



September 30, 2022

FINDING OF NO SIGNIFICANT IMPACT FACILITY REVITALIZATION PLAN ENVIRONMENTAL ASSESSMENT

Theodore Roosevelt National Park, North Dakota

BACKGROUND

The National Park Service (NPS) at Theodore Roosevelt National Park (the Park) prepared a Facility Revitalization Plan that re-envisioned several developed areas of the park. These concepts for improving visitor experience and revitalizing park facilities are intended to:

- Define appropriate visitor uses and park functions
- Prepare for future increases in visitation
- Provide an extraordinary visitor experience
- Coordinate the interrelationships among uses, site resources, and facilities
- Establish a consistent, unified character for development
- Establish a decision-making framework for capital improvements, preservation, and development that will address existing deferred maintenance and future facility needs in five areas of the park

An environmental assessment (EA) was prepared and published for public and agency review to assess potential impacts and effects of implementing the proposed actions of the Facility Revitalization Plan. The EA was open for public comment from August 16 to September 14, 2022. A press release and a project newsletter were distributed on August 16, 2022, announcing that the EA was available for public review. The public was invited to provide comments online through the Planning, Environment, and Public Comment (PEPC) system at https://parkplanning.nps.gov/THROFRP_EA or to mail comments to the park. The responses to substantive public comments are summarized in Attachment A.

The park is composed of three geographic units. The North and South Units feature scenic drives, wildlife viewing, hiking, visitor centers, ranger-led programs, and much more. The undeveloped Elkhorn Ranch Unit preserves the site of Roosevelt's "home ranch" in a remote area along the Little Missouri River. The EA examines five study areas contained within these units. There are three study areas in the South Unit: Medora Headquarters Area, Painted Canyon, and Peaceful Valley Ranch. There is also a study area at the entry area of the North Unit and a study area at Elkhorn Ranch Unit (Figure 1).

The study area at the Medora Headquarters Area is about 100 acres within the South Unit directly adjacent to the Medora city boundary. Facilities of note in the planning area include the South Unit visitor center, Maltese Cross Cabin, entrance station, headquarters/administration area, park staff housing, maintenance buildings, walking paths, parking areas, and associated roads.

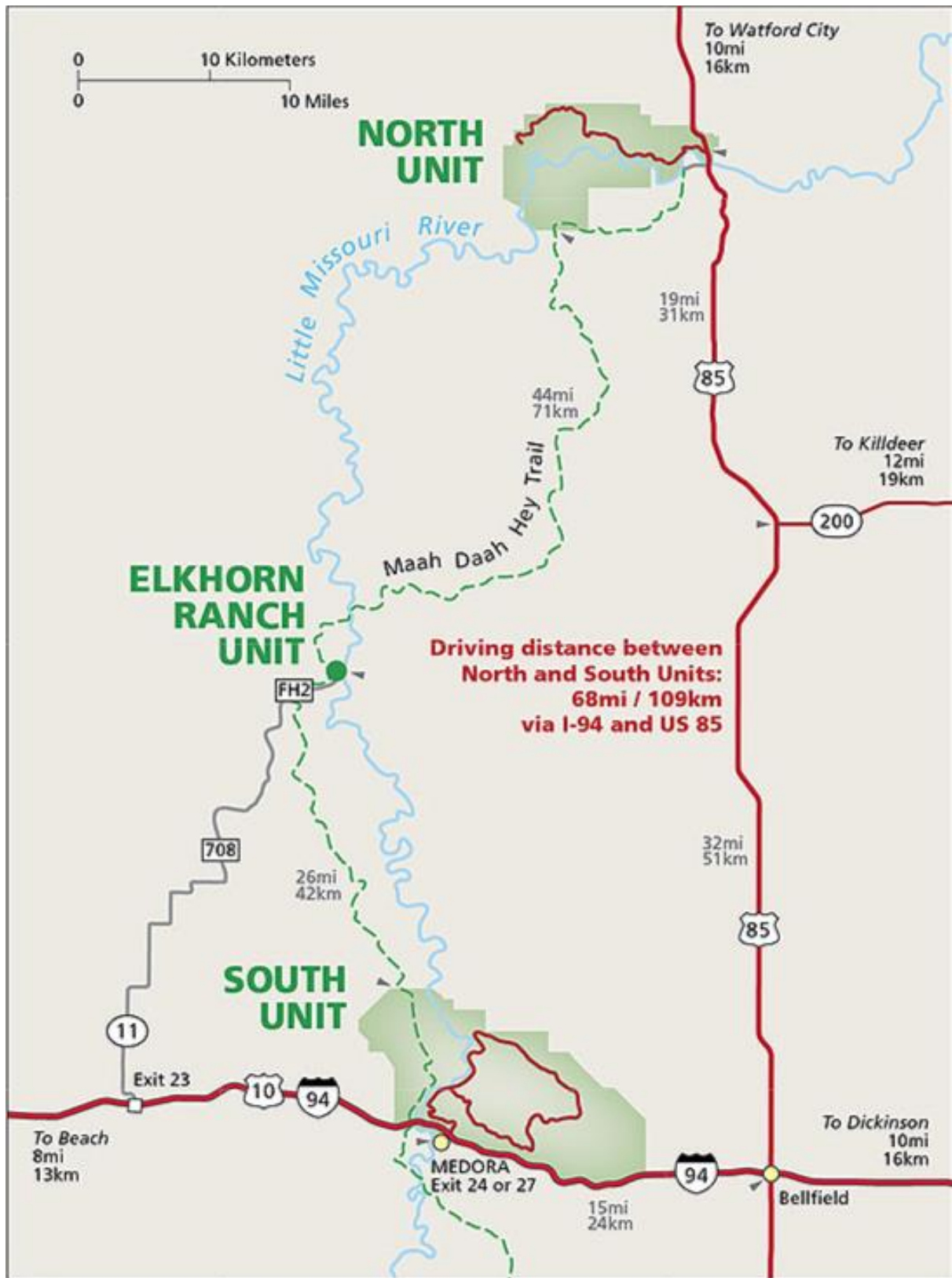


FIGURE 1. SOUTH UNIT (MEDORA HEADQUARTERS AREA, PAINTED CANYON, AND PEACEFUL VALLEY RANCH), NORTH UNIT, AND ELKHORN RANCH UNIT

The Painted Canyon area is located in the South Unit of the park off Interstate 94 (I-94) and is a state-designated rest area in addition to being part of the national park. It includes a visitor center with restroom facilities, two sewage lagoons, a picnic area, hiking and horse-riding trails, and parking, all of which are closed in the winter.

