

**United States Department of the Interior
National Park Service**

FINDING OF NO SIGNIFICANT IMPACT

**Watergate Wetlands Restoration Project
Delaware Water Gap National Recreation Area
Warren County, New Jersey**

INTRODUCTION

The National Park Service (NPS) proposes to restore wetlands and the natural function of a stream and its floodplain by reversing man-made changes in and near the Watergate Recreation Site in Warren County, New Jersey. The project would meet an NPS requirement to restore no less than 33 “credit acres” to compensate for the temporary and permanent impacts to wetlands, floodplains, and ecosystem function caused by the construction, operation, and maintenance of a high-voltage transmission line and its 200-foot right-of-way within the Delaware Water Gap National Recreation Area.

The NPS prepared an environmental assessment (EA) that examined two alternatives:

- 1) The no-action alternative, which would be a continuation of current management and existing conditions in the project area, and
- 2) The proposed action (preferred alternative) which includes the conversion of the mowed lawn, earthen dams, and shallow ponds at the Watergate Recreation Site into 20 acres of wetlands, the restoration of approximately 800 linear feet of Van Campens Brook, the removal of approximately 4000 linear feet of an old road, and the restoration of native vegetation on 58 acres.

The *Watergate Wetlands Restoration Project Environmental Assessment/Memorandum of Agreement* (2020) was prepared in accordance with the National Environmental Policy Act; the regulations of the Council on Environmental Quality (40 Code of Federal Regulations [CFR] 1500–1508); and NPS Director’s Order 12: *Conservation Planning, Environmental Impact Analysis, and Decision-making* (2011) and its accompanying handbook (2015).

During preparation of the environmental assessment, the National Park Service consulted with federal and state agencies, tribes, and the general public. The NPS also used the environmental assessment to coordinate public review of a memorandum of agreement (MOA) developed with the New Jersey Historic Preservation Officer in accordance with the implementing regulations for Section 106 of the National Historic Preservation Act. The EA and MOA were made available for a 30-day review period. Twenty-one comments were received on the EA. No comments were

received on the MOA. Attachment B of this document summarizes the substantive comments on the EA and the NPS' responses to them.

SELECTED ACTION

The NPS has selected the proposed action (preferred alternative) for implementation. The selected action will meet the purpose and need for the project by achieving the restoration of no less than 33 credit acres. The selected action will not only restore wetlands, but also the stream and the natural hydrology of the area and provide an overall ecological uplift within the Van Campens Watershed. The selected action will be implemented as described in Section 2.2. of the EA. The selected action is summarized below:

- 20 credit acres of wetlands will be restored by removing four low, earthen dams and the ponds behind them, then re-grading the ponds and mowed lawn (picnic) area to the proper elevations and contours to sustain wetlands.
- 5.8 credit acres of wetlands will be restored through the treatment of 58.1 acres of invasive plants through mowing, brush-cutting, and treatment with herbicides.
- 9.4 credit acres of wetlands will be restored through the restoration of Van Campens Brook. Actions include:
 - Removal and re-grading 4000 linear feet of the Columbia-Walpack Turnpike to achieve an elevation and topography that allows Van Campens Brook to function naturally and reconnect with its floodplain.
 - Removal of up to 6 concrete dam remnants from the channel in order to restore natural hydraulic function of the stream.
 - Armoring of approximately 300 linear feet of stream bank to stabilize the stream channel, protect habitat for aquatic species, and prevent the stream from migrating further into the Susquehanna-Roseland Transmission Line right-of-way.
 - Re-establishment of approximately 500 linear feet of proper stream channel dimensions (channel footprint and profile) and hydraulics.
- The wetlands and surrounding graded areas would be revegetated with native seed mixes and native plants. Exposed soil would be stabilized with a covering of straw mulch or erosion control blanket.
- Relocation of 8900 linear feet of a utility line (which bisects the project area) to be adjacent to Old Mine Road.
- Placement of any excess fill material in Quarry Site AA.
- Removal of the lower 6-10' of exterior clapboards and the collapsed lean-to of the Garis Barn.
- Clearing of trees and brush to re-establish a 600' long road between Old Mine Road and Millbrook School in order to allow administrative access to the school.
- Establishment of a 1200' long hiking trail to allow for pedestrian access between Millbrook Village and Millbrook School.

