National Park Service
US Department of the Interior

Theodore Roosvelt National Park

FINDING OF NO SIGNIFICANT IMPACT AND DECISION DOCUMENT

Painted Canyon Redevelopment
Environmental Assessment

September 2026

INTRODUCTION

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an Environmental Assessment (2026 EA) to analyze alternative actions and environmental impacts associated with the proposed redevelopment of the Painted Canyon Area and Visitor Center (Painted Canyon) at Theodore Roosevelt National Park (Park).

Painted Canyon was constructed in 1978 and is located in the Park's South Unit, approximately 8 miles southeast of Medora, North Dakota (ND) along Interstate 94 (I-94) in Billings County and covers approximately 34 acres. The site also functions as a state-designated rest area that is only open to the public from about May to October, depending on weather. Painted Canyon offers expansive views of the North Dakota Badlands (Badlands) and provides a striking contrast to the surrounding rolling hills of mixed-grass prairie.

In 2022, the Park completed a Facility Revitalization Plan (Plan; NPS, 2022b) and Environmental Assessment (EA), referred to hereafter as the 2022 EA (NPS, 2022a), which identified several developed areas in need of improvement, expansion, and/or replacement. Painted Canyon was selected as a top priority due to aging infrastructure, transportation and circulation inefficiencies, limited visitor amenities, the need to modernize interpretive displays, and ongoing safety concerns (NPS, 2022a; 2022b). The Park is planning to move forward with several of the improvements outlined for Painted Canyon in the 2022 Plan and EA now that more fully developed construction concepts have been completed. The NPS has prepared a new EA (2026 EA) that updates the 2022 EA and analyzes the site-specific impacts of redeveloping Painted Canyon now that a more detailed design has been developed. References cited in this FONSI can be found in the 2026 EA.

The 2026 EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 United States Code [U.S.C.] § 4332[2] [C]), the 2026 U.S. Department of the Interior (DOI) NEPA regulations (43 Code of Federal Regulations (CFR) Part 46), and 516 Departmental Manual (DM) 1: DOI Handbook of NEPA Implementing Procedures (Handbook). The 2022 EA was developed following the then-current NEPA procedures that

predated the existing regulations and Handbook. While the 2026 EA incorporates by reference the 2022 EA, the 2026 EA and Finding of No Significant Impact (FONSI) are consistent with the 2026 regulations and Handbook.

The statements and conclusions reached in this FONSI are based on documentation and analysis provided in the 2026 EA and associated decision file. Relevant sections of the 2026 EA are summarized and incorporated by reference below. The 2026 EA is available on the NPS Planning, Environment and Public Comment (PEPC) project site at: https://parkplanning.nps.gov/THRO_PC_Redevelopment

PURPOSE AND NEED

The purpose of the proposed action is to redevelop the Painted Canyon Area and Visitor Center to enhance visitor experience, support year-round operations, improve accessibility and safety, and address long-standing facility deficiencies that limit the site's ability to provide a meaningful introduction to the Park.

Action is needed because many of the existing facilities no longer adequately serve visitors or Park staff due to deteriorated and undersized buildings, outdated and limited visitor services, inadequate accessibility and vehicle circulation, and infrastructure constraints that prevent the site from operating year-round (NPS, 2022a; 2022b). In addition, bison freely roam across the site, creating a hazard for visitors because there is limited staff direction or wayside guidance available on how to safely interact with wildlife. Painted Canyon plays an important role in orienting visitors to the Park's resources and history, emphasizing the need for modern facilities that advance resource protection, provide a high-quality visitor experience, and can accommodate future capacity needs as visitation continues to increase. This project aligns with the vision and goals identified in the 2022 Plan and EA (NPS, 2022a; 2022b).

SELECTED ALTERNATIVE

The description of the selected alternative is taken directly from the 2026 EA, with the only modification being the replacement of "would" with "will" to reflect the decision. Under Alternative B: Painted Canyon Redevelopment (Proposed Action), existing facilities will be renovated, expanded, reconstructed, or removed, and new facilities will be added to improve visitor services and experience, operational functions, and site infrastructure. The proposed elements will be consistent with the vision and design concepts outlined in the Plan and 2022 EA (NPS, 2022a; 2022b). All construction, demolition, access, and staging will occur within the site's existing developed area.

Elements of the proposed action will include installing bison exclusion features, building a new visitor center with modern amenities, constructing a new overlook and picnic shelters, reconfiguring the entrance, expanding parking, adding equestrian facilities, improving accessibility, updating utilities and infrastructure for year-round operation, and restoring native grasslands. All mitigation measures and best management practices (BMPs) in Appendix C of the 2026 EA will be implemented to the extent possible, and all proposed work will comply with applicable federal, state, and local regulations and requirements.

For the purposes of this document, the following definitions have been applied.

- Amenities: Features or services that improve comfort, convenience, and enjoyment with the primary purpose of enhancing the visitor experience but are not essential for basic site operations (e.g., scenic overlook, picnic shelters).

- Facilities: Physical buildings, spaces, or major assets designed to support a specific function, activity, or service (e.g., visitor center, restrooms, parking lots).
- Utilities: Essential services that provide the resources required for buildings and developed areas to operate safely and reliably (e.g., fiber-optic internet, propane, electricity, potable water, wastewater).
- Infrastructure: The foundational physical systems and networks that support the operation, connectivity, and long-term functionality of a site (e.g., roads, drainage systems, utility distribution lines).

Construction Operations

Construction activities will begin in Spring 2027 with the demolition of the existing visitor center, followed by additional demolition and phased construction from Spring 2027 through Summer/Fall 2028. A typical construction season will be from May through September (NPS, 2022a). Demolition and construction sequencing will be determined during the pre-construction planning phase.

