

U.S. Department of the Interior  
National Park Service, Northeast Region  
**FINDING OF NO SIGNIFICANT IMPACT**  
The Captain John Smith Chesapeake National Historic Trail  
Comprehensive Management Plan and Environmental Assessment

## **INTRODUCTION**

On December 19, 2006, President George W. Bush signed legislation to establish the Captain John Smith Chesapeake National Historic Trail as the first national water trail in the United States. Designated through an amendment to the National Trails System Act (16 U.S.C. 1241), the new trail consists of "a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and its tributaries in the States of Virginia, Maryland, Delaware, and in the District of Columbia," tracing the 1607-1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay.

Following establishment of the national historic trail, the National Park Service (NPS) undertook a planning process for a Comprehensive Management Plan and Environmental Assessment (CMP/EA). The purpose of the CMP/EA is to provide a vision, a plan of action, and a decisionmaking framework for development of the trail over the next 20 years. The CMP/EA evaluated four alternatives for management of the national historic trail, and analyzed the impacts of implementing any of the alternatives. This Finding of No Significant Impact (FONSI) sets forth the alternative that has been selected for implementation as the approved CMP for the Captain John Smith National Historic Trail and discloses the potential environmental impacts of implementing the selected alternative.

The CMP/EA and this FONSI have been prepared in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA); the Council on Environmental Quality's implementing regulations for NEPA (40 CFR Parts 1500-1508); the Department of the Interior's implementing regulations for NEPA (43 CFR Part 46); and NPS Director's Order #12, *Conservation Planning, Environmental Impact Analysis, and Decision-Making* (DO-12), and accompanying DO-12 Handbook (2001).

## **BACKGROUND**

The establishment of the Captain John Smith Chesapeake National Historic Trail reflects public and private interest in the recent 400th anniversary of Jamestown, Virginia—the first permanent English settlement in North America—and Captain John Smith's pioneering explorations on the Chesapeake Bay. Because rivers and bays have always been defining features of settlement, commerce, and transportation, water trails are a way to link historic sites by a common theme as a framework for educational and recreational experiences. The new Captain John Smith Chesapeake National Historic Trail offers outstanding opportunities to increase appreciation of the importance of the native peoples and cultures of the Chesapeake region, the geography and natural environment at the time of early English exploration, and the influence of Smith's voyages on the future development of the nation. The trail complements the diverse resources of

the Chesapeake Bay Gateways Network—a partnership of existing water trails, parks, museums, wildlife refuges, and other sites that provide interpretation and Bay access—to make additional opportunities for education, recreation, and heritage tourism.

The route of the new water trail traces John Smith's several voyages on the York and James rivers in 1607 and his two major voyages around the Chesapeake Bay during the summer of 1608, both of which started from Jamestown, Virginia and headed out the James River into the Bay. It goes north along the Virginia/Maryland Eastern Shore, across the Bay to present-day Baltimore and the Patapsco River and southward along the Western Shore and up the Potomac River to present-day Washington, D.C., before returning to Jamestown. The second leg of the Smith trail travels straight up the Bay to the mouth of the Susquehanna River and present-day Havre de Grace, then returns southward with stops along the Patuxent and Rappahannock rivers.

As the nation's first national water trail, the Captain John Smith Chesapeake NHT will be most fully experienced by watercraft and at water access sites. However, visitors will also be able to view the trail setting and learn the stories from land. Numerous existing land sites along the voyage routes will interpret Smith's explorations, native settlements and cultures, and the environment of the early 17th century. Many of these sites are part of the Chesapeake Bay Gateways and Watertrails Network.

The purpose of the CMP/EA is to provide a framework for managing and developing the trail over the next 20 years. The NPS routinely makes many difficult decisions about the preservation of the trail's resources, about priorities for using available funds and staff, about supporting partners with an interest in the trail, and about differing local and nationwide interests and views of what is most important along the trail. The decision-making framework in the trail's CMP will provide guidance to make these management choices in a manner that is consistent with the purposes for which the Captain John Smith Chesapeake NHT was established by Congress as part of the National Trails System, that protects trail-related resources, and that provides the desired trail experience for visitors.