The third South Unit area is located at Peaceful Valley Ranch, which is a designated cultural landscape whose contributing structures have recently undergone rehabilitation for current use. These structures include a historic ranch house, bunkhouse, barn, and corrals organized around a dirt parking lot and circulation space. Recent additions include a vault toilet, trails, and a trailhead.

The North Unit is located closer to Watford City, North Dakota, off US Highway 85 along the Little Missouri River. Facilities there include a historic park monument sign, entrance station, temporary visitor center, temporary staff office, temporary restroom trailers, maintenance facilities, park housing, and two sewage lagoons.

The Elkhorn Ranch Unit has minimal development and is an important site to Theodore Roosevelt's history in the park. The study area currently includes a trail, benches, interpretive waysides, and connections to the Maah Daah Hey Trail (MDHT) system but no other development or facilities.

Selected Alternative

The National Park Service analyzed two alternatives in detail in the EA. Based on this analysis, the NPS selected Alternative 2, Implementation of Facility Revitalization Plan. See Chapter 2 of the EA for a full description of this alternative.

The selected alternative assumes that aspects of the Facility Revitalization Plan will be implemented as funding is available and phased over 20 to 30 years. The plan proposes a range of management strategies and actions, as well as facility and infrastructure improvements that address the purpose and need for action. The selected alternative, encompassing multiple concepts, represents a more proactive approach to managing visitor use and park needs that includes a wide range of strategies, as detailed in Tables 1 to 5 in Chapter 2 of the EA. The facility and infrastructure improvements focus on enhancing housing, visitor orientation and services, maintenance and administration, and aging utilities and transportation/circulation systems. Conceptual site plans and illustrations for the selected alternative are in Appendix A of the EA.

Implementation of the management strategies and actions proposed in the Facility Revitalization Plan will require additional National Environmental Policy Act (NEPA) or National Historic Preservation Act, Section 106 (Section 106) compliance, as well as compliance with all other applicable federal, state, and local law policies, and standards. This compliance will occur during the future design and engineering phase for that specific project, prior to construction. The additional compliance will occur as projects for each of the study areas are implemented.

Rationale for Decision

The selected alternative best meets the project purpose and need for a comprehensive planning effort to evaluate redevelopment concepts to meet current and future visitor and park staff needs including reducing deferred maintenance, improving the visitor experience, meeting administrative functions, and providing for improved employee housing.

Mitigation Measures

The NPS places strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the NPS will use the mitigation measures, best management practices (BMPs), and

design features described in Chapter 2 of the EA (page 20) when a specific project is implemented. Additional measures could be identified when the project is proposed, during the design phase, and when completing additional compliance steps.

The authority for this project's mitigations comes from the following laws and policies:

- National Park Service Organic Act (16 United States Code [U.S.C.] 1)
- National Park Service Management Policies (NPS 2006)
- Preservation of Natural, Cultural, and Archeological Resources (36 CFR 2.1)

SIGNIFICANCE CRITERIA REVIEW

Potentially Affected Environment

Potentially affected resources include Soundscape (Noise), Viewsheds/Visual Resources, Special Status or Threatened and Endangered Species: Fauna, Cultural Resources, Human Health and Safety, and Visitor Use/Experience.

- Soundscape (Noise): Noise issues are specific to Painted Canyon, as the interagency fire center will create additional noise during fire suppression events or during training.
- Viewsheds: The viewsheds of the different study areas contain both undeveloped areas and some developed areas related to park infrastructure or historic landscapes (such as buildings, roads, trails, and parking lots).
- Special Status or Threatened and Endangered Species, Fauna: Cottonwoods and other large woody vegetation occur throughout the study areas (except at Painted Canyon) and may provide habitat for the federally threatened northern long-eared bat (*Myotis septentrionalis*).
- Cultural Resources: Peaceful Valley Ranch area is a cultural landscape, and the Elkhorn Ranch area is unique because it most closely resembles the landscape at the time when Theodore Roosevelt was in the area.
- Human Health and Safety: Safety concerns and the inadequacy of facilities vary across the five study areas of the park. Existing wayfinding and circulation across all five study areas present human health and safety issues in parking areas and at trailheads. These areas are not designed to accommodate larger, more modern vehicles, which can result in safety concerns and conflicts between user groups.

Trails throughout the park include many steep grades, possibly created or worsened by bison or other wildlife, and are difficult to maintain safely. Many trails in the park are not necessarily compliant with approved trail design standards as enumerated in a Memorandum of Understanding among North Dakota Parks and Recreation, US Forest Service, and Theodore Roosevelt National Park.

Wildfires are a regional issue for the NPS, US Forest Service, and state agencies. An average of one to two wildfires occur per year within the park, most commonly caused by lightning. There are also roughly 20 to 40 coal seam fires burning in the park at any given time, which have the potential to grow into a wildfire.

- Visitor Use: Because visitation has increased so drastically since park facilities such as entrance stations and parking areas were originally constructed, these facilities do not all meet the park's current needs and use patterns.

Degree of Effects of the Action

The National Park Service considered the following actual or potential project effects in evaluating the degree of the effects (40 CFR 1501.3(b)(2)) for this proposed action.

(a) Beneficial and adverse, and short- and long-term effects of the proposed action.

The selected alternative will result in mostly long-term beneficial impacts, and some negligible or minor adverse impacts, as described below.

Soundscapes (Noise)

Over the long-term and specific to Painted Canyon, the interagency fire center will create additional intermittent noise during fire suppression events or during training. Short-term increases in noise during construction will occur in all study areas, however, BMPs listed in Chapter 2 of the EA will minimize these effects to the extent possible.

