



## **Finding of No Significant Impact**

### **Ozark Trail Association - Current River Trail**

### **Ozark National Scenic Riverways**

## **Introduction and Background**

### **BACKGROUND**

The National Park Service (NPS) is proposing, in cooperation with The Ozark Trail Association (OTA), to allow the construction of the Current River Trail in the section of the Current River Valley from Current River State Park to Brushy Creek. This proposed trail will be part of the Ozark Trail system, a designated National Recreation Trail. In 2008, the OTA began developing the concept of a trail in this section of the Current River Valley and contacted the Ozark National Scenic Riverways (ONSR), Department of Natural Resources Division of State Parks (DNR/MSP), and the L-A-D Foundation (L-A-D) about their proposal. Presently this area does not have any long distance hiking opportunities and the new ONSR General Management Plan recommends developing new hiking trails that connect with the Ozark Trail. The proposed trail will be constructed and maintained exclusively by OTA resources. The Ozark Trail Association is a volunteer based 501(c)(3) organization founded in 2002. Since that time, the OTA has constructed over 50 miles of new trail and has adopted maintenance responsibilities for 90% of the 360 miles of Ozark Trail. OTA volunteers contribute over 10,000 hours annually towards meeting the OTA's mission *"To develop, maintain, preserve, promote and protect the rugged, natural beauty of the Ozark Trail."*

### **PURPOSE**

The ONSR establishing legislation (P.L. 88-492) states that the park was created for "...conserving and interpreting unique scenic and other natural values and objects of historic interest, including preservation of portions of the Current River and Jacks Fork River in Missouri as free-flowing streams, preservation of springs and caves, management of wildlife, and provisions for use and enjoyment of the outdoor recreation resources thereof by the people of the United States." Using this legislation as guidance, the establishment of a hiking trail route will meet the following objectives:

- Provide a varied and scenic route that highlights the unique features of the area.
- Reinforce the non-motorized primitive recreational opportunities in this section of the river corridor.
- Connect with the trail network of the Current River State Park, the new Echo Bluff State Park (former Camp Zoe property) and Roger Pryor Pioneer Backcountry.
- Be designed and designated for foot-only traffic.

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#### **NEEDS**

The following needs have been identified in association with the proposed Current River Trail project area and will be addressed to achieve the stated purpose of this project:

- This area of the park does not have any long distance hiking opportunities.
- Most of the recreation opportunities in this area are limited to floating the river.
- The 2015 General Management Plan states that new trails connecting with the Ozark Trail may be desired and considered.

This Environmental Assessment/Assessment of Effect (EA/AE) has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, regulations of the Council on Environmental Quality (CEQ) (40 CFR 1508.9), and the NPS Director's Order (DO)-12 (Conservation Planning, Environmental Impact Analysis, and Decision-making).

As a result of the public and internal scoping process, a no-action alternative and a single action alternative for addressing the purpose and need were selected for analysis in this EA. The action alternative, a new trail, will be constructed and designated for hiking only. The new trail route will connect Current River State Park, the new Echo Bluff State Park (the former Camp Zoe property), and Round Spring Trail; and will tie into the Brushy Creek Trail in the Roger Pryor Backcountry. Brushy Creek Trail connects with the long distance Ozark Trail. Each of the alternatives has been analyzed independently. The alternatives that have been evaluated are:

**Alternative A** - No action (no new trail developed)

**Alternative B** – Construct new Current River Trail as proposed in the alternative description.

#### **Alternatives Considered But Dismissed**

One other potential route was considered north of Round Spring. In that alternative, the trail would have crossed Missouri State Highway 19 just north of Sinking Creek. The terrain was determined to be significantly steeper in the narrow corridor between the highway and the river, and there were resource concerns in that section. Once the DNR/MSP acquired the Camp Zoe property (now Echo Bluff State Park) and issued plans to develop it into a state park, this alternative routing was dropped in favor of directly connecting the new state park. Due to the landscape of the narrow river valley, and the desire for a varied and scenic route, no other alternatives were determined to be feasible on that section of the Current River.

#### **Selected Alternative - Alternative B**

**Current River Trail, Access and Routing.** The proposal for the Current River Trail would be a 21.6 mile long route, beginning at Current River State Park, through the new Echo Bluff State Park, connect with the Round Spring Trail near Missouri State Highway 19 on the east side of Current River, and continuing down the Current River Valley connecting with the Brushy Creek Trail in the Roger Pryor Backcountry. There would also be an approximately 2.5 mile loop trail east of Round Spring. Trailhead access would be at the two state parks (Current River State Park and Echo Bluff State Park), Round Spring, or at the Himont Trailhead where an approximately 5-mile segment of the Brushy Creek Trail would connect hikers to the Current River Trail. Hiking could be in either direction.

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The proposed trail would cross property managed by the NPS, DNR/MSP, and L-A-D. The total length of the proposed trail is 21.6 miles, of which approximately 11 miles is within the legislated boundaries of ONSR. Of the 11 miles inside the park boundaries, 7.9 miles are on NPS fee title owned land and 2.9 miles are on non-fee land with a Federal scenic easement. The remainder of the trail mileage will be outside of the ONSR boundary where no Federal interest exists; as such it has been determined that Federal action stops at the ONSR Boundary. The EA analyzed the specific impacts inside of the ONSR boundary and consider cumulative impacts for the entire proposed trail.