The purposes of the John Smith Chesapeake NHT are to:

- commemorate the exploratory voyages of John Smith on the Chesapeake Bay and its tributaries in 1607-1609
- share knowledge about the American Indian societies and cultures of the seventeenth century
- interpret the natural history of the Bay (both historic and contemporary) - provide recreational experiences on water and on land along the trail

The CMP/EA is needed to provide long-term coordinated direction for the NPS and its partners for management, development, and use of the Captain John Smith Chesapeake NHT. In this regard the CMP accomplishes the following:

- defines how resources are to be protected and the visitor uses and experiences to be achieved

- defines the essential role for partners in accomplishing the vision for the trail and outlines how the NPS will work in coordination with its partners in management and development of the trail
- provides a framework for NPS managers and the trail partners to use when making decisions about trail uses such as how to best protect resources and values, how to provide quality visitor use and experience, how to manage visitor use, and what kinds of facilities, if any, will be needed to achieve the desired visitor experiences
- considers the concerns, expectations, and values of the public and landowners along the trail related to land protection and management of trail-related resources and visitor experiences
- meets NPS legal requirements for comprehensive management planning pursuant to the National Trails System Act (PL 90-543, as amended, Section 5(f)) and provides a guide for more specific projects, to base decisions on adequate environmental information and analysis, and to track progress toward goals
- ensures that management decisions by the NPS and its partners promote the efficient use of public funds and that trail managers are accountable to the public for their management decisions

## **SELECTED ALTERNATIVE**

Based on the analysis presented in the CMP/EA, the NPS has selected Alternative 3: Chesapeake Region in the 17<sup>th</sup> Century for implementation. The selected alternative was identified as the NPS preferred alternative and is described on pages 3-22 to 3-37 of the CMP/EA.

Under the selected alternative, trail management will emphasize interpreting and protecting the world of the Chesapeake that Smith encountered during his voyages – its natural abundance and its complex American Indian cultures. Visitors will be able to travel the trail on the land and on the water enjoying a variety of enhanced recreation experiences while exploring places reminiscent of the Bay in the 17<sup>th</sup> century and stopping at the places where John Smith stopped. Immersed in an evocative landscape along much of the water trail, visitors can enjoy multi-day experiences on the Bay and its tributaries. They can also hike or bike between voyage stops, fish, and picnic near the water, while learning about the experiences Smith had as he explored the Bay, the natural world he discovered, and the American Indian cultures he encountered.

Visitors will access the trail from a greatly expanded network of public access sites within federal, state, and local parks and national wildlife refuges, as well as on private conservation lands. Many new access sites will be located at or in the vicinity of voyage stops and evocative landscapes, enabling visitors to experience as closely as possible the locations where John Smith stopped and world of the Chesapeake he explored. Access will include a mix of pull-offs with views of the trail, trails to the water, day-use facilities near the water, and boat access sites. Boat access sites will also be developed where additional access is needed to meet boating demand along the trail. These will be “soft” put-in/take-outs for canoes and kayaks. Where these sites do not adjoin evocative landscapes, they will also offer other recreation opportunities, such as day-use facilities for picnicking, fishing, hiking, and, at some sites, primitive camping.

Resource identification will emphasize evocative landscapes; secondary emphasis will be on voyage stops, 17<sup>th</sup> century American Indian archeological sites, American Indian town sites, landscape features and cultural sites of significance to modern American Indian tribes, indigenous cultural landscapes, and cross sites. Trail managers will continue to gain some additional understanding of these resources – where they occur along the trail, their significance to the trail, the actions needed to protect them, and the opportunity they offer for visitors to experience the trail and to tell its stories. Additional studies will identify and document the voyage stops, evocative landscapes, cross sites, 17<sup>th</sup> century American Indian archeological sites, historic American Indian town sites, and landscape features and cultural sites of significance to modern American Indian tribes. Further investigations will evaluate and seek to designate high potential route segments and high potential historic sites along the length of the trail.

