

Finding of No Significant Impact

Camping Management Plan Lower St. Croix National Scenic Riverway, Minnesota/Wisconsin June 2007

Background

In 1972, Congress added the Lower St. Croix National Scenic Riverway (Lower Riverway) to the National Wild and Scenic Rivers System. It is a narrow corridor that runs for 52 miles along the boundary of Minnesota and Wisconsin, from St. Croix Falls/Taylor Falls to the confluence with the Mississippi at Prescott/Point Douglas. A mix of public and private land is within the boundary.

Congress established the Lower Riverway to:

- preserve the protect (and restore and enhance where appropriate) for present and future generations the Lower Riverway's ecological integrity, its natural and scenic resources, and its significant cultural resources;
- accommodate a diverse range of recreational opportunities that do not detract from the exceptional natural, cultural, scenic, and aesthetic resources;
- provide an environment that allows an opportunity for peace and solitude; and
- provide an opportunity for education and study of the geologic, cultural, ecological, and aesthetic values to further enhance stewardship of the river.

The National Park Service (NPS) manages the upper 27 miles of lands and waters from St. Croix Falls/Taylor Falls to north Stillwater (referred to as the Federally-administered zone) under both fee simple ownership or as conservation, riverfront, and scenic easement. The law requires that the lower 25 miles of the Lower Riverway (referred to as the State-administered zone) be administered by the states of Minnesota and Wisconsin.

A Cooperative Management Plan for the Lower Riverway was completed in 2001. The purpose of the Cooperative Management Plan is to guide management of the Lower Riverway over the next 15 to 20 years. It was prepared by the National Park Service (NPS), the Wisconsin Department of Natural Resources, and the Minnesota Department of Natural Resources with considerable public involvement.

The Cooperative Management Plan identified the effects of recreational use on islands and other natural resources as a planning issue and concern, and directed the NPS to prepare a comprehensive camping management plan for the Federally-administered section of the Lower Riverway. The camping management plan was to provide management strategies and objectives for reducing trampling of vegetation, reducing shoreline and island erosion, reducing the impact of human waste, protecting and enhancing natural resource conditions, protecting cultural resources, reducing user conflicts, and protecting the rights of private landowners.

The NPS has prepared a Camping Management Plan and Environmental Assessment (EA) that provides an analysis of several alternatives for managing camping in the Federally-administered zone. The alternatives include the no action alternative as well as alternatives that would establish designated primitive campsites and require an overnight use pass, permit, or reservation to camp in the Federally-administered zone.

Public scoping was conducted before the formal analysis began. Concerns identified during scoping and addressed in the Camping Management Plan and EA include litter, human body waste and toilet paper left strewn about on islands and shorelines; vegetation trampling, denuded areas, and erosion of islands and shorelines; damage to natural and cultural resources; conflicts between campers; and conflicts between campers and private landowners who own shoreline property.

Selected Alternative

The alternative selected for managing camping is a modification of Alternative 3a (Preferred): Designated Campsites, Designated Backwater Campsites (by reservation only), Overnight Boat Tie-ups, Overnight Use Pass, which is described in detail in the EA. The modifications are as follows:

Alternative 3a will be implemented on the 22-mile stretch of river north of the High Bridge (St. Croix Falls/Taylor's Falls to the High Bridge), as shown on the attached map. Specifically, the following actions will be taken:

- Designated Campsites – Camping will be managed by establishing designated campsites and allowing camping in designated campsites only. Approximately 23 designated campsites, primarily along the main channel, will be established along the 22 miles. Campsites will be rotated out as necessary for rest and restoration, so the total number available at any one time would vary. The locations of the designated campsites are shown on the maps in Appendix A-3 of the EA.
- Designated Backwater Campsites – Approximately 5 designated campsites will be established in the backwaters. These campsites will be signed, but have no other facilities. Reservations will be necessary for backwater campsites. To be eligible to reserve a backwater campsite, persons must complete an awareness course through the NPS.
- Overnight Boat Tie-ups: In addition to camping in designated campsites, self-contained boats will be allowed to tie up anywhere on NPS-owned land. However, no tie-ups will be allowed at designated campsites that are already full. In addition, outside of designated campsites, a maximum of two boats can tie up together, boat tie-ups must maintain a distance of 100-feet in all directions from other tie-ups and designated campsites, and no fires or picnic tables will be allowed at tie-ups unless they are at designated campsites with a provided fire ring.
- Campsite Access: Campsite access will be by water only. No walk-in camping will be allowed.
- Toilet and other Facilities: All camping parties will be required to bring their own carry-in, carry-out toilets or use onboard facilities on self-contained boats. Facilities at the designated campsites will include a sign and fire ring. Toilets, fire rings, and water will remain at Eagle's Nest. Signs will be provided at the backwater campsites. No fire-ring will be provided and no fires will be allowed in the backwaters. Backwater campers will need to bring a camping stove for cooking purposes.
- Group Size Limits: Group size limits will be established to allow for up to 8 people at individual designated campsites on the main channel and 9-16 people at group campsites. Larger groups will need to split up or make arrangements to camp in one of the State Parks. The 6 clustered individual sites already established at Eagle's Nest (an NPS boat-in campground) will accommodate 8 per site or up to a total of 48 people.

Backwater campsites will accommodate up to 6 people and 3 boats. The EA originally called for a limit of 6 people and 2 boats at backwater campsites. However, during review of the document, public comments pointed out that 3 boats are needed to haul 6 people and their camping gear. The NPS concurs with this observation. Therefore, the boat limit has been increased from the proposed 2 to 3. The analysis already included in the EA sufficiently covers the impact of this change.

- Length-of-Stay: The length-of-stay at designated campsites on the main channel will be 3 consecutive nights and 30 nights for the season (from May 15 to Sept 15). Length-of-stay in the backwater campsites will be 1 night and 12 nights for the season.
- Overnight Use Pass / Backwater Campsite Reservations: Designated campsites on the main channel will be available on a first-come, first-serve basis. However, all campers or self-contained boats tied-up to the shore must possess an “overnight use pass.” The purpose of the “overnight use pass” is to ensure that all visitors who are camping or who are tied-up to shore overnight are informed about all applicable Riverway regulations. Persons who are fishing at night, but not camping will not need an overnight use pass.

The overnight use pass will be made available free-of-charge and only one will be needed annually. Initially, the pass will be available at the NPS Visitor’s Center in St. Croix Falls and by mail. Wider distribution of the overnight use pass may be implemented after the system is established and problems and questions about the system have been addressed.

Camping in the designated backwater campsites will be by reservation only. To be eligible to reserve a backwater campsite, persons must complete an awareness course. Reservations for the limited number of backwater campsites (5-6) will be made through NPS staff at the Riverway. A backwater campsite reservation will be required in advance of each backwater camping trip. There will be no charge at this time.

Campers must post their overnight use pass or backwater campsite reservation in a location clearly visible from the water. Enforcement will be by spot checks by NPS ranger staff.

- Adaptive Management Strategies: The condition of campsites will be monitored on a regular basis. Parameters assessed at each campsite will include the percent of vegetative ground cover, percent of exposed soil, and root exposure (as an indicator of erosion). Measures to address impacts to campsites may include installing steps to protect the riverbank and temporarily closing campsites to allow for rest and restoration. If camping occurs outside of designated campsites as shown by an end-of-season evaluation, the NPS will implement Alternative 3b, which is identical to Alternative 3a, but will require overnight permits or campsite reservations in advance of each camping trip. A fee will be charged for overnight permits or reservations.

Two elements of Alternative 3a will be implemented on the lower 5-mile stretch of river south of the High Bridge (High Bridge to north Stillwater) as shown on the attached map. Specifically, the following actions will be taken:

- Toilet and other Facilities: All camping parties will be required to bring their own carry-in, carry-out toilets or use onboard facilities on self-contained boats.
- Overnight Use Pass: All campers or self-contained boats tied-up to the shore must possess an “overnight use pass.” The purpose of the “overnight use pass” is to ensure that all visitors who are camping or who are tied-up to shore overnight are informed about all applicable Riverway

regulations. Persons who are fishing at night, but not camping, will not need an overnight use pass.

