

National Park Service
U.S. Department of the Interior



Perry's Victory and International Peace Memorial
Put-in-Bay, Ohio

FINDING OF NO SIGNIFICANT IMPACT

Cultural Landscape Treatment Plan and Environmental Assessment

Perry's Victory and International Peace Memorial Put-in-Bay, Ohio

INTRODUCTION

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) has prepared an Environmental Assessment (EA) for the purpose of satisfying the compliance requirements for the implementation of the Perry's Victory and International Peace Memorial *Cultural Landscape Treatment Plan* (CLTP). The EA documents the results of the potential environmental impacts associated with implementation of the CLTP treatment recommendations.

As stated in the Final CLTP/EA, the proposed action would implement the CLR recommendations, provide a vision and clear direction for the protection of the park's cultural resources, and preserve the overall historic character of Perry's Victory and International Peace Memorial. This Finding of No Significant Impact (FONSI) describes the alternative the NPS has selected for implementation, provides the rationale for its selection, and explains why it will not result in significant impacts. Measures to mitigate adverse effects from implementation of project actions are presented in Attachment A of this document and a non-impairment determination is included in Attachment B. Brief descriptions of each alternative are provided below.

BACKGROUND

Perry's Victory and International Peace Memorial consists of a 352-foot high column on South Bass Island in Lake Erie surrounded by 25 acres of landscaped grounds. The Memorial was built to commemorate Commodore Oliver H. Perry's victory against the British on September 10, 1813. It is approximately eight miles northeast of Port Clinton, Ohio. Visible for miles, it stands as a reminder not only of the events of the War of 1812, but also as a symbol of international peace between Great Britain, Canada, and the United States. The Memorial was built by a nine-state commission with matching federal funds between 1912 and 1915. Twenty-one years after it was built, Congress charged the NPS to preserve and manage the Memorial. Management of this site was transferred to the NPS on July 6, 1936.

PURPOSE, NEED, AND OBJECTIVES

The purpose of the proposed action is to help fulfill the mandate of protection and management of fundamental park resources and values including the cultural landscape and features present at the time of construction of the Memorial column and structures and the designed historic landscape. Implementing treatment recommendations will provide a peaceful setting to promote stronger understanding of the battle of Lake Erie in 1813 and its resultant lessons of international peace. Proposed changes will also preserve the Memorial and its designed historic landscape while guiding rehabilitation for enhancing the visitor experience and enjoyment of the site through integration of interpretation with the cultural landscape. Proposed changes will provide Architectural Barriers Act Accessibility Standards (ABAAS) to indoor/outdoor experiences that coincide with the enhanced stewardship of the park's significant cultural and natural resources. The project is needed to provide a richer and more complete visitor experience of the park through access to the cultural landscape and associated interpretation and to provide additional opportunities for expanded programming integrated within the landscape.

The project is needed to accomplish the following objectives:

- Preservation of the monument and its designed landscape as fundamental resources and values of the park;
- Preservation of the horizontality of the landscape setting, supported by open lawn, upper and lower plazas, and expanses of water surrounding the park – all working together to accentuate the vertical column;
- Integration of architecture and the landscape with plazas; seawalls, sidewalks, and circulation reflecting traditional Beaux Arts style;
- Preservation of historic viewsheds to and from the Memorial; views from a distance while approaching South Bass Island by boat; views of the grounds and Memorial from the eastern end of Gibraltar Island; views of the column within the historic core; and views from the column to the site of the 1813 Battle of Lake Erie;
- Development of specific opportunities for engagement through interaction with-and interpretation of-both cultural and natural landscape features and implementation of accessibility standards for the Memorial plazas, the visitor center, and the pedestrian circulation system;
- Establishment of compatible spatial transitions between the surrounding community and the Memorial. Provision for guidance in managing viewshed and spatial definitions and the character of gradual or defined perimeters between the park and adjacent neighborhoods;
- Integration of sidewalks connecting the designed landscape to the surrounding community;
- Coordination of the plaza and column rehabilitation projects with vegetation replacement in the vicinity of the existing Austrian pines.
- Application of a consistent and intentional approach to design and maintenance to avoid inconsistent application of materials and techniques.

SELECTED ALTERNATIVE

The NPS alternative selected for implementation is Alternative 3: Implementation within a framework of rehabilitation that will preserve significant characteristics of the historic landscape while adapting the site to meet contemporary visitor needs and park management objectives. Significant characteristics include horizontality of the landscape setting accentuating the vertical column; definition of the boundary edges of the historic core with tree masses; integration of architecture and landscape typical of Beaux Arts style plazas, sidewalks, and circulation; and preservation of viewsheds to and from the Memorial.