Land protection will focus on high potential route segments, including Smith voyage stops, evocative landscapes, and sites providing access to the trail for recreation. A cooperative resource preservation and land conservation agenda will be developed and implemented in partnership with federal, state, and local government agencies, NGOs, American Indian communities, and private property owners. Partners will assume primary responsibility for protection and the NPS will provide technical assistance with education of landowners regarding stewardship, planning, partner acquisition, and identification of potential funding sources. There will be potential for federal land acquisition, if there is a willing seller and the site is important to implementation of the trail.

The NPS Chesapeake Bay Office will have overall responsibility for trail planning, management, and development, which will occur in coordination with the Chesapeake Bay Gateways and Watertrails Network (CBGN) program. Trail development will occur in accordance with the CMP. Segment management plans for the trail's ten management sections will tier off the CMP, providing more detailed analysis and management guidelines for trail management segments. Segment management plans will provide the basis for prioritizing investment in trail development projects, including land acquisitions.

Selection of Alternative 3 as the approved CMP for the Captain John Smith Chesapeake National Historic Trail is based on the analysis and findings of the CMP planning team as well as on public comments received during the planning process. The NPS has determined that the selected alternative will fulfill the NPS statutory mission and responsibilities of the trail and will offer a greater overall advantage when compared to the other management alternatives considered in the CMP/EA.

The advantages offered by the selected alternative relative to Alternatives 1, 2, and 4 are summarized as follows:

- **Protection of trail-related resources** –The selected alternative provides the highest degree of protection of trail-related resources. The selected alternative is highly advantageous when compared to Alternatives 2 and 4. Alternative 1 would offer no advantage.

- **Enhanced interpretation, education, and understanding** – The selected alternative provides the greatest enhancement of interpretation, education, and understanding for visitors. Alternative 3 would be highly advantageous when compared to Alternatives 2 and 4. Alternative 1 would offer no advantage.
- **Enhanced public use and enjoyment of the trail** – The selected alternative and Alternative 4 each provide the greatest enhancement of public use and enjoyment of the trail. Both alternatives would be highly advantageous when compared to Alternative 2. Alternative 1 would offer no advantage.
- **Effective Trail Development and Management** - Alternative 4 would provide the greatest opportunity for effective trail development and management. Alternative 4 would be slightly advantageous when compared to Alternative 3 and moderately advantageous when compared to Alternative 2. Alternative 1 would offer no advantage.

## **OTHER ALTERNATIVES CONSIDERED**

In addition to the selected alternative, the CMP/EA evaluated three other alternatives for future management of the trail. Each alternative assumed a different management approach to addressing the major trail management issues, including the Continuation of Current Management (Alternative 1) and two other action alternatives (Alternatives 2 and 4). These alternatives were each discussed in depth in Chapter 3 of the CMP.

### **Alternative 1 – Continuation of Current Management**

In Alternative 1, trail management would continue to focus the visitor experience, resource protection, and partnerships on existing partner sites and existing water trails. Visitors would experience the trail through a variety of self-guided trips on the land and on the water, or as part of a general recreation experience in the Chesapeake Region. Interpretive experiences would be focused at some Chesapeake Bay Gateways and Watertrails Network (CBGN) partner sites where interpretive media would tell the trail’s stories and where there would be occasional opportunities to participate in trail-related interpretive and educational programs. Visitors would learn about the John Smith voyages, the Bay and its related natural and cultural resources, and conservation and stewardship of Bay resources.

The NPS Chesapeake Bay Office would have overall responsibility for trail planning, management, and development, which would occur in coordination with the CBGN program. The trail would continue to develop as partnerships are forged or enhanced with traditional and non-traditional partners. However, partnerships would develop and operate in support of the trail on a piecemeal basis – there would not be a common agenda to guide the collective group of partners.

### **Alternative 2 – Exploratory Voyages of Captain John Smith**

In Alternative 2, trail management would emphasize interpreting and protecting the most historically significant places directly associated with John Smith’s voyages. Visitors would travel the trail on the land and on the water stopping at the places where John Smith stopped and

learning about the experiences he had as he explored the Bay. Interpretive experiences would be focused at voyage stops, connected by NPS-designated water trails, auto and bus routes, and organized water tours. As visitors follow the trail, they would stop at visitor contact stations, national wildlife refuges, and other CBGN partner sites where they would find a broad array of interpretive materials and would have opportunities to participate in interpretive and educational programs or witness living history exhibits and reenactments of voyage events.