The other elements of Alternative 3a *will not* be implemented south of the High Bridge. Recreational use on this stretch is markedly different in character than along the 22-mile stretch upstream. More day use takes place on the islands and shorelines south of the High Bridge. Boat traffic is heavier and includes more runabouts and houseboats than upstream. Public input on the EA identified the need to take a more holistic approach to recreational use in this stretch of river to address the interaction between day use, overnight use, boat speeds, and their impact on resources. An ongoing planning and public involvement process will address these issues in a separate plan and EA.

The modified version of Alternative 3a described above will meet the goals of the Camping Management Plan along the 22 miles north of the High Bridge. Additional planning and public involvement will allow for a broader approach to address the issues on the last 5-miles of the Federally-administered zone, south of the High Bridge.

Other Alternatives Considered

In addition to Alternative 3a, the no-action alternative and several other action alternatives were examined in the EA. Alternative 1: No Action would have continued the status quo at the Riverway. No change from the current way of managing camping would take place. Camping would continue to be managed according to three different types of “camping zones.” The zones consist of 1) zones where camping is not allowed, 2) zones where open camping is allowed anywhere on NPS land, and 3) zones where camping is only allowed on islands. The No Action Alternative was not selected because it would not address the issues.

Alternative 3b is identical to Alternative 3a except that an overnight permit or campsite reservation system would be used instead of the overnight use pass. The permit or reservation system would manage demand for campsites and space in the backwater zones. The permits or reservations would be required in advance of each camping trip and a fee would be charged.

Alternative 2a: Designated Campsites, Backwater Camping Zones, Overnight Boat Tie-ups, Overnight Use Pass would be identical to Alternative 3a except that designated campsites would not be established in the backwaters. Visitors would choose their own location to camp on NPS-owned land in backwater zones. These zones are defined as follows 1) backwaters from across from Franconia to Osceola, Wisconsin side; 2) backwaters from Osceola to Cedar Bend, Minnesota side; 3) backwaters from Cedar Bend to William O’Brien, Wisconsin side; and 4) backwaters from south of Marine to north Stillwater (see maps in Appendix A). Campers could choose to camp in any spot on NPS land in the backwaters, but must be out-of-sight of other campers. To be eligible to camp in the backwater zones, persons must complete an awareness course and possess a backwater camping pass.

Alternative 2b is identical to Alternative 2a except that an overnight permit or campsite reservation system would be used instead of the overnight use pass. The permit or reservation system would manage demand for campsites and space in the backwater zones. The permits or reservations would be required in advance of each camping trip and a fee would be charged.

Alternative 4a: Designated Campsites above Arcola sandbar, Overnight Boat Tie-ups, Overnight Use Pass
The major difference between Alternative 4a and Alternative 3a is that **only** overnight boat tie-ups would

be allowed below Arcola sandbar (no tent camping). Other differences include no backwater camping and smaller group size limits.

Alternative 4b is identical to Alternative 4a except that an overnight permit or campsite reservation system would be used instead of the overnight use pass. The permit or reservation system would manage demand for campsites. The permits or reservations would be required in advance of each camping trip and a fee would be charged.

Environmentally Preferred Alternative

The environmentally preferred alternative is the one that will promote the national environmental policy expressed in the National Environmental Policy Act (NEPA) Section 101(b), which indicates that the environmentally preferable alternative should:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our natural heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
5. Achieve a balance between population and resource that will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Based on the analysis of the alternatives in the EA, Alternative 4b: Designated Campsites above Arcola sandbar, Overnight Tie-ups, Permit / Reservation System is the "environmentally preferred alternative" when measured against the six criteria listed in Section 101 of NEPA.

The primary advantages of Alternative 4b are that it:
maximizes opportunities for restoration of eroded areas
minimizes impacts to resources by requiring smaller group sizes
avoids camping impacts in the backwaters by restricting camping to main channel sites
manages demand for designated campsites upon implementation so that it would not exceed supply.

