

National Park Service
U.S. Department of the Interior

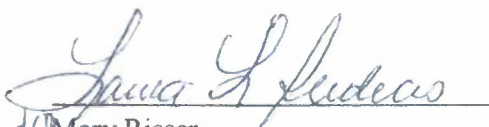


Natchez Trace Parkway at Port Gibson, Mississippi

**Finding of No Significant Impact to Grant a Highway Easement Deed for the
Mississippi Department of Transportation Project No. 101819, US 61
Improvements**

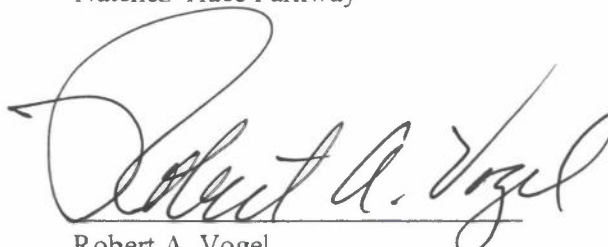
February 2020

Recommended:


Mary Risser
Superintendent,
Natchez Trace Parkway

2/3/2020
Date

Approved:


Robert A. Vogel
Regional Director, Region 2
National Park Service

2-11-2020
Date

INTRODUCTION

In compliance with the National Environmental Policy Act of 1969 (NEPA), the Federal Highway Administration (FHWA) and the Mississippi Department of Transportation (MDOT) have prepared an Environmental Assessment (EA) for MDOT Project No. 101819, located in Claiborne County, Mississippi. The EA, the FHWA/MDOT Finding of No Significant Impact (FONSI), the Non-Impairment Determination (Attachment A), the MDOT Section 4(f) Commitments (Attachment B), and this NPS FONSI constitute the record of the environmental impact analysis and decision-making process for granting a Highway Easement Deed for the construction and maintenance of the new US 61 four-lane crossing and a Special Use Permit for temporary access to the Natchez Trace. The National Park Service (NPS) has approved the selection of the Preferred Alternative identified in the EA. The proposed project would require converting approximately 11 acres of the property within the boundaries of the Natchez Trace Parkway (NTP) for the purpose of a highway crossing. This FONSI summarizes the findings of the EA and incorporates the public input provided during the public comment period.

The statements and conclusions reached in this FONSI are based on the documentation and analysis provided in the EA and the FHWA/MDOT FONSI. To the extent necessary, relevant sections of the EA are incorporated by reference below.

OTHER ALTERNATIVES CONSIDERED

The alternatives analysis considered improvements for completing a continuous four-lane facility for US 61 connecting the existing four-lane divided facilities located both south and north of Port Gibson, Mississippi.

The environmental study for completing a continuous four-lane US 61 through or around Port Gibson began in the early 1990s. Due to the multiple historic properties and sites in and near Port Gibson a host of alternatives (C, D, E, F, F-1, & G) were dropped from consideration due to significant impacts to these resources. The EA that FHWA/MDOT/NTP prepared for public review considered three build alignments: Alternatives B, H, & I.

Alternative B: *Re-construct the existing alignment of US 61 through the City of Port Gibson to provide a five-lane facility.*

Providing a five-lane section along the existing roadway would require the removal of trees lining the route with encroachments on numerous historical sites, would severely change the looks and character of Port Gibson by having an irreversible impact on the historical qualities of the city. The inability to utilize federal funding, due to unavoidable impacts to historic resources and only modest support from the community, Alternative B was considered

unfeasible.

Alternative H: *An eastern bypass of Port Gibson that would cross SR 547 and then parallel the Natchez Trace Parkway until crossing the Little Bayou Pierre where it would swing to the west to cross the Parkway then continuing northwest crossing SR 18 and connecting with existing US 61 north of the City.*

In 1999 a preliminary EA was presented at a Public Hearing for Alternatives E, F, G, & H. H had been determined to be the only viable build alternative as E had historic issues where F & G encountered floodplain and design problems. Alternative H had been developed after all previous concepts (B, C, D, & F-1) had proven to be unfeasible. The overwhelming majority of public hearing comments expressed an objection on the basis that H was too far from Port Gibson and would severely damage the economic vitality of the City. MDOT and FHWA concluded that Alternative H was unacceptable and that additional investigations were needed.

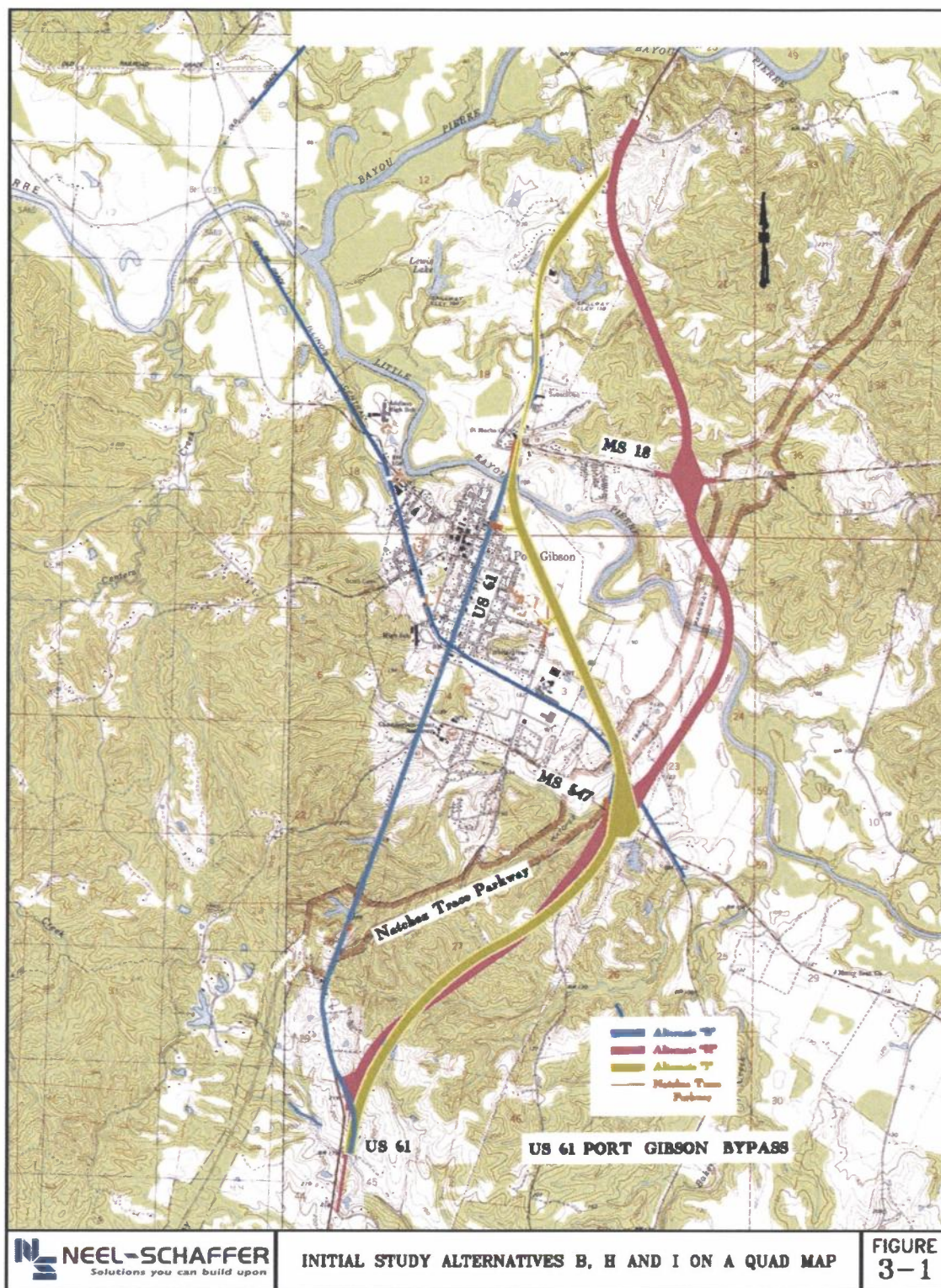
Alternative I: *An eastern bypass of Port Gibson that would cross SR 547 and then turn northwest crossing under the Natchez Trace Parkway utilizing an abandoned railroad corridor, replacing the existing Little Bayou Pierre Bridge, and connecting with existing US 61.*

