



June 15, 2023

**FINDING OF NO SIGNIFICANT IMPACT  
CORRIDOR PLAN AND ENVIRONMENTAL ASSESSMENT**  
Ice Age National Scenic Trail  
Rock County, Wisconsin

**Background**

The National Park Service (NPS) has prepared an Environmental Assessment (EA) and Corridor Plan for the Ice Age National Scenic Trail (NST). The EA was prepared in compliance with the 1969 National Environmental Policy Act (NEPA) to evaluate the potential environmental impacts of the proposed action to designate a two-to-five-mile-wide corridor where land acquisition and management of the Ice Age NST within Rock County, Wisconsin may occur. The EA was open for public comment from April 11 to May 12, 2023. Comments were solicited online through the NPS Planning, Environment, and Public Comment (PEPC) system or by U.S. mail. A summary of public comments and responses to substantive comments are described in Attachment A. The EA is available on PEPC at [parkplanning.nps.gov](https://parkplanning.nps.gov).

This Finding of No Significant Impact (FONSI) and associated EA constitute the record of the environmental impact analysis and decision-making process. The NPS selected the Johnstown Moraine, Rock River West alternative. The proposed action was selected after careful analysis of potential impacts to resources and the visitor experience, and in consultation with associated Tribes, the U.S. Fish and Wildlife Service (USFWS), the Wisconsin Department of Natural Resources (WDNR), Wisconsin State Historic Preservation Office (SHPO), the Ice Age Trail Alliance (IATA), and review and consideration of public comments.

This document records (1) a FONSI as required by NEPA, as amended; (2) compliance with Section 7 of the Endangered Species Act (ESA); and (3) compliance with Section 106 of the National Historic Preservation Act (NHPA), as it relates to the development of this plan. Trail development or any planning for the trail outside the scope of the EA will require further NEPA analysis.

## **Selected Alternative**

The EA analyzed two alternatives, a No Action Alternative and a Preferred Alternative. Based on this analysis, the NPS selected the Preferred Alternative, Johnstown Moraine – Rock River West. The Selected Alternative will establish a two-to-five-mile-wide corridor within which lands for the trail may be acquired, developed, managed, and protected for the Rock County portion of the Ice Age NST. Within this corridor, a trailway that is approximately 50-1,000 feet or more in width would be acquired for Ice Age NST purposes. The corridor is intentionally designed to be wide enough to allow flexibility in working with willing landowners to site the trail, since all participation in the project is voluntary. When complete, the Rock County portion of the Ice Age NST will be between 65 and 70 miles. The actual length of the remaining trail between the Rock/Walworth County line and west to the Rock/Green County line is dependent on the route. Each segment of trail will be developed as funds and approvals allow, with a goal of a continuous completed trail through the county. This plan will help guide agencies and private volunteer organizations in their efforts to secure a route for the trail.

## **Rationale for Decision**

The Selected Alternative 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, support facilities, and cultural resources found in Rock County. The Selected Alternative incorporates the geologic features, public lands, and support facilities meeting the project's objectives, establishes a new public recreational resource, and provides resource protection that will support the extension of the Ice Age NST through a region of existing trail segments (Walworth and Green Counties). The Selected Alternative also connects all of the existing trail segments across Rock County.

## **Mitigation Measures**

The NPS places strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. Therefore, multiple mitigation measures and best management practices (BMPs) are included to protect natural and cultural resources. These mitigations and BMPs are described in Chapter 5 of the EA.

The authority for this project's mitigations comes from the following laws and policies:

- National Park Service Organic Act (16 United States Code [U.S.C.] 1)
- National Park Service Management Policies (NPS 2006)
- Endangered Species Act (1973)
- National Historic Preservation Act (1966)
- National Trails System Act (1968)

## **SIGNIFICANCE CRITERIA OVERVIEW**

### **Potentially Affected Environment**

This EA designates a trail corridor within Rock County for the Ice Age NST. Potentially affected resources identified in the EA include the following: geology, soils, vegetation, water resources, wildlife, recreation resources, historic and cultural resources, resources of interest to Tribal Nations, and socioeconomics. These resources are described in detail in Chapter 5 of the EA.

### **Degree of Effects of the Action**

The NPS considered the following actual or potential project effects in evaluating the degree of the effects (40 CFR 1501.3(b)(2)) for this proposed action.