Construction activities associated with the proposed Painted Canyon redevelopment may include equipment staging, grading, trenching and excavation, laying asphalt, pouring concrete, ground disturbance, building construction, tree removal, vegetation removal, landscaping, and revegetation (NPS, 2022a). All site work will be completed by a contracted construction company with Park staff and construction management providing oversight and coordination.

Painted Canyon will be closed to the public during construction. Construction operations will generally follow standard workdays and times and primarily occur during daylight hours.

Access, Staging, and Equipment

Construction site access will use the existing entrance and roadway configuration, and no new temporary access roads will be created. All efforts will be made to locate staging areas in previously disturbed or hardscaped surfaces to minimize additional ground disturbance (2026 EA Appendix C).

Equipment used for road, parking, utility, and facility improvements may include skid steers, graders, medium and large loaders, backhoes, track hoes, trenchers, belly dumps, water trucks, compacters, concrete trucks, cranes, large dump trucks for material hauling, asphalt milling machines, paving machines, asphalt rollers, curbing machines, and a variety of handheld power tools.

Demolition and earthwork will use typical construction machinery such as excavators, loaders, graders, and dozers. Structural assembly will use cranes, while concrete mixers and trucks will be used for foundation and flatwork. Utility installation will use trenchers and/or compactors. Material delivery vehicles, light towers, compressors, and generators will provide temporary construction support.

Equipment selection will follow standard NPS construction specifications and BMPs (2026 EA Appendix C) and contractor methods.

Bison Exclusion Features

Approximately 2,500-3,000 linear feet (ft) of bison exclusion fencing will be erected using welded steel construction with line posts set in concrete. Horizontal bars will be placed starting at ground level up to a height of 6 ft with 8-12 inch (in) spacing between bars. Mild or carbon steel material will be used and allowed to oxidize to minimize maintenance needs and provide a rust color that blends with the natural landscape and site aesthetic. To fully exclude bison from the developed area and I-94, new fence will travel along the rim of the canyon and connect to the existing woven wire

perimeter fence about 250 ft west and 1,000 ft east of the existing entrance cattle guard. Self-closing metal pedestrian gates will be installed to provide visitors access to trails on the north (Crescent Path), east (Painted Canyon Trail), and west (Painted Canyon Nature Trail) sides of the fenceline.

Swing gates up to 12 ft long will be installed near the southeast and southwest junctions of the welded and existing perimeter fence to allow vehicle access for administrative purposes. Should bison breach the exclusion fencing, these gates will also create temporary exit points where Park staff could herd bison out of the area. A "duck under" span, where the lowest horizontal bar is set to 18 in, will be installed adjacent to both swing gates so that deer (white-tailed (*Odocoileus virginianus*) and mule (*Odocoileus hemionus*)) and pronghorn (*Antilocapra americana*) may pass through.

Trees and woody vegetation will be removed along the fence corridor during construction and to allow access for monitoring and future repairs. The existing perimeter fence and cattle guard will not be removed until the new bison exclusion fence is fully installed and functioning to prevent bison from accessing the site or exiting NPS lands.

Vegetation Restoration

After construction is complete, plant community restoration and augmentation will occur throughout the site. Disturbed soil will be recontoured and topsoil added where needed followed by reseeding and planting using native grasses, forbs, and/ woody shrubs. Undisturbed areas will be seeded or planted to increase native species diversity. Restoration methods could include broadcast seeding, hydroseeding, drill seeding, installation of native plugs, and planting of container-grown shrubs and forbs. These activities will be implemented in accordance with the mitigation measures and BMPs in Appendix C of the 2026 EA, which outlines requirements for soil stabilization, invasive species prevention, and long-term establishment of native vegetation.

Site Entrance Redevelopment

The entrance to Painted Canyon will be reconstructed to establish a more identifiable entry point to Theodore Roosevelt National Park. Upon arrival a dry-stacked stone wall, matching existing Park masonry, will flank the asphalt roadway and metal swing gate. The new stone feature will subtly display NPS identification (e.g., small lettering) so visitors can immediately recognize they are entering a national park. The structure will use Civilian Conservation Corps (CCC)-inspired stonework to reflect the Park's history and blend with the surrounding landscape. To maintain efficient traffic flow and minimize congestion, the new design will be limited in scale, lack prominent signage (e.g., large NPS arrowhead), and not include any pull-off lanes to discourage visitors from blocking the entrance or parking on the side of road. A cattle guard will prevent bison from entering or exiting the site.

Beyond the gate, a two-way traffic road will divide into a one-way circulation pattern, with incoming vehicles proceeding to the right and outgoing vehicles coming from the left. In addition, blue highway signs will be replaced and updated with brown NPS-style (e.g., NPS arrowhead) signage to improve site identification and wayfinding along I-94.

Vehicle Circulation and Parking Reconfiguration

The proposed action will introduce a new road configuration to improve traffic circulation and expand parking. The main road will have a 15-foot-wide asphalt surface that leads to the equestrian parking area, visitor center, and passenger- and oversized-vehicle parking lots. All traffic circulation will be one-way. Precast concrete gutters will be used along roads and parking lots to maintain proper drainage and edge protection and reduce lifecycle maintenance demands.

The proposed parking area will be located southwest of the visitor center and contain two distinct parking lots. Depending on the availability of future funds, a third overflow parking area may be added. The primary passenger-vehicle lot will be asphalt and include 49 spaces, including three accessible spaces. The second parking area will be designated for oversized vehicles and provide eight pull-through spaces. All parking areas will include accessible asphalt walkways connecting to the visitor center and angled spaces to support one-way traffic flow. In the future, a loose aggregate (e.g., gravel, crushed stone, etc.) overflow parking area may be constructed between the two paved lots and will accommodate 45 passenger vehicles.

New traffic signs will be installed to direct visitors to the appropriate designated parking areas. Portions of the existing road and parking lot that do not align with the new orientation will be demolished and restored with native vegetation.

