FINAL ENVIRONMENTAL ASSESSMENT

September 2018

Wisconsin Point Dune Restoration Project
Superior, Wisconsin

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Ocean Service
Office for Coastal Management
1305 East West Hwy, N/OCM1
Silver Spring, MD 20910

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ACRONYMS

CZMA	Coastal Zone Management Act
EA	Environmental Assessment
EPA	U.S. Environmental Protection Agency
NCDC	National Climatic Data Center
NERR	National Estuarine Research Reserve
NEPA	National Environmental Policy Act
NOAA	National Oceanic and Atmospheric Administration
OCM	Office for Coastal Management
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
WCMP	Wisconsin Coastal Management Program
WDNR	Wisconsin Department of Natural Resources
WHS	Wisconsin Historical Society
WPMA	Wisconsin Point Management Area

1.0 INTRODUCTION

The National Coastal Zone Management Program works to preserve, protect, develop, and, where possible, restore and enhance coastal zone resources. The Wisconsin Coastal Management Program (WCMP) is a federal-state partnership between the Wisconsin Department of Administration and the National Oceanic and Atmospheric Administration (NOAA), Office for Coastal Management (OCM). NOAA, under the Coastal Zone Management Act (CZMA), approved the WCMP in 1978. In accordance with the CZMA, NOAA provides approved state coastal zone management programs with funding that can be used for a number of purposes, including program administration (under Section 306 of the CZMA) and low-cost construction projects (Under 306A of the CZMA) to facilitate public access to coastal areas. WCMP coordinates with state, local and tribal government agencies and nonprofit organizations to help manage the ecological, economic, and aesthetic assets of Wisconsin's coastal areas along Lakes Michigan and Superior. WCMP also works to preserve and improve access to the natural and historic resources of Wisconsin's Great Lakes coasts. WCMP provides CZMA awarded funds to local government agencies, academia, and others (through a competitive sub-grant program) for public access and historic preservation projects. WCMP proposes allocating $1,384,810 in federal funding from NOAA through a CZMA cooperative agreement to the City of Superior, Wisconsin to improve and restore the Wisconsin Point Dune system and road erosion. This project was selected by WCPM through a competitive process.

The City of Superior is located in Douglas County, Wisconsin across the St. Louis River Estuary from Duluth, Minnesota. The Wisconsin Point Peninsula (Wisconsin Point) is located within the St. Louis River Area of Concern (AOC), one of 27 remaining AOCs designated by the U.S. Environmental Protection Agency (EPA). The Wisconsin Point is located between Lake Superior and Allouez Bay in the southeastern end of Superior, WI and is owned by the City of Superior. However, eighteen acres on the northwest end of the Peninsula is owned by a federally-recognized Indian tribe, the Fond du Lac Band of Lake Superior Chippewa. This northwest end also features the entry to Superior Harbor, and is managed and maintained by the U.S. Army Corps of Engineers (USACE). The location of Wisconsin Point is shown in Figure 1 (Appendix A).

NOAA proposes to provide $1,384,810 through WCMP for the City of Superior to remove 14 parking turnouts to promote dune and habitat restoration, invasive species control, and shoreline erosion mitigation on the Wisconsin Point. The proposed dune and habitat restoration will also enhance five of the remaining six parking turnouts and boat launches and include installation of boardwalks over the sensitive dune ecosystem on the Lake Superior side of the Wisconsin Point.

This Environmental Assessment (EA) analyzes the impacts of providing federal funding for the proposed Sensitive Dune Restoration Project. The EA satisfies the requirements of the National Environmental Policy Act (NEPA) and NOAA Administrative Order 216-6A, "Compliance with the National Environmental Policy Act, Executive Orders 12114, Environmental Effects Abroad of Major Federal Actions; 11988 and 13690, Floodplain Management; and 11990, Protection of

Wetlands." The EA analyzes the potential for significant environmental impacts to the human environment from the proposed action, and two alternatives, including the No Action Alternative. A third alternative (including the original proposal and other management approaches) was also considered, but was eliminated by the project partners due to the lack of considerations given to the dune restorations and the cultural significance of the peninsula.

Because the original proposal did not sufficiently address these aspects of the project, and the historical significance of the point it was eliminated as an option and will not be analyzed in detail.

