Finding of No Significant Impact

Sand Island Campsite and Day-use Plan and Environmental Assessment
Apostle Islands National Lakeshore, Wisconsin

Agency: National Park Service, United States Department of Interior

Background: The National Environmental Policy Act (NEPA); the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508); and National Park Service (NPS) Director's Order-12 and Handbook (Conservation Planning and Environmental Impact Analysis and Decision-Making) direct the NPS to consider the environmental consequences of major proposed actions. The NPS has conducted an environmental assessment (EA) that provides an analysis of the environmental consequences of implementing alternatives that would improve visitor and experience and increase accessible trails and campsites on Sand Island.

The Sand Island Campsite and Day-use Plan would help implement the park's 2011 General Management Plan (GMP), which calls for increased camping opportunities, accessible trails, a day use area, and improved docking on Sand Island.

Selected Alternative

Alternative D, the preferred alternative, does the best job of addressing issues needed to enhance visitor experience and improve accessibility for people of all abilities on Sand Island. It also does the best job of implementing actions called for in the park's General Management Plan (GMP) and Accessibility Transition Plan. Under the preferred alternative, the north and south docks will be replaced with an L shaped dock that minimizes impacts to coastal processes and maximizes docking space and protection. Visitor experience will be improved through providing accessible group and individual campsites and a nearly two mile accessible boardwalk from the East Bay dock to the light station. This will be the only accessible route to a historic light station within the park, providing a unique experience that is currently unavailable to many of our visitors. This alternative will also enhance visitor experience by improving the layout and location of campsites, trails and outhouses; the addition of a picnic area; and increased remote campsites.

Other Alternatives Considered

Three other alternatives were considered, including the No Action alternative. Under Alternative A (No Action), the current docks (which are in such bad condition they have recently been closed to visitor use) would not be replaced. In addition, campsite and trail related issues such as poor campsite layout; unmet visitor demand for campsites; and providing accessible campsites and trails would not be addressed. Alternative B addresses a number of items needed to enhance visitor experience, but on a limited scale. The current docks would be replaced with a straight dock that minimizes impact to coastal processes and provides improved docking. Campsite layout would be improved and one additional campsite added. This alternative also includes an accessible

boardwalk (approx. 0.13 miles) from the East Bay dock to an accessible individual campsite and a day-use area. Similar to Alternative B, Alternative C addresses only a portion of the items needed to enhance visitor experience. This alternative includes replacing the existing dock with an L shaped dock that would minimize impacts to coastal processes while increasing protection and docking space. Alternative C would also include approximately one mile of accessible boardwalk, improved campsite layout, accessible individual and group campsites, and two additional remote campsites.

Environmentally Preferable Alternative

The environmentally preferable alternative is determined by applying criteria identified in Section 101 of NEPA to each alternative considered. Alternative B best meets the provisions of Section 101 and is identified as the environmentally preferred alternative as discussed below.

Criteria:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

In essence, the environmentally preferred alternative would be the one that "causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (DOI 2001a).

Alternative B replaces the current dock(s) with one that minimizes impacts to coastal processes and has the smallest area of disturbance. Therefore, it would cause the least damage to the biological and physical environment while protecting and preserving historical, cultural, and natural resources. However, while Alternative B has the smallest area of disturbance (3 acres), the areas of disturbance from Alternatives C (5 acres) and D (6 acres) are also minimal and the disturbance short-term. In addition, approximately ½ of the disturbed area in all alternatives is in previously disturbed locations.

Context and Intensity of the Preferred Alternative

The context of the impacts is limited to Sand Island (2,949 acres). The majority of the impacts will occur within the East Bay developed area and along a trail corridor along the east side of the island.

Key areas in which impacts were evaluated included: geology, coastal processes and soils; water quality; aquatic resources; wetlands; vegetation; wildlife; cultural resources; visitor use and experience; and park operations.

The following addresses Council of Environmental Quality criteria that must be considered when determining whether an impact may be significant.