The Painted Canyon area will experience direct, long-term noise from daily operations of the interagency fire center. However, it is not anticipated that the daily operations noise will be increased over existing conditions. There will be direct, short-term additional noise during fire suppression events or during trainings. Given that this area is generally a noisy location, it is unlikely that the increased noise will be noticeable to visitors in the area.

Viewsheds/Visual Resources

Medora Headquarters Area

There will be no changes to the existing (developed) condition of the viewshed at the Medora Headquarters Area, therefore no direct or indirect impacts are anticipated. Proposed additional housing buildings will be constructed in an area with numerous other buildings and development. Project elements will repeat the form, line, color, texture, or scale common in the existing landscape. The new buildings in the Medora area will incorporate design features to minimize visibility of facilities from the entrance road and from the city into the park and vice versa. Design features will also use vegetative screening of buildings so as not to intrude on views and maintain uninterrupted landscapes.

Painted Canyon

The project will expand the existing visitor center and add additional visitor center parking, a new trail segment north of Lagoon Road, and a new interagency fire center. As noted above, glare from car windows can be observed in the existing view of Painted Canyon from Buck Hill. As a result, the proposed new parking areas will be sited to avoid the canyon rim to reduce impacts to visual resources. In addition, the interagency fire center was set back from the canyon edge to reduce the view and resulting contrast of the building as seen from Buck Hill. The interagency fire center will be the tallest structure in the area (1.5 stories tall), the other proposed building (expansion to visitor center) will be roughly the same height as the existing visitor center at the site.

The proposed buildings at Painted Canyon will incorporate design features to minimize reflectivity and glare, such as considering the use of awnings, alcoves, or building orientation. Thus, effects to the viewshed at Painted Canyon will be relatively minor when compared to the existing conditions. Most of the project elements at Painted Canyon will slightly modify the viewshed, but they will repeat the

form, line, color, texture, and pattern common to the landscape character at such scale, that they will not be overtly noticeable. The interagency fire center will be the exception; because it will be taller than other structures or elements of the landscape, it will be visually prominent in the landscape. Effects to viewsheds and visual resources at Painted Canyon will be adverse, direct, and long term.

Peaceful Valley Ranch

The 2019 Cultural Landscape Report recommends limiting building and landscape development in certain areas. The proposed buildings at Peaceful Valley Ranch were originally sited at the top of the river terrace north of the existing gravel parking lot. However, because of concerns about potential flooding, the buildings were re-sited further west, outside the cultural landscape to avoid the viewshed and areas of historic significance.

With the revised siting location and implementation of the design guidelines listed above, there will be minimal adverse, direct, long-term impacts to visual resources at Peaceful Valley Ranch.

North Unit

Because the North Unit has limited development, project structures were sited to be less visible from the future visitor center. No new structures are proposed on the existing coal seam. The additional structures and linear features will introduce form, line, color, texture, or scale not common in the landscape, which could degrade the scenic value. With the siting considerations and implementation of the design guidelines listed above, effects will be minimized. Effects to viewsheds and visual resources at the North Unit will be adverse, direct, and long term.

Elkhorn Ranch Unit

There will be no changes to the existing condition of the viewshed at the Elkhorn Ranch Unit as very few activities are proposed in this location, except for improving trailhead amenities and signage. The landscape character will remain intact, and project elements will not dominate the visual setting. Therefore, no direct or indirect impacts are anticipated.

Special Status or Threatened and Endangered Species: Fauna – For All Study Areas

The projects could remove cottonwood trees or other large woody vegetation at Peaceful Valley, Medora Headquarters Area, and North Unit. Implementation of the projects in these study areas could remove up to 3.5 acres of trees. Endangered Species Act consultation with US Fish and Wildlife Service will occur before the project is implemented. Noise from construction activities could have a direct short-term impact on northern long-eared bat. However, mitigation measures listed in section 2.5.8 of the EA, including restricting construction activities when bats are likely present (November 1 to March 31) and reducing work during the pupping season (June/July) will reduce this potential impact.

In addition, tree removal activities will be conducted outside of the northern long-eared bat pup season (June 1–July 31) or the active roosting season (April 1–October 31). This will minimize impacts to pups at roosts not yet identified. The US Fish and Wildlife Service recommended tree removal period is November 1 through March 31.

Cultural Resources

Medora Headquarters Area

The selected alternative could improve the Maltese Cross Cabin by adding weather protection. Any adverse impacts to historic or archeological resources from project activities will be avoided or minimized per section 2.5.2 of the EA. The NPS could also choose to move the cabin to another location to reduce flooding risk. However, final design and plan components for the cabin have not

been finalized. The NPS will prepare a detailed plan prior to plan implementation and conduct additional NEPA analysis and Section 106 compliance, as needed, to ensure that adverse effects to the historic Maltese Cross Cabin will be avoided or minimized. Therefore, there will be no direct or indirect adverse effects to the Maltese Cross Cabin.

Peaceful Valley Ranch

The selected alternative will implement the following actions with potential to affect the cultural landscape:

- Construction of up to two dormitory housing for educational program participants
- Construction of a STEM or STEAM facility
- Construction of an observatory and an amphitheater for additional outdoor educational opportunities
- Trailhead relocation, new trail connection, picnic shelters/tables, a single vault toilet, interpretation, wayfinding, and orientation at the new trailhead, and expanded parking
- Reclamation of corrals
- Use of the ranch house, bunkhouse, and barn for office space, meetings, interpretation, and educational program support

The contributing structures in the study area (ranch house, bunkhouse, and barn) have recently been rehabilitated for modern programming. Use of those structures as proposed in the park plan will not require any structure modifications or additions that could alter the integrity of the buildings. Proposed new facilities will be constructed outside the cultural landscape boundary, so there will be no adverse effect to the integrity of existing historic buildings or changes to existing landscape characteristics that influence historic significance (e.g., the ranch house cottonwood tree or historic views). Placement of new facilities along the river terrace is not feasible due to flooding concerns; moving facilities outside the cultural landscape boundary will avoid the need to place facilities in a location that will be counter to the historic spatial organization of the ranch. Any adverse impacts to historic or archeological resources will be avoided, minimized, or mitigated per section 2.5.2 of the EA. Since the proposed plan will maintain the location, setting, and feeling of the ranch, there will be no direct or indirect adverse effect.

