

**FINDING OF NO SIGNIFICANT IMPACT AND DECISION FOR THE
Structural Improvements to the Show Pool Historic Wildlife
Observation/Picnic Shelter (Show Pool Shelter)**

*SENEY NATIONAL WILDLIFE REFUGE
Seney, Michigan*

The U.S. Fish and Wildlife Service looks to complete structural improvements to a historic shelter in accordance with the Seney National Wildlife Refuge's 2009 Comprehensive Conservation Plan and 2015 Visitor Services Plan. The structure was traditionally known as the Wigwams. The name was changed to the Show Pool Shelter in 2018. To meet the National Historic Preservation Act requirements the Service must give consideration of potential adverse impacts to the historical integrity of the structure that needs critical repairs to the deteriorating and damaged roof. The Service is reevaluating the continued use of the Tribal inspired architecture and proposes to alter the structure to better align with the refuge system mission and goal to provide higher quality recreational experiences for visitors. The Service proposes to change the design of the structure to provide more visibility for wildlife observation from within the structure while continuing to offer a shelter for visitors at the site to rest, eat and escape from rain and direct sunlight. The shelter is located at the Show Pool Public Access Area off of M-77, just north of the Refuge Entrance Road.

Selected Action

Alternative B—Preferred Action Alternative:

Under the preferred action alternative, the conical roofs and walls that are deteriorated will be removed and the architectural design of the shelter will be altered to retain only the central portion of the structure with the stone fireplace and existing rectangular component of the roof. The Roof would be extended to replace the conical roof portion. New roofing material would replace the existing damaged cedar shakes, rotten log timbers in the frame or other features would be replaced with like materials, maintenance and repair of the existing concrete floor foundation would be repaired as well as cleaning and repairing the stone fireplace. The Environmental Assessment gives the historical context of the structure, the relevance to the National Historic Preservation Act and consideration to the adverse impacts for altering the structure that are necessary to meet the purpose and needs of this project. A Memorandum of Agreement (formal agreement) with the State Historic Preservation Office is in place that takes into consideration the project undertaking impact on the historic structure. The agreement identifies stipulations to mitigate adverse effects that were considered in the final Environmental Assessment. The Environmental Assessment takes into consideration the current state of the structure, conditions that affect the structures, visitor use, tribal interest and relevant laws and policies.

The Service is responsible for implementation of this alternative and is achievable given staff time and resources. Refuge staff will work immediately with regional architects, engineers and contracting staff to purchase materials and develop construction plans for work to begin in the

summer of 2024. Actual construction is expected to take 1-6 months and may occur in phases depending on weather and availability of materials and contractors.

This alternative was selected over the other alternatives because it best meets the purpose and need as described in the environmental assessment as it optimizes the balance needed to meet refuge purposes and National Historic Preservation Act requirements. Under this alternative, there is minimal impact to the physical and biological resources at the Show Pool Shelter Site. Adverse effects to cultural resources are expected to occur with alterations to the structure's architectural design and appearance, however they have been mitigated through a memorandum of agreement with the State Historic Preservation Office as required by the National Historic Preservation Act.

Although unpopular with some, this proposal does not initiate widespread controversy or litigation based on the public comments received during the public comment period. See *Public Involvement* below and Appendix D.

Additionally, there are no conflicts with local, state, regional, or federal, law, plans or policies.

Other Alternatives Considered and Analyzed

Alternative A—Continue Current Management - [No Action Alternative]

Continuing current management would result in the structure's appearance and design remaining relatively unchanged. Deteriorated materials would be replaced with in-kind or similar looking materials to ensure the shelter remains structurally sound and that the remaining historic integrity of the building meets the National Historic Preservation Act standards for preservation. This alternative provides for the greatest extent of preserving historical characteristics of the structure and would also require less time and administration to implement work to repair deteriorating materials. Overall, there would be negligible impact to the human environment under this alternative. However, this alternative was not selected because it would fail to meet all purposes and needs of the Service as described in the environmental assessment. The design does not promote wildlife observation or reduce unauthorized activities. Additionally, although removing the portions of the shelter that are representative of teepees was not a concern for local Tribal Nations, it could be damaging to the Service's relationships and employees within the region and across the country where we work with Tribes whose cultures do include teepees.