Visitors would access the trail from an expanded network of public access sites within federal, state, and local parks and national wildlife refuges, as well as on private conservation lands. New access sites would be located at or in the vicinity of voyage stops, enabling visitors to experience as closely as possible the locations where John Smith stopped. Visitors would travel the trail on the land by following an expanded network of hiking/biking trails, bike routes, and auto routes along portions of the trail. Over time water trails would develop offering recreational experiences along the entire length of the trail. Along most of the trail, access points would be widely spaced and few if any visitor facilities and services would be available, except in the vicinity of settled areas.

Trail management would be integrated with management of other NPS units and national trails where they are in close proximity to the trail or overlap with the trail. NPS and the U.S. FWS would collaborate to implement opportunities for trail visitors at national wildlife refuges that occur in the vicinity of voyage stops.

#### **Alternative 4 – Recreation on the Historic Trail**

In Alternative 4, trail management would emphasize increasing public access and recreation along the trail, with limited resource protection and interpretation at access sites and at recreation sites. Visitors would travel the trail on the land and on the water enjoying a variety of enhanced recreation experiences and participating in volunteer environmental programs. Visitors would hike and bike between voyage stops, enjoying multi-day experiences on the water, and enjoying a variety of recreation experiences near the water while learning about the natural history of the region and the Captain John Smith voyages.

Interpretive experiences would be focused at voyage stops where recreation opportunities are also present. NPS-designated water trails, auto and bus routes, and organized water tours would connect sites. As visitors follow the trail, they would stop at visitor contact stations, national wildlife refuges, and other CBGN partner sites where they would find a broad array of interpretive materials and would have opportunities to participate in environmental stewardship programs and safety/skills programs.

Visitors would access the trail from a greatly expanded network of public access sites within federal, state, and local parks and national wildlife refuges, as well as on private conservation lands. Some new access sites would be located at or in the vicinity of voyage stops, enabling visitors to experience as closely as possible the locations where John Smith stopped. Where these sites do not adjoin evocative landscapes, they would also offer other recreation opportunities, such as day-use facilities for picnicking, fishing, hiking, and, at some sites, primitive camping.

## **ENVIRONMENTALLY PREFERRED ALTERNATIVE**

**The NPS is required to identify the environmentally preferred alternative in its NEPA documents for public review and comment [DO-12 Handbook, Sect. 4.5 E(9)]. The environmentally preferred alternative is defined by the Council on Environmental Quality in their *NEPA's Forty Most Asked Questions*: "The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Q6a).**

The NPS has determined that the selected alternative is the environmentally preferred alternative. This conclusion is based on careful review of potential impacts as a result of implementing the management alternatives and assessing proposed mitigation for cultural and natural resource impacts. The selected alternative will surpass Alternative 1 in meeting all six NEPA purposes. When compared to Alternatives 2 and 4, the collective management actions in the selected alternative will better enhance the ability of the NPS and its partners to manage the national historic trail in accordance with the NTSA and to meet the trail's purposes to expand access to the Bay, to protect places evocative of the 17<sup>th</sup> century, to educate the public about the world of the Chesapeake, and to provide recreational experiences throughout the region and therefore best protect, preserve, and enhance historic, cultural, and natural processes.

## **MITIGATION MEASURES**

As subsequent development or management actions are implemented under the approved CMP, additional site-specific studies and evaluations, including mitigation measures in accordance with NEPA and other applicable compliance requirements will be done. The plan outlines management actions analyzed as beneficial including conservation and stewardship education, volunteer cleanup, and habitat restorations. Mitigation measures would be taken during the implementation of the NPS selected alternative.