Existing trailheads and trails and corrals proposed for reclamation are not a contributing resource to the cultural landscape, so proposed plan revisions will result in no direct or indirect adverse effects. The National Park Service will also avoid all known archeological sites.

Elkhorn Ranch Unit

No changes will occur under the proposed plan to the existing homestead site or trees that have been on the site since Theodore Roosevelt was there. The proposed plan will maintain the intact, undeveloped feeling and setting of the ranch site, while enhancing visitor experiences and education. Adverse impacts to historic or archeological resources will be avoided, minimized, or mitigated, per section 2.5.2 of the EA. Therefore, there will be no direct or indirect adverse effect.

Visitor Use/Experience

Activities at all study areas could result in direct, short-term adverse impacts visitor use during the construction period. Visitors will not be allowed in construction areas, but construction will cause additional noise that could impact visitor experience. However, the park will inform visitors in advance of construction activities via multiple methods, including the park's website, various signs, and at the visitor center. Park staff will be available to address visitor questions during construction and provide regular updates to the public about project progress and any associated delays. In addition, the park will coordinate with the city of Medora and North Dakota Department of

Transportation on installing appropriate signage regarding construction routes and construction timing.

Medora Headquarters Area

The Medora Headquarters Area entrance area will be improved and will reduce the current issue of vehicles backing up onto Pacific Avenue. The expansion/reconfiguration/replacement of the visitor center will allow the park to better meet the needs of visitors, including providing space for additional gathering spaces both indoors and outdoors and better use of the existing space. Also, there will be an increase in seasonal housing, which will allow for the park to better staff this area to meet visitor needs. The selected alternative will have a direct, long term beneficial impact to the visitor experience in this area.

Painted Canyon

The Painted Canyon study area will be improved to better meet the needs of visitors. The area will be improved to create more of a NPS lands experience, including expanding or replacing the visitor center or converting the existing visitor center to an outdoor interpretive area, adding picnic shelters, trail segment, and exterior wayfinding, orientation, and interpretation at the visitor center. These actions will result in a direct, long term beneficial impact to the visitor experience in the area and could better connect the site to the rest of the park while also providing additional information about attractions in the area. If park managers decide to convert the existing visitor center to an outdoor area, that will result in the loss of the existing bookstore. However, the Medora area has proposed to expand the existing bookstore space there, which will offset the loss of the bookstore at Painted Canyon.

Peaceful Valley Ranch

The Peaceful Valley Ranch study area will be improved with new dormitory housing for educational program participants and expanded parking. Relocation and formalization of trailheads with additional interpretation will also help to better direct visitors and create necessary space for different functions, like horse trailer parking. Additional restrooms and improved utilities for the area will also be necessary for new facilities and increased visitation. The selected alternative will have a direct, long term beneficial impact to the visitor experience in the area.

North Unit

The expansion and relocation of the entrance station will reduce backups toward the highway, improving visitor experience when entering the park. The various options for a visitor center will improve the visitor experience as the trailers do not provide enough space for visitor center functions. The selected alternative will improve the visitor experience in the area.

Elkhorn Ranch Unit

Amenities such as bike racks, interpretation, and a vault toilet will be added to the existing parking area. This will give visitors a place to stop, learn about the area and have a place to store their bikes while they explore the area. The addition of these amenities will improve the visitor experience in the area, while still keeping it as an area of solitude.

(b) Degree to which the proposed action affects public health and safety.

The purpose and need of the project includes addressing human health and safety concerns throughout the park, including improvements to utilities, parking and circulation, and administration workspaces.

Construction activities at all study areas could result in direct, short-term, adverse impacts to human health and safety during the construction period. The presence of large vehicles, construction equipment, and debris could create hazards for employees and visitors and could impact emergency vehicle response times. However, temporary fee collection areas will be set up where appropriate to divert visitors and staff away from construction areas and keep employees separate as facilities are being upgraded. Therefore, the risk of injury to employees and visitors will be extremely low.

Construction activities will be conducted in accordance with established safety protocols to reduce potential safety hazards for visitors, employees, and construction crews. During construction, appropriate barriers and barricades will be used to clearly delineate work areas and prevent visitor travel near construction areas. Visitors will not be allowed into construction zones. Site staging and storage areas for construction vehicles, equipment, materials, and soils will be located in previously disturbed or paved areas outside of high visitor use areas and will be clearly identified in advance of construction. Trucks hauling debris and other loose materials will be covered to prevent spillage. Emergency response protocols and emergency vehicle access routes will be developed for implementation during construction. To reduce potential impacts to normal park operations during construction, employees and construction crews will be required to park their vehicles in designated locations. The park will coordinate with the city of Medora and North Dakota Department of Transportation on installing appropriate signage regarding construction routes for public safety. To reduce potential conflicts with wildlife and visitors, construction personnel will be instructed on appropriate behavior in the presence of wildlife and on proper storage and handling of food, garbage, and other attractants. Overall, with the implementation of these best practices, the direct, short-term, adverse impacts to human health and safety will be minor to negligible.

Medora Headquarters Area

Accessibility and facilities in the Medora Headquarters Area will be improved through the reconstruction of all existing buildings to meet federal accessibility standards, improving conditions for park employees and visitors with disabilities. The existing resources building will be replaced with a facility that provides safe storage for firearms and controlled substances. All staff workspaces will be designed to comply with codes and standards defined by ABA, OSHA, and GSA for all job functions. The entrance station will be relocated and expanded to accommodate increased visitation, which will reduce safety hazards related to traffic congestion on Pacific Avenue and other local roads. The parking areas at the visitor center and administration buildings will be expanded and reconfigured to accommodate larger modern vehicles and improve circulation for all user types, including areas designated specifically for RV parking and park employees, which will further reduce opportunities for hazardous conflicts between users.

The existing fire cache at the Medora Headquarters Area will be removed to construct the new housing and maintenance facilities, which may temporarily impact fire response and suppression activities. However, this fire cache will be replaced by an interagency fire center proposed to be located at Painted Canyon, discussed in further detail below.

Overall, the proposed activities at the Medora Headquarters Area will result in a direct, long-term, beneficial impact to human health and safety.