1.1 Setting

The Wisconsin Point Peninsula is a 228-acre baymouth sandbar complex within the St. Louis River AOC. The Wisconsin Point is located between Lake Superior and Allouez Bay in the southeast end of Superior, WI and is owned by the City of Superior. Approximately eighteen additional acres on the northwest end of the Peninsula is owned by a federally-recognized Indian tribe, the Fond du Lac Band of Lake Superior Chippewa. This northwest end features entry to the Superior Harbor, which is managed and maintained by the U.S. Army Corps of Engineers (Figure 2, Appendix A).

Wisconsin Point contains approximately $2^{3/4}$ miles of open sand beach and dunes, open water, small interdunal wetlands, lowland brush, mature red and white pine forest, and young deciduous upland forest (Figure 3, Appendix A). Allouez Bay, on the south side of the Wisconsin Point, is a sheltered bay, which provides spawning, nursery, and feeding areas for many fish species in the Lake Superior Basin. The Wisconsin Point Peninsula is also a popular destination for visitors and residents engaged in various recreational activities, including bird watching, boating, fishing, snowshoeing, kayaking, catching smelt, and other beach-related activities.

The Wisconsin Point Peninsula is a day-use natural area with a single main access road, Wisconsin Point Road. Twenty parking lots currently span this access road with companion trails to Lake Superior and Allouez Bay (Figure 4, Appendix A). The twenty foot trails connecting these parking lots to Lake Superior are causing habitat fragmentation, degradation, and instability of the dune ecosystem. These active dunes are dominated by Marram Grass and Beach Pea, with sand barren forested areas forming a buffer between the dunes and Wisconsin Point Road. The area has suffered from excessive trail disturbance and vegetation removal. Along the bayside of Wisconsin Point, the construction of Wisconsin Point Road has caused an unstable condition that, over time, has created erosion into the adjacent freshwater wetlands of Allouez Bay. Numerous invasive and nuisance upland and wetland species, including poison ivy, now exist on the Point. These invasive and nuisance species threaten the natural plant community and its diversity, and pose a serious management challenge.

The Wisconsin Point Peninsula is located within the St. Louis River AOC designated by the U.S.

EPA due to past environmental degradation/contamination. The St. Louis River AOC geography includes the lower 39 miles of the St. Louis River and spans the Minnesota and Wisconsin state line encompassing the entire Wisconsin Point Peninsula. The Stage 1 Remedial Action Plan for the AOC determined that nine out of fourteen Beneficial Use Impairments exist. Some of the Beneficial Use Impairments in the St. Louis River AOC include degradation of fish and wildlife habitat and populations, beach closings, and impairments resulting in fish deformities and consumption and nutrient loading.

1.2 Summary of Proposed Federal Action

NOAA proposes to provide Federal funds to the WCMP, which would then award these funds to the City of Superior, WI. The funds will be used by the City to restore beach dune habitat along Wisconsin Point, enhance public beach access, close existing public access points and associated parking areas to promote habitat restoration, and stabilize shoreline habitat along Allouez Bay.

Alternative I – Contribute Funding (the Preferred Alternative) would provide funding for the restoration project and result in elimination of 14 access points, restoration of 85 acres of forest, 48,000 ft^2 of dunes, 40,000 ft^2 of shoreline wetland will be restored, and reconnection of 150 acres of sensitive wildlife habitat. This will be achieved by revegetating the damaged forest and sensitive dune landscape. Additionally, 3600 linear feet of shoreline along the Allouez Bay side of the point would be restored and stabilized.

1.3 Findings

The anticipated impacts of the proposed project to the human environment are minimal, and none would be significant. The proposed project would have primarily beneficial impacts, and improve public accessibility by supplying Americans with Disability Act (ADA) compliant boardwalks. Installing such boardwalks over the sensitive dune system would improve connectivity between the parking/turnout areas and the Lake Superior side of Wisconsin Point while also protecting the sensitive dunes from further damage. The proposed project is compatible with all applicable laws and regulations. In addition, there would be no anticipated effects to threatened or endangered species or critical habitat from the proposed project.