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

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

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

No major adverse or beneficial impacts were identified that would require analysis in an EIS. The selected alternative will have negligible to minor long-term beneficial impacts on threatened and endangered species and socioeconomics; minor to moderate long-term beneficial impacts on aquatic resources, terrestrial resources, historic structures, ethnographic resources, and cultural landscapes; moderate long-term beneficial impacts on archeological resources, trail access, visitor experience, and trail administration and management; negligible long-term adverse impacts on aquatic resources; negligible to minor short-term adverse impacts on terrestrial

resources; and negligible to minor long-term adverse impacts on threatened and endangered species.

*2) The degree to which public health and safety are affected.*

Development and management of the trail may increase public use of the Chesapeake Bay and its tributaries. However, the NPS does not currently own or manage land or trail waters. All trail visitors are expected to adhere to the laws, policies, and safety procedures of the jurisdictions in which they travel. The NPS would, in cooperation with partners, provide relevant safety information in brochures and on web sites.

*3) Any unique characteristics of the area (proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains, and so forth).*

The Captain John Smith Chesapeake National Historic Trail is composed of multiple routes extending approximately 3,000 miles along the Chesapeake Bay and portions of nine major tributaries to the bay, including the James, Nanticoke, Patapsco, Patuxent, Potomac, Rappahannock, Sassafra, Susquehanna, and York Rivers. The trail falls within the states of Virginia, Maryland, Delaware, and the District of Columbia. Historic and cultural resources exist at sites along the trail and will be afforded a high level of protection and interpretation under the selected alternative. The impacts of the trail on wild and scenic rivers, ecologically critical areas, and wetlands will be determined at a site specific level. Future actions will be evaluated through additional, project-specific planning process that incorporates the requirements of NEPA, Section 106 of the NHPA, and NPS policies.

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

As measured by scoping and public comment, this project is not likely to be highly controversial. During the 30-day agency and public review period, over 170 pieces of correspondence were received. The expressed widespread support for the CMP and support for the NPS preferred alternative. Comments identified no controversial impacts.

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

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

*6) Whether 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 neither establishes NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration. Future actions will be evaluated through additional, project-specific planning process that incorporates the requirements of NEPA, Section 106 of the NHPA, and NPS policies.



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

Cumulative impacts of the selected alternative to natural resources, cultural resources, trail access, visitor experience, socioeconomic environment, and trail administration and management were analyzed in the CMP/EA.

Implementation of the selected alternative may result in the following cumulative positive impacts: 1) enhanced management and protection of natural resources at new at existing sites 2) improved regional access to trail-related resources 3) protection of natural such as rare and endangered species and habitats 4) protection of archeological resources, historic structures, cultural landscapes, and ethnographic resources. Aspects of the selected alternative that may increase the potential for adverse impacts include increase in visitor use of regional waterways and historic sites. This impact has the potential to be mitigated by land protection, public education, habitat restoration measures, and attention to placement of visitor services.

*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.*

The selected alternative identifies archeological resources, historic sites, cultural landscapes, and ethnographic resources as important resources for the long-term management and development of the trail. As described in the CMP/EA, the selected alternative could have minor to moderate long-term beneficial impacts because of the large scope for identifying and protecting significant sites and resources.

*9) The degree to which an action may adversely affect an endangered or threatened species or its habitat.*

In consultation with the U.S. Fish and Wildlife Service (FWS), the FWS field offices concurred that the selected alternative will not adversely affected endangered or threatened species or their habitat. However, the FWS requested further consultation when the CMP is complete and sitespecific projects are planned for trail development. At that time, NPS will continue to consult with FWS, including detailed maps when any specific shoreline sites are planned for development. The NPS will avoid any action that may adversely affect an endangered or threatened species or its habitat.

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

The NPS selected alternative violates no federal, state or local environmental protection laws.