Painted Canyon

Improvements to the Painted Canyon visitor center will be similar to the building improvements proposed at the Medora Headquarters Area. The selected alternative will also include improvements to the circulation of the Painted Canyon area and safety improvements for both staff and visitors. The visitor center parking area will be expanded and reconfigured to accommodate both passenger and large vehicles with added access control. Fully accessible ABA-compliant parking spaces will be added. A designated horse trailer parking area will reduce conflicts between horses and other trail users. Clarification of the pedestrian flow to the visitor center entrance will improve visibility between parking areas and the visitor center, improve circulation of pedestrian visitors and employees, and reduce conflicts between pedestrians and vehicles. Bison fencing is proposed around the visitor center, which will remove potential points of conflict between visitors and bison. Utilities will be upgraded to current code, including a year-round operable water and sewer system so the Painted Canyon facilities could remain open all year.

Painted Canyon is the proposed location for a centralized interagency fire management and response facility. The park will partner with multiple agencies, including but not necessarily limited to the US Forest Service, Bureau of Land Management, and North Dakota state agencies. Storing fire suppression equipment and vehicles from multiple agencies in one centralized location will be mutually beneficial for all agencies involved and will result in more efficient and timely mobilizations and more efficient training operations. This area has an expansive viewshed and direct access to I-94, which will further reduce response times. Prescribed fire and fuels management activities will continue as indicated in each agency's respective fire management plan.

The activities at the Painted Canyon area will result in a direct, long-term, beneficial impact to human health and safety and will be consistent with the purpose and need of the project.

Peaceful Valley Ranch

The existing trailhead at Peaceful Valley Ranch will be relocated and a larger parking area will be constructed. A separate, dedicated equestrian parking area will also be constructed, including a new connector trail and wayfinding to connect the equestrian parking area to existing trails. All trail improvements will be constructed in accordance with the approved design standards in the Memorandum of Understanding with North Dakota Parks and Recreation, US Forest Service, and Theodore Roosevelt National Park.

Improved interpretative signage, wayfinding, and orientation at the relocated trailhead, regular parking area, and equestrian parking area will reduce or eliminate hazardous user conflicts. Circulation in the parking area will be improved either by providing a designated U-turn space or by adding a new road to create a one-way loop, which will eliminate traffic conflicts as vehicles enter or exit the area. The proposed activities at the Peaceful Valley Ranch will result in a direct, long-term, beneficial impact to human health and safety.

North Unit

Activities at the North Unit will have similar beneficial impacts as the improvements at the Medora Headquarters Area. The temporary trailers that currently house the visitor center and administration spaces will be replaced with a single permanent building in a more geologically stable area, reducing or eliminating the risks of landslides, erosion, and coal seam instability that threaten the current facilities. The sewage lagoons will be relocated further from employee housing, maintenance areas, and the Little Missouri River to minimize health risks. New employee housing, maintenance, and administration facilities will be designed in accordance with all NPS, OSHA, ABA, and GSA standards and will be large enough to accommodate administration workspaces, vehicle storage, and

other park maintenance and operations. New access roads will be constructed between employee housing areas and the new visitor center, which will improve employee circulation and reduce conflicts between employee and visitor vehicles. The entrance station will be relocated and expanded to accommodate increased visitation, which will reduce safety hazards related to traffic congestion on US Highway 85 and other local roads. Overall, the proposed activities at the North Unit will result in a direct, long-term, beneficial impact to human health and safety.

Elkhorn Ranch Unit

Amenities such as bike racks, interpretive signage, and a vault toilet will be added to the existing parking area. No long-term impacts to human health and safety are anticipated.

(c) Effects that will violate federal, state, tribal, or local law protecting the environment.

The selected alternative does not threaten or violate applicable federal, state, or local environmental laws or requirements imposed for the protection of the environment. Coordination with the agencies and tribes will continue, as needed, prior to and during construction of any of the projects presented in Chapter 2 of the EA. The park consulted with the North Dakota State Historic Preservation Office (SHPO) and tribes to ensure compliance with Section 106 of the National Historic Preservation Act.

North Dakota State Historic Preservation Office

In June 2022, the park contacted SHPO by phone to begin discussions regarding the archeology and historic-era structures that may be affected by the project. The state archeologist coordinated information-gathering efforts with staff from the National Park Service Midwest Archeological Center, and the historic architect reviewed past consultation determinations on park structures. A letter and an internal draft of the EA was sent to the SHPO on August 9, 2022, requesting concurrence with the park's determination that the plan will have No Adverse Effect on historic properties under Section 106 of the National Historic Preservation Act. A response was received on September 1, 2022, concurring with the agency's No Adverse Effect determination, provided individual review of properties occurs prior to implementation.

Tribal Consultation

Tribes were consulted as part of annual planning for park projects during March and April 2022. Consultation letters, including descriptions of this and other planned work in the park, were sent to Tribes on February 22, 2022, and online meetings were held with Tribal Historic Preservation Officers (THPOs) on March 14 and April 7, 2022.

THPOs from four of the eight Affiliated Tribes participated and expressed no concerns for work at four of the five sites. For the Painted Canyon site, the THPO from Standing Rock Sioux Tribe expressed interest in viewing the lithic scatter site associated with lagoon infrastructure.

U.S. Fish and Wildlife Service

Formal consultation with the US Fish and Wildlife Service under Section 7 of the Endangered Species Act will be conducted on a project-specific basis. Potential impacts to the northern long-eared bat will be managed by requiring that any removal of trees/structures occurs between November 1 and March 31 each year. No eagle nests are known to be within 0.5 mile of the five study areas considered under this EA.

FINDING OF NO SIGNIFICANT IMPACT

Based on the information contained in the EA, I have determined that the proposed action does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement will not be required.

This finding is based on consideration of the Council on Environmental Quality criteria for significance (40 Code of Federal Regulations [CFR] 1501.3 [b] (2020)), regarding the potentially affected environment and degrees of effects of the impacts described in the EA (which is hereby incorporated by reference) and as summarized above.