Following the elimination of Alternative H, considerable effort was undertaken to evaluate the possibility of an acceptable modification of Alternative B even if it precluded the use of federal funding. Again, this effort fell short as Alternative B proved to be too destructive to the inherent historic setting that defined the community.

To satisfy Port Gibson's concern over the loss of economic opportunities from being bypassed, a proposal was made to consider paralleling the floodplain of the Little Bayou Pierre in order to bring the new roadway's north connection to US 61 at a location where there would be opportunities for commercial development.

An extensive hydraulic analysis was required for Alternative I to satisfy the feasibility of skirting a floodplain and obtain approvals from FHWA, FEMA, and USGS.

Alternative I was designated the Build Alternative and an EA documented Alternative I as the only feasible alternative. Alternative I was found acceptable to the resource agencies, FHWA, the NTP, and has overwhelming support of the local officials, stakeholders, and community of Port Gibson.



RATIONALE

The National Park Service (NPS) selected Alternative I for implementation because it best meets the purpose and need for the project, namely, to improve the functionality of US 61 providing a continuous four-lane facility from south of Port Gibson to north of the City while minimizing the adverse impacts to the NTP.

MITIGATION MEASURES

The NPS places strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. The selected alternative will incorporate the mitigation measures below.

Cultural Resources

- All areas beyond the planned construction activity will be avoided to prevent inadvertent affects to unidentified archeological resources.
- Orange barrier fencing (OBF) will be placed around all Environmentally Sensitive Areas in order to prevent disturbance to archeological sites.
- All construction debris will be removed and disposed of off-site by the contractor.

Waters, of the U.S., NPS Wetlands, and Floodplains

- Best management practices (BMPs) will be used during construction to limit impacts to wetlands.
- Preservation of roadside vegetation beyond the limits of construction, where possible, will be implemented.
- Early revegetation of disturbed areas to minimize soil erosion will be used.
- The use of slope drains, detention/retention structures, or surface, subsurface, and cross drains, designed as appropriate or needed, so that discharge will occur in locations and in such a manner that surface and subsurface water quality will not be affected (the outlets may require aprons, bank protection, silt basins, and energy dissipaters).
- Inclusion of construction features for the control of predicted erosion and water pollution in the plans and specifications and contract pay items (Mississippi Standard Specifications, Division 200 – Earthwork and Roadside Development identify the pollution control measures that may be used).
- The dumping of chemicals, fuels, lubricants, bitumens, raw sewage, and other harmful waste into or alongside of streams or impoundments or into natural or manmade channels is prohibited.
- The MDOT will obtain and comply with the terms of a Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit for construction activities to

include preparation and submittal of project Notice of Intent and Notice of Termination as set forth in *MDOT's NPDES Phase II Stormwater Management Plan*. The NPDES permit also requires preparation and implementation of an erosion, sedimentation, pollution control plan, and a comprehensive monitoring program.

- All heavy equipment shall be staged in upland areas to avoid impacts to streams and wetlands.

Vegetation and Soils

- Where possible, early re-vegetation of disturbed areas will be completed to hold erosion to a minimum.
- Additional MDOT contract provisions require the use of temporary erosion control measures. These temporary measures may include the use of berms, dikes, dams, sediment basins, fiber mats, netting, gravel, mulches, grasses, slope drains, and other erosion control devices or methods, as applicable. These provisions will be coordinated with the permanent erosion control features as practical to assure economical, effective, and continuous erosion control throughout the construction and post-construction periods and are in accordance with 23 CFR, Part 650, Subpart B.
- Removal of trees and native vegetation will be avoided to the greatest extent possible, and areas where non-native species removal has taken place shall be seeded with native plant species.
- All permanent and temporary planting shall consist entirely of native species. To reduce the spread of non-native species plants, any equipment used will be checked for non-native species and any non-native species plants and seeds will be disposed of off-site.

Wildlife, including Protected Species

- There are no unique or sensitive vegetation communities present within the build alternative's footprint. The terrestrial and aquatic communities were assessed through direct field surveys and literature reviews. Concurrence with these findings was confirmed through the Mississippi Field Office of the U.S. Fish and Wildlife Service (USFWS). The bayou darter, a federally listed species, has a presence in the contiguous Bayou Pierre River but has not been found to inhabit the Little Bayou Pierre.

Visitor Use and Experience

- The construction of the Build Alternative requires removing and replacing the existing bridge on the NTP over the abandoned railroad corridor to accommodate the relocated

US 61. The bridge removal and reconstruction require closing the NTP between the interchanges with existing US 61 south of Port Gibson and SR 18 east of Port Gibson. While the NTP is closed, existing US 61 and SR 18 would be used for a detour. The distance along the NTP between the existing US 61 and SR 18 interchanges is approximately three and a half miles while the distance over the detour between the interchange will be approximately four miles. The MDOT and the NTP will coordinate the planning and approval of the traffic control plan for the closure and detour in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and the standard policies and procedures of the two agencies.

- In accordance with 23 USC 109(n), MDOT gives full consideration to bicycle facilities by providing reasonable alternatives to the bicycling public in the development of transportation projects. MDOT's *Bicycling Guide* contains a state map depicting four routes for long distance bicycle touring in Mississippi; two of these routes utilize the NTP in the Port Gibson Area. The Build Alternative includes constructing a multiuse trail for pedestrian and bicycle traffic between the NTP/US 61 crossing and Port Gibson.