- Closure of the Watergate Recreation Site and Silvie Meadow during construction.

The selected action includes measures that will help to avoid and/or minimize adverse impacts of the project to natural resources, cultural resources, and visitor use and experience. These are listed in Attachment A.

FINDING OF NO SIGNIFICANT IMPACT

As described in the environmental assessment, both adverse and beneficial impacts on park resources will occur as a result of implementing the selected action. However, no significant, adverse impacts were identified that would require analysis in an environmental impact statement.

Implementation of the selected action will result in a long-term ecological uplift greater than that which was lost due to the 2013 upgrade of the nearby Susquehanna-to-Roseland transmission line, although construction work will cause temporary impacts to natural resources such as short-term displacement of fish and reptiles from the work areas. Construction work will also cause temporary impacts to visitor use and enjoyment of the project area and nearby roads due to noise and temporary closures. Through project design and implementation of mitigation measures, impacts will be so short-term and minimal that there is no potential for significant adverse impacts to either natural resources or visitor use and experience.

Implementation of the project will have slight, long-term adverse impacts to cultural resources due to the removal of a portion of the Columbia-Walpack Turnpike and the removal of a portion of the exterior of the Garis Barn. The Columbia-Walpack Turnpike is not currently accessible to most visitors due to flood damage, and the road continues to deteriorate with each flood. The road was the main visitor access route to both the Garis Barn and Millbrook School, and implementation of the selected action will make it even more difficult for visitors to access the buildings by that route. The Garis Barn will remain as a component of the cultural landscape for both historic districts but will not be easily accessed by foot and will lose some of its visual integrity with the removal of the lower clapboards. Millbrook School will be more accessible to visitors through the creation of a hiking trail to it, but its setting and feeling will be altered due to the removal of the Columbia-Walpack Turnpike and the traditional means of access. The mitigations will also lessen the impacts to the resources and the districts. While these actions will slightly alter the setting and feeling of resources within the Old Mine Road Historic District and Millbrook Village Historic District, they will not significantly alter the setting and feel of the overall districts so much that a visitor will not be able to experience the districts.

The selected action will contribute slightly to cumulative impact to cultural resources in the park through a slight adverse impact due to the loss of setting and feeling, but the selected action will also have slight beneficial impacts due to the restoration of access to Millbrook School and the long-

term preservation of the Garis Barn. Therefore, based on this analysis, there is no potential for significant impacts to cultural resources.

Based on the above, it has been determined that the impacts, while adverse, are not significant. Therefore, an environmental impact statement is not required for this action and thus will not be prepared.

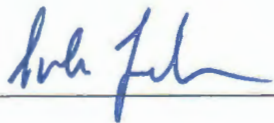
DECISION REACHED AND RATIONALE

The NPS has selected the proposed action described and analyzed in the EA for implementation, as described in this Finding of No Significant Impact.

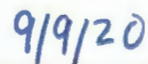
The National Park Service identified the selected action for implementation because it will provide the required 33 credit acres of wetlands restoration. It is the alternative that best meets the purpose and need, while providing for the protection of natural resources, an improvement over the current condition for visitors, and the preservation of two buildings within the historic districts.

For this reason and in consideration of the likely environmental impacts described in the EA and in this Finding of No Significant Impact, I have decided to select the proposed action for implementation.