Alternative C—Retain Conical Base but Remove Cone Tops

Under this alternative, the Service would alter the architecture of the shelter so it remains unique but has less resemblance to teepees by removing the cones from the roofline and retaining the conical base. Wildlife Observation viewing windows would be restored in the conical base that were once part of the initial design. Although still an adverse impact to the historical character of the structure, this alternative would retain a stronger resemblance to the original design. Interpretational signage would be upgraded to reflect the Works Progress Administration and Civilian Conservation Corps history in developing the refuge. However, this alternative was not selected as it would not improve use for environmental education or reduce incidents of unauthorized activities inside the structure such as camping, littering, and occasionally using the

shelter as a toilet. Long term maintenance costs would also be slightly higher than the selected alternative.

Summary of Effects of the Selected Action

An Environmental Assessment was prepared to analyze alternative designs regarding structural improvements to the Show Pool Shelter to best meet the purpose of providing a high-quality recreational facility for visitors that aligns with our refuge system mission. The needs of this project include addressing a deteriorating roof of a historical structure, design that promotes wildlife observation and reduces vandalism, as well as provides a shelter for visitors and environmental education participants to rest and eat safely. Additionally, there was a need to reevaluate the continued use and preservation of the tribal inspired architecture out of respect to Tribal Nations and within the intent of Service policy 510 FW 1 and associated executive orders and laws (See Appendix A of the Environmental Assessment). An Environmental Assessment (EA) was prepared in compliance with the National Environmental Policy Act (NEPA) to provide decision-making framework that 1) explored a reasonable range of alternatives to meet project objectives, 2) examined the environmental and historic preservation issues and impacts that each management alternative could have on the quality of the physical, biologic and human environment, as required by the National Environmental Policy Act of 1969, and 3) identified mitigation measures to lessen the degree or extent of these impacts. The effects of three alternatives for structural improvements to the Show Pool Shelter were evaluated in this Environmental Assessment, and all other compliance documentation which is incorporated as part of this finding.

Implementation of the agency's decision would be expected to result in the following environmental, social, and economic effects:

The following resources were analyzed in the environmental assessment: terrestrial wildlife and aquatic species, threatened and endangered species, visitor use and experience, cultural resources, land use on the refuge, administration of the refuge, local and regional economies, and environmental justice (see the Affected Environment and Environmental Consequences section for more information). Several other resources were initially considered by the U.S. Fish and Wildlife Service, including geology and soils, air quality, water quality, habitat and vegetation, floodplains, and wilderness or other special designation, but were ultimately dismissed from further analysis because neither the proposed action nor its alternatives would have the potential to result in measurable impacts to these resources. Tables 1 through 8 in the associated environmental assessment (pages 51-56) provide a detailed summary of impacts on terrestrial wildlife and aquatic species, threatened and endangered species, visitor use and experiences, cultural resources, refuge land use, refuge administration, local and regional economies and environmental justice. There would be negligible impact to geology and soils, air quality, water quality, habitat and vegetation, floodplains, and wilderness or other special designation. There would also be no cumulative impacts to climate change. The adverse direct and indirect effects of the proposed action on habitat and vegetation, wildlife and aquatic species, visitor use and experience are expected to be minor and short-term. Proper maintenance of the structure will

support current and future visitor use and have negligible minor benefits to local ecotourism and service industry businesses. The action is not in an ecologically sensitive area. The action will not impact any threatened or endangered species; or any Federally-designated critical habitat.

The Service determines how historic properties might be affected by the project and whether any of those effects would be considered adverse as defined under the NHPA. “Adverse effects” are those that diminish characteristics qualifying a property for inclusion in the National Register. This is done in consultation with other participants in the review and it was determined the selected alternative would have adverse effects to historic resources. Proposed mitigation measures were developed with the State Historic Preservation Office during the public review period to address adverse effects of alternatives based on proposed treatments applied. Treatments applied in alternatives meet the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (2017) considering the economic and technical feasibility of each alternative. There will be significant adverse effects to historic resources that will be mitigated through the MOA below the level of significance and are considered resolved under Section 106 of the NHPA. Mitigation measures will result in the historical preservation of the resource through measures defined in the National Historic Preservation Act, specifically prior to any removal of historic resources identification, evaluation, recordation, documentation, and interpretation of the sites historical significance will be completed and reviewed and approved by the State Historic Preservation Office. Although the site may no longer have some of the physical representation of the resource proper historical preservation through documentation and interpretation prevents the loss of the historical context reducing the impacts to less than significant levels.