Recommended: _____
Angie Richman
Superintendent
Theodore Roosevelt National Park
Date _____

Approved: _____
Herbert C. Frost, Ph.D.
Regional Director
National Park Service DOI Regions 3, 4, and 5
Date _____



September 30, 2022

ATTACHMENT A: RESPONSE TO COMMENTS AND ERRATA

On August 16, 2022, Theodore Roosevelt National Park released the Facility Revitalization Plan Environmental Assessment (EA) for public comment. A newsletter was published on PEPC and mailed to the park's mailing list on August 16, 2022, announcing that the EA was available for public comment. The public was invited to provide comments online through the Planning, Environment, and Public Comment (PEPC) system at https://parkplanning.nps.gov/THROFRP_EA or to mail comments to the park.

This section includes responses to substantive public comments on the EA. The comments do not change the outcome of the impact analysis, nor do they affect the final decision documented in the Finding of No Significant Impact. Minor edits to the EA resulting from comments received during the public review period are shown below in the errata section.

RESPONSE TO COMMENTS AND ISSUES

This report summarizes substantive public comments received during the public comment period and provides NPS responses to those comments.

COMMENT: [Commenter] suggests an alternative location for the visitor center in the South Unit.

NPS RESPONSE: The location at the entrance of the larger canyon north of the maintenance area is a beautiful area, but the geologic features of the badlands are dynamic and often present significant risks to infrastructure and buildings. Given the erosive nature of the badlands soils, the canyon and the surrounding bluffs are especially dynamic as an existing stormwater drainage pathway. Currently the park has a stormwater drainage diversion feature in this area that redirects runoff from the canyon and surrounding slopes around the maintenance area. Proposing a building near the continuously eroding steep slopes and closer to the stormwater flow from the canyon will require costly engineering and construction methods that still have a significant chance of failure during a major storm or over time. The development shown in the plan is located in areas that will provide the greatest chance of long-term sustainability.

COMMENT: [Commenter] encouraged the park to consider location outside of the community of Medora for expansion of facilities.

NPS RESPONSE: Moving existing facilities from Medora to another location inside park boundaries is out of the scope of this plan. The location of existing facilities promotes operational efficiency and makes the best use of available federal property, while protecting park resources and values. Retaining

facilities near the population center of Medora also allows the park to serve a large number of visitors and the local community.

COMMENT: [Commenter] suggests the park collaborate with the City of Medora to enhance multimodal exploration of the visitor center and the community.

NPS RESPONSE: The park will continue to collaborate with the City of Medora for future multimodal exploration. This is out of the scope of this EA.

COMMENT: [Commenter] suggests locating the interagency fire center away from key visitor experience locations.

NPS RESPONSE: The location and design of the interagency fire center is conceptual. It will be developed through further compliance and consultation.

COMMENT: [Commenter] suggests the park evaluate reconstruction of the North Unit Road.

NPS RESPONSE: North Unit road reconstruction is not part of this plan but is being considered under a different effort.

COMMENT: [Commenter] suggests that there be more communication from park to the community.

NPS RESPONSE: There will be additional opportunities for more communication as each project goes through further compliance.

COMMENT: [Commenters] suggests that development of trails be included in the plan.

NPS RESPONSE: Trails are out of scope of this plan but could be evaluated under future planning.

COMMENT: [Commenter] suggests priorities that should be implemented from the plan including:

- Indoor displays or interpretive experiences at the North Unit that cover ranching culture and history, geology, botany, wildlife for year-round enjoyment of guests.
- Outdoor interpretive experiences during favorable seasons for the enjoyment of guests.
- Work with community and schools to provide more group and guided experiences.

NPS RESPONSE: These are key components of this plan and will be expanded on in future compliance.

COMMENT: [Commenters] suggests that concessions such as food, transportation, and lodging be evaluated in the plan.

NPS RESPONSE: Concessions is out of scope of this plan. THRO will consider a concessions plan at a future date. The intent of this plan was to evaluate current facilities.

COMMENT: [Commenters] provided general statements of support or opposition for the plan.

NPS RESPONSE: The park acknowledges these comments.

COMMENT: [Commenters] suggest that there are concerns regarding impacts to visual resources at Painted Canyon from the interagency fire center.

NPS RESPONSE: The location and description of the interagency fire center is conceptual in the Facility Revitalization Plan. As the planning and design process proceeds for the fire center, additional configurations and locations will be considered along with potential impacts to visual resources and viewsheds. The fire center project will be subject to project-level NEPA compliance and further consultation, as well as public and agency review, prior to implementation.

COMMENT: [Commenter] suggests that the list of agencies, offices, and Tribes listed in the EA did not include local government and that direct notices should be sent to local governments.

NPS RESPONSE: The list of parties consulted in the EA is not all inclusive of the entities notified during scoping and during the public comment period for the EA. Notification and outreach regarding the project was sent to all local government agencies.

COMMENT: [Commenter] stated that Zoning and Building permits should be submitted prior to the construction of any of the projects that are located within the City of Medora or Billings County's zoning authority.

NPS RESPONSE: There are no proposals in the plan for construction within the city of Medora or within Billings County's zoning authority. Design and construction will occur at a future date and any zoning or building permits needed will be identified at that time.

COMMENT: [Commenters] stated a lack of understanding why the entrance station will be moved beyond the visitor center.

NPS RESPONSE: As disclosed in Chapter 1 of the EA, the current entrance stations are located too close to the highway and the main city thoroughfare. This is causing vehicle backups with increased visitation. The proposal to move them is to accommodate the increased visitation and reduce traffic congestion.

COMMENT: [Commenters] stated that a geologist be brought in to evaluate locations for infrastructure.

NPS RESPONSE: The locations shown in the plan and the EA are conceptual. Location and design will be developed through further consultation with subject matter experts and compliance.

COMMENT: [Commenter] suggested that more information be provided regarding past or current staffing level as well as any projected staffing levels.

NPS RESPONSE: The purpose of this plan is to explore how to best address the needs, and plan for future needs, within the greater context of the park, its natural environment, and its existing conditions. Further design of employee housing, including how much is needed, will be determined under future compliance.

COMMENT: [Commenter] suggested that the communities of Belfield, Beach, Dickinson, and Watford City be evaluated as alternatives to on-site housing by providing housing vouchers or allowances to live in those communities.