Visitor Center and Restroom Construction

The current 4,900 square-foot (sq ft) visitor center, canopy, and restrooms complex will be demolished and fully reconstructed. The new visitor center will be single-story, approximately 4,800 sq ft, and situated within the same general footprint as the existing structures. Building materials may include reinforced concrete, structural steel, stone or masonry elements consistent with Painted Canyon's existing aesthetic and the Park's CCC-era structures, and durable exterior siding (e.g., weather resistant composites or natural materials). The structure will feature a layered timber grid-shell ceiling supported by masonry bearing and shear walls. The front (south facing) wall will feature full-height storefront glass that will be energy efficient, bird-safe, and use a high-performance glazing system. The roof will use metal or composite shingles resembling slate and that are suitable for horizontal installation. All interior finishes will be Architectural Barriers Act (ABA)-compliant. Concrete, stone pavers, or stabilized aggregate may be used for exterior walkways and plazas as long as they meet ABA accessibility standards. Final material selection will prioritize durability, accessibility, energy performance, and visual consistency with NPS architectural standards and the surrounding landscape and will follow NPS design guidelines and sustainability goals (NPS, 2022a; 2022b).

The new visitor center will include restrooms, a main lobby, interpretive exhibits, retail space, grab-and-go food and beverage service, and back-of-house support spaces. The building will be constructed in full compliance with the adopted 2024 International Code Council (ICC) standards, National Fire Protection Association (NFPA) requirements, and all relevant NPS building, fire, and accessibility policies.

Restrooms will be rebuilt as an integrated component of the new visitor center building. The reconstructed restrooms will provide modern, ABA-compliant facilities sized and configured to meet current visitor demand and correct longstanding accessibility deficiencies. The new facilities will include two gender-specific restrooms and at least one family restroom. The men's restroom will have two toilet stalls, including one ABA-compliant stall, two urinals, and two sinks. The women's restroom will have at least four toilet stalls, including one ABA-compliant stall, and two sinks. The vestibule outside the restrooms will include a water fountain/water bottle filling station.

The central hub of the visitor center will be an open-concept layout and include interpretive exhibits, retail space, grab-and-go food and beverage service, and a reception area/welcome desk. Interpretive displays will teach visitors about the history, geology, and/or cultural significance of the site. Since the Painted Canyon visitor center is intended to provide a brief introduction to the Park and a short respite for long-distance travelers, visitors will be directed to the Park's main visitor center and Theodore Roosevelt Presidential Library in Medora for a more in-depth experience. A small retail space will offer a limited selection of Park-related merchandise. Grab-and-go food and beverage

service will offer shelf-stable and prepackaged refrigerated items for purchase. No on-site food preparation or cooking will occur.

The new visitor center will eliminate the existing basement, and all mechanical systems and staff functions will be accommodated on the main level. Back-of-house support spaces will include an ABA-compliant staff restroom and break room, maintenance and mechanical room, offices, a meeting room, and storage areas for equipment, retail inventory, and food and beverage items.

A garden plaza will be constructed on the north side of the visitor center to provide outdoor gathering opportunities and guide visitors to the Crescent Path (see Overlook Construction section). The plaza will provide a defined transitional space between the building, Crescent Path, and surrounding landscape and include accessible pedestrian footpaths, native plantings, and shaded seating areas. Pathways and signage will direct visitors toward key site features such as trailheads, overlooks, and interpretive elements. Low-profile site furnishings, such as benches and/or stone or timber accents, will reinforce the natural character of the area and provide short-term seating for resting or viewing the canyon.

Picnic Shelter Construction

The existing picnic shelters will be demolished and rebuilt, and two new shelters will be added within the same general area. Each shelter will have up to four picnic tables and be similar in size and configuration to the current amenities.

Relocation of Historic NPS Sign

The historic Park sign will be carefully relocated using standard methods for moving heavy masonry structures. Its new location will reside on NPS land near the visitor center and canyon rim rather than the easement portion of North Dakota Department of Transportation (NDDOT)-owned land. Prior to relocation, the sign will be stabilized and braced to protect the stonework and iron lettering. Construction crews will excavate around the existing foundation, support the structure with lifting equipment, and transport it a short distance to its new location north of the visitor center. Concrete, stone pavers, or stabilized aggregate will be used to build an accessible path that will allow visitors to take iconic photos of or with the sign with the Badlands in the background.

The sign's structure, including its pointing and stonework, will be restored in-kind to preserve its integrity and contributing features that support the historic eligibility criteria of the Park's CCC-era resources.

Overlook Construction

A new overlook area, also referred to as the Crescent Path, will provide visitors with an improved Painted Canyon viewing experience. The accessible overlook will be a crescent shaped, cantilever structure constructed of concrete or steel with a patina finish to blend in with the local environment. Final material selection will be determined by a value analysis evaluating cost, durability, longevity, and maintenance needs. The northeast end of the overlook will be 8 ft wide and jut 10 to 20 feet over the canyon edge, and the southwest end will be integrated with adjacent trails and circulation routes. The overall footprint will be set back from the canyon edge to reduce erosion and erosion-related failure risk but still prioritize and preserve the panoramic views. Appropriate drainage features will be incorporated into the Crescent Path for storm water management. In addition to the crescent structure, viewing nodes will be interspersed along the rim to allow visitors space to spread out and view the canyon from multiple vantage points. Vegetation will be selectively trimmed to open sightlines while maintaining the natural character of the canyon edge.

Trails

The Painted Canyon Nature Trail and Painted Canyon Trail trailheads will be updated with new waysides and other signage. Both trails will retain natural surfaces, with water bars, check steps, and tread surface repairs as necessary to remove precipitation and provide a solid footing for hikers and horseback riders.