Criterion 1: *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*
The preferred alternative provides that best balance of improving accessibility for people of all abilities and enhancing visitor use with specific resource impacts due to campsite and trail development. Although the use of boardwalks will widen the existing trail corridor, they will also decrease erosion over the long-term. Adverse impacts are expected to be localized. No significant effects are anticipated.

Criterion 2: *Public safety and health*
Replacing an often muddy and uneven trail with an accessible boardwalk on one of the most popular trails in the park will increase public safety by greatly reducing tripping hazards. In addition, replacing the current docks that are no longer safe for public use with a new dock that has even surfaces and an accessible route to the island will increase public safety.

Criterion 3: *Wetlands, floodplains, ecologically sensitive areas; threatened or endangered species; scientific, cultural or historic resources*
The preferred alternative will result in a minor amount of long-term direct impacts to wetland soil (less than 1/10 acre) due to trail creation or widening. Trails will be routed to avoid wetlands and wetland soil to the maximum extent possible. The majority of the project occurs at East Bay, a developed area on Sand Island. Disturbance will primarily be limited to already disturbed areas or existing trail corridors. Ecologically sensitive areas will be avoided. Implementation of the preferred alternative will not affect Federally threatened or endangered species or their habitat. The U.S. Fish and Wildlife Service concurred with this determination as documented in their letter dated September 2, 2014. The preferred alternative is not expected to have adverse effects on historic properties, as agreed to by the State Historic Preservation Officer (SHPO) on their consultation form dated August 28, 2014. However, individual National Historic Preservation Act (NHPA) reviews will be done prior to campsite, trail, vault toilet, and privy development and any adverse effects will be avoided or mitigated as decided through 106 consultation.

Criterion 4: *The degree to which impacts are likely to be highly controversial*
Input received during the planning process and during plan reviews indicates that the proposed alternative is not controversial. The public tended to be supportive of the actions proposed.

Criterion 5: *The degree to which the potential impacts are highly uncertain or involve unique or unknown risks*
No unique or unknown risks are expected. The proposed action includes standard campsite and trail/boardwalk development.

Criterion 6: *Whether the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration*
The proposed actions are limited in scope and include standard campsite, trail and boardwalk construction. The proposed actions are not expected to establish a precedent for future actions with significant effects.

Criterion 7: *Whether the action is related to other actions that may have individual insignificant impacts but cumulatively significant effects*
The proposed actions are limited in scope and location. As a result, this action is not related to other actions that collectively may have a cumulatively significant effect.

Criterion 8: *The degree to which an action may adversely affect historic properties in or eligible for listing in the National Register of Historic Places, or other significant scientific, archeological, or cultural resources*
The preferred alternative is not expected to have adverse effects on historic properties, as agreed to by the State Historic Preservation Officer (SHPO) on their consultation form dated August 28, 2014. However, individual National Historic Preservation Act (NHPA) reviews will be done prior to campsite, trail, vault toilet, and privy development and any adverse effects will be avoided or mitigated as decided through 106 consultation.

Criterion 9: *The degree to which an action may adversely affect an endangered or threatened species or its habitat*
Implementation of the preferred alternative would not affect Federally threatened or endangered species or their habitat. The U.S. Fish and Wildlife Service concurred with this determination as documented in their letter dated September 2, 2014.

Criterion 10: *Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment*
The preferred alternative would not violate any environmental protection law or regulation.

Public Involvement

Public scoping was used to obtain early input. The scoping review period was November 25-December 23, 2013. A public open house was held on December 12, 2013. A presentation was provided at the open house to summarize issues and concerns and to encourage input. A press release sent to an extensive list (206) of potentially interested parties. In addition, background information was provided through the park's website and PEPC. The opportunity to comment electronically was made available through PEPC. Comments were also accepted through the mail. Eight comments were received. There was overall support for improving campsites and increasing accessibility.

During the public review period for the plan and environmental assessment (September 16-October 17, 2014) a public meeting was held in Bayfield, Wisconsin on October 6, 2014. A presentation summarizing the plan and alternatives was given at the public meeting. Background information, including the draft plan was made available on PEPC and the Park's website. It was also available at local libraries in Bayfield, Washburn, and Ashland. As with the scoping review,

the opportunity to comment electronically was made available through PEPC and comments were also accepted through email or regular mail. Five comments were received. Two focused on boat docking. One was supportive of increasing campsites. The other two included specific support for the preferred alternative. One of the comment letters requested additional information regarding a proposed trail along a historic roadway, potential wetland impacts, and raised questions that were outside of the scope of the project. As a result of comments that were within the scope of the project, additional information and clarification was added to the final document.