NPS RESPONSE: Housing vouchers or allowances are not currently a mechanism that NPS has to address employee housing.

COMMENT: [Commenter] expressed concerns with covering or moving the Maltese Cross Cabin and suggested there could be other ways to protect the cabin.

NPS RESPONSE: This plan is conceptual, and designs will be finalized with further coordination and compliance. The goal is to protect the cabin. There is no plan to relocate the Maltese Cabin outside of the park boundaries.

COMMENT: [Commenter] suggests that any infrastructure at Elkhorn Ranch be placed on US Forest Service lands.

NPS RESPONSE: It is not within the authority of the National Park Service to propose infrastructure on US Forest Lands.

COMMENT: [Commenter] stated concerns regarding impacts to “dark sky” events at Peaceful Valley Ranch.

NPS RESPONSE: As stated in Table 7 in the EA “Peaceful Valley Ranch is one of the only remaining dark sky areas left in the park due to surrounding oil and gas activity. Dakota Nights events take place in the area for that reason; more avoidance and minimization measures will be implemented in this area to preserve the dark sky at the time of project implementation.”

COMMENT: [Commenter] stated disagreement with statements in the EA saying there are “no adverse impacts” and indicated they will comment in more detail when further NEPA is completed on the projects.

NPS RESPONSE: The EA acknowledges both adverse and beneficial impacts. Further NEPA compliance will be completed on projects as funding for implementation of the projects becomes available.

COMMENT: [Commenter] stated the size of the meetings and conference rooms at the interagency fire center are not sized adequately.

NPS RESPONSE: The size of these rooms is conceptual at this point and will be further evaluated under additional compliance. The conceptual design is based on the Bureau of Land Management’s prototype for interagency fire centers.

COMMENT: [Commenter] suggested that the Park ensure there are plans to address bison around the new Visitor Center.

NPS RESPONSE: Bison fencing to reduce conflicts between wildlife and people are proposed in most, but not all, locations where future construction will happen. This includes bison fencing around the North Unit Visitor Center.

ERRATA

This errata records changes to the text of the EA as a result of public comments and consultations that occurred during the public comment period. These edits correct, clarify, or modify original text based on public comments and consultations. These corrections do not increase the degree of impact described in the EA. Text that has been removed from the EA are in strikeout, text that has been added is in red.

CURRENT AND POTENTIAL FUTURE ACTIONS AND TRENDS

Page 27: The header for the Interagency Fire Center has been updated as follows:

~~*Saugus Fire and Hotshot Station, Angeles National Forest*~~

Painted Canyon Interagency Fire Center



September 30, 2022

ATTACHMENT B: DETERMINATION OF NON-IMPAIRMENT FACILITY REVITALIZATION PLAN ENVIRONMENTAL ASSESSMENT

Theodore Roosevelt National Park, North Dakota

National Park Service (NPS) Management Policies 2006 (Section 1.4) requires analysis of potential effects to determine whether proposed actions will impair a national park's resources and values. NPS decision makers must always seek ways to avoid or to minimize, to the greatest degree practicable, adverse impacts on park resources and values. The NPS has the management discretion to allow impacts on park resources and values when necessary and appropriate to fulfill the purposes of the park, although that discretion is limited by the statutory requirement that the NPS must leave resources and values unimpaired unless a particular law directly and specifically prescribes otherwise.

An impairment is an impact that, in the professional judgment of the responsible NPS decision maker, will harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values. An impact on any park resource or value may, but does not necessarily, constitute impairment. An impact will 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, or
- 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.

An impact may be less likely to constitute 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.

Impairment may result from visitor activities; NPS administrative activities; or activities undertaken by concessioners, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park.

An impairment determination is not made for subject matters such as visitor experience or public health and safety, because impairment determinations only relate to resources and values that maintain the park's purpose and significance.

The consideration of impairment to resources of Theodore Roosevelt National Park applies to the resource evaluated in the *Facility Revitalization Plan Environmental Assessment (EA)*. Additionally, this determination applies only to NPS lands.

SOUNDSCAPES (NOISE)

Over the long-term and specific to Painted Canyon, the interagency fire center will create additional intermittent noise during fire suppression events or during training. Short-term increases in noise during construction will occur in all study areas, however, BMPs listed in Chapter 2 of the EA will minimize these effects to the extent possible.

The Painted Canyon area will experience direct, long-term noise from daily operations of the interagency fire center. However, it is not anticipated that the daily operations noise will be increased over existing conditions. There will be direct, short-term additional noise during fire suppression events or during trainings. Given that this area is generally a noisy location, it is unlikely that the increased noise will be noticeable to visitors in the area.

Given the above impacts, the NPS has determined that the selected alternative will not result in an impairment to soundscapes.

VIEWSHEDS/VISUAL RESOURCES

Medora Headquarters Area

There will be no changes to the existing (developed) condition of the viewshed at the Medora Headquarters Area, therefore no direct or indirect impacts are anticipated. Proposed additional housing buildings will be constructed in an area with numerous other buildings and development. Project elements will repeat the form, line, color, texture, or scale common in the existing landscape. The new buildings in the Medora area will incorporate design features to minimize visibility of facilities from the entrance road and from the city into the park and vice versa. Design features will also use vegetative screening of buildings so as not to intrude on views and maintain uninterrupted landscapes.

Painted Canyon

The project will expand the existing visitor center and add additional visitor center parking, a new trail segment north of Lagoon Road, and a new interagency fire center. As noted above, glare from car windows can be observed in the existing view of Painted Canyon from Buck Hill. As a result, the proposed new parking areas will be sited to avoid the canyon rim to reduce impacts to visual resources. In addition, the interagency fire center was set back from the canyon edge to reduce the view and resulting contrast of the building as seen from Buck Hill. The interagency fire center will be the tallest structure in the area (1.5 stories tall), the other proposed building (expansion to visitor center) will be roughly the same height as the existing visitor center at the site.