Self-closing pedestrian gates will be placed at the western end of the Crescent Path, near the new picnic shelters west of the main parking area, and at the east side of the equestrian parking area. Pedestrian gates will be of the same design in each location and wide enough (greater than or equal to 5 ft in width) for hikers and horses to pass through. In accordance with current policy, horses will not be allowed on the Painted Canyon Nature Trail.

The Painted Canyon Trail at the east side of the site will be rerouted to the equestrian area, and new marker posts will be installed. Other trails may be established inside of the bison exclusion fence along the canyon rim to the east and west of the visitor center and may be of either natural or improved surfaces. Interpretive waysides and navigations aids will be provided at or near all established trails within the developed area.

Equestrian Facilities Construction

A new equestrian parking lot will be constructed northwest of the wastewater treatment lagoons adjacent to the existing weather monitoring station and near the Painted Canyon Trail trailhead. The parking lot will be loose aggregate with precast concrete edging. The equestrian parking area will include approximately six pull-through parking spaces designed to accommodate oversized vehicles, such as pickup trucks towing horse trailers. Potable water will be supplied via a standpipe spigot located along the east side of the parking area. The spigot will be serviced by a buried water line installed at an approximate depth of 8 ft and routed to connect with the existing water-meter junction about 150 ft to the west.

Two hitching posts will be installed at the east edge of the parking area, one north and one south of the pedestrian gate in the bison exclusion fencing at the trailhead. A wood or synthetic manure disposal bin will be located to the south of the hitching posts, along with stall rakes and a wheelbarrow.

Updates to Utility Infrastructure

Utility infrastructure will be upgraded and modernized to allow reliable, year-round operation of the site and correct longstanding infrastructure deficiencies. Improvements will include replacing aging potable water and wastewater lines, upgrading electrical service and distribution components, and rerouting or reconstructing utility corridors within previously disturbed areas.

A small service area will be constructed on the east side of the visitor center. A standard heating, ventilation, and air conditioning (HVAC) system consisting of 3 to 4 units will be located here along with a propane generator to provide backup heat during power outages. The area may include refuse and dumpster storage. A small storage shed for NDDOT maintenance equipment and access to utility infrastructure will also be in this location and screened from view by a fence or some other partition.

This project proposes to line the third wastewater treatment lagoon to expand wastewater treatment capacity.

Construction activities associated with these upgrades will involve trenching, excavation, installation of new utility lines at appropriate depths, and removal of outdated components, all conducted in compliance with applicable federal, state, and local requirements. These updates will be necessary to ensure reliable operation of site facilities, reduce maintenance needs, and support modern visitor

services envisioned under the proposed action.

RATIONALE FOR DECISION

The NPS analyzed two alternatives in the 2026 EA. Under Alternative A (the No Action Alternative) no major redevelopment will occur at Painted Canyon and existing conditions will persist. Under Alternative B: Painted Canyon Redevelopment (the Proposed Action) many aspects of the site will be reconstructed and modernized. Alternative B was selected for implementation because it best meets the purpose and need for action and does not cause significant or unacceptable impacts on the site's resources.

As described in Chapter 1 of the 2026 EA, Painted Canyon has experienced deteriorating facilities, inefficient vehicle circulation and parking, limited utilities, and increasing safety and accessibility concerns over the past several years. Since its construction in 1978, the site has not undergone major updates, and aging infrastructure and out-of-date amenities no longer adequately support visitor needs or diverse user groups as visitation continues to rise. Without major renovation, the site will remain non-compliant with ABA accessibility standards, close-range interactions between bison and people will likely increase, and the site will continue operating only seasonally (approximately May to October) because of infrastructure that is inoperable during winter months.

By directly addressing these long-standing deficiencies through modernized facilities, improved circulation, updated utilities, enhanced safety, and year-round operational capability, Alternative B provides the most effective and reasonable means to meet the project's purpose and need. It also avoids significant adverse impacts, incorporates mitigation measures described in Appendix C of the 2026 EA, and supports the Park's ability to provide a safe, accessible, and meaningful visitor experience consistent with NPS 2006 Management Policies.

Alternative A, No Action, was not selected because it does not meet the purpose and need.

MITIGATION MEASURES

The NPS emphasizes avoiding, minimizing, and mitigating potentially adverse environmental impacts. Therefore, the NPS will implement mitigation measures and best management practices to protect visitor safety and other natural and cultural resources. These measures and practices are described in detail in Appendix C: Mitigation Measures or Best Management Practices of the 2026 EA and are hereby incorporated by reference. As stated in the 2026 EA, these mitigation measures and best management practices are included as integral parts of the selected alternative. The NPS has the authority to implement the mitigation measures under the Organic Act of 1916 (54 U.S.C. 100101 et seq.), the Wilderness Act of 1964 (16 U.S.C. 1131 et seq.), the National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. 300101 et seq.), the Endangered Species Act (ESA), as amended (16 U.S.C. 1531 et seq.), NPS 2006 Management Policies, and other applicable federal and state requirements.

SIGNIFICANCE CRITERIA REVIEW

Consistent with the Handbook, Section 1.2(b), the NPS evaluated the significance of the selected alternative (i.e., proposed action) by analyzing the potentially affected environment and the degree of the effects of the selected alternative. Significance is determined solely in relation to reasonably foreseeable adverse effects. The NPS only completes a significance determination for the selected alternative and does not determine the significance of unselected alternatives.

Potentially Affected Environment

To evaluate the potential for significant impacts, agencies consider the setting and potentially affected environment in which impacts may occur. In this case, the selected alternative may beneficially or adversely impact wildlife – bison, vegetation (non-special status species), visitor use, experience, and safety, and viewshed/visual resources.