Measures to mitigate and/or minimize adverse effects have been incorporated into the selected action. These measures include:

- To mitigate any spread of invasive species the refuge would require all construction equipment and materials be free and clear of plant material before entering or exiting the proposed project area to prevent the spread of invasive species. Any reseeding or planting post construction would use native species.
- To mitigate for wildlife habituation, information and regulatory signage at the adjacent site kiosk and staff or law enforcement contacts with visitors while at the site will be used to inform visitors not to feed wildlife.
- Construction will be delayed in the event incubating nesting birds are found within the shelter to ensure compliance with the Migratory Bird Treaty Act, as amended, 16 U.S.C. 703-712; 50 CFR Parts 10, 12, 20, and 21.

- The refuge will follow recovery plan guidelines for the management of three federally threatened and endangered species, the American bald eagle, Gray wolf, and northern long-eared bat. This project is not likely to affect these species. Monarch butterflies are a species of concern and are present on the refuge. Although unlikely, any monarch chrysalis found attached to the structure will be collected and reared for release.
- Press releases, social media, and signage would be posted and available at the office to notify the public in advance of temporary site closures due to construction. Visitors will be redirected to other similar recreational opportunities.
- Visitors with sentimental, nostalgic or personnel connections to the shelter who favor the historical architecture will find the new design will retain some of the characteristics of the original structure including the location of the shelter, original stone fireplace and similar appearing log timbers for construction. These features along with interpretive panels will reflect the early development of the refuge by the Works Progress Administration and Civilian Conservation Corps.
- The State Historic Preservation Office and Advisory Council on Historic Preservation have been consulted to identify all possible adverse effects to cultural resources where there is an undertaking as defined by the National Historic Preservation Act. Specific mitigation measures to resolve these adverse effects are laid out in a Memorandum of Agreement incorporated into this document and described in summary in the State Coordination section of the environmental assessment (page 59-60).

Documentation of significance

While refuges, by their nature, are unique areas protected for conservation of fish, wildlife and habitat, the proposed action will not have a significant impact on refuge resources and uses for several reasons above and those enumerated below. As defined in, 40 CFR §1508.27, significance is determined by examining the context (including duration) of an impact, and its intensity, including a consideration of the criteria that follow. Based on the analysis in the EA, which is summarized in these sections, the Service has determined that the preferred alternative can be implemented without significant adverse effects.

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the human environment. The actions will not have a significant effect on public health and safety (EA, page #).
2. The project will not significantly affect any unique characteristics of the geographic area such as proximity to historical or cultural resources, wild and scenic rivers, or ecologically critical areas (EA, Cultural Resources Section page 35-41).
3. The effects on the quality of the human environment are not likely to be highly

controversial.

4. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment.
5. The actions will not establish a precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration.
6. There will be no cumulative significant impacts on the environment. Cumulative impacts have been analyzed with consideration of other similar activities on adjacent lands, in past action, and in foreseeable future actions (EA, Affected Environment and Environmental Consequences section pay 17 through 48).
7. The action will have a significant adverse affect under the National Historic Preservation Act but through the development of the MOA the adverse affects have been resolved and mitigated to less than significant levels through historical preservation measures (EA, Cultural Resources Section page 35-41, Memorandum of Agreement).
8. The action is not likely to adversely impact any threatened or endangered species; or any Federally designated critical habitat; Best management practices will minimize any potential negative impacts to these species and result in little to no impact. Concurrence with this determination and mitigating measures associated with the proposed action was received through a Verification letter for the project named 'Structural Improvements to the Seney NWR Show Pool Shelter' for specified threatened and endangered species that may occur in your proposed project location consistent with the Michigan Endangered Species Determination Key (Michigan DKey) to meet Section 7 of the Endangered Species Act and is incorporated into this decision document (EA, page 23-27).
9. The actions will not lead to a violation of federal, state, or local laws imposed for the protection of the environment (EA, Appendix A).
10. The action area is not within or near the refuge designated wilderness area and as such will have no positive or negative impacts to wilderness. The refuge does have additional special designations such as a Research and Natural Areas and this action does not impact that designation (EA, page 17-18).
11. There is no scientific controversy over the impacts of this action and the impacts of the proposed action are relatively certain.
12. The proposal is not expected to have any substantial short- or long-term adverse effects on wetlands and floodplains, pursuant to Executive Orders 11990 and 11988 because there will be no impact to floodplains or wetlands as a result of this proposed action (EA, Appendix A).
13. The proposal will not have significant adverse effects on minority populations, pursuant to Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low- Income Populations because although minority and low-income