**a. Beneficial and adverse, and short- and long-term effects of the proposed action.**

The Selected Alternative will result in mostly long-term beneficial impacts, and some negligible or minor short-term adverse impacts, as described below.

Development and construction of the trail is entirely dependent on willing landowners. The designation of a corridor could result in long-term beneficial effects to geological resources through protection from disruptive land uses. There is potential for short-term adverse impacts to soils during the construction phase, however, these impacts will be analyzed at the trail building phase and best management practices will be implemented. The Selected Alternative could result in long-term beneficial impacts to forest communities by extending the protected trailway and avoiding future fragmentation of the trailway ecosystem. Short-term adverse impacts to vegetation from introduction of invasive species may occur at the trail building phase; however, these effects would be mitigated through control efforts. The Selected Alternative could have long-term beneficial impacts to vegetation by providing a protected trailway that would be managed for control of invasive species. There would be no adverse effects to plant species of concern, due to avoidance measures and additional consultation with the USFWS and WDNR during design of the trail alignment. During construction, there could be negligible short-term adverse impacts to water resources from sedimentation and temporary stream bank destabilization. Any trail construction in wetlands would require compliance with Executive Order 11990 (Protection of Wetlands) and would require permits from the U.S. Army Corps of Engineers, Environmental Protection Agency, and WDNR. Analysis of site-specific wetland impacts would occur when trail implementation is proposed, and a wetland statement of findings (if required) and all required permitting would be completed at that time. During construction, some negligible, short-term, adverse impacts to wildlife and threatened and endangered species could occur, including limited displacement of certain species, however, overall patterns of use would not change. All potential impacts would be mitigated by adhering to best management practices and consulting with USFWS. The development of the trail would result in long-term beneficial impacts to wildlife by reducing habitat fragmentation. There could be some negligible, short-term adverse impacts to fisheries during construction activities as a result of possible erosion, sedimentation, and temporary stream bank destabilization. The

impacts, including some displacement, would be temporary and localized, and fisheries are anticipated to recover quickly. If the trail is constructed, it would have highly beneficial, long-term regional impacts on recreation resources and opportunities. The trail would add to existing recreation opportunities in the county and provide an important linkage to existing trail segments.

The Selected Alternative could have localized, long-term beneficial impacts to cultural resources through interpretation of historic sites. The consultation and coordination process outlined in the 2021 Programmatic Agreement between the NPS and the Wisconsin State Historic Preservation Office (SHPO) would ensure the preservation or avoidance of important cultural resources in the corridor and result in no adverse impacts during the trail building phase. The designation of the corridor does not have adverse effects on Native American cultural resources and concerns. Tribal consultation was initiated early in the planning process. The NPS consulted with the Forest County Pottawatomi on April 6, 2023 and no other comments on the project have been received from tribes.

Designation of a corridor through Rock County would have a direct, long-term beneficial impact to socioeconomic resources, as documented in a 2020 University of Wisconsin study. If the trail is developed, the potential acquisitions would have no adverse effects to the tax base, due to state and federal Payment in Lieu of Taxes (PILT) programs.

- b. Degree to which the proposed action affects public health and safety.**  
Implementing the Selected Alternative would have beneficial impacts to human health by potentially increasing recreational opportunities. No other effects to human health and safety are anticipated. In Chapter 5 of the EA, human health and safety was dismissed from further analysis as an impact topic.
  
- c. Effects that would violate federal, state, tribal, or local law protecting the environment.**  
The Selected Alternative 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 EA has been developed to meet requirements of the Wisconsin Environmental Policy Act (WEPA) in addition to NEPA as per Ice Age NST's partnership and General Agreement with the WDNR. During preparation of the EA, the NPS consulted with federal and state agencies, tribes, interested and affected parties, and the public. Notifications included the Congressional delegation, state, and local elected officials. These activities are summarized in Chapter 6 of the EA and are further detailed below.

#### Public Involvement

Throughout the planning process there has been considerable emphasis on public involvement. As a part of this effort, the IATA (non-profit partner), NPS, and WDNR contacted the public, elected officials of Rock County, townships within the Preferred Alternative, the county's planning, and forestry departments, and held numerous Scoping and Open House meetings.