The Park manages a herd of approximately 400 American bison (*Bison bison*, bison) in the South Unit, and bison frequently use Painted Canyon, with individuals present nearly every day. Currently, no bison exclusion features exist at Painted Canyon, and bison can roam uninhibited throughout the site. Because the site is accessible from I-94 and has limited signage indicating the area is part of a national park, many visitors arrive with little awareness that they may immediately encounter bison. This increases the potential for close–range interactions between bison and people, and multiple incidents occur every year, with some resulting in serious injuries.

Upland plant communities are the dominant vegetation type at Painted Canyon, and woody species, such as buffalo berry (*Shepherdia argentea*), are concentrated along the canyon edge. Most vegetation occurs on previously disturbed land. No federally or state listed special status plant species are found at the site and various invasive species are treated annually with herbicides as part of Park resource management operations. Approximately 11 trees exist at Painted Canyon, all of which have been planted for landscaping purposes.

Visitor use and experience at Painted Canyon are shaped by the site's dual function as both a unit of the national park system and a high-turnover interstate rest area, resulting in a mix of park- and travel-focused visitors. Facilities in this location include a small bookstore and souvenir shop, parking areas for both passenger vehicles and tractor-trailers, restrooms, two wastewater treatment lagoons, two picnic shelters, hiking and horse-riding trails, and a scenic overlook, all of which are closed during the winter months.

Degree of Effects of the Action

Consistent with the 2026 DOI NEPA Handbook, the NPS considered the degree of effects associated with the selected alternative by evaluating both short- and long-term effects, both beneficial and adverse effects, effects on public health and safety, economic effects, and effects on the quality of life of the American people.

The NPS evaluated the impacts to wildlife – bison, vegetation (non-special status species), visitor use, experience, and safety, and viewshed/visual resources in the 2026 EA. A comprehensive description of the potential environmental effects associated with the selected alternative and no action alternative is provided in Chapter 3: Affected Environment and Environmental Consequences of the 2026 EA and are incorporated by reference herein. While other park resources may experience some effects, those effects are minimal and were determined not to warrant detailed analysis in the 2026 EA. Accordingly, these resources are not discussed further, as the anticipated effects are so minor that they have no potential to reach a level of significance.

The NPS did not identify any significant adverse effects associated with implementing the selected alternative.

Beneficial and Adverse, Short- and Long-Term Effects of the Selected Action

Wildlife – Bison

In the short-term, bison are expected to temporarily avoid Painted Canyon during the approximately 18-month construction period due to an increase in noise, vibrations, and movement from heavy equipment and people. The installation of bison-exclusion fencing will permanently prevent bison from entering the developed area, thereby eliminating the potential for hazardous close-range interactions between bison and visitors. The fencing will reduce the likelihood of disturbance or stress to individual animals caused by visitor interactions. This action is expected to improve long-term safety conditions for the herd by removing situations in which individual animals could be approached, startled, or pressured by unaware visitors.

Excluding bison from Painted Canyon will slightly reduce access to foraging or loafing areas, but the affected area represents less than 0.01% of the Park's South Unit. Adjacent to the exclosure, bison will retain access to nearly 46,000 acres of high-quality habitat. Because primary forage and water resources, movement corridors, and seasonal use patterns will remain unchanged, the action will not meaningfully alter the herd's long-term health, abundance, or influence on the landscape. Thus, the selected alternative will not result in significant adverse impacts on bison.

Vegetation (non-special status species)

The selected alternative will result in temporary adverse impacts on vegetation from trampling and removal within construction work zones and staging areas. These disturbed areas will be restored following construction using native vegetation, producing long-term benefits through improved habitat quality and increased species diversity. Grassland vegetation will likely recover within a few growing seasons.

Permanent vegetation loss, including removal of landscaping trees and some upland plant vegetation, will be confined to limited portions of the 34-acre site and will not affect any endangered, threatened, or rare plant species. Because the affected vegetation is common and not considered sensitive and only a small area of vegetation will be removed, the resulting permanent vegetation loss will constitute a minor adverse effect.

Implementation of BMPs will minimize the potential spread of invasive species, and routine mowing and herbicide treatments will continue as needed. Given the small scale of permanent vegetation loss, the revegetation of temporarily disturbed areas with native plants, and BMPs to minimize the potential introduction and spread of invasive species, the selected alternative will not result in significant adverse impacts on vegetation.

Visitor Use, Experience, and Safety

Visitors will be temporarily impacted during construction because Painted Canyon will be closed for approximately 18 months. Once reopened, short-term disruptions to visitor use may occur from periodic entrance slowdowns during peak visitation. Such delays are expected to be infrequent and will be minimized by signage, instruction from Park staff, and visitor education.

Over the long term, the permanent removal of tractor-trailer parking will eliminate rest-area functions for long-distance truck drivers. These impacts are limited in scope, affect only a small subset of visitors, and do not substantially alter overall public access, circulation, or visitor experience within the Park.

While bison exclusion fencing will improve visitor safety long-term by reducing the likelihood of dangerous wildlife encounters, it will also decrease spontaneous close-range viewing opportunities, which may diminish the national park experience for some visitors. Wildlife viewing opportunities will remain abundant in other areas of the Park.

The selected alternative will provide notable beneficial improvements to visitors and vehicle

circulation and the overall arrival experience at the site. The new entrance will create a clear sense of arrival and better align visitor expectations with a national park setting, while expanded parking and reconfigured roads will improve traffic flow, reduce user-group conflicts, and increase separation between vehicles and pedestrians. Additionally, updated equestrian facilities will eliminate existing vehicle circulation hazards and improve riding access to trailheads.

A modernized, fully accessible visitor center with integrated restrooms, updated amenities, and improved interpretive spaces will enhance visitor comfort, reduce crowding at peak times, and provide a more cohesive orientation to the Park's resources. The new overlook will provide a safer, more accessible view of the canyon and surrounding landscape. The use of durable materials, energy-efficient systems, and updated infrastructure will support reliable year-round operations without imposing substantial new demands on Park resources and staff.

