. Gen. Alfred Cumming's Georgia Brigade during the Siege of Vicksburg. Impacts to the surrounding cultural landscape would be minor, and therefore would not result in impairment of park resources and values.

Areas around the Georgia State Memorial disturbed by restoration and rehabilitation would be revegetated with grass and landscape plantings and other landscape elements as appropriate. The types and locations of replacement vegetation would be carefully chosen to, where possible, replicate historic elements of the cultural landscape while avoiding introduction of problem exotic plants.

Natural Resource Topics

- **Energy requirements and conservation potential**

In the present instance, the intent of the project is to improve access to the Georgia State Memorial. Alternative B, Relocation of the Georgia State Memorial (preferred alternative) would incorporate energy efficient and sustainable design to minimize energy consumption. Long-term maintenance actions would be reduced and any impacts to the resource will be outweighed by the benefits of the improved accessibility.

The preferred action alternative would not result in irreversible or permanent impacts on the resource, cause a permanent commitment of resources, or cause any impairment of energy or conservation requirements.

In conclusion, Alternative B fully addresses the park's need to enhance and safeguard vital historic resources. The park was created to preserve the cultural and natural resources and interpret for the visiting public the story of this Civil War battlefield. Relocation of the Georgia State Memorial, and providing better visual presence and accessibility to the memorial would improve the park's ability to meet its mandate to preserve these resources. In addition, relocation of the Georgia State Memorial would enhance the visitor opportunities in this part of the park, be consistent with National Park Service policy, and protect public (and staff) health and safety.

References

The following documents contain information or data related to this environmental assessment.

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