The Point contains approximately 2 ¾ miles of open sand beach and dunes, open water, small interdunal wetlands, lowland brush, mature red and white pine forest, and young deciduous upland forest. Allouez Bay, on the south side of the Point, is a sheltered bay, which provides spawning, nursery, and feeding areas for many fish species in the Lake Superior Basin. The Wisconsin Point Peninsula is also a popular destination for visitors and residents engaging in both active and passive recreation (e.g., bird watching, boating, fishing, snowshoeing, kayaking, catching smelt, and beach activities). Aesthetically, the proposed restoration would fit well with the natural surroundings already present on the Point. The restoration work, shoreline stabilization, parking turnout enhancements, and boardwalk installation would not detract from

the unique characteristics of the Point or Allouez Bay. In addition, none of the unique historic resources found on the Point would be adversely affected by the proposed action.

Wisconsin Point is historically and culturally significant with an Ojibwe cemetery located at Site 19 (Figure 4, Appendix A). The City of Superior has worked with the Fond du Lac tribe throughout the planning phase of the project design. All activities that would potentially impact cultural or historical resources of interest to the tribe will be avoided or overseen by a tribal member. Because of the cultural and historical significance of Wisconsin Point to the community the project also allows for an educational experience using signage, outreach, and the continued use of the Wisconsin Point by the surrounding schools once construction and restoration work is completed.

NOAA performed formal consultation under the National Historic Preservation Act with the State Historic Preservation Officer, Leslie Eisenberg, and the Tribal Historic Preservation Officers from the Bad River Band of the Lake Superior Tribe of the Chippewa, Fond du Lac Band of Lake Superior Chippewa, St. Croix Indians of Wisconsin, and White Earth Nation of Minnesota Chippewa. Although no comments or responses were received regarding the project design, the Fond du Lac tribe remained involved in the project planning process. The State Historic Preservation Officer, Leslie Eisenberg, provided a letter of concurrence for this project with a finding of “no adverse effect on cultural resources or historic properties.”

Additionally, there are three threatened and three endangered species in the project area. The threatened species are the Canada Lynx, Northern Long-eared bat, and the Fassett’s Locoweed. Endangered species are the Gray Wolf, Kirtland's Warbler, and the Piping Plover. Potential minor impacts to these species would be minimal and mitigation measures will be taken by the City of Superior to avoid disturbance during construction.

NOAA and the City of Superior, WI consulted various state and federal agencies, including USFWS and WDNR, about potential impacts of the proposed project. Consultation with the USFWS was initiated with a letter and supplemental materials sent on September 1, 2017 which included the final project design and species analysis. A letter of concurrence was received from Andrew Horton for a finding of “may affect, but are not likely to adversely affect listed species” on September 29, 2017. WDNR also evaluated the potential for impacts to state-designated threatened and endangered species and did not have concerns about potential effects.

Based on the information acquired during preparation of this document, NOAA finds that the proposed project for the restoration and shoreline stabilization of Wisconsin Point will not have a significantly adverse impact on the physical, biological, or cultural/socioeconomic environment.

2.0 PURPOSE AND NEED

This EA was prepared to facilitate NOAA's decision-making in accordance with NOAA Administrative Order 216-6A, NEPA, and other statutory and legal requirements.

2.1 Purpose

The purpose of the proposed project (preferred alternative) would be to improve public access through construction of ADA compliant boardwalks, restore damaged dune areas, remove invasive species, and treating erosion along the Wisconsin Point Road. The overall objective is to remove the St. Louis River Estuary from the EPA's list of AOC.

2.2 Need

Funding would allow for habitat restoration and public access along Wisconsin Point, Superior, WI that would improve accessibility and safety for visitors to the beaches and wetlands along the peninsula. NOAA requested $1.4 million in EPA Great Lakes Restoration Initiative (GLRI) funds to address habitat degradation and public access at Wisconsin Point. The City of Superior pledged approximately $160,000 in-kind. Funding would enable the City of Superior to:

(1) Expand five of the remaining six public access sites by building boardwalks to allow visitors, including those with mobility impairments, to safely cross over dunes;
(2) Enlarge associated parking areas, which would be paved with pervious pavement to improve stormwater management; and
(3) Close other public access points and parking areas along Wisconsin Point Road and restore dunes, forests, and other wildlife habitat at the closed sites.

The proposed project is identified in the St. Louis River Remedial Action Plan (Roadmap to Delisting) (https://www.pca.state.mn.us/sites/default/files/wq-ws4-02a.pdf) as "Project 15," contributing to removal of Beneficial Use Impairment #9: *Loss of Fish and Wildlife Habitat.* Funding through GLRI is available for habitat restoration related projects in the Great Lakes region that work toward removing Beneficial Use Impairments at this AOC.