In summary, the selected alternative will result in short-term construction inconveniences and permanently remove tractor-trailer parking, but these impacts will be limited and mitigated through visitor notifications, signage, and the availability of nearby highway services. Although bison-exclusion fencing will reduce close-range viewing opportunities, it will improve long-term visitor safety, and wildlife viewing opportunities will remain abundant throughout the Park, including from the new overlook. Overall, the selected alternative will enhance visitor circulation, safety, and amenities, and any adverse effects will be minor and not significant.

Viewshed/Visual Resources

The selected alternative will introduce permanent changes to the viewshed and affect visual resources; however, these changes will remain small in scale and not result in significant impacts because of the careful selection of design features and building materials. The use of low-profile architecture and colors and materials that blend with the surrounding landscape will ensure that the new visitor center and associated facilities remain visually unobtrusive. Non-reflective materials, glare-reduction features, strategic building orientation, and siting parking areas away from the canyon rim will minimize visibility from key viewpoints, such as Buck Hill. Therefore, the selected alternative will not have significant adverse impacts on the viewshed or visual resources at Painted Canyon.

Effects on Public Health and Safety

Painted Canyon will be temporarily closed during construction to protect visitors and prevent them from accessing an active construction site. The Park will notify the public prior to any closures through their website, social media, or other communication methods to give visitors and travelers enough time to make alternative arrangements.

As stated in previous sections, installation of bison exclusion fencing will improve visitor safety by preventing close-range interactions between bison and visitors, some of which have previously resulted in serious injuries. Therefore, the selected alternative will not have significant adverse effects on public health and safety.

Economic Effects

The NPS did not evaluate economic effects in the 2026 EA because any potential economic changes associated with the project will be minimal, localized, and not meaningful. Painted Canyon is ancillary to major visitor attractions in Medora, ND, such as the Park's main visitor center and the Theodore Roosevelt Presidential Library and is not an economic driver for the region. The selected alternative is not anticipated to substantially influence regional visitation

patterns or local economic conditions. During construction, the temporary hiring or influx of workers and tradespeople may contribute nominal additional spending to the area and provide a modest, short-term benefit. The selected alternative will not result in significant adverse economic effects.

Effects on the Quality of Life of the American People

Improvements to visitor safety, accessibility, and amenities at Painted Canyon will support continued public enjoyment of national park resources without impairing access or diminishing recreational opportunities. Modernized facilities and the addition of grab-and-go food and beverage options will enhance convenience for both local and long-distance travelers.

Temporary construction-related closures will be communicated in advance and will be minimally disruptive. Comparable services will be available in nearby communities, and other units of the Park will remain open for visitors to experience and explore.

The discontinuation of tractor-trailer parking represents a minor adverse effect for long-distance truck drivers. This impact is limited because of the previously seasonal nature of the rest-area function at Painted Canyon and the availability of alternative highway services 10 miles away in Belfield, ND.

The redevelopment of Painted Canyon strengthens partnerships that may support future improvement opportunities within the Park and across the broader national park system.

The selected alternative is not anticipated to have adverse effects on the public at the local, state, or national level. The NPS does not expect the selected alternative to impact access to products, public services, or the way of life and culture for Native Americans. Based on the 2026 EA analysis, the selected alternative will not have significant adverse impacts on the quality of life of the American people.

CONSULTATION AND COORDINATION

For a full disclosure of all consultation, see Section 2 of Appendix A in the 2026 EA.

Tribal Consultation

In accordance with the NHPA, Executive Order (EO) 13175, and NPS policy, the NPS initiated consultation with eight federally recognized Tribes on January 29, 2026: Chippewa Cree Tribe of the Rocky Boy's Reservation, Turtle Mountain Band of Chippewa, Spirit Lake Tribe of Fort Totten, Three Affiliated Tribes (Mandan, Hidatsa, and Arikara), Crow Tribe of Montana, Blackfeet Nation, Standing Rock Sioux Tribe, and Fort Peck Assiniboine and Sioux Tribes. Three Tribes responded back, with two (Three Affiliated Tribes and Fort Peck Assiniboine and Sioux Tribes) expressing interest in consultation and one (Blackfeet Nation) deferring to the Tribal Historic Preservation Officer (THPO) in closest proximity to the project area. During consultation, two site visits were conducted with one occurring on March 20, 2026, and July 17, 2026. During the July site visit, the THPO did not have any concerns about the project and verbally stated concurrence with the determination of No Adverse Effect. On August 20, 2026, correspondence was sent to Tribes by email and U.S. mail requesting concurrence with a determination of No Adverse Effect. No response was received after 30 days.

SHPO Consultation

The NPS conducted Section 106 of the NHPA consultation concurrently with, but separate

from, the NEPA process. On August 20, 2026, the NPS initiated review with the North Dakota State Historic Preservation Officer (SHPO) through electronic correspondence. On September 18, 2026, the SHPO concurred with the NPS determination that there will be no adverse effect on historic properties and no effect on archeological resources.

Endangered Species Act (Section 7)

In compliance with Section 7 of the ESA, the NPS evaluated the selected alternative to determine the potential for effects on federally listed species and designated critical habitat. A No Effect Determination was made for the whooping crane (*Grus americana*) on June 15, 2026 and for the Northern long-eared bat (*Myotis septentrionalis*; NLEB) on July 1, 2026. The U.S. Fish and Wildlife Service also concurred verbally with the No Effect Determination for NLEB on June 30, 2026, during a meeting with the Park and the Midwest Regional Office. A No Effect Determination was reached due to project location, lack of habitat, and time of year for construction and tree removal.