The selected alternative will retain the designed historic landscape originating in the traditional Beaux Arts style of formal and symmetrical relationships of architecture and the landscape. The relationship of architecture and the landscape will be preserved with a pattern of rectilinear sidewalks near the Memorial reinforcing the contrast of the

horizontal landscape with the vertical column. In order to preserve this relationship, a circulation framework will include existing and proposed sidewalk connections throughout the park. Symmetry around the Memorial will be preserved and enhanced by new sidewalks and the horizontal expanse of the open lawn landscape. Additional new sidewalks will border the edge of the historic core and provide visitors with a more informal connection from the historic core to park features and areas east and west of the Memorial.

Major goals of the park will be addressed by the selected action, including providing barrier free access to the upper and lower plazas, across the pedestrian circulation system, and into all buildings except the Memorial column; establishing a formal and welcoming entrance to the park through the Peace Garden; erecting a black powder magazine and buffer in compliance with regulations; and allowing connections and access to the Memorial and integration of the entire park into the visitor experience.

RANGE OF ALTERNATIVES CONSIDERED

In addition to the selected alternative described above, the EA analyzed a no action alternative (Alternative 1) and one additional action alternative (Alternative 2).

Under Alternative 1, management of the entire park would continue in accordance with NPS policies and standards. Within this alternative current management strategies would remain the same and there would be no addition of facilities, improvements for visitor accommodation and accessibility, or expanded interpretation in association with the cultural landscape. The focus would be on preservation of the existing character of the park and current interpretive methods and programming. Challenges would remain relating to the preservation of existing conditions and continued management strategies. No clear sense of entry and orientation as visitors arrive at the park would be developed. The visitor center precinct and the pedestrian circulation system would retain limited compliance with accessibility standards. The current black powder magazine would remain in close proximity to occupied buildings, a condition not in compliance with regulations governing the storage of black powder. Historic spatial patterns defined by large deciduous tree masses would remain diminished within current vegetation management strategies, and pedestrian circulation would remain without connection from the cultural landscape to the surrounding community and a clear area of entrance and orientation to and through the visitor center.

Alternative 1 was not selected because it would preclude the park from meeting many of the goals of the Purpose and Need statement and from resolving the list of management issues. No further explorations of ways to utilize the cultural landscape as a tool for interpreting the Battle of Lake Erie and the construction of the Memorial in 1915 would be conducted. This alternative would limit the park in its ability to accomplish design and management objectives associated with development of a new entrance to the park through the Peace Garden and a clear connection to and through the visitor center and to the historic core of the site.

Under Alternative 2, the designed historic landscape continues the Beaux Arts tradition of a formally integrated architecture and landscape and is preserved through introduction of a curvilinear pedestrian circulation system. The curvilinear framework would retain the contrast of the horizontal landscape with the vertical column of the Memorial and introduce a strong symmetrical pattern around the Memorial. The circulation system would not retain any existing sidewalks except along the south seawall. Alternative 2 shares several commonalities in approach to the selected alternative to ensure preservation of significant characteristics of the historic landscape while adapting the site to meet contemporary needs and park management objectives. Consensus within park staff was that the curvilinear approach removed too much of the existing circulation system and would have a negative effect on the designed historic landscape. Alternative 2 would not fulfill the park's management goals for preservation of cultural resources and protection of natural resources.

The Ohio SHPO conveyed the following concerning Alternative 2 in their letter dated May 15, 2018: "We do not support the curvilinear paths approach in Alternative 2, as it does not fall within the original design intent of the Freedlander plans. We do support the addition of paths and walkways that were part of the original plan, but never executed, as proposed in the selected alternative." Based on SHPO comments, public comments, and park concerns, Alternative 2 was not put forward as the selected alternative as it was not the best plan to accomplish the priority goals and management objectives of the park.

MITIGATION MEASURES AND BEST MANAGEMENT PRACTICES (BMPs)

The NPS and/or its contractors will implement mitigation measures and best management practices (BMPs) to minimize the degree and/or severity of adverse effects on natural resources, historic structures; cultural landscapes; historic viewsheds, visitor use and experience and human, health and safety. The NPS may add mitigation measures and BMPs to this list in the future. Mitigation measures and BMPs are attached in this FONSI (Attachment A).

SIGNIFICANCE CRITERIA REVIEW

This section explains why the selected alternative will not have a significant effect on the quality of the human environment. As defined in 40CFR 1508.27, significance is determined by examining the following criteria:

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.