PUBLIC INVOLVEMENT/AGENCY CONSULTATION

Public Hearing

On April 25, 2019, the Mississippi Department of Transportation (MDOT) in conjunction with the Federal Highway Administration (FHWA) held an open forum public hearing to discuss the proposed build alternative for U.S. Highway 61. A total of 161 people attended the hearing. Of the 44 respondents who formally commented, 26 indicated support, two were opposed, and 16 did not express an opinion.

The commenters with concerns primarily centered on the economic impact on Claiborne County, their business, relocation of property, and funding for the project.

Comments on the Environmental Assessment:

Availability of the EA was advertised in the Jackson Clarion Ledger on April 8, 2019 and April 17, 2019; the Vicksburg Post on April 9, 2019 and April 18, 2019; the Natchez Democrat on April 12, 2019 and April 17, 2019; and the Port Gibson Reveille on April 11, 2019 and April 18, 2019, and was made available for public review at the Claiborne County Library, MDOT District Office in Yazoo City, and MDOT Environmental Division in Jackson.

All of the comments concerning the EA, before and after the Public Hearing, have been thoroughly vetted and commitments are in place for required actions.

Agency Consultation:

Endangered Species Act

Through consultation with USFWS, the only currently federally listed species in the projects area is the Bayou Darter. In September 2015, a field survey was made within the Little Bayou Pierre that noted no evidence of its presence. USFWS concurs that the proposed project would not likely impact the species.

Fish and Wildlife Coordination Act (FWCA)

The USFWS in 2015 noted that there were two federally listed species within the projects area, the Louisiana Black Bear (recently removed from the listing) and the Bayou Darter. As noted, a field survey in 2015 found no evidence of the presence of the Bayou Darter in the Little Bayou Pierre and USFWS concurred on September 2015 with the project having no effect on the species. The USFWS also expressed a preference for Alternative D which was eliminated from consideration due to environmental justice concerns. The Selected Alternative I avoids creating a new crossing location for the Little Bayou Pierre and; therefore, will lesson impacts to habitat of bald eagles and other birds which was a concern expressed by the USFWS.

Section 106 National Historic Preservation Act Compliance

Architectural:

MDAH concurred the Standing Structure Survey where the Alternative I alignment will avoid the Market Street-Suburb St. Mary National Register Historic District (NRHD) other than where the project is within the existing right-of-way of US 61 overlaps with the Market Street-Suburb St. Mary National Register Historic District (NRHD). The MDAH also concurred that Alternative I (the Build Alternative) will have no effect on the Wintergreen Cemetery, which is individually listed on the NRHP. There are no standing structures within the NTP property impacted by the crossing.

Archaeology:

The MDAH concurred with the determinations of eligibility for listing in the National Register of Historic Places for 13 of the 15 historic archaeological sites identified in the report *Phase I Cultural Resources Survey for the Proposed US 61 Port Gibson Bypass from the 4-Lane Segment North of Port Gibson to the 4-Lane Segment South of Port Gibson (SDP-0009-01(099) PH2- 101819/101000), Claiborne County, Mississippi*. MDAH requested further documentation for site 22CB862 (Very Old Gordon Road) and a Phase III investigation conducted at site 22CB870 (Alec's Brick Pile) to include a local-regional context base upon artifact assemblage and owners (if deemed necessary) versus a site-specific context. A Memorandum of Agreement (MOA), outlining the recovery plans for the investigations received final approval on December 23, 2019. The Advisory Council on Historic Preservation (ACHP) has declined the request for participation. There were no archaeological

sites observed within the NTP crossing.

Native American Tribes Consultation:

FHWA provided consultation letters to all Native American Tribes affiliated with the State of Mississippi, including Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Choctaw Nation of Oklahoma, Chickasaw Nation, Alabama-Coushatta Tribe of Texas, Muscogee (Creek) Nation, Tunica-Biloxi Tribe of Louisiana, and Quapaw Tribe of Oklahoma. Copies of the Cultural Resource Report have been provided for comment and each of the Tribes will be offered the opportunity to be a signatory on the MOA.

FINDING OF NO SIGNIFICANT IMPACT

As described in the EA and the FHWA/MDOT FONSI, the Selected Alternative has the potential for small impacts on NPS vegetation, visual, and visitor use/experience; however, no potential for any adverse impacts was identified.

The relocation of US 61 will result in physical destruction of or damage to part of the property comprising the NTP. The US 61 crossing of the NTP will require removal of the existing NTP Bridge over the abandoned railroad and the replacement with a longer bridge capable of spanning the planned four-lane roadway corridor. A maximum of 11 acres of NTP property will be potentially impacted at the crossing of the parkway. In addition, approximately 2 acres of the abandoned railroad right-of-way will be utilized for the new highway.

The bridge removal and reconstruction requires closing the NTP between the interchanges with existing US 61 south of Port Gibson and SR 18 east of Port Gibson. While the NTP is closed, existing US 61 and SR 18 would be used for a detour.

Park visitors will be temporarily impacted during construction but the improvements to US 61 constitutes a long term improvement to visitor use and experience. The introduction of a multi-use path will increase connectivity for pedestrians and cyclists.

The project will not result in the loss or destruction of cultural or historical resources, have no significant impacts on public health, safety, or unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative impacts, 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 aforementioned, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

Attachment A: Non-Impairment Determination

Why is a Non-Impairment Determination Required?

Section 1.4.7 of the *NPS Management Policies 2006* states that:

[b]efore approving a proposed action that could lead to an impairment of Park resources and values, an NPS decision-maker must consider the impacts of the proposed action and determine, in writing, that the activity will not lead to an impairment of Park resources and values.

Actions that require preparation of Environmental Assessments (EAs) and Environmental Impact Statements (EISs) may have the potential to impair Park resources or values. Therefore, a non-impairment determination must be made for any action selected in a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) that could affect Park resources and values and to which the NPS is a signatory. The non-impairment determination is completed only for the selected action.

What is Impairment?

Sections 1.4.5 and 1.4.6 of the *Management Policies 2006* provide an explanation of impairment. Section 1.4.5 defines impairment as:

an impact that, in the professional judgment of the responsible NPS 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 goes on to state that:

[a]n 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
- 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.

Section 1.4.6 of the *Management Policies 2006* identifies the Park resources and values that are subject to the non-impairment standard:

The "Park resources and values" that are subject to the non-impairment standard include:

- the Park's scenery, natural and historic objects, and wildlife, and the processes and conditions 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
- any additional attributes encompassed by the specific values and purposes for which the Park was established

How is a Non-Impairment Determination Made?

Section 1.4.7 of the *Management Policies 2006* states that

"[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.

The *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.”

Non-Impairment Determination for the Selected Alternative

This determination on impairment has been prepared for the Selected Alternative described in the FONSI - Alternative I: Improvements for US 61 near Port Gibson, Claiborne County, Mississippi. An impairment determination is made for all resource impact topics analyzed for the Selected Alternative. An 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 of 1916, and cannot be impaired in the same way that an action can impair Park resources and values.

