

Public Notice NHPA/NEPA¹

Notice of Intent to Prepare Programmatic Agreement Regarding: “Pearl River Basin, Mississippi Federal Flood Risk Management Project, Hinds and Rankin Counties, Mississippi.”

The United States Army Corps of Engineers, Vicksburg District (CEMVK), in partnership with the Rankin Hinds Pearl River Flood and Drainage Control District (RHFDCD) as the Non-Federal Interest (NFI), is initiating the process to develop a Programmatic Agreement (PA) for the “Pearl River Basin, Mississippi Federal Flood Risk Management Project, Hinds and Rankin Counties, Mississippi” (PRBMFRMP; Undertaking) pursuant to Section 106 of the National Historic Preservation Act (NHPA), as amended (54 U.S.C. § 300101 et seq.), that requires Federal agencies to take into account the effect of their undertakings on historic properties and consult with stakeholders regarding these effects.

The purpose of the proposed action is to provide a comprehensive solution to flooding caused by the Pearl River in the Jackson Metropolitan Area. RHFDCD plans to carry out the PRBMFRMP under the standing authority of Section 211 of the Water Resources Development Act of 1996 which provides authority for the NFI to undertake the design and construction of federally authorized flood control projects without federal funding and be eligible to be reimbursed an amount equal to the estimate of the federal share of the project after construction is complete. All projects pursued under the authority of section 211 must comply with all appropriate federal laws, criteria, standards, policies, and state laws and regulations.

RHFDCD has now developed an array of alternatives that meets the study’s purpose and need. These include, but are not exclusive to: 1) non-structural measures (buyout, elevation, and/or floodproofing of commercial and private buildings); 2) upgrading existing levees, construction levee segments in unprotected areas, and the addition of pumps and gated structures; 3) construction of channel improvements, demolition of the existing weir near the J. H. Fewell Water Treatment Plant site, construction of a new weir further downstream, federal levee improvements, and upgrading an existing levee around the Savannah Street Wastewater Treatment Plant. Additional project information can be accessed at: <https://rankinhindsfloordistrict.ms.gov/report/>.

CEMVK has determined that the proposed action constitutes an Undertaking as defined in 36 CFR § 800.16(y) and has the potential to cause effects to historic properties. Accordingly, CEMVK proposes to develop a project-specific PA pursuant to 36 CFR § 800.14(b)(3) to provide a framework for addressing this undertaking and establish protocols for continuing consultation with the MS State Historic Preservation Officer, Tribal Governments, and other stakeholders. The PA would identify consulting parties, define applicability, establish review timeframes, stipulate roles and responsibilities of stakeholders, consider the views of the SHPO/Tribal Historic Preservation Officer and other consulting parties, afford for public participation, provide the measures CEMVK will implement to develop an Area of Potential Effects (APE) in consultation with external stakeholders, outline a standard review process for plans and specifications as they are developed, determine an appropriate level of field investigation to identify and evaluate historic properties and/or sites of religious and cultural significance within the APE, streamline the assessment and resolution of Adverse Effects through avoidance, minimization, and programmatic treatment approaches for mitigation.

To help further develop a course of action for this project CEMVK is requesting your input by June 09, 2023, concerning the proposed Undertaking and its potential to significantly affect historic properties and/or of relevant parties who may have an interest in participating in this consultation. Comments can be sent electronically to: PearlRiverFRM@usace.army.mil, or, mail comments to: US Army Corps of Engineers, Vicksburg District, CEMVK-PMP, 4155 Clay Street, Vicksburg, MS 39183.



Figure 1. Map displaying PRBMFRMP Study Area.

¹ CEMVK is issuing this public notice as part of its responsibilities under the Advisory Council on Historic Preservation's regulations, 36 CFR Part 800, implementing Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108). This notice applies to activities carried out under the authority of the Water Resources Development Act (WRDA) of 1996 and Section 3104 of WRDA 2007. CEMVK is also required to fulfill the Council of Environmental Quality regulations (NEPA regulations, 43 FR 55978 (1978)) that provide policy and procedures to enable CEMVK officials to be informed and to take into account environmental considerations when authorizing or approving CEMVK actions that may significantly affect the environment of the United States. It is the intent of NEPA that federal agencies encourage and facilitate public involvement to the extent practicable in decisions that may affect the quality of the environment.