Recommended:

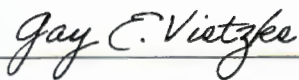


Sula Jacobs, Superintendent
Delaware Water Gap National Recreation Area



Date

Approved:



Gay Vietzke, Regional Director
National Park Service—Region 1

14 Sept 2020

Date

Attachment A: Mitigation Measures

Natural Resource Mitigation Measures

1. Seasonal restrictions to protect threatened bat species, state-listed rare, threatened and endangered species, and native trout would be followed, with some exceptions as listed below.
 - a. Northern Long-Eared Bat and Indiana Bat: No removal of trees greater than 3" diameter at breast height (DBH) will occur between April 1 and November 15 to protect bats. If there is a critical need to remove a tree or trees during the restricted period, emergence surveys can be conducted per U.S. Fish and Wildlife Service (USFWS) protocol.
 - b. Herpetofauna: No in-stream work will occur during hibernation, generally November 15-March 31. Ponds will not be dewatered between October 31 and March 31. (Also, see requirement for an onsite biological monitor, below.) If there is a critical project need, New Jersey Department of Environmental Protection (NJDEP) will review requests for work during the restricted period on a case-by-case basis.
 - c. Native Trout: In-stream work will be restricted between September 15 and March 15 to protect brook trout spawning and young. If work is of short duration and/or can be fully mitigated (e.g. sedimentation control), NJDEP may allow an exception to enable work during the restricted period.
2. Fish salvage will occur prior to the dewatering (drawdown) of the two large ponds.
 - a. The pond drawdowns are expected to take approximately one week per pond. Fish will be salvaged near the beginning of the drawdown (when water levels are still high) to ensure the least amount of stress on the fish.
 - b. The most likely method of salvage will be electroshocking which is efficient, effective, and temporarily stuns but does not injure the fish, followed by collection into buckets. They will then be transported by truck and released into the Delaware River at the Poxono Boat Launch, 3.5 miles south of the project area. See map, Appendix A, Figure 6.
 - c. Invasive species, if found, will be euthanized.
 - d. Dewatering the ponds slowly, and the salvage of fish, will minimize any increase of stream temperature or sedimentation downstream, as well as reduce the risk of introducing of non-native species into Van Campens Brook.
3. Salvage of native brook trout, naturalized rainbow trout, and other native fish species will occur prior to the dewatering of the stream channel near the Garis Barn and the stream channel near Dam 10. They will be moved to an area upstream or downstream from the work area. If any brown trout are found, they will be moved to a location downstream of the series of natural waterfalls at Van Campens Glen. Any invasive rusty crayfish will be removed and euthanized (frozen).
 - a. During stream channel work, Van Campens Brook will be piped around the work area and a filter will be placed on the upstream end of the pipe to prevent trout from entering it.

- b. Dewatering the stream channel prior to work will minimize impacts to aquatic species from equipment and materials, as well as from sedimentation.
4. Per NJDEP guidelines, best management practices to prevent erosion and sedimentation will be adhered to (NJDEP 2020c).
5. Biological monitors, meeting the qualifications of the state of New Jersey, will be present onsite during construction to ensure rare, threatened, or endangered fauna are not harmed by construction activities.
 - a. Physical barriers, such as silt fence that has been toed into the soil, will be installed around the project area to prevent rare, threatened, or endangered fauna from entering the site.
 - b. Should timber matting or gravel causeways be needed within the project area to access some sites, openings (tunnels) will be left at the bottom so that fauna can pass through. NJDEP design specifications for these passages will be followed.
6. Beavers are present within the project area and are expected to remain so. The stream channel restoration design incorporates features that allow for the presence of beavers but does not allow the beavers to compromise the stability of the reconstructed channel. Measures include those suggested in recent scientific literature (USFWS 2017; USFS 2019).
7. Surface and groundwater monitoring will continue for at least one year post-construction to confirm that the hydrology of the restored wetlands is functioning as expected.
8. Monitoring of restored wetlands, stream banks, and areas of invasive plant treatment will occur for a minimum of five years. Return treatment(s) to ensure establishment of native vegetation and control of invasive plants may be necessary. A vegetation management and monitoring plan will be developed prior to the start of construction.