Cultural Resources (Historic and Archaeological):

The Selected Alternative will have no effect on eligible historic or archaeological sites. Concurrence from the Mississippi Department of Archives and History (SHPO) was received on March 28, 2017, November 14, 2018, and February 26, 2019. An FHWA/SHPO MOA has been prepared for mitigation and final concurrence was received on December 23, 2019. There will be no impairment to Park resources from implementation of the selected alternative.

NPS Wetlands/Waters of the U.S.:

Implementation of the selected alternative will have no impacts to NPS Wetlands/Waters of the U.S. BMPs will be in place to minimize work in and around the streams and wetlands. There will be no impairment to Park resources from implementation of the Selected Alternative.

Wildlife, including Protected Species:

Implementation of the Selected Alternative consists of a crossing under the NTP. Resulting impacts to wildlife and their habitat will be minimal, as the construction will occur primarily within the footprint of an abandoned rail corridor and the NTP. There will be no impairment to Park resources from implementation of the selected alternative.

Vegetation and Soils:

As a result of construction, the Selected Alternative will have minor effects on soils and vegetation. Adherence to required local, state, and federal regulations; implementation of sediment and erosion control plans and stormwater pollution prevention plans; and permitting requirements will minimize such impacts. Overall soil disturbance from construction will be minimal and not significant, and removed vegetation will be replaced with native species. As mitigation for impacts to the NTP several areas will be landscaped and planted in native hardwoods and pine seedlings in consultation with the NTP. There will be no long-term impairment to Park resources from implementation of the selected alternative.

Attachment B

Mississippi Department of Transportation
Commitment Letter Dated December 23, 2019

Melinda L. McGrath
Executive Director

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James A. Williams, III
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Director, Office of Intermodal Planning

December 23, 2019

Mr. Robert A. Vogel
Regional Director, Southeast Region
National Park Service
Attn: Steven Wright
1924 Building
100 Alabama Street SW
Atlanta, GA 30303

RE: Concurrence with Assessment of Impacts and Mitigation for National Park Service
Property Required for Highway 61 Bypass around Port Gibson, Mississippi

Dear Mr. Vogel:

Thank you for coordinating with the Mississippi Department of Transportation (MDOT) on the proposed project to improve approximately six miles of United States Highway 61 (US 61) in Claiborne County near Port Gibson. The improvements would complete a continuous 4-lane connector facility for US 61 joining its 4-lane, divided facilities both south and north of Port Gibson (Figure 1). This preferred alternative would require the use of National Park Service (NPS) land at the Natchez Trace Parkway (Parkway). Specifically, the preferred alternative would result in a new highway crossing under a Parkway bridge within an existing abandoned railroad corridor.

This use of NPS land requires an effects determination under Section 4(f) of the United States Department of Transportation Act. At this time, MDOT is asking you, as the Official with Jurisdiction over the Section 4(f) property, to concur with a determination of "no adverse effects." Your concurrence would allow the Federal Highway Administration (FHWA) to reach a *de minimis* determination that would advance the project without the consideration of additional avoidance, minimization, and mitigation measures.

The proposed project would result in permanent and temporary impacts to the Natchez Trace Parkway. The environmental impacts are listed below.

- The preferred alternative would permanently convert 11 forested acres of Parkway land (0.02%) and 2 acres of an abandoned railroad corridor located within the Parkway to highway use, permanently impacting the scenery of the cultural landscape.

- The existing Parkway Bridge would be removed and replaced with a longer bridge to accommodate the US 61 bypass. The new bridge would be built to Parkway design standards and be approved by the FHWA.
- A paved bicycle access would be constructed to facilitate safe public access from the Parkway to a planned multiuse trail along the US 61 bypass.

The preferred alternative would not impact historic or archaeological resources (see attached State Historic Preservation Officer's (SHPO) concurrences). In addition, the project would not adversely impact federally protected species (see attached U.S. Fish and Wildlife Services (USFWS) concurrence).

Based on our previous coordination, the MDOT commits to implement the following measures to compensate the Parkway for the loss of public lands and impacts to historic views. The commitments our agencies have agreed upon are listed below

MDOT/FHWA Commitments:

- The MDOT would complete and submit a Special Use Permit (SUP) application to the Parkway staff for work occurring on NPS land. No construction activity will occur on NPS-managed lands prior to approval and coordination of the SUP.
- The MDOT would consult with the NPS regarding any construction damages associated with the project, including those that extend beyond project limits. If damages occur, the MDOT, the FHWA, and the NPS will meet within five (5) days to agree on the nature and extent of the damages and proposed mitigation. The Parkway superintendent will approve all mitigation; MDOT will complete and fund any mitigation.
- The MDOT will provide the NPS/NTP with a clear title to the abandoned railroad corridor within the NTP Boundary should the NPS/NTP so request.
- The MDOT would ensure that any construction, including equipment, vehicles, personnel, and materials, will not encroach on NPS property outside of the existing permanent easement.
- MDOT/FHWA would ensure that the US 61 bypass does not have median or adjacent right-of-way (ROW) access within 1,000 feet of where the Parkway's property line's boundary crosses the centerline of the US 61 bypass. This would limit potential development adjacent to the Parkway's boundary.
- The MDOT/FHWA would develop a bicycling map as part of the overall mitigation of this project. The map would be developed both in printed and electronic form and be made available when the project is open to traffic. The map would emphasize bicycle safety on the Parkway and multiuse trail along the US 61 bypass.
- MDOT/FHWA, in cooperation with the Parkway, would prepare and implement a landscaping plan along the US 61 bypass and the existing Highway 61 old roadbed for vegetative screening (approximately 4 acres) as follows:
 -

- For the US 61 bypass, all disturbed Parkway property not necessary for highway travel, a maintained clear zone, or drainage and that is eligible for planting will be included in the landscaping plan. The plan would require Parkway approval prior to implementation.
- The existing US 61 that currently crosses the Parkway includes an unused 2-lane roadbed in the immediate vicinity of Parkway bridge. MDOT would include this area in the landscaping plan (described above) to restore the roadbed and improve the scenic and natural integrity of the Parkway. This will remove excess pavement, eradicate non-native species, and replant with native species.
- MDOT/FHWA, in cooperation with the Parkway, would include provide site preparation and planting of an abandoned agricultural field near the project area, reforesting approximately 3 acres with native hardwoods and pine seedlings (species mix and density to be approved by the Parkway).
- MDOT/FHWA, in cooperation with the Parkway, would apply herbicide for the purposes of controlling 22 acres of non-native kudzu located in the vicinity of the existing US Highway 61 crossing.

NPS Commitments:

- The NPS would issue a Special Use Permit to establish access to NPS-managed lands for construction-related activities.
- The Parkway would be responsible for the operations and maintenance of the paved bicycle access/multi-use trail within the NPS boundary.
- The NPS would coordinate closely and in a timely fashion with the MDOT on project elements identified in this commitment letter.