Whether taken individually or as a whole, the impacts of the selected alternative do not reach the level of significant adverse effects that would require preparation of an EIS. Most adverse impacts associated with implementation of the selected alternative will be short-term and temporary during construction activities, vegetation removal, insertion of new plantings, and vegetation management strategies. Mitigations and BMPs are incorporated into the proposed project to ensure further reduction and minimization of adverse impacts.

When the impacts of the selected alternative are combined with other past, present, and reasonably foreseeable future actions in the project area, the overall impacts to cultural and natural resources within the park will be minor in the short-term and beneficial in the long-term. Known archeological resources will be protected within ongoing policies and processes maintained by the park for protection of cultural resources. Historic buildings and structures will be maintained and managed to retain their historical character. Expanded interpretation proposed within the selected alternative will incorporate additional maintenance to building and structure sites. The designed historic landscape will benefit from vegetation management and expanded interpretation that integrates the cultural landscape into the interpretive story of the Memorial and the Battle of Lake Erie.

There will be a number of disruptions to surface soils due to construction and grading within the selected alternative. Most impacts are associated with specific areas of the park and will typically be short-term and limited to the time of project completion. Mitigation measures and BMPs will ensure negligible impacts to soils and geology. Long-term positive impacts to soils will be expected due to vegetation management techniques for soil stabilization, and design of pedestrian circulation to avoid steep grades and minimization of ongoing soil erosion.

There will be short-term minor adverse impacts to water resources with the implementation of the selected alternative. Short-term impacts will be mitigated through planning and scheduling all construction activities to prevent erosion and sedimentation. Construction will not have a measurable effect on the frequency, elevation, intensity or duration of floods, but the function of the floodplain including some flood storage will be diminished due to temporary removal of grass cover or vegetation during construction. Proposed modification of the landscaped area in the 100-year floodplain

of the park will not impact land critical to the productivity of a floodplain ecosystem. The historic core and other management zones of the park were excavated and filled due to construction of circulation systems and facilities. The historic core was filled repeatedly since construction of the Memorial in 1915. Therefore, construction activity within the selected alternative will result in short-term minor adverse impacts to surface water and floodplains.

There will be long-term beneficial impacts on vegetation within the selected alternative. The majority of existing trees will remain in the park and additions of numerous trees east and west of the historic core will preserve the historic spatial organization of the site. Significant introduction of plant material will be part of the proposed Peace Garden within the selected alternative. Vegetation will include deciduous shade trees, shrubs, and perennial flowers and grasses. Vegetation will improve and expand wildlife habitat specifically for the Monarch butterfly, Indiana bat, and Kirtland's warbler, all federally protected species. There will be short-term adverse impacts to turf grass and a small number of trees, due to project construction and selected demolition of existing segments of the sidewalk. Mitigation measures for vegetation and turf protection will be implemented to ensure any short-term adverse impacts will not become long-term adverse impacts.

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

The selected alternative will have beneficial impacts on visitor use, experience, and safety due to increased interpretive opportunities and features, improved and expanded education and communication, construction of new sidewalks and contemplative nodes for resting and enjoying views over the water, additional parking for both cars and golf carts, and implementation of accessibility standards over the entire site. This will include barrier free access for all visitors to both memorial plazas and to interpretive programming.

3. Unique characteristics of the geographic area such as proximity to historic and cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:

As described in the CLTP/EA, the selected alternative will not affect wild and scenic rivers, ecologically critical areas or prime agricultural land because those resources do not exist at Perry's Victory and International Peace Memorial. The park will continue to identify potential historic properties in the community surrounding the park proposed for ground disturbance, demolition of historic buildings, or removal of significant vegetation.

4. Degree to which effects on the quality of the human environment are likely to be highly controversial.

The selected alternative is not highly controversial. No issues arose during public scoping or the preparation of the CLTP/EA. No issues were brought to the park's attention during the public review period that indicated a dispute with either the methods or results of the environmental analysis.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks:

No highly uncertain, unique, or unknown risks were identified during the preparation of the CLTP/EA or the public review period.

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

The selected alternative will not establish a precedent for future actions with significant effects. In addition, the action will not represent a decision in principle about a future consideration with the potential for significant effects.

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

No significant adverse cumulative impacts were identified in the CLTP/EA. Likely future actions taken individually or collectively will result in no significant adverse impact on the human or natural environment due to phasing of projects

and implementation of mitigation measures during and after construction. Within some of the proposed actions, the incremental impact will be long-term and positive due to enhancement of the visitor experience, accessibility for all visitors, vegetation management strategies and mitigation, and preservation of the Memorial buildings, structures, and landscape. The incremental impact of the selected alternative when added to other past, present and reasonably foreseeable future actions will not be significant.