Visitor Use and Experience Mitigation Measures

1. For visitor safety, the project area and any staging areas will be closed to visitors for the duration of construction, approximately twelve to sixteen months.
2. Utility line relocation to Old Mine Road will preferably occur during winter or early spring, when visitor use of the road is low and often already limited by road closures due to conditions.
 - a. If Old Mine Road is not closed, one-lane closures may be implemented, or two-lane closures if flaggers are present and closures are of limited duration.
3. Construction vehicles, equipment, and supplies entering and exiting Old Mine Road will use the appropriate traffic-safety protocols, such as flaggers, spotters, and signs.
4. Notifications regarding construction, and interpretation and education regarding the project, will be posted (at a minimum) electronically on the park's website and social media. Permanent installation of interpretive materials or a wayside regarding the project or resources within the project area may be considered but is not required.

5. Construction work will occur on weekdays during normal working hours (usually between 7:30 a.m. and 4 p.m.), unless there is an exceptional circumstance that will necessitate working outside those hours and days. The Superintendent will approve or deny requests to work outside those hours on a case-by-case basis.

Cultural Resource Mitigation Measures

NPS and the New Jersey Historic Preservation Office have executed an MOA under Section 106 of the National Historic Preservation Act (Attachment C). The measures that will be implemented to mitigate for the adverse effect to cultural resources are listed in the MOA, and below:

1. Archeological monitors will be present onsite during any ground-disturbing activity in medium- or high-probability areas.
 - a. Protocols for inadvertent discovery will be adhered to.
 - b. Paleontological, prehistoric, and historic objects, structures, and artifacts found during construction will be documented and, when appropriate, catalogued and accessioned.
2. The ground within staging areas and access roads, if not paved, will be protected by geotextile fabric and stone to prevent disturbance.
3. The interior and exterior of the Garis Barn will be fully documented prior to removal of a portion of the exterior clapboard siding.
 - a. The clapboards will be stored within the park for future reuse.
 - b. The objects stored inside the Garis Barn will be inventoried and, when appropriate, catalogued and accessioned.
4. The alignment, dimensions, and roadbed material profile of the Columbia-Walpack Turnpike will be documented prior to its demolition.
5. A road between Millbrook School and Old Mine Road, constructed prior to 1860 but unused for decades, will be put back into use in order to replace the access for administrative vehicles that was lost by flood damage to the Columbia-Walpack Turnpike. Trees that have grown in on top of the road surface will be flush-cut and brush will be cleared in order to restore the use of the road by vehicles and pedestrians.
6. A hiking trail will be constructed in the upland between Millbrook Village and Millbrook School to enable park visitors to access the school on foot.

Attachment B: Public Comments and Responses

A 30-day public comment period for the Watergate Wetlands Restoration Project was held from June 2 to July 1, 2020. A press release was issued on June 2. The press release and project map were emailed to 217 individuals and organizations. Emails as well as hard-copy letters were sent to 15 elected officials. The opportunity was posted on the park's website and Facebook site, reaching 8700 people.

Comments were received from 20 individuals and 1 organization.

One commenter suggested that the Garis Barn should be moved to a location where it would not only be accessible to visitors and more accessible for preservation maintenance, but also in a more open setting that better reflects its agricultural use. The park considered this idea during the pre-planning phase of the project and decided not to move forward with it. Both the commenter's idea and the preferred alternative would have adverse effects. The adverse effects of the preferred alternative would be resolved as described in the Memorandum of Agreement.

Other commenters suggested a change to various elements of the preferred alternative related to visitor use and experience at the Watergate Recreation Site, and in particular requested that a small pond remain in place and that the picnic area remain as-is so that they could continue to be enjoyed by visitors. The project would not meet the purpose and need if these suggestions were incorporated into the preferred alternative.