The draft version of the Environmental Assessment (EA) for the subject project includes all the commitments listed in this commitment letter, and these commitments will be carried over into the Final EA/Finding of No Significant Impact should FHWA approve the document/finding.

Concurrence with the No Adverse Effects Determination

By signing and dating this letter, I agree that the construction of the US 61 Bypass per the MDOT's existing deeded right would not adversely affect the recreational activities, features, and attributes that qualify the Parkway for protection under Section 4(f), and based upon my concurrence, the FHWA intends to make a *de minimis* finding regarding impacts to the Parkway, thus satisfying the requirements of Section 4(f).

Mr. Robert A. Vogel
Page 4
December 23, 2019

Signature _____
Robert A. Vogel
Regional Director, Southeast Region

Date _____

After signing and dating this letter, please return a copy to the attention of Ms. Kim Thurman. Should you have any questions or concerns, please contact Kim Thurman, MDOT Environmental Director, at phone 601.359.7920, or email kthurman@mdot.ms.gov.

Sincerely,



Melinda McGrath
Executive Director, Mississippi Department of Transportation

Cc: Mr. Steven Wright, National Park Service
Ms. Laura Perdices, National Park Service
Mr. Donald E. Davis, Federal Highway Administration, Mississippi Division
Mr. James Williams, MDOT Chief Engineer
Mr. Scot Ehrgott, MDOT Assistant Chief Engineer, Pre-construction
Mr. Durwood Graham, MDOT District Engineer, Yazoo City
Ms. Kim Thurman, Environmental Director

Attachments:

Project Location Map
Environmental Commitments Table
NPS Coordination Letter dated April, 21, 2016
SHPO History Concurrence
SHPO Archaeology Concurrence
USFWS Effects Concurrence

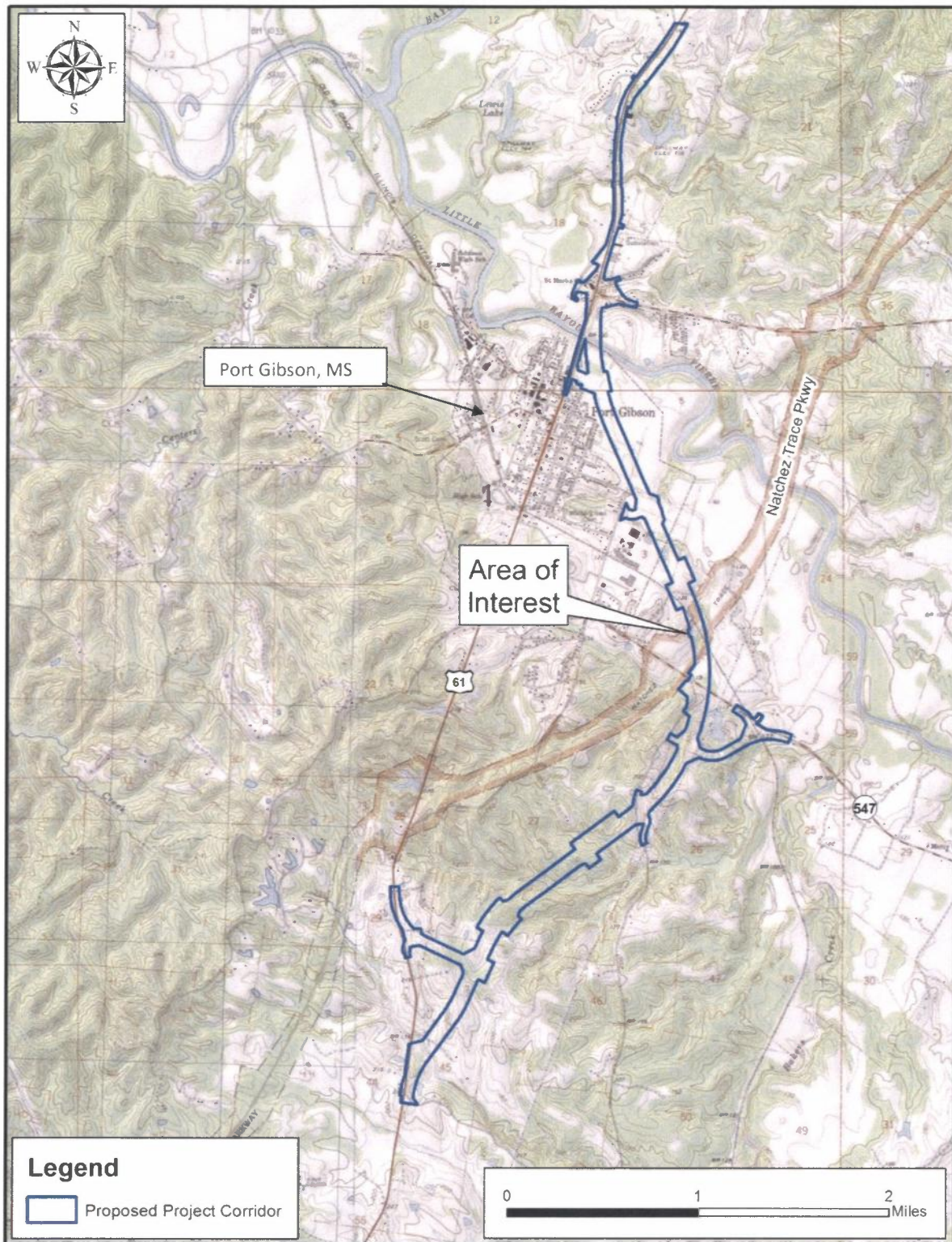


Figure 1. Location of the proposed US 61 bypass crossing the Natchez Trace Parkway (brown outline) near Port Gibson, MS.

MDOT Commitments to Environmental Excellence

Project No: 101819 / SDP-0009-01 Highway: US 61 Date: September 30, 2019
Environmental Assessment / FONSI County: Claiborne Page: 1 of 3
 *Value Engineering Study Recommended ☒ Yes ☐ No

Commitments/Requirements	Source of Commitment	Responsible Office	Place on Plans	Requires A Special Provision	Status of Commitment/Requirement
The Environmental Assessment provides mitigation and environmental commitments to address a variety of topics for impacts to the Natchez Trace Parkway including: access control, landscaping, construction and maintenance responsibilities associated with implementing the US 61 four-lane crossing of the Parkway	Chapter 5 of the EA/FONSI	MDOT Environmental, Roadway Design, Bridge, Maintenance, Planning, Construction, and Legal Divisions, District 3, & the Natchez Trace Parkway	Yes	Yes	To be addressed during the design, construction, & maintenance phases of the project
In coordination with the Natchez Trace Parkway, FHWA & MDOT will provide mitigation for the approximately 11 acres directly impacted for the new crossing through the planting of native hardwoods and pine seedlings on approximately 7.5 acres, providing for the treatment of approximately 22 acres where kudzu is problematic (A spreadsheet for the mitigation ratios is attached), and reconstruct the existing US 61 crossing to more closely resemble a two-lane roadway	Chapter 5 of the EA/FONSI	MDOT Environmental, Roadway Design, & Construction Divisions, District 3, & the Natchez Trace Parkway	Yes	Yes	To be addressed during the design & construction phases of the project
FHWA, MDOT, & NTP will cooperate to ensure that neither motorist nor bicyclists utilizing the Parkway will be substantially inconvenienced during construction of the project	Section 4.6, Consideration to Bicyclists & Pedestrians, & Chapter 5 of the EA/FONSI	MDOT Environmental, Roadway Design, & Construction Divisions, District 3, & the Natchez Trace Parkway	No	No	To be addressed during the construction phase of the project