FINDING OF NO SIGNIFICANT IMPACT AND DECISION

Based on the information described above, in the 2026 EA, with the 2022 EA incorporated by reference, and the associated decision file, the NPS has determined that the selected alternative does not constitute a major federal action that meets the criteria normally requiring preparation of an Environmental Impact Statement (EIS). Therefore, an EIS will not be required. The NPS certifies that it has considered all relevant information raised during the NEPA process and that the NEPA process is closed (516 DM 1 Handbook, Section 4.1).

Based on this review, I have decided to approve and authorize the selected alternative, including all design features, mitigation measures, and stipulations identified in the project file. This decision authorizes implementation of the action as described.

Recommended:

Digitally signed by RACHEL DANIELS
Date: 2026.09.30 10:48:27 -06'00'

Rachel A. Daniels, Superintendent
Theodore Roosevelt National Park

Approved:

Herbert C. Frost
Digitally signed by Herbert C. Frost
DN: cn=Herbert C. Frost, email=bert_frost@nps.gov, c=US
Date: 2026.10.09 14:30:05 -05'00'

Herbert C. Frost, Ph.D., Regional Director
National Park Service, Midwest

Appendix A: Non-Impairment Determination

Appendix B: Public Scoping

APPENDIX A: NON-IMPAIRMENT DETERMINATION

INTRODUCTION

As described in National Park Service (NPS or Service) 2006 Management Policies, Section 1.4.4, the NPS Organic Act of 1916 prohibits the impairment of park resources and values. Guidance for Non-Impairment Determinations and the NPS National Environmental Policy Act (NEPA) Process (April 2025) provides guidance for completing non-impairment determinations for NPS actions requiring preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) pursuant to NEPA.

The NPS has completed a non-impairment analysis for the impacts to Theodore Roosevelt National Park (Park) from the Painted Canyon Area and Visitor Center (Painted Canyon) redevelopment and determined that it will not result in impairment of park resources or unacceptable impacts as described in Section 1.4.7.1 of the NPS 2006 Management Policies. An action constitutes impairment when its impacts "harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values" (NPS 2006 Management Policies, Section 1.4.5). To determine impairment, the NPS must evaluate the resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts. To make an impairment determination, the NPS must evaluate the following:

An impact on any park resource or value may constitute impairment, but an impact will be more likely to constitute an 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 in the park's general management plan or other relevant NPS planning documents as being of significance (NPS 2006 Management Policies, Section 1.4.5).

Resources and values 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, structures, 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 (NPS 2006 Management Policies, Section 1.4.6).

Non-impairment determinations are not necessary for visitor use and experience because impairment findings relate to park resources and values (NPS Guidance for Non-Impairment Determinations and the NPS NEPA Process, April, 2025). Visitor use and experience are not generally considered park resources or values according to the Organic Act.

DETERMINATION OF NO IMPAIRMENT FOR THE PAINTED CANYON REDEVELOPMENT ENVIRONMENT ASSESSMENT FOR THEODORE ROOSEVELT NATIONAL PARK

Fundamental Resources and Values of the Site

Fundamental resources and values for the Park are identified in the Park's 2014 Foundation Document. Several of these fundamental resources will be affected by the selected alternative. The Park supports one of the most intact Northern Great Plains wildlife communities, within which bison are identified as a fundamental Park resource. Native vegetation is also a fundamental resource as the mixed-grass prairies, juniper draws, and cottonwood forests that define the landscape are critical to the long-term sustainability of wildlife populations.

Another fundamental resource of the Park includes its sweeping, dramatic views of unspoiled landscapes, the same vistas that inspired Theodore Roosevelt. Certain geologic features and landforms are also considered fundamental resources. Among these, capstones were evaluated indirectly through the scenic views fundamental resource because of their prominence within the Park's viewscape. These resources were evaluated in detail in the 2026 EA and are described below.

Other fundamental resources were considered but dismissed from detailed analysis in the 2026 EA. These include the Little Missouri River, the Theodore Roosevelt Wilderness and wilderness qualities throughout the Park, the Elkhorn Ranch, the Maltese Cross Cabin and Roosevelt-related museum collections, and several geologic resources, such as fossils and petrified wood, and landforms. These resources are not evaluated in this document because any anticipated impacts will be so minor that they cannot result in impairment and do not warrant additional discussion.

This determination has been prepared for the selected alternative, as described in the Finding of No Significant Impact (FONSI). As a basis for evaluating the potential for impairment or unacceptable impacts on the Park's resources, the NPS relied on the Painted Canyon Redevelopment 2026 EA.

The potential for impairment was evaluated for the following resources: wildlife – bison, vegetation (non-special status species), and viewshed/visual resources. Please refer to Appendix B of the 2026 EA for a discussion of impact topics considered but dismissed from detailed analysis. Those resources are not evaluated in this document because impacts will be so small that they cannot result in impairment and do not warrant additional discussion here.

Wildlife – Bison

The Park manages a herd of approximately 400 bison in the South Unit, and bison are present nearly every day at the Painted Canyon Area and Visitor Center (Painted Canyon). Groups of 20-60 cows and younger animals move through the area to forage in the upland grassland habitat, while individual mature bulls or small groups of bulls (e.g., 3-5 animals) frequently loaf in grassy areas next to the parking lot, picnic shelters, restrooms, and visitor center.

The selected alternative will result in minimal adverse impacts to the Park's bison herd.

Temporary disturbance from noise, vibrations, movement from heavy equipment, material staging, increased human presence, and installation of temporary fencing may cause bison to avoid Painted Canyon during construction. Construction is expected to take approximately 18 months. Active work will occur during a typical construction season from May through September primarily during daylight hours. These impacts will be isolated to Painted Canyon and will not impact bison in other areas of the Park.

