

Finding of No Significant Impact

Environmental Assessment for Cap Creek Restoration Project

Saint Croix National Scenic Riverway, Wisconsin

Agency: National Park Service, United States Department of Interior

Background: The National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508); and National Park Service (NPS) Director's Order-12 and Handbook (Conservation Planning and Environmental Impact Analysis and Decision-Making) direct the NPS to consider the environmental consequences of major proposed actions. The NPS has conducted an environmental assessment (EA) that provides an analysis of the environmental consequences of restoring a heavily disturbed area, the Schultz Ponds area, back to its original landscape, a brook trout stream.

Preferred Alternative:

The Preferred Alternative is Alternative B: The Restoration Alternative as described in the EA. This alternative would involve the excavation of a new stream channel and filling of human-made ponds in the former stream course of Cap Creek.

The Preferred Alternative is also the environmentally preferred alternative when measured against the six criteria listed in Section 101 of NEPA.

- **fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.**

The restoration alternative best meets this criterion by converting an extensively manipulated area, which provides minimal habitat, to a more sustainable, productive, and natural setting.

- **ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.**

The restoration alternative provides a more productive, safe, and pleasing surrounding through the conversion of the project site to a functioning ecosystem.

- **attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.**

The restoration alternative best meets this criterion by converting the site to a native brook trout stream, with springs, adjacent wetlands, riparian habitat, and uplands. This alternative can be accomplished with no degradation, risk of health or safety or other undesirable and unintended consequences.

- **preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.**

The restoration alternative best meets this criterion by restoring the natural aspects of the site while providing habitat for a wide-diversity of cold-water dependent organisms. No historic or cultural features will be impacted by this alternative.

- **achieve a balance between population and resource use that would permit high standards of living and a wide sharing of life's amenities.**

The restoration alternative best meets this criterion by providing additional trout habitat, a diminishing resource. Catch and release trout fishing is an extremely popular pastime in northern Wisconsin that contributes to a high standard of living for its participants.

- **enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.**

While the restoration alternative requires use of earth materials gathered elsewhere, the long-term enhancement of the quality of the site is best met by the restoration alternative.

Other Alternatives Considered:

Two other alternatives, including the No-Action Alternative were also examined in the EA. The other action alternative included retaining the ponds in their current condition but habitat improvement measures would be added. This would include logs, boulders, treetops, and other habitat structure that provide cover and substrate for aquatic organisms. Work would be done by hand with work crews and light equipment such as wheelbarrows. Trails around the ponds would no longer be mowed, and shrubs and woody vegetation would eventually invade the area. The ponds would not be stocked and only those with connections to the Namekagon River would provide refuge to fish from the river. The public would not be encouraged or prohibited from visiting the area.

This alternative was rejected from further consideration because it does not meet the purpose and need for this project stated earlier in this EA. Spring-fed ponds are plentiful in northwestern Wisconsin. Cold-water stream systems are becoming increasingly scarce.

Finally, the No-Action Alternative was also rejected since this alternative would not meet the purpose and need expressed for this project.

Why the preferred 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:

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

Minor impacts of the preferred alternative include an increased risk of sedimentation to the Namekagon River, temporary loss of vegetation, exposed soils, loss of low-value wetlands and ponds, short-term visual impacts due to surface disturbance and machinery, construction noise, temporary displacement of small mammals and birds. Mitigating measures proposed will minimize these impacts. Beneficial impacts include restoration of approximately 1300 feet of brook trout stream suitable for a variety of cold water dependent organisms, restoration of a heavily disturbed area to a more natural setting, and providing a catch and release brook trout fishery, a diminishing recreational opportunity in the Midwest.

- **Degree of effect on public health or safety**

There will be some safety risk to the public from construction equipment during the restoration project. This will be minimized by a safety fence, signing, and on-site personnel directing visitors out of the project area. After hours, there is a minor safety risk from visitors trespassing on construction equipment. The ponds currently have steep banks that would make it difficult for a young, disabled, or elderly person to escape if they fell into the ponds. The risk of drowning will be reduced by the preferred alternative by

providing gently sloping streambanks that expedite exit from the stream in the event of falling into the stream.

- **Unique characteristics of the area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas**

As described in the EA, no effects to cultural resources were identified for the preferred alternative. There are no prime farmlands on site. The wetlands are human-made and of low value. The project is driven by its position adjacent to a wild and scenic river with the intent to provide a more natural setting for the river. No ecologically critical areas are affected.

- **Degree to which impacts are likely to be highly controversial**

There is no controversy associated with the impacts of the project. During the public scoping for the EA for this project, two phone calls were received seeking more information, and two emails were received from one person. The emails expressed dismay at the project without fully understanding the background and intent of the project. During the public review period for the EA not a single email, phone call, or letter was received. Anglers who have been told about the project have offered to volunteer during the restoration project. The son of the former owner of the site has offered to assist during the restoration. The Wisconsin Department of Natural Resources fully supports the preferred alternative and is a full partner in the project.

- **Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks**

As previously described, risks involved in the preferred alternative primarily relate to exposing soil to moving water. As described in the EA, mitigating measures employed will minimize potential adverse impacts. Therefore, there were no highly uncertain or unique or unknown risks identified.

- **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 project area is extremely unique for the Riverway, that is, a fish hatchery system artificially carved out of the valley of a displaced tributary to the Namekagon River. No other such sites are known to exist along the Riverway. There are opportunities in the hundreds of small tributaries to the Riverway to enhance fish habitat but none as complex as the preferred alternative. Therefore the action will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.

- **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts**

The action is unique and singular, not connected to other actions, and will not result in a cumulatively significant impact.

- **Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.**

Compliance with Section 106 of the National Historic Preservation Act was completed with a concurrence with the NPS determination of no effect by the Wisconsin State Historic Preservation Officer on March 19, 2002.

MITIGATIVE ACTIONS	
RESOURCE OR ISSUE AREA	MITIGATION
Soils	Site-specific best management practices (BMPs) will be used. These BMPs will include but not be limited to reducing soil disturbance to the maximum extent possible; exposing the least amount of soil at any one time, using silt curtains, straw bales, and temporary detention ponds; and using fast-growing grasses or other vegetation to cover temporarily stockpiled soil. Monitoring and maintenance of all erosion control devices would occur throughout the duration of the proposed project and is the top priority for onsite supervision.
Surface water quality and wetlands	Short-term impacts on surface water and wetlands adjacent to any construction activity will be mitigated as indicated above for soils. In addition, a floating turbidity barrier will be placed in the Namekagon River to capture most the sediment released from the restoration project. New streambanks would be stabilized with geotextile fabric, rock riprap, and vegetative plantings.
Introduction of exotic plants	Equipment would be cleaned and examined off-site to prevent the transportation of exotic plant parts or seeds.