The proposed buildings at Painted Canyon will incorporate design features to minimize reflectivity and glare, such as considering the use of awnings, alcoves, or building orientation. Thus, effects to the viewshed at Painted Canyon will be relatively minor when compared to the existing conditions. Most of the project elements at Painted Canyon will slightly modify the viewshed, but they will repeat the form, line, color, texture, and pattern common to the landscape character at such scale, that they will not be overtly noticeable. The interagency fire center will be the exception; because it will be taller than other structure or elements of the landscape, it will be visually prominent in the landscape. Effects to viewsheds and visual resources at Painted Canyon will be adverse, direct, and long term.

Peaceful Valley Ranch

The 2019 Cultural Landscape Report recommends limiting building and landscape development in certain areas. The proposed buildings at Peaceful Valley Ranch were originally sited at the top of the river terrace north of the existing gravel parking lot. However, because of concerns about potential flooding, the buildings were re-sited further west, outside the cultural landscape to avoid the viewshed and areas of historic significance.

With the revised siting location and implementation of the design guidelines listed above, there will be minimal adverse, direct, long-term impacts to visual resources at Peaceful Valley Ranch.

North Unit

Because the North Unit has limited development, project structures were sited to be less visible from the future visitor center. No new structures are proposed on the existing coal seam. The additional structures and linear features will introduce form, line, color, texture, or scale not common in the landscape, which could degrade the scenic value. With the siting considerations and implementation of the design guidelines listed above, effects will be minimized. Effects to viewsheds and visual resources at the North Unit will be adverse, direct, and long term.

Elkhorn Ranch Unit

There will be no changes to the existing condition of the viewshed at the Elkhorn Ranch Unit as very few activities are proposed in this location, except for improving trailhead amenities and signage. The landscape character will remain intact, and project elements will not dominate the visual setting. Therefore, no direct or indirect impacts are anticipated.

Given the above impacts, the NPS has determined that the selected alternative will not result in an impairment to viewsheds/visual resources.

SPECIAL STATUS OR THREATENED AND ENDANGERED SPECIES: FAUNA – FOR ALL STUDY AREAS

The projects could remove cottonwood trees or other large woody vegetation at Peaceful Valley, Medora Headquarters Area, and North Unit. Implementation of the projects in these study areas could remove up to 3.5 acres of trees. Endangered Species Act consultation with US Fish and Wildlife Service will occur before the project is implemented. Noise from construction activities could have a direct short-term impact on northern long-eared bat. However, mitigation measures listed in section 2.5.8 of the EA, including restricting construction activities when bats are likely present (November 1 to March 31) and reducing work during the pupping season (June/July) will reduce this potential impact.

In addition, tree removal activities will be conducted outside of the northern long-eared bat pup season (June 1–July 31) or the active roosting season (April 1–October 31). This will minimize impacts to pups at roosts not yet identified. The US Fish and Wildlife Service recommended tree removal period is November 1 through March 31.

Given the above impacts, the NPS has determined that the selected alternative will not result in an impairment to special status or threatened and endangered species.

CULTURAL RESOURCES

Medora Headquarters Area

The selected alternative could improve the Maltese Cross Cabin by adding weather protection. Any adverse impacts to historic or archeological resources from project activities will be avoided or minimized per section 2.5.2 of the EA. The NPS could also choose to move the cabin to another location to reduce

flooding risk. However, final design and plan components for the cabin have not been finalized. The NPS will prepare a detailed plan prior to plan implementation and conduct additional NEPA analysis and Section 106 compliance, as needed, to ensure that adverse effects to the historic Maltese Cross Cabin will be avoided or minimized. Therefore, there will be no direct or indirect adverse effects to the Maltese Cross Cabin.

Peaceful Valley Ranch

The selected alternative will implement the following actions with potential to affect the cultural landscape:

- Construction of up to two dormitory housing for educational program participants
- Construction of a STEM or STEAM facility
- Construction of an observatory and an amphitheater for additional outdoor educational opportunities
- Trailhead relocation, new trail connection, picnic shelters/tables, a single vault toilet, interpretation, wayfinding, and orientation at the new trailhead, and expanded parking
- Reclamation of corrals
- Use of the ranch house, bunkhouse, and barn for office space, meetings, interpretation, and educational program support

The contributing structures in the study area (ranch house, bunkhouse, and barn) have recently been rehabilitated for modern programming. Use of those structures as proposed in the park plan will not require any structure modifications or additions that could alter the integrity of the buildings. Proposed new facilities will be constructed outside the cultural landscape boundary, so there will be no adverse effect to the integrity of existing historic buildings or changes to existing landscape characteristics that influence historic significance (e.g., the ranch house cottonwood tree or historic views). Placement of new facilities along the river terrace is not feasible due to flooding concerns; moving facilities outside the cultural landscape boundary will avoid the need to place facilities in a location that will be counter to the historic spatial organization of the ranch. Any adverse impacts to historic or archeological resources will be avoided, minimized, or mitigated per section 2.5.2 of the EA. Since the proposed plan will maintain the location, setting, and feeling of the ranch, there will be no direct or indirect adverse effect.

Existing trailheads and trails and corrals proposed for reclamation are not a contributing resource to the cultural landscape, so proposed plan revisions will result in no direct or indirect adverse effects. The National Park Service will also avoid all known archeological sites.

Elkhorn Ranch Unit

No changes will occur under the proposed plan to the existing homestead site or trees that have been on the site since Theodore Roosevelt was there. The proposed plan will maintain the intact, undeveloped feeling and setting of the ranch site, while enhancing visitor experiences and education. Adverse impacts to historic or archeological resources will be avoided, minimized, or mitigated, per section 2.5.2 of the EA. Therefore, there will be no direct or indirect adverse effect.

Given the above impacts, the NPS has determined that the selected alternative will not result in an impairment to cultural resources.

CONCLUSION

As guided by the expected outcomes noted above, implementing the selected alternative does not constitute impairment of any resource or park value whose conservation is: (1) necessary to fulfill specific purposes identified in establishing legislation or proclamation of the park; (2) key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or (3) identified as a goal in the

park's general management plan or other relevant NPS planning documents as being of significance. This conclusion is based on the consideration of the purpose and significance of the park, a thorough analysis of the environmental impacts described in the environmental assessment, relevant scientific studies, the comments provided by the public and others, and the professional judgment of the decision-maker guided by the direction of NPS.