

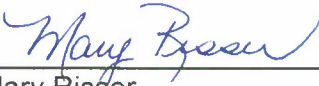


National Park Service
U.S. Department of the Interior

Natchez Trace Parkway
Mississippi

FINDING OF NO SIGNIFICANT IMPACT
Construction of an Access Road to a Planned Chickasaw Heritage Center

Recommended:



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9.16.16

Date

Approved:



Stan Austin
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9/22/16

Date

INTRODUCTION

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with the proposed project to construct a direct access road within the boundaries of the Natchez Trace Parkway (Parkway) to the planned Chickasaw Heritage Center (Center). A direct access to the Center is needed to realize the goals of Parkway management plans, to foster a partnership with local and tribal governments, and to provide visitors with an interpretive opportunity that the NPS lacks the capacity to provide.

The statements and conclusions reached in this Finding of No Significant Impact (FONSI) are based upon documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

SELECTED ALTERNATIVE AND RATIONALE FOR THE DECISION

Based on the analysis presented in the EA, the NPS selected the Direct Access Alternative. The selected alternative will create direct access that will ultimately connect the Parkway to the planned Center, which will be located on adjacent private land. The direct access will be located approximately 2000 feet south of the existing Chickasaw Village Site (Site) at milepost 261.4. This access would include removal of approximately 0.90 acres of forested area on NPS land to install a paved driveway (400 feet by 24 feet) directly from the Parkway motor road to the boundary of the NPS land.

The Parkway *General Management Plan* (GMP) encourages cooperation with state and local governments to recognize the Parkway as a valuable recreational and economic resource and to develop land use plans and regulations that support scenic protection while also making resource-related visitor opportunities available. Furthermore, the Parkway's *Land Protection Plan* specifically encourages preservation of related cultural resources outside the Parkway's boundary

Rationale

The Direct Access Alternative was selected because it best meets the project purpose to provide Parkway visitors with the opportunity to visit a museum and cultural center that interprets the Chickasaw's rich cultural heritage and the Old Natchez Trace. Such a center will be mutually rewarding to the Chickasaw Nation, NPS, and the public. The Foundation, in close partnership with the Nation, plans to construct the Center on its ancestral Homeland adjacent to the Parkway's Site near Tupelo, Mississippi. A new access road was determined to best meet the project purpose while being the least impactful alternative for the natural, cultural, and scenic resources of the Parkway.

MITIGATION MEASURES

The selected alternative incorporates the following mitigation measures.

1. The City of Tupelo (City) has a deeded easement for Wilson Road. This easement consists of a gravel vehicular access gated at both ends where it enters and exits the Parkway boundary. As mitigation for construction of the proposed access road, the City will abandon its future use of Wilson Road for vehicular access. It will instead maintain an unpaved easement for pedestrian use and an underground utility corridor. The lack of vehicular access will help the NPS control future traffic and potential urbanization near the Parkway boundary.
2. The 1000-foot section of Natchez Trace National Scenic Trail (NATT), which will be abandoned to prevent two intersections with the new access road, and will be rehabilitated by re-planting with native species.
3. The NPS will eradicate at least one acre of non-native species within an adjacent wetland.
4. Tombigbee Electric Power Association will remove an existing aerial power line that crosses through the center of the Black Belt prairie at Chickasaw Village. Prairie plants are currently mowed to maintain the right-of-way. Once the line is removed, the prairie vegetation will be allowed to grow naturally.

FINDING OF NO SIGNIFICANT IMPACT

As described in the EA, the selected alternative has the potential for adverse impacts on cultural landscapes, vegetation, and visitor use, safety and experience; however, no potential for significant adverse impacts was identified.

Construction-related activities may adversely affect the cultural landscape by the addition of an access to the Parkway; however, the road will be built in keeping with the design intent of the Parkway and to Federal Highway Administration standards. Furthermore, the access will not be a through-street and will have only one destination and purpose. This will limit the type and amount of use, adhering to the design intent of the Parkway.

Access road construction may adversely affect visitor use, safety, and experience both during the construction period and for the long-term once the Center is open. Short-term impacts from the construction period could decrease local visitor use and diminish visitor experience as recreational visitors from local communities may avoid the area due to traffic delays. This will only occur during daytime hours of the construction period (approximately six months). Road construction crews will follow applicable safety regulations during the construction process to ensure visitor safety is not compromised during the construction phase.

Once the Center is open to the public, Parkway visitation on the roadway may increase as tourists and local visitors travel directly to the Center for its educational and recreational opportunities. Increased visitation may cause traffic delays during peak rush hours or negatively affect bicyclists; however only 200 to 400 cars pass this section of Parkway daily, which is well below traffic rates for surrounding roadways. Overall, the increase in traffic from the direct access to the Center is not estimated to significantly affect visitor use.

The planned access road will affect visitor use of the NATT because the access road will cross the trail in two locations. This impact will be reduced by eliminating one crossing; however, a

new section will be added before the road crossing to continue to allow for a loop trail. Elimination of the second trail crossing will be offset by future connectivity to a more extensive trail network connecting trails on Foundation land.