**Visitor Experience.** The route generally avoids the Current River valley floor, by staying along the side and tops of the ridges. This will take advantage of the scenic view of the river valley and offer solitude from the activities on the river. Camping along the trail will be available and regulated by the land management agency that the trail is crossing. Camping on NPS fee owned land is only allowed at designated camping sites.

In conjunction with the selected alternative, other existing trails in the area offer opportunities for longer through-hiking experiences. For example, the Current River Trail connects to the Brushy Creek Trail which leads to the Himont Trailhead. From here hikers could connect to the Laxton Hollow Trail which in turn joins the Ozark Trail and extends south to Owl's Bend. The total hiking distance from Round Spring to Owl's Bend alone would be more than 40 miles.

Trail users could easily combine a float down the Current River from Round Spring and a hike back through one of the largest and most primitive areas of the Ozarks. Since prime season for hiking is off-season for canoe use, such a float/hike loop could extend the canoe season for visitors and those who serve them.

**Trail Construction.** The following specifications are based on OTA's standard trail construction methods for hiking trails.

Layout design – Full bench cut, rolling contour trail.

Tread width – 18" to 24"

Sustained grade – 10 percent

Maximum grade – 15 percent (Not to exceed 100 feet in length. May be exceeded on stone step sections)

Corridor – width, 6' – height, 8'

Surface – Natural surface. The tread may be armored where required using natural and manufactured materials such as a geo-textile. Construction of stone steps using native materials may be part of the design.

The trail will be predominantly constructed by manual means. Mechanized assistance using a small skid steer in areas where use of machinery will not adversely impact the environment may be considered. Light brush and vegetation would be cut back as necessary to maintain the corridor; nothing over 4 inches diameter at breast height would be cut. The trail can be rerouted up to 100 feet on either side of the designated route in order to mitigate any unforeseen resource impacts, difficult ground, or to take advantage of any scenic views or educational opportunities. The trail will be signed and blazed with standard OTA markings.

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#### The Selected Alternative and Significance Criteria

The intensity or severity of impacts resulting from implementation of the Selected Alternative is evaluated below using the ten significance criteria as defined by the Council on Environmental Quality's regulations for implementing NEPA (40 CFR § 1508.27). Resource areas selected for analysis included: soils, water quality, federally threatened and endangered species, visitor use and experience, and cultural resources (archeology).

*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.*

It was determined that none of the adverse impacts under the selected alternative will be significant. There would be negligible impacts to the water quality and cultural resources for the construction of the trail. Minor beneficial impact to visitor use and experience would occur by providing low impact recreational opportunities for visitors. All other impacts were determined to be negligible.

*2. The degree to which the proposed action affects public health and safety.*

Alternative B would have no discernable impacts on public health and safety.

*3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains, park lands, and so forth.*

Both the Current River and Jacks Fork River are designated as Outstanding National Resource Waters under Missouri's water quality standards. They are Tier III waters (i.e., they are provided with the highest level of protection by prohibiting the lowering of water quality) with anti-degradation restrictions. Therefore, the selected alternative would have no impacts on these resources.

*4. The degree to which the impacts on the quality of the human environment are likely to be highly controversial.*

During the preparation of the environmental assessment, there has been involvement from other agencies and other interested individuals. The NPS received seventy-two public comments and several agency comments on the public scoping notice sent out on July 22, 2013 and open for comment until Aug 30, 2013.

The NPS received twenty-six public comments and several agency comments on the environmental assessment that was opened for public comment from April 19, 2016 – May 19, 2016. All of the public comments stated support for the project. Twelve commenters stated that the trail should be for hiking (foot traffic) only. None of the agency comments challenged the analysis of impacts or suggested information that will result in changes to the analysis, or resulted in the recognition of significant impacts to resources.

*5. Degree to which the potential impacts on the quality of the human environment are highly uncertain or involve unique or unknown risks.*

Potential impacts from the implementation of the selected alternative are not highly uncertain and do not involve unique or unknown risks.

*6. Degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.*

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No precedent for future actions would occur for this project. Hiking occurs in this area and the new trail connecting with the Ozark Trail system is identified in the 2015 General Management Plan as being desired and considered.

*7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

This action is not related to any other actions or projects occurring within the park. The issues addressed in the environmental assessment are limited to the project.

*8. The degree to which the action may adversely affect historic districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The park archeologist was consulted to determine if previously recorded archeological sites exist within the project area. The finalized trail route on park owned land was surveyed for archeological resources in August of 2015.