Attachment C: Memorandum of Agreement

MEMORANDUM OF AGREEMENT
BETWEEN DELAWARE WATER GAP NATIONAL RECREATION AREA
AND THE
NEW JERSEY HISTORIC PRESERVATION OFFICER
REGARDING THE WATERGATE WETLANDS RESTORATION PROJECT
HARDWICK TOWNSHIP, WARREN COUNTY, NEW JERSEY

WHEREAS the Delaware Water Gap National Recreation Area (“the park”) proposes to restore wetlands and the natural function of a stream and its floodplain by removing man-made dams, levees, impoundments, a road, and a portion of a building; and re-grading the site to restore wetlands and proper stream and floodplain function; and

WHEREAS, the park has defined the undertaking's area of potential effect (APE) as an area of 114 acres within and near the Watergate Recreation Site (see map, Attachment A); and

WHEREAS the park has determined that the undertaking will have an adverse effect due to impacts to the Millbrook School property, which is listed in the National Register of Historic Places as a contributing resource to Old Mine Road Historic District; and to Garis Barn and the Columbia-Walpack Turnpike, which are eligible for listing in the National Register of Historic Places, and has consulted with the New Jersey Historic Preservation Officer (SHPO) pursuant to 36 C.F.R. part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), the park has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, in recognition of the government-to-government relationship between the park and federally-recognized Indian tribes, the park has consulted with the designated representatives of the Delaware Nation, Delaware Tribe, and Stockbridge-Munsee Community, and is committed to continuing to consult on the wetland restoration planting plan and potential for interpretation and education related to cultural history separately from the Section 106 process,

and

NOW, THEREFORE, the park and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The park shall ensure that the following measures are carried out:

- I.** A hiking trail between Millbrook Village and Millbrook School shall be established to restore pedestrian access for visitors.
- II.** A road between Millbrook School and Old Mine Road, constructed prior to 1860 but unused for decades, shall be put back into use in order to restore vehicular access that will be used for special circumstances, such as preservation maintenance campaigns.
- III.** The alignment, dimensions, and roadbed material profile of the Columbia-Walpack Turnpike shall be documented prior to its removal.
- IV.** The existing setting of the Millbrook School, and in particular its relationship to the Columbia-Walpack Turnpike, shall be documented with photographs prior to any construction activities.
- V.** Photographic and/or video documentation of the exterior and interior of Garis Barn shall be completed prior to construction and made available to the public. The photographic documentation of the Garis Barn shall include the setting of the structure, in particular its relationship to the Columbia-Walpack Turnpike, prior to any construction activities.
- VI.** The lower 6-10' of exterior wooden clapboards shall be removed from Garis Barn in order to allow floodwater to flow through, not against, Garis Barn, enabling the building to be preserved in place, rather than demolished by floods, demolished by NPS, or relocated to a different site.
 - a. Exterior wooden clapboards shall be preserved/accessioned and could be reinstalled if circumstances allow.
 - b. The collapsing lean-to, a modern (1980s) addition, shall be removed.
- VII.** If properties are discovered that may be historically significant or unanticipated effects on historic properties found, the park shall implement the following discovery plan.
 - a. Work in the vicinity of the discovery will immediately stop and the park will secure the site.
 - b. Within 48 hours the park will:

- i. contact the New Jersey SHPO and, if Native American tribes might attach religious and cultural significance to the affected property, then also contact the Delaware Tribe, Delaware Nation, and Stockbridge Munsee Community to report the find and discuss appropriate actions to avoid or mitigate adverse effects.
 - ii. take their recommendations into account when moving forward.
 - iii. provide the SHPO and tribes a report of the actions taken.
- c. Should the discovery involve human remains or other artifacts protected by the Native American Grave Protection and Repatriation Act (NAGPRA), the Park will coordinate its responsibilities under this MOA with applicable law enforcement policies and NAGPRA, and commit to following the procedures outlined in the Delaware Tribe of Indians' and Stockbridge Munsee-Community's Policy for the Treatment and Disposition of Human Remains and Cultural Items That May be Discovered Inadvertently Under Planned Activities, which have been uploaded to the NPS Planning, Environment and Public Comment website under PEPC #62575.