The access road will result in temporary and permanent vegetation removal of approximately 0.90 acres of forested habitat. This habitat is common along the Parkway, and will be compensated by abandoning and restoring a 1000-foot section of the NATT which is currently maintained to a 10-foot width. This 10,000-square foot area will be allowed to regenerate and reestablish into forested habitat. As part of the project to develop the access road, the City has agreed not to develop and pave the Wilson Road easement, which will result in additional reforestation. Finally, the construction of the access road will result in the protection of an adjacent 156 acres of land for the Center, most of which will remain forested vegetation and restored to native prairie. The Parkway vegetation will benefit from the additional conservation and restoration of surrounding habitat.

Within the 0.28 acre vegetated area permanently disturbed by the direct access, construction will result in the permanent loss of 0.07 acres of vegetated wetlands. Wetlands within the project area have been disturbed by previous road and trail construction and fall below the required size for mitigation. However, permanent wetland impacts will be mitigated in accordance with NPS Wetland Protection Guidelines, Director's Order (DO) 77-1, by eradicating non-native Chinese privet in an adjacent wetland, thereby improving wetland function as compensation. The compensation wetland will be the same type as the wetlands lost as a result of implementing the selected alternative and will replace the functions and values lost from the permanent wetland impacts. A Wetland Statement of Findings is attached to this document.

In a letter submitted to the U.S. Fish and Wildlife Service (USFWS), the NPS determined that the selected alternative may affect, but is not likely to adversely affect any federally listed threatened or endangered species or critical habitat. Records indicated there are three federally threatened species found in the vicinity of the project area in Lee County, including the wood stork (*Mycteria americana*), Price's potato-bean (*Apios priceana*), and northern long-eared bat (*Myotis septentrionalis*). The USFWS concurred with the NPS determination on July 7, 2016.

Implementing the selected alternative will result in adverse effects as described. The project will not result in the loss or destruction of significant scientific, cultural, or historical resources. There will be no significant impacts on public health, public safety, or unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the NPS selected alternative will not violate any federal, state, or local environmental protection law.

CONCLUSION

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

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

Appendix1
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 NPS the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the NPS 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 NPS. 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 in relation to the decision."

Non-Impairment Determination for the Preferred Alternative

This determination on impairment has been prepared for the preferred alternative described on page 2 of the Environmental Assessment (EA) entitled *Construction of an Access Road to a Planned Chickasaw Cultural Heritage Center* (Center). A non-impairment determination is made for all resource impact topics analyzed for the preferred alternative. A non-impairment determination is not made for environmental justice, park operations, public health and safety, recreation, and visitor use and experience, 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.

Findings on Impairment for Cultural Landscapes

The Natchez Trace Parkway is eligible for listing in the National Register of Historic Places and has been designated an All-American Road, which means that it meets at least two of the six intrinsic qualities required for listing as a National Scenic Byway, with scenic, historic, natural, cultural, archeological, and/or recreational values that are distinctive.

The selected alternative will have long-term direct impacts on the Natchez Trace Parkway's designed cultural landscape because it will add a new exit point 0.2 miles south of an existing exit. Although this access road will benefit the Parkway and its visitors by creating direct access to the Center, it will have minor adverse impacts the design intent of the Parkway. Cumulative impacts include the previous road crossings of the Parkway. In the past three years, two major highway crossings have been established within four miles of the project area (new Highway 6 and the Barnes Crossing/Coley Road extension). Furthermore, the direct access road will be built in keeping with the design intent of the Parkway, and constructed to Federal Highway standards for the Parkway. The impacts of the preferred alternative when viewed cumulatively with previous crossings are not considered significant due to the size and use of direct access; the access will be 'driveway-like' in size and nature, not a through-street, and will have the Center as the only destination, thereby limiting the type and amount of use. Therefore, no impairment of cultural landscapes will occur under the selected alternative.

Findings on Impairment for Vegetation

Vegetative resources are fundamental to the Parkway's purpose. In addition to the inherent value of forests, vegetative resources of the Parkway are a key element affecting visitor experience. The natural features and diverse plant communities are defined as vegetative resources. Vegetation is also the single greatest influence on the stability of cultural sites. As a result, vegetation is necessary to fulfill the purposes for which the Parkway was established, and key to the Parkway's natural and cultural integrity.

The selected alternative will have short- and long-term minor adverse impacts on vegetation due to removal of 0.28 acres of forest within the project area. The actions of the selected alternative will include limited disturbance of common vegetation that is well-represented within the Parkway. Cumulative impacts include the previous disturbance of the project area by construction of the Parkway, Gun Club Road, and the NATT. Foreseeable actions on private land associated to the preferred alternative include the construction of the remainder of the access road from the boundary of the Parkway to the planned Center, as well as the forest clearing to be done to construct the Center. However, the cumulative impact of foreseeable future actions on NPS land is not considered significant due to the small size of the project on NPS land, and because the NPS will mitigate for forest vegetation and wetland impacts. Furthermore, current prairie restoration efforts on NPS land are planned to continue in conjunction with similar efforts on adjacent land to be owned by the Foundation. The net result will be a larger contiguous section of Black Belt habitat. By limiting vegetative disturbance to the minimum extent necessary to achieve the project's purpose and need, as well as implementing the mitigation measures in design and rehabilitation outlined in the EA, there will be no impairment of vegetative resources under the selected alternative.