communities reside within the two counties directly adjacent to the refuge, these communities will not be disproportionately affected by any impacts from this proposed action (EA, Environmental Justice Section, page 48).

Public Involvement

The proposal has been thoroughly coordinated with all interested and/or affected parties. Parties contacted include:

- Tribal Historic Preservation Officials and Natural Resource biologists from Bay Mills Indian Community, Grand Travers Band of Ottawa and Chippewa Indians, Little River Band of Ottawa Indians, Little Traverse Bay Band of Odawa Indians, Sault Ste. Marie Tribe of Chippewa Indians
- Michigan State Historic Preservation Office
- U.S. Fish and Wildlife Service Staff: Kristin Rasmussen, Conservation Planner, Jeanne Holler, Chief of Conservation Planning; Allison Smart, Native American Liaison; Cathy Nigg, Refuge Supervisor; Carl Millegan, Deputy Assistant Regional Director National Wildlife Refuge System; Chris Jensen (Acting) Assistant Regional Director National Wildlife Refuge System.

On July 25, 2022, the U.S. Fish and Wildlife Service (Service) released the Draft Environmental Assessment for proposed upgrades to the historic show pool shelter. Following the release of the Draft Environmental Assessment, the Service opened a 45-day public comment period that ended on September 8, 2022. Members of the public were notified of the availability of the Draft Assessment through a press release posted on the Service website at <https://www.fws.gov/refuge/seney> and sent out to 80 media contacts within the state of Michigan. A press release was printed in at least 4 newspapers beginning August 3rd and available online through September 8, 2022. An announcement about Environmental Assessment public comment period was also made using the Seney National Wildlife Refuge Facebook page. During the comment period, 12 unique pieces of correspondence were received on the Draft Environmental Assessment, including correspondence from a Tribe, a state agency and 10 individuals. Correspondence reviewers derived 35 unique comments, 7 of which were substantive comments. The most common topic found in the individual comments was support for or opposition to the proposed alternatives. Three commenters were generally in support of the Service's preferred alternative, 2 had no stance and 7 were generally opposed to the preferred alternative. Substantive comments were addressed in the final environmental assessment. A full analysis and summary of comments can be found in Appendix D of the Environmental Assessment.

Finding of No Significant Impact

Based upon a review and evaluation of the information contained in the Environmental Assessment, as well as, other documents and actions of record affiliated with this proposal, the Service has determined that the proposal to implement Structural Improvements to the Show Pool Historic Wildlife Observation/Picnic Shelter (Show Pool Shelter) does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102 (2) (c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required.

Decision

The Service has decided to implement the structural improvements to the Show Pool Shelter as described in the selected alternative. The action is consistent with applicable laws and policies.

Signature

Acting Assistant Regional Director, National Wildlife Refuge System Signature and Date

Supporting documents:

- Environmental Assessment
- Verification letter for the project named 'Structural Improvements to the Seney NWR Show Pool Shelter' for specified threatened and endangered species that may occur in your proposed project location consistent with the Michigan Endangered Species Determination Key (Michigan DKey) and Ecological Services Concurrence
- List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project
- Memorandum of Agreement between The U.S. Fish And Wildlife Service And The Michigan State Historic Preservation Officer Regarding The Show Pool Shelter, Seney National Wildlife Refuge, Schoolcraft County, Michigan
- Request for Extension of Deadline Pursuant to Section 107(g)(2) of the National Environmental Policy Act (NEPA) approved May 3, 2024
- Environmental Action Statement