Installation of bison exclusion fencing will permanently prevent bison from entering Painted Canyon. This action is necessary to eliminate frequent close-range interactions between bison and visitors, several of which have resulted in serious injuries. Excluding bison from Painted Canyon will slightly reduce access to foraging or loafing areas, but the affected area represents approximately 34 acres or less than 0.01% of the Park's South Unit. Adjacent to the exclosure, bison will retain access to nearly 46,000 acres of high-quality habitat, ensuring the proposed action will not adversely affect the herd's long-term health, abundance, or habitat functions within the Park.

In summary, none of the impacts associated with the selected alternative will harm the integrity of the Park's bison herd or diminish opportunities for their continued presence and enjoyment within the Park. Construction-related disturbance will be temporary, localized to Painted Canyon, and will not affect bison use of the broader South Unit. Although exclusion fencing will permanently prevent bison from entering Painted Canyon, abundant high-quality habitat is available adjacent to the site. Because the selected alternative will not adversely affect the herd's long-term well-being or continued presence on the landscape, and because its limited effects do not rise to a level that will harm the integrity of this fundamental resource, the selected alternative will not result in impairment to bison.

Vegetation (non-special status species)

Upland grasses are the dominant vegetation type at Painted Canyon, and some woody species, such as buffalo berry, are concentrated along the canyon rim. No state or federally listed endangered or rare plant species have been documented at Painted Canyon. Invasive plants are treated annually with approved herbicides as part of Park resource management operations. Approximately 11 trees have been planted at the site for landscaping.

Most vegetation at Painted Canyon occurs on previously disturbed land. The core visitor area includes several acres of mowed grass interspersed among parking areas and other impervious surfaces, representative of an area that has been substantially altered by past development.

The selected alternative will result in minimal, temporary vegetation removal within construction zones and staging areas. These areas will be restored with native grassland species following NPS best management practices (BMPs). Grassland vegetation will likely recover within a few growing seasons. Woody vegetation may take longer to recover or may be selectively cut back to maintain sight lines or for maintenance purposes.

Some vegetation will be permanently removed where new infrastructure or facilities replace existing vegetated areas. All trees (approximately 11), which were planted for landscape purposes, will be removed. These impacts will be limited in scope and scale and only occur within a small portion of the project area. The permanently removed vegetation will not affect any special-status plant communities and are not considered high-quality or essential habitat for wildlife.

Construction-related ground disturbance may promote the spread of invasive plant species,

however, mitigation measures and BMPs will be implemented to minimize this risk. Following restoration, invasive plants are expected to decrease and overall habitat quality and species diversity increase compared to pre-project conditions. Routine mowing and invasive species treatments will continue as needed.

In summary, adverse effects on vegetation will not rise to the level of impairment because the affected plant communities are common, occur in previously disturbed areas, and do not include any special-status species. The area impacted represents a very small portion of both the South Unit and the Park as a whole. Temporarily disturbed areas will be restored with native grasses, and permanent vegetation loss will be limited in scope. Mitigation measures will reduce the potential for establishing or spreading invasive species, ensuring the perpetuation of native vegetation and no impairment of this fundamental resource.

Viewshed/Visual Resources

Painted Canyon marks the dramatic transition between rolling mixed-grass prairies and the rugged North Dakota Badlands, where broad horizontal sightlines and colorful, highly eroded formations create expansive, region-defining views. Distinct sedimentary layers and caprocks shape the canyon's "painted" appearance. This visually striking contrast between prairie uplands and sculpted badlands topography is a fundamental attribute of the site's scenic integrity.

The selected alternative will have little impact on the view of Painted Canyon (the geologic feature) but will introduce a permanent change to the viewscape, especially from Buck Hill, which is 2.2 miles north of the site and provides a clear, elevated view of the existing facilities. These impacts will be limited in scope and scale because of the careful selection of building features and materials. To reduce visual impacts, the new visitor center is designed as a low-profile, single-story building using colors, materials, and forms that blend with the surrounding terrain to ensure that the structure remains inconspicuous. Non-reflective exterior finishes, strategic building orientation, and architectural elements such as awnings or alcoves will be used to minimize glare. Parking areas have been intentionally sited away from the canyon rim to reduce visibility and car-window glare and maintain the integrity of key sightlines. As a result, any changes observable from Buck Hill will be minor and will not noticeably alter landscape character.

In summary, although viewshed and visual resources are a fundamental park resource, the selected alternative will not result in their impairment. The project's low-profile design, use of non-reflective materials, careful siting of facilities away from the canyon rim, and intentional preservation of key sightlines ensure that any changes to the viewscape, particularly as seen from Buck Hill, will not diminish the area's scenic integrity or the public's ability to experience its defining vistas.

Conclusion

The NPS has determined that implementation of the selected alternative will not constitute an impairment of the Park's resources or values. This conclusion is based on consideration of the Park's purpose and fundamental resources and values, a thorough analysis of the environmental impacts described in the 2026 EA (including measures to minimize and mitigate potential impacts), the best available science, advice from subject matter experts and others with relevant knowledge and experience, comments provided through Tribal and agency consultations and public scoping, and the professional judgment of the decision maker guided by the direction of the NPS 2006 Management Policies, NPS Guidance for Non-Impairment Determinations, and the NPS NEPA Process (April 2025).

APPENDIX B: PUBLIC SCOPING

On April 28, 2026, the NPS released a public scoping newsletter and opened a 15-day public scoping period, which concluded on May 12, 2026. During this time, the public was invited to provide comments on the proposed redevelopment of the Painted Canyon Area and Visitor Center online through the Planning, Environment, and Public Comment (PEPC) website or by U.S. mail.

A total of 38 unique correspondences were received during the public scoping period. Most commenters expressed support for moving the project forward while fewer commenters proposed ideas or raised concerns that were outside the scope of this project. The NPS reviewed all correspondence and consideration of these comments was incorporated into the body of the 2026 EA and Appendix B (2026 EA). Public input helped identify impact topics for evaluation and refine the proposed action.