8. Degree to which the selected alternative may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Effects of the selected alternative on cultural landscapes, historic buildings and structures, archeology, and historic viewsheds are long-term and beneficial. Benefits to the cultural landscape will be the reasonable balance achieved between the objectives for integration of the cultural landscape into the interpretive story and ongoing management objectives. The selected alternative will respect and enhance the landscape and setting of the Memorial and grounds and afford visitors opportunities for expanded interpretation through integration with the cultural landscape. Benefits to historic buildings and structures will be ensured through continued preservation, management and maintenance of their historical character. A high priority within the selected alternative is the provision of accessibility standards throughout the park, including barrier free access to the Memorial lower plaza and from the lower plaza to the upper plaza. Alteration of the stairway for accessibility may slightly diminish the overall integrity of this feature but will not jeopardize the historical integrity of the Memorial structure and designed landscape to the extent that it will lose its current listing in the National Register.

Existing historical viewsheds will be maintained and others opened up, providing visual associations with the cultural landscape. All improvements will be designed in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, reducing the potential for adverse impacts on the historic setting. According to the National Register Nomination update (2014) for Perry's Victory and International Peace Memorial, there are no significant archeological sites associated with the historic grounds or within areas outside the historic grounds that may be disturbed by actions proposed within the selected alternative. Any future potential impacts to archeological resources will be evaluated through discussion and involvement of NPS archeologists at the Midwest Archeological Center.

The park initiated consultation with Ohio History Connection /Office of the State Historic Preservation Officer (SHPO) with a scoping letter sent on January 19, 2017. The Architecture Reviews Manager was invited to the public meetings held at the park on May 17, 2017 and on October 25, 2017. The SHPO office also received a copy of the Public Review draft of the CLTP/EA for review and comment during the public review period from March 23 – April 24, 2018. The park received a letter from the Architecture Reviews Manager dated May 15, 2018 with a list of comments concerning the project. NPS and park staff provided a response to comments in a letter dated June 5, 2018 and requested a teleconference for discussion of SHPO concerns. The teleconference on July 18, 2018 resulted in verbal concurrence on the issues presented by the SHPO. In a letter dated September 19, 2018, the Office of the SHPO formally agreed with the NPS determination that the selected alternative from the CLTP/EA is not likely to have adverse effects on the historic memorial and its designed landscape. Further consultation with the SHPO will occur to examine specific details, as the stair repair and accessibility project moves forward.

9. Degree to which the selected alternative may adversely affect an endangered or threatened species or its critical habitat.

With mitigation measures requested by the USFWS in place, the NPS has determined that the selected alternative will have no adverse effect on threatened or endangered species. In accordance with Section 7 of the Endangered Species Act, the park initiated consultation with the (USFWS) on January 19, 2017. In response to the initial consultation letter,

the USFWS identified the following species of concern for the project area: monarch butterfly (*Danaus plexippus plexippus*) currently under status review; Indiana bat (*Myotis sodalists*) federally endangered; northern long-eared bat (*Myotis septentrionalis*) federally threatened; Lake Erie water snake (*Nerodia sipedon insularum*) state endangered species and a Federal species of concern; and Kirtland's warbler (*Setophaga kirtlandii*) a federally listed endangered species. Mitigation measures were provided and incorporated in the public review draft of the CLTP/EA. The Ohio Department of Natural Resources (ODNR) received a copy of the Public Review Draft of the EA for review and comment. In a letter dated May 3, 2018, the ODNR presented comments generated by an inter-disciplinary review within the Department. The comments were prepared under the authority of the Fish and Wildlife Coordination Act (48 STAT. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. Species of concern to the agency for the project area were narrowed down to the Indiana bat, the Lake Erie water snake, and Kirtland's warbler. Mitigation measures outlined by USFWS were incorporated into the final document and in the site-wide mitigation measures for the CLTP/EA. Monitoring will be conducted by an individual trained to identify Lake Erie water snakes. Vegetation species proposed in the selected alternative were provided by USFWS for potential expanded and improved habitat for federal endangered species within the range of Perry's Victory and International Peace Memorial. Implementation of designated vegetation plantings will have long-term positive impacts for rare, threatened, and endangered species.

10. Whether the selected alternative threatens a violation of federal, state, or local environmental protection law.
The selected alternative will not violate federal, state, or local environmental protection laws.