Finding of No Significant Impact and No Impairment

Based on my review of the facts and analysis contained in this environmental assessment, which is incorporated herein, I conclude that implementation of the preferred alternative would not have a significant impact either by itself or considering cumulative impacts. Accordingly, the requirements of the National Environmental Policy Act, regulations promulgated by the President's Council on Environmental Quality, and provisions of National Park Service (NPS) Director's Order-12 and Handbook (Conservation Planning and Environmental Impact Analysis and Decision-Making) have been fulfilled. Furthermore, the preferred alternative selected for implementation would not impair park resources or values and would not violate the NPS Organic Act. The preferred alternative supports the enabling legislation establishing Apostle Islands National Lakeshore (Public Law 91-424), as amended, charging the NPS with "conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public" 21 of the 22 Apostle Islands and a segment of the mainland lakeshore of northern Wisconsin "and their related geographic, scenic, and scientific values." An environmental impact statement is not required and will not be prepared for implementation of the preferred alternative.

Recommended by:

Tom Ulrich

Acting Superintendent
Apostle Islands National Lakeshore

11-25-14
Date

Approved by:

Patricia S. Trap

Acting Regional Director
Midwest Region

12·10·14
Date

Non-Impairment Finding

Sand Island Campsite and Day-use Plan/EA
Apostle Islands National Lakeshore

National Park Service's *Management Policies, 2006* requires analysis of potential effects to determine whether or not actions would impair park resources. The fundamental purpose of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. National Park Service managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adversely impacting park resources and values.

However, the laws do give the National Park Service the management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. Although Congress has given the National Park Service the management discretion to allow certain impacts within park, that discretion is limited by the statutory requirement that the National Park Service must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. The prohibited impairment is an impact that, in the professional judgment of the responsible National Park Service manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of these resources or values. An impact to any park resource or value may, but does not necessarily, constitute an impairment, but an impact would be more likely to constitute an impairment when there is a major or severe adverse effect upon 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
- identified as a goal in the park's general management plan or other relevant NPS planning documents.

An impact would be less likely to constitute an impairment if it is an unavoidable result of an action necessary to pursue or restore the integrity of park resources or values and it cannot be further mitigated.

The park resources and values that are subject to the no-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.

Impairment may result from National Park Service activities in managing the park, visitor activities, or activities undertaken by concessioners, contractors, and others operating in the park. The NPS's threshold for considering whether there could be an impairment is based on whether an action would have major (or significant) effects.

Impairment findings are not necessary for visitor use and experience, socioeconomics, public health and safety, environmental justice, land use, and park operations, because impairment findings relates back to park resources and values, and these impact areas are not generally considered park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values. After dismissing the above topics, topics remaining to be evaluated for impairment include soils, vegetation, wildlife, and archeological resources.

Fundamental resources and values for Apostle Islands National Lakeshore are identified in the *General Management Plan*. Impact topics carried forward in this environmental assessment that are considered necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park; are key to the natural or cultural integrity of the park; and/or are identified as a goal in the park's General Management Plan or other relevant NPS planning document include geology, aquatic resources, wetlands, vegetation, wildlife, and cultural resources.

Geology, Coastal Process, and Soils

Under the selected alternative, the NPS and public dock will be removed and replaced with a public dock that has a flow-through section. The dock will be 200' in length, with a 115' flow-through section and 10' wide. There will be 85' solid sheet pile section and a 70' T section to provide protection from easterly winds. The removal of the current docks and replacement with a new dock with a flow-through design will reduce current impacts to coastal processes, resulting in a long-term beneficial impact that is direct and local in context.