Why the Selected Alternative Will Not Have a Significant Effect on the Human Environment

The intensity or severity of impacts resulting from implementation of the selected alternative was evaluated using the ten (10) criteria listed in 40 CFR 1508.27. The results are as follows:

Criterion 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.

The selected alternative (Alternative 3a north of the High Bridge and elements of Alternative 3a south of the High Bridge) will result in minor impacts to the recreational experience, park neighbors, public health, vegetation and soils, water quality, floodplains, native animals, threatened and endangered species, archeological resources, ethnographic resources and scenic resources in the 20-mile stretch north of the

High Bridge. These impacts will, on the whole, be beneficial. Moderate impacts to vegetation and soils, floodplains, native animals, and scenic values may continue to occur below the High Bridge. These impacts will be addressed in a continued planning process to address not only camping, but also day use and boat speeds.

Criterion 2: The degree to which the proposed action affects public health or safety.

The selected alternative will address the public health issues related to improper disposal of human waste. Carry-in, carry-out or on-board toilets will be required for all campers. Therefore, the impacts of the selected alternative to public health or safety will be minimal.

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

The Lower St. Croix National Scenic Riverway is a component of the National Park System and the National Wild and Scenic Rivers System. It is a protected corridor that preserves riparian wetlands and serves as a refuge for large populations of diverse flora and fauna, including federally and state-listed threatened and endangered species. The Riverway retains numerous archeological and historic resources that reflect centuries of human use of a riverine environment. As described in Criterion 1, impacts to Riverway resources will range from minor, and, on the whole, beneficial impacts, to moderate negative impacts. The selected alternative will have no impact to the free-flowing quality of the Riverway. There will be no impact to prime farmlands.

Criterion 4: The degree to which impacts are likely to be highly controversial.

The selected alternative is not highly controversial. Eight-seven letters of comment were received during the public review period. Most of these comments were related to the 5-mile stretch south of the High Bridge and expressed concern over the impacts of Alternative 3a on the established patterns of recreational use. In response to this concern, the NPS will conduct additional planning and public involvement to address remaining issues on this stretch.

Criterion 5: The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The selected alternative does not carry highly uncertain effects on the human environment or involve unique or unknown risks. Designated campsites and related regulations to protect park resources and reduce conflicts are common place on the upper Riverway and in other public recreation areas and their effects are well-documented.

Criterion 6: The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The selected alternative will not establish a precedent for future actions with significant effects. Implementing Alternative 3a is consistent with the guidance provided by the Cooperative Management Plan for the Lower Riverway. It will help protect and enhance the Lower Riverway's ecological integrity, its natural and scenic resources, and its significant cultural resources; and accommodate a diverse range of recreational opportunities.

Criterion 7: Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact

on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

Implementing Alternative 3a will have a positive cumulative impact by reducing the impact of camping use on the natural and cultural resources of the St. Croix River and environs.

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

The Wisconsin Historical Society, State Historic Preservation Office (SHPO) and the Minnesota Historical Society, SHPO have concurred in the NPS finding of *no adverse effect* under Section 106 of the National Historic Preservation Act *provided* that monitoring and follow-up actions take place to prevent indirect impacts to cultural resources. Specifically, the following measures will be taken:

Archeological surveys will be conducted at all proposed campsites prior to construction and Section 106 consultation resumed if needed.

Additionally in Minnesota, all previously designated archeological areas or new discoveries will be excluded from consideration as campsites.

In addition to normal patrols, one law enforcement ranger will be designated to monitor camping activity from St. Croix Falls/Taylor Falls to north Stillwater. This ranger will be aware of the locations of archeological sites and other important cultural resources. These locations will receive special attention.

A law enforcement ranger will conduct monthly inspections of historic structures (the Soo Line High Bridge) and potentially historic structures (pillars from former railroad bridge) during open water conditions to insure that no impacts are occurring from camping activities or other visitor use.

Ranger monitoring and inspections will be supplemented by seasonal inspections conducted by a cultural resource staff person.