The Core Team also spent considerable time researching the glacial topography of Rock County, the county's history, and development, as well as the feasibility of constructing the Ice Age NST through the project area.

Scoping Process: Corridor Planning formally began with a scoping in 2006. At that time, a Core Team was established to carry out the Corridor Plan. Over the course of the planning, the Core Team met regularly to conduct fieldwork, identify, and refine study areas, develop conceptual alternative trail corridors and potential route options, coordinate public involvement, and assess landowner interest.

The scoping consisted of identifying criteria to place the corridor, inventorying existing resources or attributes, and developing alternative corridors that fit the criteria. These corridors were presented to the public in 2012. In advance of the 2012 public scoping meetings held in Janesville, Whitewater, and Evansville; presentations were made to the Rock County Towns Association, the City of Janesville, and the Rock County Board. Approximately 45 people attended the three 2012 open house meetings which were publicized via local newspapers and radio announcements. The Saturday meeting in Janesville was the best attended. A total of 15 comment forms were received.

Presentation of Alternatives: Public meetings for the Presentation of Alternatives were held in Milton, Janesville, and Evansville in 2013. Prior to the meetings information packets, including a cover letter and map, were provided to the Rock County Public Works Committee, City of Janesville Planning Commission, and Janesville Leisure Services Advisory Committee. Individual invitations were sent to all landowners within Alternatives 2 & 3. Meeting notices were also posted in the local newspaper.

This round of public meetings was held in Milton on April 23, 2013, in Janesville on April 27, and in Evansville on April 29. The meetings were very well attended. Sign-in sheets indicate more than 150 in attendance. Written comments were received from 63 individuals and one business. Questions and comments from the public were recorded and additional field research was undertaken by the Core Team to determine what would be the Preferred Alternative.

Presentation of Preferred Alternative: To prepare for the release of the Corridor Plan and EA to the public, the Core Team members offered to meet with all the communities that would be affected by the Proposed Action: Magnolia, Union, Porter, Fulton, Center, Janesville, Harmony, Milton, and Lima. The Towns of Magnolia, Milton, Harmony, and Janesville requested presentations in November and December of 2022. The Core Team also made a presentation to the Rock County Unit of the Wisconsin Towns Association. They gave an overview of the Preferred Alternative, took comments, suggested the towns approve general resolutions of support for the trail and answered questions. Members off the Core Team also met with and obtained resolutions of support from the City of Evansville and Rock County Board of Supervisors in 2022. Copies of both resolutions are included in Appendix F of the EA.

The Preferred Alternative was made available to the public for review and comment from April 11, 2023, through May 12, 2023. The public was notified through a press release that was posted on the NPS website, local and regional media outlets. The release was also posted on the IATA website. In addition, partners shared the press release on their social media outlets.

#### Wisconsin State Historic Preservation Office

The Wisconsin SHPO was provided a pre-public draft EA on March 3, 2023. The park received a response on May 4, 2023, stating “The SHPO concurs with the proposed utilization of the consultation process as established by the existing programmatic agreement. As such, we concur with the historic resources verbiage included in this draft EA.”

#### Tribal Consultation

On March 03, 2023, a letter was sent to the fourteen affiliated tribal governments that included a pre-public draft EA. A follow-up email was sent to the tribes’ Tribal Historic Preservation Officers (THPO) on March 17, 2023. Comments were received via email from Forest County Pottawatomoni (March 20, 2023) requesting they be included in any consultation regarding inadvertent discoveries. This request was confirmed during a consultation meeting with Benjamin Rhodd, Forest County Pottawatomoni THPO on April 6, 2023.

#### U.S. Fish and Wildlife Service

The NPS initiated informal consultation with the USFWS February 2006. The NPS notified the USFWS that the NPS was developing a Corridor Plan and EA for Rock County. The USFWS was also notified regarding the plan’s progress at key points in the process including during the development of alternatives and selection of the preferred alternative.

