

GMP Dynamic Sourcebook - Appendix K: Project Completion

K.5 Example of a FONSI for a GMP/EA

Finding of No Significant Impact

The National Park Service (NPS) is completing a general management plan for Amistad National Recreation Area (NRA). Amistad was established as a unit of the national park system on November 28, 1990, under the provisions of PL 101-628. Congress authorized the national recreation area to provide for public outdoor recreation and enjoyment of the United States portion of the Lake Amistad and to protect the scenic, scientific, cultural, and other values contributing to such enjoyment. Amistad NRA encompasses 57,292 acres, most of which is the U.S. portion of the reservoir's water surface.

The previous comprehensive planning effort (general management plan) was completed in 1987. Much has occurred since the completion of that plan. Patterns and types of visitor use have changed, lake levels have fluctuated, the adjacent community has grown, and public understanding and appreciation of the national recreation area's cultural and natural resources have increased greatly. Each of these factors has major implications for how visitors access and use the national recreation area, the facilities needed to support those uses, how resources are managed, and how the National Park Service manages its operations. A new plan is needed to

- clearly define resource conditions and visitor experiences to be achieved in Amistad NRA
- Provide a framework for NPS managers to use when making decisions about how best to protect NPS resources, provide a diverse range of opportunities for visitor experience, manage visitor use, and determine what kinds of facilities, if any, to develop in the national recreation area
- Ensure that this foundation for decision-making has been developed in consultation with interested stakeholders and adopted by the NPS leadership after an adequate analysis of the benefits, impacts, and economic costs of the alternative courses of action.

The draft general management plan/environmental assessment presents two alternatives for the future management of Amistad NRA, including the National Park Service's preferred alternative. The alternatives, which are based on the national recreation area's purpose, significance, and special mandates, present different ways to manage resources and visitor use and improve facilities and infrastructure. The alternatives are the no-action alternative (continue current management) and alternative B, the preferred alternative.

Preferred Alternative

Amistad NRA offers a diverse array of water- and land-based recreational opportunities, including fishing, boating, houseboating, sailing, waterskiing, scuba diving, hunting, camping, hiking, wildlife observation, and horseback riding. Renowned as one of the outstanding bass fishing reservoirs in the United States, Amistad NRA hosts more than 150 bass fishing tournaments annually. Amistad NRA offers waterfowl, upland bird, turkey, and big game hunting on one of the largest tracts of public land available for hunting in southwestern Texas.

Amistad NRA and the surrounding region are home to one of the most extensive concentrations of rock art and archeological sites in North America. This archeological record spans nearly 12,000 years of human history and prehistory. Within or adjacent to the national recreation area's boundaries are four National Register of Historic Places archeological districts, which collectively list 182 sites at the national level of significance. With more than 325 known rock art sites in an area of roughly 50 square miles, the Lower Pecos River valley has one of the densest concentrations of archaic rock art in the New World. Some of North America's oldest, largest, and best-preserved rock art sites are within the national recreation area's boundaries. Four major prehistoric styles and one historic period pictograph style are represented in the region. Amistad NRA is home to the third-largest museum collection in the national park system. The collection includes artifacts from more than 200 sites and 22 major excavations. The collection is estimated to contain more than 1 million artifacts and objects.

Like other border national park system units, Amistad NRA faces law enforcement challenges relating to illegal drug smuggling, illegal immigration and securing the border of the United States. Eighty-three miles of the U.S.-Mexico border are within the boundaries of the national recreation area.

Under the preferred alternative, NPS management would build upon Amistad National Recreation Area's distinctive combination of cultural and natural resource and its variety of outstanding water- and land-based recreational opportunities to create a unique recreational and educational opportunity in southwest Texas. The national recreation area would be used as an outdoor classroom and resource-based educational opportunities would be expanded to give visitors a deeper appreciation for the history, cultures, and natural environment of the Lower Pecos River valley and the Rio Grande borderlands. Opportunities for water-and land-based recreational activities would be expanded.

Additions and improvements would be made to Amistad's existing infrastructure to enable managers and staff to enhance security, meet NPS commitments to homeland security, provide for better resource protection, and expand visitor education and

interpretation. These improvements would include the construction of a new headquarters facility, a visitor center, a law enforcement facility, and a maintenance facility.

Alternatives Considered

Besides the no-action alternative, other alternatives considered but eliminated from further analysis included:

- Decommissioning Amistad National Recreation Area as a unit of the national park system. Under this proposal, Amistad NRA would be turned over to the jurisdiction of the state of Texas and the Texas Department of Parks and Wildlife. This alternative was not analyzed because of economic infeasibility, conflicts with legislative purpose, and the potential of unacceptable environmental impacts.
- Focusing the majority of budget and staff time on maximizing recreational activities at the national recreation area. This alternative was eliminated from further analysis because there was a potential conflict with the national recreation area's purpose, significance, and legislative mandate and because there was the potential for unacceptable environmental impacts.
- Focusing the majority of budget and staff time on research programs. This concept was eliminated from further analysis because there was a potential conflict with the national recreation area's purpose, significance, and legislative mandate.

Mitigative Measures for the Action Alternatives

Congress has charged the National Park Service with managing the lands under its stewardship "in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (NPS Organic Act, 16 USC 1). As a result, the National Park Service routinely evaluates and implements mitigation whenever conditions occur that could adversely affect the sustainability of national park system resources.