Public Involvement

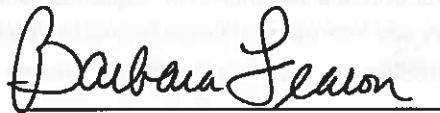
Park staff at Perry's Victory and International Peace Memorial and resource professionals of the National Park Service Midwest Regional Office conducted internal scoping for the (CLTP/EA) and identified potential stakeholders with interest in the project. This interdisciplinary process defined the purpose and need, identified potential actions to address the need, determined the likely issues and impact topics, and identified the relationship of the proposed action to other planning efforts at the park. For the CLTP/EA, a kick-off planning and scoping meeting was held on October 4–7, 2016 to begin work on the project, initiate a strategy for public involvement throughout the process, and introduce the project to residents of South Bass Island, park staff, and interested stakeholders. This introductory planning and scoping meeting was held on October 6, 2016. Goals and objectives of the project were discussed and participants expressed various concerns in association with potential effects on natural resources, wildlife, and the condition of the Village swimming beach adjacent to the south seawall. An additional planning workshop with park staff and the planning team was held on May 16-17, 2017, to review progress on the development of alternative design concept plans. A news release was issued from the staff at Perry's Victory and International Peace Memorial inviting the public to attend the open house on May 17, 2017 and provide input in the early development of the alternatives and the subsequent EA process. The public had an additional avenue of participation through a public open house on October 25, 2017. This meeting gave stakeholders and staff an opportunity to see developed concept design alternatives. Comments and suggestions were incorporated into the draft CLTP/EA based on public input. The final draft of the CLTP/EA went to public review for 30 days, March 23 – April 24, 2018 and was uploaded on the NPS Planning, Environment, and Public Comment (PEPC) system website. Hardcopies of the draft document were sent to appropriate agencies for review and letters were sent to stakeholders, informing them of the review period and the methods available to them to respond to the document. Comments were collected from the PEPC site, emails, and submitted letters during the 30-day review period. Comments and questions were documented in the Public Review Analysis and taken into consideration as the CLTP/EA was finalized. Agency review letters were received from Ohio History Connection, Department of Resource Protection and Review and Ohio Department of Natural Resources, Division of Wildlife and Division of Water Resources. These letters of response and comments are included in the appendix of the CLTP/EA.

Conclusion

Based on the review of the facts and analysis contained in the EA, the NPS has selected alternative 3, which will enhance the connection of the landscape to interpretive themes, the historic setting of the site, visitor experience, and human health and safety, while preserving, protecting, and managing the cultural and natural resources of the park. The selected alternative will not have a significant impact either by itself or in consideration of cumulative impacts. Accordingly, the requirements of NEPA, regulations promulgated by the CEQ, regulations promulgated by the Department of the Interior, and provisions of Director's Order 12 and the 2015 National Park Service NEPA Handbook have been fulfilled.

It is my determination that the selected alternative does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, in accordance with NEPA and CEQ regulations (40 CFR 1508 et. seq.), an environmental impact statement is not required and will not be prepared for implementation of the selected alternative.

Recommended:



Barbara Fearon
Superintendent
Perry's Victory and International Peace Memorial

10/16/2018

Date

Approved:


Craig Kenkel
Acting Regional Director, Midwest Region

10.26.18

Date

ATTACHMENT A

MITIGATION MEASURES AND BEST MANAGEMENT PRACTICES (BMPs)

The National Park Service (NPS) places strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. The NPS will implement an appropriate level of monitoring throughout the construction and maintenance process within the park to help ensure that protective measures are being properly implemented and are achieving their intended results. These mitigation measures are applicable for contractors and park staff. The PEVI staff and contractors will strive to maximize sustainable designs and management strategies to minimize potential adverse effects to cultural and natural resources. It is intended that the past and ongoing monitoring and mitigation measures will continue with implementation of the NPS-selected alternative and supplemented by those actions labeled as future monitoring guidelines and mitigation as needed.

General Considerations/Site Design and Construction

General:

- Where necessary for resource or visitor protection, work areas will be identified with construction fence, silt fence, or some similar material prior to any activity. The fencing will define the work zone and confine activity to the minimum area required. All protection measures will be clearly stated in the construction specifications, and workers will be instructed to avoid conducting activities beyond the work zone. Disturbances will be limited to areas inside the designated construction limits. No machinery or equipment will access areas outside the work limits.
- Construction equipment staging will occur within previously disturbed areas as much as possible. All staging and stockpiling areas will be returned to preconstruction conditions following construction. Contractors will be required to properly maintain construction equipment (i.e., mufflers and brakes) to minimize noise.
- All tools, equipment, barricades, signs, surplus materials, and rubbish will be removed from the project work limits upon project completion.

Site Design and Construction:

- Identify and avoid unstable slopes and local factors that can cause slope instability.
- Develop a stormwater management plan to ensure compliance with regulations and prevent off-site migration of contaminated stormwater or increased soil erosion.
- Minimize the planned amount of land to be disturbed.
- Re-establish the original grade and drainage patterns to the extent practicable.