## **PUBLIC INVOLVEMENT**

Throughout the CMP planning process, the NPS engaged the public regarding trail management issues, the range of alternatives under consideration, and the types of impacts to be addressed in the trail's new plan. This process has involved the general public, interested individuals, civic organizations, trail user groups, American Indian tribes and descendent communities, various federal, state, and local agencies, and the trail's Advisory Council. As the planning process progressed, the NPS has provided information and updates via newsletters, news releases, the trail website, briefings, and public workshops. The NPS hosted 11 interpretive workshops during the fall of 2007 and spring of 2008. The NPS hosted meetings in Virginia, Maryland, Delaware, and the Washington, D.C. metropolitan area beginning with interpretive planning in the spring of 2007. Eight public scoping meetings were held in fall, 2008, and a series of public and stakeholder meetings were held throughout the region in fall, 2009. The NPS has consulted with the Virginia Council on Indians, the Maryland Commission on Indian Affairs, state natural resources agencies, state historic preservation offices, and the U.S. Fish and Wildlife Service as well as local agencies, for profit, and non-profit organizations in development of the *Draft Comprehensive Management Plan and Environmental Assessment*.

On October 6, 2010, the draft CMP/EA was made available for a 30-day public review period. On that day, a press release was distributed via email to print media contacts in Delaware, Pennsylvania, Maryland, Virginia, and the District of Columbia and a postcard was mailed to over 1,000 individuals and organizations on a mailing list. Also on that day, a newsbrief was distributed via email to media, congressional contacts, partner organizations, and those members of the general public who joined a mailing list to receive news announcements. Several media companies, as well as partner organizations, picked up the news announcement and publicized the availability of the draft CMP/EA for public review and comment. Reminder notices were emailed to the same broad lists ten days before the expiration of the comment period. Hardbound copies of the written draft were made available at two public libraries as well as the NPS office in Annapolis, MD. Throughout the review period, the draft CMP/EA was available for download via the NPS Planning, Environment, and Public Comment (PEPC) website (<http://parkplanning.nps.gov/cajo>). In addition, printed and CD copies of the draft CMP/EA were distributed to stakeholders, as identified in Chapter 6 of the plan and distributed to others upon request. Notice of the public comment period and a link to the draft CMP/EA were made available on the home pages of NPS websites including [www.smithtrail.net](http://www.smithtrail.net), [www.nps.gov/cajo](http://www.nps.gov/cajo), and [www.baygateways.net](http://www.baygateways.net).

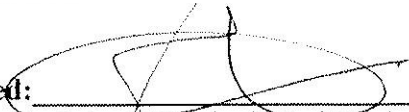
The public comment period closed on November 5, 2010. During the comment period, the NPS received over 170 pieces of correspondence from individuals, private organizations, American Indian Tribal contacts, and local and state governments, all of whom have vested interest in the development and management of the Trail. The office received correspondence through the PEPC website, email, US mail, and fax. The NPS responded to the comments by producing a Public Response Document, which contained a summary of topics raised during the comment period and provides the NPS response to each of these topics. In addition to these topics, the NPS also received comments that did not significantly affect the policies or impacts of the CMP, but rather reflected editorial corrections and clarification within the text. These comments were considered and incorporated into the CMP, however to save considerable printing and shipping

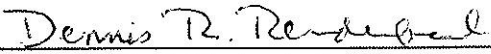
costs, there will not be a full reprint of the CMP/EA. This document was made publicly available via the trail's websites, and the public was informed through email alerts, press releases, and updates to the newsfeed on the trail websites. The Public Response Document and all other documents relevant to the CMP/EA will be properly maintained and housed as part of the administrative record at the NPS Chesapeake Bay Office at 410 Severn Avenue, Annapolis, MD.

**FINDING OF NO SIGNIFICANT IMPACT**

The NPS has selected Alternative 3: Chesapeake Region in the 17<sup>th</sup> Century for implementation. The Selected alternative is described on pages 3.22-3.38 of the EA. The selected alternative does not constitute an action that normally requires preparation of an environment impact statement (EIS). The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are minor or moderate in intensity There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected alternative will not violate any federal, state, or local environmental protection law.

Based on the foregoing, it has been determined that an EIS is not required for this action and thus will not be prepared.

**Recommended:**  \_\_\_\_\_ 1/31/11  
John Maounis, Superintendent Date  
National Park Service, Chesapeake Bay Office

**Approved:**  \_\_\_\_\_ 2/19/11  
Dennis R. Reidenbach, Regional Director Date  
National Park Service, Northeast Region