3.0 ALTERNATIVES

3.1 Alternative I – Contribute Federal Funding (Preferred Alternative)

Contributing $1,384,810 in federal CZMA funds to support the proposed project is NOAA's preferred alternative. Wisconsin Point is a popular destination for visitors and residents engaging in both active and passive recreation. NOAA proposes to fund $1,384,810 in federal funding to WCMP, which would provide the funds to the City of Superior, WI to remove 14 parking turnouts and enhance five of the remaining six parking turnouts. The five parking turnouts being enhanced will use pervious pavers to mitigate stormwater runoff, install ADA compliant boardwalks over

the sensitive dune systems, remove invasive species, and stabilize shoreline erosion along the Wisconsin Point Road adjacent to Allouez Bay.

Figures 5-9 (Appendix A) show the proposed five parking turnouts and boardwalk locations which will be enhanced. Removal of the 14 parking lots/turnouts would consist of replacing concrete barricades with large, natural boulders, and the removal of asphalt and gravel. Restored areas would be planted with native trees to discourage invasive species, and posted to discourage continued public use. In addition, the five consolidated parking/access points would have expanded parking opportunities and an elevated boardwalk (Figures 13 & 14, Appendix A) between the parking area and the beach. These boardwalks would be 6 ft. wide, with handrails, and would be supported by helical piles (which eliminates the need for excavating dune areas). This proposed project would provide ADA compliant boardwalks in order to increase beach accessibility by disabled persons.

The City of Superior has outlined the following Best Management Practices for implementation during construction: Erosion control, particularly along Allouez Bay, would be implemented. To further protect the water resources in Allouez Bay during construction, a stormwater erosion plan would be submitted to the WDNR prior to the proposed project being started.

In addition, to reduce impacts during construction, the City of Superior has outlined the following industry standard Best Management Practices for implementation during construction:

- Silt fence on the downslope side of exposed soil and soil stockpiles until stabilized;
- Street sweeping to keep tracked sediment from washing into Allouez Bay;
- Staging equipment and soil piles on improved surfaces to avoid impacts to natural areas; and
- Native seed and plantings in restored sites coupled with mulch or erosion mat, along with follow-up control of invasive plants and replanting/seeding as needed.

The City of Superior's "Building and Construction Policies and Procedures" provide an overview of state required erosion control and stormwater permits necessary for this project. Because the project team will be incorporating pervious pavement in the design of parking area improvements, the typical post-construction stormwater controls (i.e., stormwater retention pond) that are normally required when installing 20,000 sq. ft. or more of impermeable surfaces will not be necessary for this project.

During construction, heavy equipment are needed to bring construction materials to the site, excavate, and place large stones [where] to prevent beach access at the closed parking turnouts.

The City would stage the heavy equipment in existing hard surface lots to avoid damaging the surrounding ecological resources.

In order to work in wetlands and waters of the United States, compliance with Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, and Section 401 of the Clean Water Act is required. See Chapter 7 for more details about federal requirements. In addition, State-level permitting will be necessary. The relevant Wisconsin statutes are Wis. Stat. Chapter 30 and Wis. Natural Resource Code NR 216. Wisconsin Statute Chapter 30 addresses navigable waters, harbors, and navigation, and Wisconsin Natural Resource Code NR 216 establishes criteria for minimizing the discharge of pollutants carried by stormwater runoff from certain industrial facilities, construction sites, and municipal separate storm sewer systems. If funded, the City of Superior would seek these permits before construction would begin.

Additionally, the City of Superior recognizes that the proposed project would temporarily limit access to the peninsula's recreational assets during construction. The City addressed potential public concerns by hosting two public meetings, and a tribal/cultural meeting with stakeholders and general public in advance of any project construction to communicate project benefits and make any necessary changes to the project plan; promoting the proposed project on social media, in local publications, and through news releases; accepting any and all radio and television interview requests to discuss the project; hosting a Wisconsin Point Picnic for the public to celebrate the completion of the proposed project; and crafting signage to outline restoration efforts and encourage good stewardship.

The project design for the preferred alternative incorporates both public and tribal comments received by the City of Superior during multiple meetings. Public meetings were held on September 27, 2016 and January 25, 2017, and a tribal/cultural meeting was held on December 7, 2016. All comments and concerns that were provided by the public and tribal members who attended these meetings were incorporated or addressed in the Final Project Design (Appendix F). The City of Superior also maintains a webpage with project description and information related to the status of the project located here: http://www.ci.superior.wi.us/835/Dune-Restoration-Project.