IV. DURATION

This MOA will expire if its terms are not carried out within three (3) years from the date of its execution. Prior to such time, the park may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below.

VI. MONITORING AND REPORTING

Within three years following the execution of this MOA until it expires or is terminated, the park shall provide the SHPO a summary report detailing work undertaken pursuant to its terms.

VII. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the park shall consult with such party to resolve the objection. If the park determines that such objection cannot be resolved, the park will:

- A. Forward all documentation relevant to the dispute, including the park's proposed resolution, to the ACHP. The ACHP shall provide the park with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to

reaching a final decision on the dispute, the park shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. the park will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the park may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the park shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.

C. The park's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VIII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

IX. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation **VIII**, above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, the park must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The park shall notify the signatories as to the course of action it will pursue.

X. ANTI-DEFICIENCY


All actions taken by the park in accordance with this MOA are subject to the availability of funds, and nothing in this MOA shall be interpreted as constituting a violation of the Anti-Deficiency Act.

WATERGATE WETLANDS RESTORATION PROJECT

Execution of this MOA by the park and SHPO and implementation of its terms evidence that the park has taken into account the effects of this undertaking on historic properties and afforded the Advisory Council on Historic Preservation an opportunity to comment.

SIGNATORIES:

DELAWARE WATER GAP NATIONAL RECREATION AREA

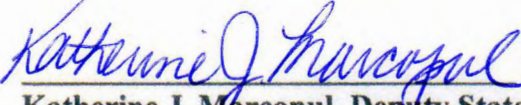


Sula Jacobs, Superintendent

Date

9/3/20

NEW JERSEY HISTORIC PRESERVATION OFFICER



Katherine J. Marcopul, Deputy State Historic Preservation Officer

Date

9/9/2020

Attachment D: Non-Impairment Determination

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the US Department of Interior and NPS to manage units "to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations" (54 United States Code [USC] § 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no "derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress" (54 USC 100101).

NPS' *Management Policies* (2006), section 1.4.4, explains the prohibition on impairment of park resources and values:

While Congress has given the NPS the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the NPS must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the NPS. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

NPS has discretion to allow impacts on park resources and values when necessary and appropriate to fulfill the purposes of a park (NPS *Management Policies 2006*, section 1.4.3). However, NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (section 1.4.3). An action constitutes an impairment when its impacts "harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values" (section 1.4.5). To determine impairment, NPS must evaluate "the particular resources and values that would 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" (section 1.4.5).

This determination on impairment has been prepared for the selected action as described in this Finding of No Significant Impact. An impairment determination is made for the Historic Structures and Districts resource topic.

Historic Structures and Districts

The removal of a portion of the Columbia-Walpack Turnpike and the removal of a portion of the Garis Barn exterior will have an adverse impact on the Old Mine Road and Millbrook Village Historic Districts through the removal of historic fabric, as well as altering the setting and feeling in those areas of the historic districts. It is not possible to meet the purpose and need of the project without those removals, and the current, deteriorated condition of those resources is already an adverse impact to the structures and districts.

The NPS has engaged in consultation with the New Jersey Historic Preservation Offices and will implement mitigations that not only minimize the adverse impacts, but provide a beneficial impact to the districts by restoring access to Millbrook School and allowing for the long-term preservation of the Garis Barn.

The selected action, including cultural resource mitigations, will not diminish the integrity of the historic districts to the point of impacting their eligibility for listing on the National Register. The elements of the selected action that focus on the historic structures and districts will ultimately improve the long-term condition of resources within the districts and the ability of those resources to maintain their integrity and contribution to the districts.

Conclusion

In the professional judgement of the NPS decision-maker, the adverse impacts that may result from implementing the selected action are limited in nature, will not affect their listing or eligibility for listing on the National Register, and therefore will not rise to levels that will constitute impairment. This determination is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, relevant scientific studies, the comments provided by the public and others, and the professional judgment of the decision maker, as guided by the direction of the NPS' *Management Policies* (2006).