If necessary, the NPS will implement an advance reservation system for the primitive designated campsites, to protect natural as well as cultural resources and prevent visitors from becoming stranded on the river without a legal campsite.

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

The NPS entered into informal consultation with the U.S. Fish and Wildlife Service on May 23, 2006. By electronic mail of July 14, 2006, the U.S. Fish and Wildlife Service concurred with the NPS determination that implementation of the proposed plan will not adversely affect any federally-listed species or their critical habitat. This satisfies the requirements of the Endangered Species Act, as amended (16 U.S.C. 1531-1543).

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

The selected alternative will not violate any environmental protection law or regulation. The attached "Statement of Findings" was prepared in accordance with NPS policy for complying with Executive Order 11988 "Floodplain Management." Alternative 3a will allow for greater protection of natural floodplain values.

Public Involvement

The EA was made available for public review and comment during a 37-day period ending March 31 2007. A press release announcing its availability was sent to area media outlets and to over 100 contacts on the camping management plan mailing list. The EA was available on the Riverway website; on the NPS Planning, Environment, and Public Comment website; at area libraries; and at the Riverway Visitor Center in St. Croix Falls. A hardcopy or copy on compact disc was mailed to anyone who requested it and to those agencies and tribes involved in consultation. A public meeting attended by over 100 people was held on March 6 to present the preferred and other alternatives, as well as to discuss concerns with the public. This was in addition to two public meetings held during the initial scoping period (Fall 2004) and one held (Fall 2005) to present preliminary alternatives. Eight-seven letters, emails or other written correspondence were received from the public.

Agency Consultations

The EA was sent to the U.S. Fish and Wildlife Service, Wisconsin Historical Society, Minnesota Historical Society, and five potentially affected Indian tribes during the public review period. An earlier draft of the document was also sent to the U.S. Fish and Wildlife Service for consultation under the Endangered Species Act and to the tribes for government-to-government review.

As stated in response to Criterion 9 above, the U.S. Fish and Wildlife Service concurred with the NPS determination that implementation of the plan will not adversely affect any Federally-listed threatened or endangered species or their critical habitat.

As stated in response to Criterion 8 above, the Wisconsin SHPO and the Minnesota SHPO have concurred that no adverse effects on historic properties will occur as a result of this plan.

No concerns were raised by the five potentially affected Indian tribes.

Finding of No Significant Impact and No Impairment

Based on my review of the facts and analysis contained in the EA which is incorporated herein, I conclude that implementing the selected alternative, Alternative 3a (Preferred): Designated Campsites, Designated Backwater Campsites (by reservation only), Overnight Boat Tie-ups, Overnight Use Pass, north of the High Bridge and elements of Alternative 3a south of the High Bridge will not have a significant impact either by itself or considering cumulative impacts. Accordingly, the requirements of the National Environmental Policy Act, regulations promulgated by the President's Council on Environmental Quality, and provisions of NPS Director's Order-12 and Handbook (Conservation Planning and Environmental Impact Analysis and Decision-Making) have been fulfilled.

Furthermore, Alternative 3a will not impair park resources or values and will not violate the NPS Organic Act. The selected alternative supports the enabling legislation establishing the St. Croix River as wild and scenic rivers under the Wild and Scenic Rivers Act of 1968, as amended (Public Law 90-542) with the intended purpose of preserving the scenic, recreational, geologic and other values associated with free-flowing rivers and their immediate environments for future generations. An environmental impact statement is not required and will not be prepared for implementation of Alternative 3a north of the High Bridge and two elements of Alternative 3a south of the High Bridge.

The camping management planning process identified the need to take a more holistic approach in the 5-mile stretch south of the High Bridge to address the interaction of day use, overnight use, and boat speeds, and their impact on resources in this stretch. Therefore, an ongoing planning and public involvement process will address remaining issues on this lower stretch.

Recommended:

Wendy Kumbuleg for Tom BRADLEY 6/13/2007
Superintendent Date

Approved:

James T. Quinn 6-18-2007
Midwest Regional Director Date