Project Outcomes:

- 48,000 ft^2 of sand dune habitat will be restored
- 40,000 ft^2 of shoreline wetland will be restored
- 85 acres of pine barren forest dune habitat will be restored
- 150 acres of sensitive wildlife habitat will be reconnected
- 3,600 linear feet of shoreline will be restored and stabilized

Once construction and restoration is completed under the preferred action alternative, restoration areas will be monitored for vegetative cover. The City of Superior Parks and Recreation Department will coordinate monitoring activities relating to vegetative cover, diversity, and

wildlife use for no less than 5 years to ensure establishment of the target native assemblages. Standard monitoring will consist of evaluating site characteristics and taking photographs at each observation point, with at least one observation point to be established in each restored parking area on the Lake side, and no less than six monitoring points in the re-vegetated project area will be established on the Allouez bay side of Wisconsin Point.

Each monitoring point would be assessed according to the U.S. EPA's standards for monitoring and assessing either woody or non-woody vegetation, as applicable. Additional monitoring will include the Wisconsin Floristic Quality Assessment method. This monitoring and reporting will be conducted by a professional wetland scientist under employment with the City of Superior Department of Public Works. Additional monitoring will be conducted through partnerships with the University of Wisconsin-Superior (Professor Nick Danz) where biology students will conduct invasive species removal and monitoring of revegetated areas.

The City of Superior staff routinely inspect the Peninsula for maintenance issues and the City has committed to being responsible for any needs that arise with respect to the proposed boardwalks, parking areas, and rock barricades following construction. If follow-up planting, seeding, or invasive plant control is needed at any time during the 5-year post-construction monitoring period, the City of Superior's Parks and Recreation Department, along with the City's Environmental Coordinator will coordinate necessary corrective measures.

3.2 Alternative II – Deny Federal Funding (No Action Alternative)

Under the No Action Alternative, NOAA would not contribute federal CZMA funds to support this project work. Unless the City of Superior identifies other sources of funding, the project would not be completed, the habitat and public access points along Wisconsin Point will remain in their current state and will possibly deteriorate in the future, and the St. Louis River AOC will not be delisted. Therefore, the No Action Alternative does not fulfill the purpose of the proposed Federal action.

The St. Louis River Area of Concern Implementation Framework: Roadmap to Delisting (Remedial Action Plan Update, July 15, 2013) (https://www.pca.state.mn.us/sites/default/files/wq-ws4-02a.pdf) outlines that all management actions for delisting the St. Louis River need to be completed by 2020, to meet the required delisted deadline of 2025. The current impairments of Wisconsin Point will experience additional impacts in road/infrastructure loses, as well as continued dune deterioration and spreading of invasive species if no action is taken.

3.3 Alternative III - Alternatives Considered but Eliminated by the Project Partners

The original grant proposal and project design for the Wisconsin Point Dune Restoration Project was submitted to NOAA in 2014. The original project design was not selected because it failed to address historic and cultural resources and was therefore determined to be insufficient and would not be analyzed further. Instead, subsequent analysis and archaeological studies (Appendix E) were conducted in an effort to develop a preferred alternative and design to address the historic and cultural resources found on Wisconsin Point. Also, prior to the development of the Wisconsin Point Area Management Plan (2012) (https://nwrpc.com/DocumentCenter/Home/View/54), there was no holistic framework guiding management actions in the Wisconsin Point Peninsula. The Wisconsin Point Area Management Plan (Plan) developed alternative management approaches, in order to provide a diverse set of options for the future management of the resources within the Wisconsin Point Management Area (WPMA). The Steering Committee for the Plan solicited input from the public, organizations, and key stakeholders and developed four possible management approaches for the Wisconsin Point area. This Steering Committee held a public open house in Superior, WI in April 2012; and asked attendees to provide input on the management approaches, identify trade- offs, and identify other implications. Input was also gathered via direct e-mail correspondence with key stakeholders, as well as via the internet through the Wisconsin Point Area website.

The four management alternatives put forth by the Wisconsin Point Area Management Plan Steering Committee include:

Status Quo Management Approach: Would not increase the emphasis on any of the strategies identified to reach the goals and objectives of the management area. This no action approach describes the continuation of the present management of the WPMA. This approach will serve as a baseline and provide an opportunity to compare the current management with various management approaches suggested to be proposed for future management. This approach does not require any increase in investment.

