



FINDING OF NO SIGNIFICANT IMPACT CORRIDOR PLAN AND ENVIRONMENTAL ASSESSMENT FOR THE ICE AGE NATIONAL SCENIC TRAIL- EASTERN CHIPPEWA COUNTY, WISCONSIN

BACKGROUND

The National Park Service (NPS) has completed a Corridor Plan for the Ice Age National Scenic Trail (Ice Age NST) in Eastern Chippewa County, Wisconsin and has prepared an environmental assessment (EA) to analyze potential impacts. The Corridor Plan and Environmental Assessment (Plan) are in compliance with the National Environmental Policy Act of 1969 (NEPA), as amended.

This finding of no significant impact and its associated EA constitutes the record of the environmental impact analysis and decision-making process. The NPS will implement the selected alternative (proposed action) to establish a planned and mapped “Corridor of Opportunity” within which lands for the trail may be acquired, developed, managed, and protected for the eastern Chippewa County portion of the Ice Age NST. This will help guide Ice Age NST, partner agencies, including the Wisconsin Department of Natural Resources, local governments and private volunteer organizations in their efforts to secure a route for the trail. The Corridor of Opportunity is approximately 2-5 miles wide. Since all participation in the Ice Age NST is voluntary, this width allows flexibility when locating the trail.

The Ice Age NST’s existing comprehensive management plan—*1983 Comprehensive Plan for Management and Use of the Ice Age NST (Comp Plan)*—continues to provide relevant guidance, which may be supplemented through development of additional planning documents, such as this one. The *Ice Age National Scenic Trail Corridor Plan and Environmental Assessment for Eastern Chippewa County, Wisconsin* is a component of the park’s planning portfolio and fulfills park planning for resource and visitor use management and development guidance. This plan is consistent with the general guidance of the *Comp Plan* and helps the trail to better meet the statutory requirements of 54 USC 100502, specifically the requirement to address measures for preservation of resources, types and general intensities of development, and the identification of visitor carrying capacities.

This document records (1) a finding of no significant impact as required by the National Environmental Policy Act of 1969; (2) a finding of no effect to federally listed species or their habitat as required by the Endangered Species Act, Section 7; and (3) a finding of no effect as required by the National Historic Preservation Act, Section 106, as it relates to the development of this plan. Implementation of specific elements of this plan will require further Section 106 consultation; all described by the Director’s Order #12 and Handbook (NPS 2015). This finding of no significant impact is available on the National Park Service Planning, Environmental and Public Comment (PEPC) website at:
<https://parkplanning.nps.gov/IATR-Chippewa>

PURPOSE AND NEED FOR FEDERAL ACTION

The purpose and need for this Corridor Plan and Environmental Assessment is to carry out the Secretary's responsibility in section 7(a)(2) of the National Trails System Act [16 U.S.C. 1246(a)(2)] to:

“select the rights-of-way for [the Ice Age] national scenic [Trail] ...” The act goes on to specify: “That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner or user and their operation. Development and management of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple use plans for the specific area in order to ensure continued maximum benefits from the land.... In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.”

ALTERNATIVES CONSIDERED

Five alternatives were considered and discussed throughout the public involvement process, including a No Action alternative. Three were initially considered: a no action alternative, a northern alternative and a southern alternative. Two alternatives were retained for analysis, the No Action Alternative and the Preferred Action Alternative. These alternatives are described below.

No Action Alternative

Under the no-action alternative, the Secretary of the Interior's responsibility under the National Trails System Act to select a specific route for the trail would not be carried out and no Corridor of Opportunity to more specifically identify the route of the Ice Age NST would be established. The Wisconsin Department of Natural Resources and/or other local and state entities could continue to pursue the development of a trail, but there would be no direct NPS involvement. Local and private partners working to establish the trail could continue to be guided by the general route referenced in the National Trails System Act, which for the most part is a conceptual route and could deviate from it at their discretion.