FHWA & MDOT shall provide NTP for concurrence copies of right of way plats, construction plans and specifications covering activities on or within 1,000 feet of the NTP boundary for construction easements from the National Park Service authorizing work on NTP lands	Chapter 5 of the EA/FONSI and Coordination with the Natchez Trace Parkway	MDOT Environmental, Roadway Design, & Right of Way Divisions, District 3	No	No	Performed during design and development of right of way plans
Should previously undetected resources be discovered during construction, work would cease immediately and the discovery will be evaluated by MDOT archaeologists. Federal regulations (36 CFR 800.13) pertaining to the emergency discovery situations would be followed	Section 4-16, Historic and Archaeological Preservation & 5.5.2.8, Archaeological Resources and 4(f), of the EA/FONSI	MDOT Environmental & Construction Divisions & District 3	No	No	For consideration during all phases of the project
Measures will be taken for construction to avoid impacting the known archaeological Site 22CB147	Section 4.16, Historic and Archaeological Preservation, of the EA/FONSI	MDOT Environmental, Roadway Design, & Construction Divisions	Yes	No	To be addressed during the Design and Construction Phases of the project
Through MDOT, FHWA will furnish NPS documentation to ensure that off-site borrow operations for the construction on NTP lands will not adversely affect historical or archaeological resources listed or eligible for listing in the National Register of Historic Places	Chapter 5, Coordination with the Natchez Trace Parkway, of the EA/FONSI	MDOT Environmental & Construction Divisions & District 3	No	No	Performed prior to and during construction
Erosion control and sediment control measures would be in accordance with the Mississippi Large Construction Notice of Intent Stormwater permit obtained from the Office of Pollution Control of the MDEQ	Section 4.9, Water Quality, of the EA/FONSI	MDOT Roadway Design, Environmental, & Construction Divisions & District 3	Yes	Yes (Notice to Bidders)	To be addressed during the Design and Construction Phases of the project.
The hydraulic bridge design for the Build Alternative would conform as applicable to Executive Order 11988, FHWA's Federal Aid Policy Guide 23 CFR 650, & FHWA paper "Procedures for Coordinating Highway Encroachments on Floodplains with FEMA"	Section 4.12, Floodplain and Floodway, of the EA/FONSI	MDOT Bridge & Roadway Design Divisions	Yes	No	To be addressed during the Design and Construction Phases of the project.

MDOT to develop a bicycling map in printed and electronic form to draw attention to the new multiuse trail and emphasize bicycle safety with the new facility in conjunction with the opening the facility to traffic	Section 5.3, Mitigation for Proposed Action, of the EA/FONSI	MDOT Environmental, Public Affairs, & Construction Divisions & District 3	No	No	To be addressed during the Construction Phase of the project.
Design for the Irwin Russell Memorial Bridge will consider the context of the Port Gibson Historic District and replicate with a modern design	Section 4.18, Visual, of the EA/FONSI	MDOT Environmental, Bridge & Roadway Design Divisions	Yes	Yes	To be addressed during the Design Phase of the project.
On the request of the NPS/NTP, MDOT commits to providing a clear title to the abandoned railroad corridor within the NTP Boundary	Concurrence letter and agreement with the NTP	MDOT Environmental & Right of Way Divisions, District 3	No	No	To be accomplished during development of right of way plans
A qualified resource monitor will be present during the initial ground disturbance to watch for intact features at Site 22CB735.	Correspondence & consultation with tribal contacts	MDOT Environmental & Construction Divisions & District	Yes	No	To be addressed during the Construction Phase of the project.
<p>All practical and standard procedures and measures, including Best Management practices will be implemented to avoid or minimize impacts.</p>					

- These commitments should be carried throughout each phase of the project development including Design, Right of Way, Construction, and Maintenance.

*Value Engineering (VE) Studies are recommended for projects on the NHS System with an estimated project costs approaching \$50 Million, for bridge projects on the NHS System with an estimated project costs approaching \$40 Million, and/or for all Major Projects approaching \$500 Million.

COPY



United States Department of the Interior



IN REPLY REFER TO
A3815(NATR)

NATIONAL PARK SERVICE
Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., SW.
Atlanta, Georgia 30303

1016

Mr. Andrew Hughes
Division Administrator
Federal Highway Administration
100 West Capitol Street, Suite 1062
Jackson, Mississippi 39269

Dear Mr. Hughes:

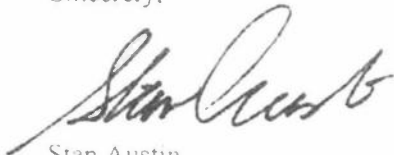
The National Park Service (NPS) formally accepts your February 09, 2016, invitation to become a cooperating agency in the development of the Environmental Assessment (EA) for the proposed U.S. Highway 61 improvements in the vicinity of the city of Port Gibson in Claiborne County, Mississippi, to include all phases of the project which have the potential to affect the Natchez Trace Parkway (NATR) and NPS operations.

Regulations implementing the procedural provisions of the National Environmental Policy Act of 1969 (NEPA), call for agency cooperation in the NEPA process with the ultimate goal of "... decisions that are based on understanding of environmental consequences, and ... actions that protect, restore, and enhance the environment." 40 C.F.R. §1500.1. The regulations specifically define a cooperating agency as "...any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment." 40 C.F.R. §1508.5.

Specifically, the NPS requests cooperating agency status in developing the EA and as a cooperating agency, the NPS proposes to assist the Federal Highway Administration (FHWA) and the Mississippi Department of Transportation (MDOT) in developing the EA in order to ensure that pertinent NPS mission statements, legislative authorities, and policies are duly considered when developing any alternatives, related management actions, or options that could potentially affect NATR. The NPS' cooperating agency status and level of involvement would not preclude our independent review and comment responsibilities under Section 102(2)(C) of NEPA. Similarly, our being a cooperating agency would not imply that the NPS would necessarily concur with all aspects of the FHWA's findings.

We appreciate your coordination with us and look forward to working with the FHWA and the MDOT on this important project and the EA. Should you have any questions, or need additional information concerning this request, please contact Ms. Mary Risser, Superintendent, Natchez Trace Parkway, by calling (662) 680-4025.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stan Austin", written in a cursive style.