The selected alternative also includes new individual campsites at Lighthouse Bay, Justice Bay, and West Bay; converting campsite 1 and 2 into an accessible group campsite and campsite 4 into an accessible individual campsite; creating a picnic area at the end of the new dock with a sheltered pavilion; relocating two individual campsites; creating an accessible route from the dock to the Light Station, including a Hansen Farm loop; creating an east-west trail across the islands along an old roadbed; relocating vault toilets; adding privies at remote locations; realigning small trail sections; and replacing stairs that provide beach access. This will result in approximately six acres of short-term localized soil disturbance during construction. There would be some long-term soil compaction from visitor use at campsites and trails, however, the use of boardwalks will reduce compaction and erosion.

Boardwalks will also eliminate or greatly reduce informal trail widening during muddy conditions by visitors.

There will be beneficial long-term impacts resulting from replacement of current docks with one that allows for movement of sand, reducing impacts to coastal processes. Short-term adverse soil disturbance will occur during construction and there will be some long-term soil compaction from visitor use. The impacts will be direct and restricted to a narrow area along the east side of Sand Island, a narrow east-west trail corridor, and small campsites at Lighthouse Bay and Justice Bay, impacting approximately 6 acres. Overall impacts to soils and geology associated with the selected alternative would not cause impairment.

Water Quality

Removal of the existing docks and construction of a new dock will result in short-term increases in turbidity and suspended sediment. These adverse impacts are expected to be minimal and very localized in context. During trail construction, there may be short-term increases in turbidity from erosion near drainages. However, especially where boardwalk is being constructed, over the long-term there may be a decrease in erosion and associated turbidity near drainages.

Adverse impacts on water quality as a result of implementing this alternative are expected to be short-term, minimal and localized in context. Overall, impacts to water quality would not cause impairment.

Aquatic Resources

During dock removal and construction, short-term, localized turbidity are expected. There will be a negligible adverse impact from decreasing the amount of cover currently available underneath the existing docks. The existing docks are 251' in total; the new dock would be 200'. The L shape at the end of the dock may be beneficial to fish by providing an area protected from waves. Removal of rocks from the dock cribs may decrease habitat availability for benthos, however, more natural substrate would be restored. Due to heavy equipment needed for dock removal and construction, there will be an increased risk of introduction of aquatic invasive species. This would be mitigated through proper cleaning and disinfecting of vessels and equipment.

Potential adverse impacts will be very localized in context, limited to the dock area at East Bay on Sand Island. The selected alternative will have short-term minimal adverse impacts to aquatic resources due to increased turbidity, negligible long-term impact from decreased fish cover, and potential long-term impact if aquatic invasive species are introduced during construction. There may be a potential beneficial impact to fish from a small sheltered area created by the dock. Overall, impacts to aquatic resources under the selected alternative would not cause impairment.

Wetlands

Under the selected alternative, the existing trail/boardwalk will be widened to accommodate an accessible boardwalk along a two mile route that includes approximately 1300' of hydric soil. This alternative also includes creating a primitive trail from East Bay to West Bay along an old roadway. The trail will deviate from the old roadway, when needed, to avoid wetlands and hydric soils, however a minor amount of wetland soils may be impacted. Executive Order (EO) 11990 (Wetland Protection) requires Federal agencies "...to avoid to the extent possible the long and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practical alternative...". Director's Order No. 77-1, Wetland Protection, exempts activities that impact less than 1/10 acre of wetlands where the purpose is for scenic overlooks, and foot/bicycle trails or boardwalks. It is expected that less than 1/10 acre will be disturbed under this alternative. If final placement of the East-West trail indicates that it is not possible to stay below 1/10 acre, additional compliance will be needed.

Adverse impacts to wetlands are expected to be long-term, direct, and restricted to below the 1/10 acre threshold. Overall, impacts to wetlands associated with the selected alternative would not cause impairment.

Vegetation

The selected alternative will adversely impact approximately six acres of vegetation, primarily second growth deciduous and mixed conifer forest. Dominant tree species include yellow birch, balsam-fir, white birch, white cedar and red maple. The selected alternative includes a two mile accessible boardwalk and small campsites at West Bay, Justice Bay and Lighthouse Bay. In addition to direct impacts indirect impacts include the potential for trail and campsite users to inadvertently spread exotic invasive species.