Natural Resources

Past and Ongoing Monitoring and Mitigation Measures:

- Ongoing park staff management and maintenance of turf will continue.
- Ongoing maintenance of trees and other vegetation within the park will continue.
- When sites are disturbed by maintenance or construction activities, park staff will re-establish vegetation based on recommendations of existing resource plans.

Future Monitoring and Mitigation Measures:

- Vegetation management will be consistent with CLTP/EA recommendations and development of a comprehensive Vegetation Management Plan.
- Best Management Practices (BMPs) will be required to support the implementation and management of actions taken in the selected alternative. Refer to established BMPs for water quality actions. The NOAA Great Lakes Environmental Research Laboratory Strategic Plan and the Village of Put-in-Bay have established BMPs.
- Erosion and sediment controls will be employed as needed and as required by regulations during construction to reduce soil erosion.
- Natural resource management will be integrated in an overall program of cultural resource management of the historic designed landscape.
- When soil excavation is an unavoidable part of an approved facility development project, the NPS will minimize soil excavation, erosion, and offsite soil migration during and after the activity.
- Temporary barriers will be provided to protect existing trees and shrubs that are not identified for removal during construction activity.
- Vegetation filter strips will be used to filter and clean sediment, organic material, nutrients, chemicals, and other pollutants from run-off water as it leaves a non-point source.
- Impacts to wetlands and other water resources will be avoided and minimized to the fullest extent possible, and BMPs will be utilized to minimize erosion and sedimentation.
- Because federally listed species as well as state listed species fall within the range of the project area and a one-mile radius beyond as defined by USFWS, the park will coordinate with the USFWS when specific projects are to be implemented.

Cultural Resources

Past and Ongoing Monitoring and Mitigation Measures:

- Monitoring of archeological sites will occur to determine visitor safety and resource protection concerns.
- Monitoring water resource margins and shoreline will continue for erosion and associated emerging archeological resources.
- Monitoring the Memorial column and plazas for any damage, potential damage, or vandalism will continue.
- Prior to all construction or maintenance activities, cultural resources are identified and avoided to the extent possible.
- Ongoing management focusing on retaining and enhancing the general historic character of the Memorial and Grounds will continue.

Future Monitoring and Mitigation Measures Required:

- It is required that all activities will comply with the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* (48 Federal register 44716, revised).
- All ABAAS accessibility interventions will be guided by Preservation Brief 32: *Making Historic Properties Accessible* and the *Accessibility Management Plan for Perry's Victory and International Peace Memorial* (2018).
- NPS will coordinate with the SHPO throughout the course of the project to protect and provide mitigation agreements for resources affected by the selected alternative.
- Site condition assessments by NPS-approved archeologists will be part of project-specific surveys.

Visitor Use and Experience

Past and Ongoing Monitoring and Mitigation Measures

- Incidences of human interactions are monitored.
- Visitation data is monitored through various methods such as visitor surveys, transportation data, and concessioner data.
- Periodic visitor surveys and data collection are used to determine visitor use patterns, visitor characteristics, visitor use conflicts, and visitor preferences and satisfactions with interpretive and recreational opportunities, programs, services and facilities.
- Resource condition surveys are conducted as needed.
- Continued management of the Memorial and Grounds facilitates the visitor's understanding of the significance of the site and the Battle of Lake Erie in 1813.
- NPS managers will continue to monitor areas used by visitors for signs of native vegetation disturbance, trampling, erosion, or the development of social trails in the designed historic landscape.

Future Monitoring and Mitigation Measures Required:

- Visitor use and access to areas of highly sensitive and vulnerable cultural or natural resources requires mitigation measures. Appropriate activities in these areas will be limited to research and passive recreational uses. Interpretive programs and exhibits will provide information and interpret ongoing research activities.
- The Visitor Center will be made fully accessible as will the entire park, based on the *Accessibility Management Plan for Perry's Victory and International Peace Memorial* (2018.)

Human Health and Safety

Past and Ongoing Monitoring and Mitigation Measures:

- Inform the general public of construction activities or other management or maintenance activities through press releases and general interpretive presentation.
- No public access is allowed to any area of construction.
- Appropriate regulatory and/or enforcement agencies are notified prior to any construction to assist in safely managing pedestrian or vehicular traffic. Warning signs are posted along village roads and pedestrian circulation in the park and the community as necessary.
- Golf cart use of the pedestrian walkways throughout the historic designed landscape is monitored and re-directed off the historic landscape.

Future Monitoring and Mitigation Measures Required:

- The ongoing and required measures already in place that ensure visitor safety will continue where appropriate in the implementation of the actions proposed in the selected alternative.
- NPS staff will mitigate impacts arising from increases in visitation due to expanded facilities and interpretation at the park.