Since the exact location of future trail in the corridor is unknown at this time, the NPS will consult with USFWS under Section 7 of the ESA on each project as the plan is implemented and individual trail segments are proposed for development. The NPS determined the plan itself would have no effect on threatened and endangered species. A list of federally threatened and endangered species which may be present in the project area was obtained from the USFWS Information for Planning and Consultation (IPaC) System on September 22, 2022 and an updated list was obtained on June 14, 2023. The updated list included seven (7) threatened, endangered, and candidate species and no critical habitats. The updated list represents a dynamic change from the previous list, reinforcing the need to review individual trail development projects as they are presented. Threatened species currently listed include the eastern prairie fringed orchid (*Platanthera leucophaea*), prairie bush-clover (*Lespedeza leptostachya*), and Mead’s milkweed (*Asclepias meadii*). The list also includes the endangered northern long-eared bat (*Myotis septentrionalis*), rusty patched bumble bee (*Bombus affinis*), the candidate species monarch butterfly (*Danaus plexippus*), and the experimental population, non-essential whooping crane (*Grus americana*).

Wisconsin Department of Natural Resources

The WDNR provided substantial feedback and support regarding the development of the EA beginning in 2006. Staff from the WDNR served as members of the projects planning team. Throughout the corridor planning process WDNR staff worked with the NPS to ensure the resulting EA would fulfill the requirements of both NEPA and WEPA. WDNR staff received a pre-public review of the draft EA on November 15, 2022. Compiled WDNR staff comments were received from Andrew Hanson, Partnership Liaison, on December 16, 2022. Comments were addressed and additional information as requested was included in the draft prior to public release.

**FINDING OF NO SIGNIFICANT IMPACT**

Based on the information contained in the EA, it has been determined that the proposed action does not constitute a major federal action having a significant effect on the human environment. An Environmental Impact Statement is therefore not required for this project and will not be prepared.

This finding is based on consideration of the Council on Environmental Quality criteria for significance (40 Code of Federal Regulations [CFR] 1501.3 [b] (2020)), regarding the potentially affected environment and degrees of effects of the impacts described in the EA (which is hereby incorporated by reference) and as summarized above.

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 A:**

### **Response to Comments and Errata**

On April 11, 2023, Ice Age National Scenic Trail released the Corridor Plan and Environmental Assessment (EA) for Rock County, Wisconsin for public comment. Striving to reach a broad audience, the park invited the public to provide comments online through the NPS Planning, Environment, and Public Comment (PEPC) system, as well as 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 April 11 and May 12, 2023.

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 (FONSI).

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 Rock County, WI.

### **RESPONSE TO COMMENTS**

During public review of the EA, 15 correspondences were received, reviewed, and recorded in the NPS Planning, Environment, and Public Comment (PEPC) website. A total of 27 comments were recorded and coded. Most comments were editorial in nature or were general statements of support. Three comments were considered substantive. Due to the likeness of two of the substantive comments, these were summarized and provided with one response.

#### **Response to Comments**

1. **COMMENT SUMMARY:** Needs clarification on how future compliance will be applied during the implementation phases of the project.

**NPS RESPONSE:** Section 2.1 of the EA discusses future NEPA and other compliance processes, including Section 106 of the National Historic Preservation Act (NHPA), Section 7 of the Endangered Species Act (ESA) and Clean Water Act permitting. Additional analysis, compliance, and permitting will be required during the implementation phase, once the proposed site for the trail is known.

2. **COMMENT:** Draft EA does not state how many segments exist, where they are located or their length. Ensure the final NEPA document includes this information.

**NPS RESPONSE:** Section 5.8.1 of the EA discusses existing segments, including their lengths and locations.



## ERRATA

An errata contains factual or editorial corrections to the EA. These corrections do not increase the degree of effects described in the EA or change the determination that no significant impacts will occur under the selected alternative. Existing text to remain in the EA is found in *italics*, additions to the text are underlined, text removed are ~~crossed out~~.

| Page/Section                                     | Revision/Change  |
|--|--|
| All pages  | Minor revisions to page numbers (misnumbered during final formatting for content and accessibility).   |
| Page 1, 3 <sup>rd</sup> paragraph, last sentence | <i>These include moraines, eskers, kames, kettles, drumlins, wetlands, tunnel channels, and lakes (see <u>Appendix C Definition of Terms</u>).</i>   |
| Page 8, last paragraph, first sentence           | <i>The <u>purpose of this project is to identify and evaluate potential Ice Age NST overland (off-road) in Rock County, from the Walworth County line west to the Green County line.</u></i> |