Stan Austin
Regional Director

cc:
MDOT - Kim Thurman

From: [Jim Woodrick](#)
To: [Gray, Bruce](#); [Thurman, Kim](#); [Wallace, Chad](#)
Cc: [John Underwood](#); [Sanders, Todd](#)
Subject: Natchez Trace Parkway bridge and culvert associated with the U.S. Highway 61 Port Gibson By-pass Project
Date: Tuesday, February 26, 2019 1:22:50 PM
Importance: High

Bruce, et al:

It is our understanding that MDOT received a letter on February 11, 2019, from Natchez Trace Parkway (NTP) Superintendent Mary Risser, stating that the NTP concurred that the entire Natchez Trace Parkway is potentially eligible for listing in the National Register of Historic Places but that the removal of the bridge and culvert associated with the U.S. Highway 61 Port Gibson By-pass Project will have no adverse effect to the NTP's eligibility. Please accept this email as the Mississippi SHPO's concurrence with the No Adverse Effect determination and as our concurrence with FHWA's intention to make a *de minimis* finding based upon the determination of no adverse effect. If you have any questions, please do not hesitate to call.

Sincerely,



Jim Woodrick

Deputy State Historic Preservation Officer

601-576-6908 (Office)

601-576-6955 (FAX)

jwood@mdah.ms.gov



November 14, 2018

Christina Smith
Natchez Trace Parkway
2680 Natchez Trace Parkway
Tupelo, Mississippi 38804

RE: Proposed demolition of bridge and culvert associated with the Louisville, New Orleans and Texas Railroad site, 22Cb133, NATR 00645), Port Gibson By-Pass Project, MDAH Project Log #10-126-18, Claiborne County

Dear Chris:

We have reviewed your letter, received on October 24, 2018, regarding the above referenced project. As you know, the proposed demolition of the bridge and culvert, both constructed in 1965, are part of the Port Gibson By-Pass project funded by the Federal Highway Administration. As such, we believe the Natchez Trace Parkway's letter regarding a change in a determination of eligibility and effect should properly be provided to the Federal Highway Administration as the lead agency. We have, however, reviewed the portions of National Register assessment conducted in 2004 for the Tennessee Department of Transportation, as well as the Keeper's assessment that the Natchez Trace Parkway may be eligible for listing in the NRHP. While we were not provided the 2004 assessment for review at the time, it is our determination that the entire Natchez Trace Parkway is potentially eligible of the listing in the NRHP. However, we do not believe the removal of the aforementioned bridge and culvert would adversely affect the eligibility of the Natchez Trace as a whole.

I apologize for the delay in our response. If we can be of further assistance, please do not hesitate to contact us at (601) 576-6940.

Sincerely,

Jim Woodrick
Deputy State Historic Preservation Officer

FOR: Katie Blount
State Historic Preservation Officer

MISSISSIPPI DEPARTMENT of ARCHIVES AND HISTORY



HISTORIC PRESERVATION DIVISION
P. O. BOX 571
Jackson, MS 39205-0571
Phone 601-576-6940 Fax 601-576-6955
Website: mdah.ms.gov

March 28, 2017

Ms. Kim Thurman
Mississippi Department of Transportation
Environmental Division
Post Office Box 1850
Jackson, Mississippi 39125-1850

RE: Phase I Cultural Resources Survey for the Proposed U.S. Highway 61 Port Gibson Bypass from the 4 Lane Segment North of Port Gibson to the 4 Lane Segment South of Port Gibson (SDP-0009-01(099) PH2-101818/1010000), MDAH Project Log #03-040-17, Report #17-0095, Claiborne County

Dear Kim:

We have reviewed the February 27, 2017, draft cultural resources survey, by Douglas C. Wells, et al, with Coastal Environments, Inc., received on March 8, 2017, for the above referenced undertaking, pursuant to our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. As per agreements in communications with MDOT and FHWA, we concur with the determinations of eligibility for listing in the National Register of Historic Places for each of the fifteen (15) historic archaeological sites identified in the report, except 22CB876 and one site (22CB872) with a prehistoric and historic component. Further documentation is needed for site 22CB862 (Very Old Gordon Road) and a Phase III investigation should be conducted at site 22CB870 (Alec's Brick Pile) to include a local-regional context base upon artifact assemblage and owners (if deemed necessary) versus a site specific context.

We look forward to receiving the information requested, at which time we will provide additional comments in accordance with the above referenced regulations. If you need further information, please let us know.

Sincerely,

Hal Bell
Review and Compliance Officer

FOR: Katie Blount
State Historic Preservation Officer

Cc: Andrew Hughes, Federal Highway Administration



United States Department of the Interior

NATIONAL PARK SERVICE

Natchez Trace Parkway
2680 Natchez Trace Parkway
Tupelo, Mississippi 38804



IN REPLY REFER TO:

H20 (NATR)

Ms. Katie Blount
State Historic Preservation Officer
State of Mississippi Historic Preservation Office
P. O. Box 571
Jackson, MS 39205

Dear Ms. Blount:

This letter is in response to your November 14, 2018 correspondence regarding the removal of the Natchez Trace Parkway (Parkway) bridge and culvert associated with the Port Gibson By-Pass project. We concur that the entire Parkway is potentially eligible for listing in the National Register of Historic Places but that the removal of the bridge and culvert will not adversely affect its eligibility.

We appreciate your consultation on this project. If you have questions, please contact Cultural Resource Specialist Dr. Christina Smith at (662) 840-7560 or email her at Christina_Smith@nps.gov.

Sincerely,

Mary Risser
Superintendent

cc: Kim Thurman – MDOT
Robert Walker – Neel-Schaffer



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Mississippi Field Office
6578 Dogwood View Parkway, Suite A
Jackson, Mississippi 39213



August 18, 2015

IN REPLY REFER TO:
2015-CPA-124

Ms. Kim Thurman
Mississippi Department of Transportation
Environmental Division
P.O. Box 1850
Jackson, MS 39215

Dear Ms. Thurman:

The Fish and Wildlife Service (Service) appreciates the opportunity to participate in the resource agency scoping meeting held on August 6, 2015, regarding the proposed U.S. 61 Port Gibson Bypass in Claiborne County, Mississippi. Our comments are submitted in accordance with the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661-667c), the Golden and Bald Eagle Protection Act (16 U.S.C. 668-668c), and the Migratory Bird Treaty Act (16 U.S.C. 703-712).

U.S. 61 at Port Gibson is the last remaining section of highway in Mississippi that was proposed for widening under the 1987 Four-Lane Highway Program/ Vision 21 that has not been widened.

Three viable alternatives were presented at the scoping meeting:

1. Alternate "B" proposes to widen the existing roadway that traverses through Port Gibson.
2. Alternate "H" extends furthest to the east of the current alignment and will require crossing the Little Bayou Pierre River and the Natchez Trace Parkway at a new location.
3. Alternate "I" runs east of the current alignment, then crosses the Natchez Trace Parkway (NTP) near MS 547 along an existing railway underpass at the NTP where it then run next immediately adjacent to Port Gibson and crosses the Little Bayou Pierre River at the location of the current bridge crossing at Port Gibson.