Proposed Action Alternative (Preferred)

Under the Preferred Action Alternative, a Corridor of Opportunity that is approximately 2 to 5 miles in width, extending south and east from existing trail in Section 13 of the town of Cleveland, just west of County Trunk CC, through the towns of Estella, Arthur, Colburn and Delmar to the Taylor County line, east of Otter Lake County Park, has been identified and would receive state and federal approval. Within this corridor, a trailway that is approximately 200-1,000 feet or more in width would be acquired for Ice Age NST purposes. A wider trailway may be necessary to incorporate significant features of a particular area. The corridor is intentionally designed to be wide enough to allow flexibility in working with cooperating landowners to site the trail since all participation in the project is voluntary. The established corridor will define areas for purchase using private, state, or federal funds and will serve as advisory information for town and county land use planning.

Selected Alternative

The NPS has selected the Proposed Action as the Preferred Alternative as described and analyzed in the environmental assessment for implementation. The Preferred Alternative was selected because it best fulfills the purpose and need, and the intent of Congress and the Wisconsin State Legislature. It is based on an evaluation of the geologic and natural features, public lands and support facilities, and cultural resources found in Chippewa County, as well as the field work of representatives of the Core Planning Team. It was then refined using information obtained through open house meetings and other comments received from the public. The Proposed Action incorporates the geologic features, public lands, and support facilities meeting the project's objectives. The eastern side of the corridor was also widened a bit from northern and southern alternatives, to allow additional opportunities to locate the trail and connect with the existing Ice Age Trail in Taylor County.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in CFR 40 Section 1508.27, significance is determined by examining the following criteria:

- 1. Impacts that may have both beneficial and adverse aspects in which on balance may be beneficial, but that may still have significant adverse impacts that require analysis in an Environmental Impact Statement.**

No significant impacts to resources were identified that would require analysis in an environmental impact statement. Whether taken individually or as a whole, the impacts of the selected alternative would not reach a level of significant effect because most adverse impacts associated with implementation would be temporary, lasting only as long as management actions are being executed during actual construction. Impact Topics are discussed in Chapter 5 of the plan and EA.

- 2. The degree to which public health and safety are impacted.**

The selected alternative considers public health and safety. Overall, implementing the proposed action would likely have beneficial impacts to human health as it would increase recreation opportunities.

- 3. Impacts to any unique characteristics of the area (proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains, etc.).**

The selected alternative would not adversely affect historic or cultural resources, including the cultural landscape; prime farmlands; ecologically critical areas; lakes and other water bodies, wetlands, floodplains, wild and scenic rivers and their associated water quality.

- 4. The degree to which impacts are likely to be highly controversial.**

Throughout the plan development process, no identified environmental impacts have been deemed highly controversial. During consultation with affiliated tribes, the SHPO, U.S. Fish and

Wildlife Service, and during the public comment period, there were no substantive concerns expressed about the proposed action.

5. The degree to which the potential impacts are highly uncertain or involve unique and unknown risks.

The proposed action addresses natural and cultural resource protection. Anticipated impacts to resources, as analyzed in the environmental assessment, are not highly unique and do not involve unknown risks. Mitigation measures and best management practices would further minimize risks to the human and natural environment.

6. Whether the action may establish a precedent for future actions with significant impacts or represent a decision in principle about a future consideration.

The proposed action does not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration. There have been no significant impacts identified as a potential result of the proposed action.

7. Whether the action is related to other actions that may have individual insignificant impacts but cumulatively significant impacts. Significance cannot be avoided by terming an action temporary or breaking it down into smaller counterparts.

The environmental assessment adheres to the revised CEQ regulations which came into effect September 2020. In summary, the EA concluded that implementing the selected alternative would result in net beneficial impacts for visitor health and safety and vegetation when taking into account reasonably foreseeable actions within the project area and other development and management trends; and would not have individually or cumulatively significant impacts.