A 100% pedestrian inventory of the trail route was completed within the park boundary. No artifacts or above ground archeological remains were observed during the pedestrian survey. A Geographic Information Systems (GIS) map of the slope and a visual survey were used to identify areas of less than 25% slope. Those areas were flagged for shovel test inventory. A total of 24 shovel tests were excavated in places of less than 25 percent slope. Three were positive for cultural material and together yielded a fragment of milkglass and two pieces of chert debitage. The results of this survey are discussed in more detail in the trip report (Dempsey 2015). No further archeological work is recommended in advance of trail construction in these three areas of the park.

The project as planned will have no adverse impact on any historic districts, sites, structures, or objects currently listed or eligible for listing on The National Register of Historic Places. A letter dated April 27, 2016, from the Missouri State Historical Preservation Officer concluded that the action alternatives would have no adverse effect on any properties determined to be eligible for inclusion in or that are listed in the National Register of Historic Places.

*9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the endangered Species Act of 1973.*

On July 22, 2013, a letter regarding the intended action was sent to the U.S. Fish and Wildlife Service (USFWS) Field Supervisor in Columbia, Missouri to obtain information on Threatened and Endangered species within the vicinity of Proposed Current River Trail project area. A response to this request was received on December 20, 2013. In their response, the USFWS noted potential federally-listed threatened or endangered species or critical habitat within the areas for the proposed project. Additional mitigation measures were also recommended. A copy of the EA/AE was sent to the USFWS Field Officer on April 18, 2016, with a request for any additional comments. A response was received by the park on May 2, 2016, stating that the action is not likely to adversely affect endangered or threatened species.

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*10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Selected Alternative will not violate any environmental protection laws or regulations. Completion of the following consultations has solidified this conclusion.

#### Section 404 – Clean Water Act and State Water Quality Certification through Section 401 of the Act

A copy of the EA/AE was sent to the U.S. Army Corps of Engineers on April 18, 2016, with a request for any additional comments. A response was received dated April 25, 2016, stating that the project will cross waters of the United States. Although no trail construction activity will take place in these crossings, the NPS and the OTA have applied for any required permitting for general trail construction and will continue to consult with the U.S. Army Corps of Engineers during the project implementation.

#### Ethnography Review

An ethnographic tribal identity study has been completed for Ozark National Scenic Riverways by Dr. Maria Zedeno, which identified those Native American Tribes that have historic cultural affiliation with lands now included in the park. Native American tribes having demonstrable affiliation to the region are:

- a. Cherokee Nation
- b. Keetoowah Band Cherokee
- c. Osage Nation
- d. Delaware Tribe
- e. Delaware Nation
- f. Eastern Shawnee Tribe
- g. Shawnee Tribe
- h. Absentee Shawnee Tribe

On April 18, 2016 letters were sent to the above tribes to notify them about the availability of and to request comments on the EA/AE. One comment was received from the Osage Nation with questions about the archeological survey that was conducted. The park's archeologist contacted them and answered their questions.

#### **Public Involvement**

On July 22, 2013, a public scoping release was used to notify local, State, and Federal representatives, interested agencies, and the general public of the proposed Current River Trail. This letter was electronically posted along with contact information on how to obtain more information or comment on the action. Mailings were also sent to a select list of interested parties and stakeholders. A total of seventy-two (72) responses to the scoping notice were received. The responses were reviewed and filed in the administrative record kept at ONSR headquarters in Van Buren, Missouri.

A 30-day public comment period was held for the EA/AE from April 19 to May 19, 2016. Letters were mailed to local interested agencies, Tribal Historic Preservation Officers, and the general public notifying them of the availability of the EA/AE for review. The letter also instructed recipients how to comment on the EA/AE through the Planning, Environment and Public Comment website or in writing to the Superintendent at ONSR. A news release was also submitted to local media contacts. Twenty-six public comments and several agency comments were received in response to the EA/AE. All of the public comments stated support for the project. Twelve commenters stated that the trail should be for hiking (foot traffic) only. None of the agency comments challenged the analysis of the impacts.

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#### Conclusion

The agency preferred alternative is Alternative B, construct the new Current River Trail. This alternative was chosen by the agency because it fulfills the goals outlined in the purpose and need.

#### Finding of No Significant Impact and No Impairment

Based on the analysis contained in the environmental assessment, the selected alternative - Alternative B, construct the new Current River Trail, will not have significant impacts on the human environment 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 NPS Director's Order-12 and Handbook have been fulfilled. Furthermore, the selected alternative will not impair park resources or values and will not violate the NPS Organic Act. There are no significant impacts on public health, public safety, threatened and endangered species, sites, or districts listed in or eligible for listing in the NRHP, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any Federal, State, or local environmental protection law. The selected alternative supports the enabling legislation establishing the Current River as a National Scenic Riverway under Public Law 88-492 with the intended purpose of "conserving and interpreting unique scenic and other natural values and objects of historic interest... and provisions for use and enjoyment of the outdoor recreation resources."

Based on the foregoing, it has been determined that an environmental impact statement is not required for this project and thus will not be prepared for implementation of the Selected Alternative.

Recommended:



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Superintendent, Ozark National Scenic Riverways

6/24/16

\_\_\_\_\_  
Date

Approved:



\_\_\_\_\_  
Regional Director, Midwest Region

7/13/2016

\_\_\_\_\_  
Date