ATTACHMENT B

DETERMINATION OF NO IMPAIRMENT

Cultural Landscape Treatment Plan and Environmental Assessment

Perry's Victory and International Peace Memorial Put-in-Bay, Ohio

National Park Service (NPS) *Management Policies 2006* (§ 1.4) requires analysis of potential effects to determine whether or not actions will impair a park's resources and values. The fundamental purpose of the national park system established by the Organic Act and reaffirmed by the General Authorities Act, as amended, mandates the NPS conserve park resources and values. NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values. However, the laws do give NPS 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 provides otherwise.

The prohibited impairment is an impact that, in the professional judgment of the responsible NPS manager, 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. Non-resource topics are generally not subject to impairment assessment. Whether an impact could lead to impairment depends on the particular resources that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts. 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 the 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 all resource impact topics analyzed for the selected alternative. An impairment determination is not made for land use, visitor use and experience, and visitor health and safety because impairment findings relate back to park resources and values. These impact areas are not generally considered to be 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.

Soils and Geology

There will be no impact to geologic resources. There will be a number of disruptions to surface soils due to construction and grading within the selected alternative. Soils disturbed by development are fill soils that were previously added into

park management zones, specifically in the historic core zone. Cut and fill amounts will be balanced to the extent possible to minimize the need to import or export soils during construction. Additionally, the cut and fill of soils on the grounds will be designed to result in no net change in the soil loads surrounding the Memorial. The generally flat topography of the park will be retained in the selected alternative, diminishing the potential for erosion on the landscape during construction. Temporary impacts to soils from erosion will be minimized by implementation of mitigation measures. Most impacts are associated with specific small areas of the park and will last through the time of project completion. Long-term positive impacts to soils are expected due to soil stabilization, design of walkway alignments to avoid slopes, and minimal ongoing soil erosion maintenance associated with all park project activities. Thus, the selected alternative will not impair geology and soil resources.

Water Resources and Floodplains

Some of the actions within the selected alternative will require ground disturbance during construction. This ground disturbance will not have a measurable effect on the frequency, elevation, intensity or duration of floods, and will not cause changes in the ability of a floodplain to convey floodwaters. Actions will not contribute to enhancing flood events. The historic core has been filled repeatedly since construction of the Memorial in 1915. With mitigation measures and monitoring, there will be negligible adverse impacts to water resources and floodplains. Impacts will be avoided and minimized and best management practices will be utilized to minimize erosion and sedimentation. To further reduce the potential for sedimentation and contamination impacts to surface waters, proposed impervious surface features such as sidewalks will be designed to minimize surface areas. Analysis of the National Wetland Inventory (NWI) indicates that the selected alternative will not disturb land that contains wetlands. Thus, the selected alternative will not impair surface waters, wetlands, or floodplains.

Vegetation

Actions associated with implementation of the selected alternative will result in ground disturbance but resulting impacts to vegetation will be short-term and minor. Impacts will not threaten the viability of plant communities or native plant species and the sites will easily recover from temporary disturbance. Mitigation measures for vegetation and turf protection will be implemented to avoid long-term impacts that extend beyond the duration of the action project. Mitigation will include selection of appropriate staging locations for equipment and materials for all projects and erosion and sediment control measures will be incorporated during any level of construction. The overall impact from the selected alternative will be beneficial and will modify the vegetation to improve its role in fulfilling the park's purpose of preserving the historic designed landscape and preserving cultural and natural resources. Thus, the selected alternative will not impair vegetation resources.

Wildlife

There will be no long-term adverse impacts on wildlife and wildlife habitat from the actions within the selected alternative. Most impacts will be localized and positive and associated with specific vegetation proposed for the park. Specific actions resulting from the implementation of the selected alternative associated with potential impacts on wildlife and wildlife habitat will include: introduction of ground cover or low shrubs on the berm surrounding the lower plaza and proposed tree plantings east and west of the historic core. These two actions will provide expanded habitat for a diversity of wildlife species including birds, butterflies, moths, and snakes. Development of the Peace Garden will present an opportunity to introduce plant materials that attract butterflies and provide habitat. These actions will have a positive impact on wildlife extending far into the future of the park. Thus, the selected alternative will not impair wildlife resources.

Threatened and Endangered Species

Based on the review of the project area by Ohio Department of Natural Resources and comments prepared by the U.S. Fish and Wildlife Service during consultation, there are three species of concern that may be affected by actions in the selected alternative. The species include the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species; Lake Erie water snake (*Nerodia sipedon insularum*), a state threatened species and federal species of concern; and the Kirtland warbler (*Setophaga kirtlandii*), a state endangered and federally endangered bird. NPS and park staff will coordinate with USFWS on a project by project basis to determine if the species and or potential habitat are present and potentially impacted by the action within the selected alternative. If it is determined that an impact might occur based on the project, park staff will implement mitigation measures outlined by USFWS for each species.