8. The degree to which the action may adversely affect historic properties in or eligible for listing in the National Register of Historic Places, or other significant scientific, archeological, or cultural resources.

In terms of the cultural landscape, historic properties, and scientific resources this action will have an overall beneficial impact, and potentially negligible adverse impacts to archeological resources. The NPS has a Programmatic Agreement with the Wisconsin State Historic Preservation Officer (SHPO) detailing communication and consultation protocols. The NPS will review all activities. One of the guiding principles of the agreement is to adjust the planned trail or project location to ensure no impacts to known cultural sites are incurred. If previously unknown archeological resources are discovered during implementation, an inadvertent discovery procedure is in place where all work in the immediate vicinity of the discovery shall be halted until the resources are identified and documented.

9. The degree to which an action may adversely affect Endangered or Threatened species or its habitat.

The NPS reviewed U.S. Fish and Wildlife (USFWS) data to analyze the effects of the proposed action on federally listed species known to occur within Preferred Alternative. Adverse effects from the selected alternative are not expected to have more than negligible adverse impacts to special status species or their associated critical habitats as a result of proposed mitigation measures. Negligible adverse impacts would be limited to the actual construction footprint of the Ice Age NST but would have an overall beneficial impact to the surrounding habitat.

NPS will continue to coordinate and consult with USFWS during implementation to avoid adverse impacts to Northern long-eared bats.

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

The proposed action does not violate any federal, state, or local environmental protection laws. The NPS has complied with all Federal, State, and local laws with relevance to the selected alternative. The plan has been developed to meet the Wisconsin Environmental Policy Act in addition to NEPA as per our partnership and general agreement with the Wisconsin Department of Natural Resources.

PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

During preparation of the EA, the NPS consulted with federal and state agencies, tribes, interested and affected parties, and the general public, and notifications included the Congressional delegation. These activities are summarized in chapter 5 of the plan and EA and are further detailed below.

Public Involvement

Scoping was initiated September to October 2004. The local trail chapter made a series of presentations to each of the local town and village boards within the project area to discuss the Corridor Protection Plan and respond to questions and concerns about the Ice Age NST. A series of open house meetings followed in June 2005 to present the two study areas—Northern and Southern—to the public to identify issues and opportunities, collect additional information, and further refine study areas. Due to staff turnover, some time passed between the scoping phase and the development of alternatives phase. A range of alternatives were presented during public meetings that took place in July and August of 2013 and the park distributed announcements through individual letters and press releases. The preferred action was presented to the public during a final series of open house meetings in August 2014. Again, the park distributed announcements through individual letters and press releases. Comments from this round of open house meetings were incorporated into the plan.

On June 18, 2021, Ice Age National Scenic Trail released the Corridor Plan and Environmental Assessment for public comment. Striving to reach a broad audience while maintaining health and safety practices during the COVID-19 pandemic, the park distributed announcements by e-mail and/or hard copy to local, state, and federal government officials. Additionally, on June 18, 2021 Ice Age NST posted a press release on their official nps.gov website as well as providing the link to the document through the parkplanning.nps.gov site. The park announced the release of the plan via a press release. This press

release was sent to local radio, television and print media outlets. The public was asked to review the EA and share their comments for 30-days between June 18 and July 18 related to environmental analysis of actions proposed for the study area.

The park did not hold any additional in-person public meetings in keeping with federal and/or state health emergency orders and social distancing but facilitated dialogue through other methods of public engagement. During public review, three (3) correspondences were received through the NPS Planning, Environment, and Public Comment (PEPC) website or by mail and e-mail.

Wisconsin State Historic Preservation Office

Preliminary project notification via was sent to the Wisconsin State Historic Preservation Office (SHPO) June 1, 2005. A series of open house meetings followed in June 2005 to present the two study areas—Northern and Southern. The SHPO was also notified of the plan’s progress on July 11, 2013, and July 8, 2014.