Two federally listed species occur in the vicinity of the proposed project area:

Louisiana Black Bear

The federally listed threatened **Louisiana black bear** (*Ursus americanus luteolus*) occurs primarily in bottomland hardwood and floodplain forests along the Mississippi River and the

southern part of the state. Although the bear is capable of surviving under a range of habitat types, some necessary habitat requirements include hard mast, soft mast, escape cover, denning sites, forested corridors, and limited human access. Forest management practices, agricultural, commercial and industrial development, and highways can cause adverse impacts to bear habitat by increasing human disturbance, fragmenting forests, and removing den trees.

Bayou Darter

The threatened **bayou darter** (*Etheostoma rubrum*) is found only in the Bayou Pierre River and its tributaries: White Oak Creek, Foster Creek, and Turkey Creek. The darter prefers stable gravel riffles or sandstone exposures with large sized gravel or rock. Habitat loss or degradation has been a major contributor to the reduction in bayou darter numbers. Historical in-stream-bed gravel mining has caused various headcuts throughout the last 50 years. Along with severe erosion rates from adjacent farm fields and bankside collapse, the river is becoming more shallow and wider. Tributaries are less impacted but also have various threats such as gravel mining, stream fords, ATV traffic and non-point and point source pollution.

While the bayou darter is not documented from the Little Bayou Pierre River, few attempts to collect bayou darters from the Little Bayou Pierre River near Port Gibson have been made, and not since the mid- to late-1980s. Therefore, areas of suitable bayou darter habitat at and downstream of the project impact area should be surveyed. Regardless of which alternative is chosen, we recommend placing piers or bents outside the bank-full width of rivers and streams. Since the Bayou Pierre watershed has been severely impacted by channel degradation, we recommend that careful consideration be taken in all stream and river crossings that will occur as part of the proposed project to ensure fish and aquatic organism movement will not be limited as a result of this project.

Alternative B: This alternative will result in minimal impacts to habitat, including no further habitat fragmentation. It was unclear whether the bridge over the Bayou Pierre River would be replaced or modified should this alternative be selected. If this is the selected alternative, we recommend replacing the bridge with a longer bridge to reduce floodplain impacts.

Alternative H: Since feasible and viable alternatives are available outside of Alternative H, the Service does not support Alternative H because of the following reasons:

1. It fragments the landscape north and south of Port Gibson. Habitat fragmentation may impact the federally threatened Louisiana black bear.
2. It creates a new crossing of the Natchez Trace Parkway. The NTP, along with being an effective travel corridor for cars and people, is utilized as a travel corridor for wildlife. It is comprised of a two lane roadway and additional 100-400 foot right-of-way that is a natural and forested connected landscape along the length of the NTP. Adding a new and

wide four-lane highway across the NTP may fragment this existing important wildlife travel corridor, which may impact the federally threatened Louisiana black bear.

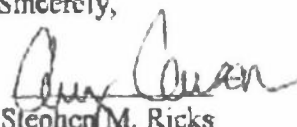
3. Alternative H adds a new crossing of the Little Bayou Pierre River. Adding an additional river crossing may impact the Little Bayou Pierre River and the aquatic fauna that inhabit the river. Riparian areas along rivers provide habitat for bald eagles and other birds. Therefore, the increased potential for impacts to bald eagles and other birds need to be taken into account when deciding upon an alternative.
4. Greater impacts to migratory birds are anticipated with this alternative than with the other proposed alternatives because of the relatively large loss of forested habitat that would result with this alignment.

Alternative I: This alternative will fragment habitat south and east of the Natchez Trace Parkway. However, it will cross the NTP at a point where a railroad crossing already occurs. Therefore, it will lead to minimal additional habitat fragmentation of the NTP right-of-way corridor. After the proposed alignment crosses the NTP, it runs adjacent to the town of Port Gibson where it will be connected via spurs. The alignment will cross the Little Bayou Pierre River at the current bridge location at Port Gibson. According to information discussed in the scoping meeting, the crossing will be bridged for approximately 1700 feet which will remove fill placed in the floodplain during construction of the current bridge. This will benefit the river at this location by connecting it with the flood plain, which in turn will benefit fish and aquatic organisms inhabiting the river.

During the course of the meeting, several historical proposed alternatives were addressed and an explanation provided for why these alternatives were tabled. **Alternative D**, which is no longer being considered, would be one of the Service's preferred alternatives because it will not ~~fragment currently intact habitats, yet will require a new bridge at the same location as the~~ current bridge, and like Alternative I the bridge would be an improvement to the existing structure. Since Alternative D has not been studied in over 10 years, we recommend analyzing this alternative again to determine if the community dynamics that made it unfeasible during the initial scoping process still exist.

We look forward to assisting you as you move forward in this process. If you have any questions or require further information, please contact Amy Carson of our office, telephone: (601) 321-1130.

Sincerely,


for Stephen M. Ricks
Field Supervisor
MS Field Office

From: [Wallace, Chad](#)
To: Robert Walker; "Amy Commens-Carson"
Cc: Jimmy Shirley; Thurman, Kim; Jerry Bolton; Steve Smith; Tonya Smith; Wodtke, Andrea R; Walters, Chuck
Subject: RE: conf call today concerning upcoming natural resource work
Date: Wednesday, October 07, 2015 3:54:09 PM

Yes.
Thank you everyone.

chad

Mississippi Department of Transportation
Environmental Division
R. Chad Wallace, PE
Assistant Division Engineer - Phone - 601-359-7920 - Fax - 601-359-7355

From: Robert Walker [mailto:robert.walker@neel-schaffer.com]
Sent: Wednesday, October 07, 2015 3:48 PM
To: Amy Commens-Carson
Cc: Jimmy Shirley; Wallace, Chad; Thurman, Kim; Jerry Bolton; Steve Smith; Tonya Smith
Subject: RE: conf call today concerning upcoming natural resource work

Great, glad the schedules worked out.
Robert

From: Amy Commens-Carson [mailto:amy_commens-carson@fws.gov]
Sent: Wednesday, October 07, 2015 3:47 PM
To: Robert Walker
Cc: Jimmy Shirley; rcwallace@mdot.ms.gov; Thurman, Kim; Jerry Bolton; Steve Smith; Tonya Smith
Subject: RE: conf call today concerning upcoming natural resource work

Hi all,

I wanted to let you know we conducted our field survey for Bayou Darters on the Little Bayou Pierre River at Port Gibson last Tuesday, September 29, 2015. We got very high fish abundance, but very little diversity. Only one species of darter was captured, the saddleback darter (*Percina vigil*). No Bayou darters were captured at this location. I appreciate Steve Smith's assistance with sampling. It was a great opportunity to collect at a spot that has not been sampled in several years.

Thank you,

Amy

Amy Carson
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
6578 Dogwood View Parkway
Jackson, Mississippi 39213