Actions associated with the selected alternative do not include tree removal, identified as a potential impact on the Indiana bat. Also, the project area does not have any forest cover protecting potential roosting trees for the Indiana bat. The USFWS states that "if no tree removal is proposed, this project is not likely to impact this species."

Due to the presence of the north and south seawalls within the project boundary, there is the potential for hibernation habitat for the Lake Erie water snake. Monitoring will be conducted before and during any construction associated with the selected alternative by an individual trained to identify Lake Erie water snakes. If necessary, mitigation consisting of limited dates for construction activity will be implemented, avoiding the hibernation season of October 15th to April 15th.

Actions associated with the selected alternative do not include clearing of forested or shrub/scrub habitat. This should eliminate potential adverse impacts to the Kirtland warbler. If necessary, mitigation consisting of limited dates for construction activity will be implemented, avoiding excavation from April 22nd through June 1st and from August 15th through October 15th.

With implementation of monitoring and mitigation as described by the USFWS, actions associated with the selected alternative will not impair rare, threatened or endangered species within the park.

Historic Buildings and Structures

Current management regimes will continue within the selected alternative including repair and maintenance to historic buildings and structures within the park. Historic buildings and structures considered contributing features from the period of significance include the Memorial column, plazas and stairs, and the men's dormitory (former superintendent's residence). These features will be preserved, managed, and maintained as cultural resources. The Memorial column, plazas, and steps are considered significant site resources and are essential in maintaining the integrity of the historic site. Due to the goals for ABAAS accessibility identified by the park, there will be a moderate impact to the steps to the plazas, one of the character defining features of the Memorial design. Alteration of the steps for accessibility will diminish the overall integrity of this feature but will not jeopardize the historical integrity of the Memorial structure and grounds to the extent that it will lose its current listing in the National Register. In a letter dated September 19, 2018, the SHPO agreed with the NPS determination that the selected alternative is unlikely to have adverse effects on the historic memorial and its designed landscape. They recognized that further consultation is needed to examine details as the stair repair and accessibility project moves forward. Expanded interpretation that includes historic buildings and structures within the cultural landscape will have a long-term beneficial impact on these resources and the enhancement of the visitor experience. Thus, the selected alternative will not impair historic buildings and structures.

Cultural Landscapes

Specific actions resulting from the implementation of the selected alternative accomplish objectives to retain and enhance the landscape elements and features that are contributing resources to the cultural landscape. Grading of the topography will retain the symmetry around the Memorial while retaining the open space setting of the historic designed landscape. Many of the existing walkways within the historic core of the park are retained. The circulation design will retain the open symmetrical lawn areas to the east and west of the Memorial. The selected alternative will preserve the openness and restore some of the original Beaux Arts design intent for the landscape. Overall this alternative will respect and enhance the landscape and setting of the Memorial and grounds and afford visitors opportunities for expanded interpretation through integration with the cultural landscape. Impacts to the cultural landscape will be long-term and beneficial due to preservation of the historic core and reinforcing the Beaux Arts design intent by integrating the cultural landscape more wholly with the interpretive story of the site. Therefore, the selected alternative will not impair the cultural landscape of Perry's Victory and International Peace Memorial.

Historic Viewsheds

In the original design for the Memorial, Freedlander and Seymour considered views to and from the monument, utilizing Beaux Arts planning features such as axial avenues and planned vistas. The Perry's Victory and International Peace Memorial including its formal grounds was designed to be viewed principally upon approach to Put-in-Bay from the north, particularly from Gibraltar Island. Also, the designed view afforded by the observation platform near the top of the Memorial column to the location of the Battle of Lake Erie is an essential feature of the historic core. Specific actions resulting from the implementation of the selected alternative and associated with potential impacts on historic viewsheds will include installation of underground powerlines along Bayview Avenue from Hartford to Toledo Avenues; additional tree plantings strategically located to enhance views to the Memorial; and preservation of open space around the memorial column and plazas. These actions will have a long-term positive impact on historic viewsheds both to and from the memorial and viewsheds to the memorial from various pedestrian and vehicular circulation patterns. Also, preservation and restoration of historic viewsheds will have long-term beneficial effect on the cultural landscape as a result of expanded interpretation of the historic context of the battle at sea. Thus, the selected alternative will not impair historic viewsheds or viewsheds critical to enhancement of the visitor experience.