The Wisconsin State Historic Preservation Officer was provided a pre-public draft plan/environmental assessment on May 4, 2021. The park received a response on July 7, 2021. The SHPO stated that their preferred method for coordination and consultation regarding trail projects is to follow the protocols set forth in the Programmatic Agreement. This agreement provides for a process where consultations are carried out on a project-by -project basis as individual trail projects are developed and implemented.

Tribal Consultation

On June 1, 2005 the NPS sent letters and/or emails to fourteen affiliated tribal governments stating Ice Age NST’s intent to develop a Corridor Plan and Environmental Assessment for Eastern Chippewa County, the proposed plan objectives, the intent to keep the tribes informed as the planning process progressed, and to invite their participation in the planning process. A series of open house meetings followed in June 2005 to present the two study areas—Northern and Southern. The tribes were also notified of the plan’s progress on July 11, 2013.

On May 4, 2021 a letter was sent to the fourteen affiliated tribal governments that included a pre-public review copy of the plan and EA. As of August 19, 2021, the NPS has not received comments from any of the fourteen (14) tribes contacted.

U.S. Fish and Wildlife Service

The NPS initiated informal consultation with the U.S. Fish and Wildlife Service (USFWS) June 1, 2005. The NPS notified the USFWS that the NPS was developing a Corridor Plan and Environmental Assessment for Eastern Chippewa County. A series of open house meetings followed in June 2005 to present the two study areas—Northern and Southern. A USFWS memorandum dated July 1, 2005 noted three federally listed, threatened or endangered species or critical habitat is known to occur in the county. At that time, USFWS records indicated there were none present within the proposed corridor. The USFWS was also notified about the plan’s progress on July 11, 2013 and July 8, 2014.

The USFWS was sent a pre-public review of the draft Corridor Plan and Environmental Assessment on May 4, 2021. On June 4th, 2021 during a conversation with USFWS, staff member Megan Kosterman of the Minnesota-Wisconsin Field Office, she indicated that an updated list of potential Threatened and Endangered species for Eastern Chippewa County Corridor was needed. Moreover, she concurred that since the exact location of future trail in the corridor is unknown at this time, the NPS will consult with USFWS on Section 7 of the Endangered Species Act on a project-by -project basis as individual trail segments is developed and implemented. On June 4, 2021 the NPS obtained an updated species list for Eastern Chippewa County Corridor Plan preferred alternative, generated by the USFWS Information for Planning and Conservation (IPaC) system (<https://ecos.fws.gov/ipac>). The updated species list indicates there may be two species present in the project area- the northern long-eared bat (*Myotis septentrionalis*) and Karner Blue Butterfly (*Lycaeides melissa samuelis*). The draft plan was updated with the revised species information prior to public comment. That same day a new list was generated from the USFWS IPac resources. The NPS will use IPaC and the 4(d) rule for the northern long-eared bat (*Myotis septentrionalis*). No further comments were received from the USFWS beyond this conversation and follow up email.

Wisconsin Department of Natural Resources

The Wisconsin Department of Natural Resources provided substantial feedback and support regarding the development of the Corridor Plan and Environmental Assessment. The project's Core Planning Team included multiple representatives from the Wisconsin Department of Natural Resources. Throughout the process WDNR staff worked with the NPS to ensure the resulting Corridor Plan and Environmental Analysis would fulfill the requirements of both NEPA and the Wisconsin Environmental Policy Act (WEPA).

WDNR staff received a pre-public review of the draft Corridor Plan and Environmental Assessment in December of 2020. Comments were received from DNR staff Phillip Rynish and Adam Mednick on January 28, 2021. Comments were addressed and additional information as requested was included in the draft prior to public release. Adam Mednick also indicated that, "as edited, the EA portion is sufficient for WEPA compliance purposes." On October 12, 2021, DNR Staff member Andrew Hanson requested NPS add the citation for the Wisconsin Administrative Code relating to the WEPA.