The selected alternative will have adverse impacts on vegetation. Impacts associated with campsite and trail development will be direct and limited, resulting in approximately six acres or 0.2% of the island's acreage. In addition to direct impact, there is increased potential for campsite or trail users to spread invasive exotic species. The intensity of impact to vegetation will be minimal in overall context and will not cause impairment.

Wildlife

During construction, there may be short-term negligible impacts to wildlife due to human disturbance, however, the impacts will be indirect and limited. The total area disturbed is small (<6 acres) and most of it follows existing trails or occurs in the already developed area around East Bay. The additional remote campsites at Lighthouse Bay, Justice Bay and West Bay and a picnic area at the foot of the dock increases the likelihood of negative human-bear interaction. The development of a primitive trail connecting East Bay with West Bay will provide a corridor for wildlife and have the potential for direct beneficial impacts.

The selected alternative will result in localized disturbance that is primarily limited to existing trail corridors and developed areas. Adverse impacts during construction are expected to be negligible,

indirect, and limited. Campsites and day-use area and, to a lesser extent trails, provide opportunities for human-wildlife interactions (both positive and negative). Negative interactions with bears can be mitigated through visitor education, the use of bear lockers and campsite design. Adverse impacts associated with the potential for increased human-wildlife interaction under this alternative are expected to be negligible to minor. Overall impacts to wildlife associated with the selected alternative would not cause impairment.

Cultural Resources

Under the selected alternative, the NPS and public dock will be removed and replaced with a public dock that has a flow-through section. The dock will be 200' in length, with a 115' flow-through section. There will be 85' solid sheet pile section and a 70' T section to provide protection from easterly winds. The removal of the current docks and replacement with a new dock with a flow-through design will reduce current impacts to coastal processes, resulting in a long-term beneficial impact that is direct and local in context.

This alternative also includes new individual campsites at Lighthouse Bay, Justice Bay, and West Bay; converting campsite 1 and 2 into an accessible group campsite and campsite 4 into an accessible individual campsite; creating a picnic area at the end of the new dock with a sheltered pavilion; relocating two individual campsites; creating an accessible route from the dock to the Light Station, including a Hansen Farm loop; creating an east-west trail across the islands along an old roadbed; relocating vault toilets; adding privies at remote campsites; realigning small trail sections; and replacing stairs that provide beach access. This will result in approximately six acres of short-term localized soil disturbance during construction. There will be some long-term soil compaction from visitor use at campsites and trails, however, the use of boardwalks will reduce compaction and erosion. Boardwalks will also eliminate or greatly reduce informal trail widening during muddy conditions by visitors.

The location and design of each of these features has been planned to avoid known cultural resources and to minimize potential resource impacts. Based on literature review and visual inspection by the park cultural resource specialist, no known or anticipated cultural resources are present in the proposed dock site location. The campsite, trail, stair, picnic area, vault toilet and stump privy locations have also been selected to avoid cultural resources. In each case, ground disturbance for camp site, trail, and vault toilet and privies will be preceded by archeological shovel testing to determine presence/absence of archeological materials. Individual reviews of these undertakings will be handled through the National Historic Preservation Act (NHPA) Section 106 review process, either using streamlined review or standard four-step review as appropriate. If cultural resources are found to be present, sites will be evaluated for significance, and a determination will be made as to whether the individual undertaking will be allowed to proceed or if it must redesigned or relocated.

Some negligible adverse impacts to cultural resources may occur during construction and as a result of increased visitation levels on Sand Island. However this will be offset by improved campsite design and trail surfacing, which will have a beneficial effect on protecting cultural resources in the project area. This will be accomplished by directing traffic away from sensitive known resources, and by providing hardened surfaces such as boardwalks where needed.

Analysis of potential impacts concludes that there would be no adverse effect to cultural resources under this alternative. Potential adverse effects will be identified through individual NHPA reviews of campsite, trail, stair, picnic area, stump privy, and vault toilet placement, and adverse effects will be either avoided or mitigated as decided through Section 106 consultation.