To ensure that the implementation of the action alternative will protect unimpaired natural and cultural resources and the quality of the visitor experience, a consistent set of mitigating measures would be applied to actions proposed in this plan. The National Park Service would prepare appropriate environmental reviews (those required by the National Environmental Policy Act, the National Historic Preservation Act, and other relevant legislation) for these future actions. As part of the environmental review, the National Park Service would avoid, minimize, and mitigate adverse impacts when practicable. Implementing a compliance-monitoring program could be considered to be within the parameters of the National Environmental Policy Act and the National Historic Preservation Act compliance documents and U.S. Army Corps of Engineers Section 404 permits. The compliance monitoring program would oversee these mitigating measures and would include reporting protocols.

The following mitigating measures and best management practices would be applied to avoid or minimize the potential impacts from implementing the alternatives. These measures would apply to all alternatives.

[Note: the actual mitigation measures in the FONSI are not included here.]

Environmentally Preferable Alternative

The environmentally preferred alternative is the alternative that will promote the national environmental policy as expressed by section 101(b) of the National Environmental Policy Act. This includes alternatives that:

- (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) assure for all generations 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 national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice
- (5) achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and
- (6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The environmentally preferable alternative is the alternative preferred by the National Park Service for Amistad National Recreation Area in this plan. This alternative would satisfy the national environmental goals; it would provide a high level of protection of natural and cultural resources while concurrently providing for a wide range of neutral and beneficial uses of the environment. The alternative would maintain an environment that supports a diversity and variety of individual choices, and it would integrate resource protection with an appropriate range of visitor uses.

The preferred alternative surpasses the no-action alternative in realizing the full range of the section 101 national environmental policy goals. The no-action alternative would not protect resources as well as the preferred alternative. More resource impacts would result from expected increasing use levels in the no-action alternative. Adverse impacts on visitor experience also would be likely to increase under the no-action alternative. Thus, the no-action alternative would not meet the following national environmental policy goals as well as the preferred alternative:

- attain the widest range of beneficial uses of the environment without degradation
- preserve important natural aspects and maintain an environment that supports diversity and variety of individual choice
- achieve a balance between population and resource use.

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 be both beneficial and adverse

Minor impacts of the preferred alternative include the potential for vandalism and theft of archeological resources resulting from increased visitor access to the national recreation area. Mitigating measures include programs to increase visitor awareness of the sensitivity of cultural resources, continued survey work of these resources, and the introduction of indicators and standards to monitor impacts on these resources and trigger appropriate management actions.

Minor to moderate beneficial impacts would include impacts on museum collections, visitor experience, socioeconomic environment, visitor access and transportation, and NPS operations, facilities, and concessions.

Degree of effect on public health or safety

Visitor safety would remain a priority under the preferred alternative. Increases in the ranger division and the development of new law enforcement facilities would help ensure a safe experience for all visitors and result in a long-term moderate beneficial impact on visitor safety.

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

As described in the EA, Amistad NRA contains or is proximate to significant prehistoric archeological and cultural sites. Wetlands are found in the riparian areas of the park and the Rio Grande Wild and Scenic River is located upstream of the park boundaries. However, there are no prime or unique farmlands, wild and scenic rivers or ecologically critical areas within the national recreation area boundaries. There would be no effects to such areas under the preferred alternative.

As described in the EA, no effects to natural or cultural resources were identified for the preferred alternative. There are no prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas affected.

Degree to which effects on the quality of the human environment are likely to be highly controversial

None of the actions described in the preferred alternative have the potential to be highly controversial.

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

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

No actions are proposed in the preferred alternative that are not consistent with the enabling legislation for Amistad National Recreation Area. This project will not set any NPS precedent.

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

There are no other actions which in combination with the preferred alternative would result in cumulatively significant actions.

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 Texas Historical Commission on November 29, 2006.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat

The U.S. Fish and Wildlife Service concurred with the determination of no effect on threatened or endangered species on November 15, 2006.

Whether the action threatens a violation of federal, state, or local environmental protection law

This action violates no federal, state, or local environmental protection laws.

Impairment

In addition to reviewing the list of significance criteria, the National Park Service has determined that implementation of the proposal will not constitute an impairment to Amistad National Recreation Area's resources and values. This conclusion is based on a thorough analysis of the environmental impacts described in the *General Management Plan/EA*, the public comments received, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in *NPS Management Policies*, 2006). Although the plan/project has some negative impacts, in all cases these adverse impacts are the result of actions taken to preserve and restore other park resources and values. Overall, the plan results in benefits to park resources and values, opportunities for their enjoyment, and it does not result in their impairment.

Public Involvement

The environmental assessment was made available for public review and comment during a 30-day period ending August 31, 2006. Public comment received during this period was overwhelmingly in favor of the preferred alternatives. No comments in favor of the no-action alternative or another alternative were received. One reviewer recommended including additional detail describing the way in which the National Park Service and Amistad National Recreation Area would cooperate with state and local agencies and private organizations on the protection of archeological and cultural resources. An addendum to the FONSI will be prepared describing these cooperative efforts in more detail.

No substantive comments were received.

Conclusion

The preferred alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS). The preferred 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 action 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 project and thus will not be prepared.

Recommended: _____
Superintendent Date

Approved: _____
Intermountain Regional Director Date