FINDING OF NO SIGNIFICANT IMPACT

Based on review of the facts and analysis contained in the EA, the NPS has selected a Preferred Alternative as described above, for implementation. The selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement. The proposed action would not have a significant effect on the human environment in accordance with section 102(2)(c) of the National Environmental Policy Act.

Environmental impacts that could occur are limited in context and intensity, with general beneficial impacts to visitor use and experience, vegetation, and species of special concern. There are no unmitigated adverse impacts on public health, public safety, or vegetation, or federally threatened or endangered species.

No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative impacts, or elements or precedence were identified. Implementation of the actions would not violate any federal, state, or local environmental protection law.

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. The Ice Age Trail Chippewa County Corridor Plan and associated Environmental Assessment will be implemented as soon as practical when funding becomes available.

Recommended: _____
Eric Gabriel, Superintendent
Ice Age National Scenic Trail
Date

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

Attachment: Errata and Response to Comments

ATTACHMENT A: ERRATA AND RESPONSE TO COMMENTS

On Jun 18, 2021, Ice Age National Scenic Trail released the Corridor Plan (CP) and Environmental Assessment (EA) for Eastern Chippewa County, Wisconsin for public comment. Striving to reach a broad audience, the park distributed announcements by e-mail and/or hard copy to local, state, and federal government officials. The park also announced the release of the EA via press release. The public was asked to review the plan and share their comments for 30-days between June 18, 2021 and July 18, 2021 related to environmental analysis of actions proposed for the study area.

This section includes both minor edits and technical revisions to the EA that resulted as a response to comments received from general commenters and consultants during the public review period. These revisions do not change the outcome of the impact analysis, nor do they affect the final decision documented in the Finding of No Significant Impact.

The Errata, when combined with the EA, comprises the only amendment deemed necessary for the purposes of completing the Final Corridor Plan and Environmental Assessment for Eastern Chippewa County, WI.

ERRATA - MINOR EDITS TO THE CORRIDOR PLAN AND ENVIRONMENTAL ASSESSMENT FOR EASTERN CHIPPEWA COUNTY, WI.

Clarification or Minor Technical Edits:

Table 3: Technical Revision or Change

Page/Section	Revision or Change
PLAN and EA	
All pages	Minor revisions to page numbers possible due to final formatting for accessibility.
Appendix	
Appendix F Page 100	LEGISLATION AND STATUES section of the Eastern Chippewa County Corridor Plan and EA, Item A into two, as follows: (1) Comply with all provisions regarding environmental considerations and public involvement required by the National Environmental Policy Act (NEPA) and WEPA by carrying out an open, public planning process to determine the corridor for the trail, and to identify and address public issues and concerns. (2) Comply with the Wisconsin Environmental Policy Act (WEPA) in accordance with sections NR 150.20(2)(a)2r and NR 150.40(2)(a) of the Wisconsin Administrative Code

RESPONSE TO COMMENTS AND ISSUES

During public review of the EA, three (3) correspondences were received through the NPS Planning, Environment, and Public Comment (PEPC) website. Two comments indicated general support for the plan, and one comment related to an issue outside the scope of the document.

OUT OF SCOPE COMMENTS

IV100 - ISSUES - Visitor use or experience issues

CONCERN STATEMENT: (Concern ID: 64804) The trails along 107 around New Wood Park are in serious disrepair...I am hoping in the near future these issues can be address and repaired.

Response: New Wood Park is not located in Chippewa County, however, issues concerning maintenance and management of the trail are a general concern. The Trail is planned, developed, and maintained through a partnership- A copy of the Memorandum of Understanding between the NPS, Ice Age Trail Alliance (IATA) and Wisconsin Department of Natural Resources describing the partnership and responsibilities of each partner is included at Appendix D. The NPS is not responsible for the management or maintenance of this section, located in Lincoln County. Information about this respondent's concern has been forwarded to the IATA.