Recreation-Based Management Approach: Provides for enhanced recreational access and opportunity within the WPMA through the implementation of local, county, regional, and state outdoor recreation plans. This approach provides visitors with new, enhanced or expanded recreational opportunities through increased investment in recreational assets and increased support from user/interest groups. This approach has a high level of capital investment with the possibility to create new marketing opportunities.

Conservation-Preservation Based Management Approach: Placing emphasis on preservation of the WPMA's natural resources through partnerships, intergovernmental cooperation implementation of local and regional habitat conservation plans. This approach provides visitors

with opportunities to experience natural and cultural resource values of the WPMA through low impact recreation opportunities. It proposes a combination of natural processes and active management techniques for resource and use management. This approach has a moderate level of capital investment required.

Educational-Cultural Enhancement Management Approach: Emphasis on preservation of the WPMA's cultural resources through partnerships, intergovernmental cooperation and implementation of local, regional and state historic preservation plans. This approach also provides enhanced opportunities for environmental education, research and interpretations. There is an intermediate level of capital investment (between Recreational-Based, and Conservation-Preservation based approaches).

Following public and stakeholder input regarding challenges with each approach, the Plan outlines a preferred alternative, which "embraces those aspects of each of the preliminary approaches which had the most public support." Under the preferred management approach, the entire management area is split into five zones, with the Wisconsin Point Peninsula, and the project area under the proposed restoration work, defined as zones A and B. Zone A corresponds to the developed area at the end of the Peninsula, currently under multiple management authorities (City of Superior, U.S. Army Corps of Engineers, U.S. Coast Guard, Fond du Lac band of Lake Superior Chippewa). Zone B corresponds to the entire Peninsula not encompassed by Zone A. This area receives the highest visitation and use in the management area.

Each zone in this preferred management approach identifies activities and needs that address each management focus (i.e. recreation, conservation, and cultural/educational). Management activities outlined in the management plan, but not included in the proposed work include installation of a day-use facility with a restroom in the developed area near the tip of the Peninsula, a pedestrian corridor linking developments and facilities, an interpretative facility, educational kiosks related to maritime history, education programs, new boat launch/landing area with pad on Allouez Bay. While identified as needs, these aspects are not included in the proposed project work; however, partnerships between the project team and other key stakeholders in the area (e.g., Lake Superior National Estuarine Research Reserve) may later address the needs that are not feasible under this proposed, GLRI project work.

4.0 AFFECTED ENVIRONMENT

This section presents a description of the environment at the proposed project site, including some of its physical, biological, cultural, and socioeconomic characteristics. Much of this information can also be found in the Wisconsin Point Area Management Plan (https://nwrpc.com/DocumentCenter/Home/View/54), and the Lake Superior National Estuarine

Research Reserve (NERR) Management Plan (https://coast.noaa.gov/data/docs/nerrs/Reserves_LKS_MgmtPlan.pdf).

4.1 Physical Environment

4.1.1 Climate

Climate conditions in the City of Superior, WI are influenced by Lake Superior. The climate is characterized by moderate winter and summer temperatures (GLISA, 2010). Due to its location in the Northwest portion of Lake Superior, the City of Superior is protected from the "Lake Effect" which typically produces long, cold winters and short, moderate summers within the Great Lakes Region. According to the National Climate Data Center (NCDC, 2016) average annual temperatures in the City of Superior vary from about 40 degrees Fahrenheit (º F) in the north to 48 º F in the south. Most winter months produce temperatures of -40 º F or lower while summer temperatures can produce multiple days of 90º F.

4.1.2 Hydrology

Gently sloping landforms drain surface runoff to Allouez Bay and Lake Superior. There are a number of small, named streams bisecting the project area, including Bear Creek, Morrison Creek and Dutchman's Creek. These streams have highly variable flows and are subject to runoff, elevated water temperatures, erosion, and turbidity problems. These are warm streams and are known to support sport fisheries. The streams also harbor warm water forage fish communities. Tributary streams support important coastal wetland habitat for a wide variety of wildlife species, including several rare or threatened species. See sections 4.2.3, and 5.2 of this report for further information related to possible effects to threatened or endangered species.

Data from NOAA's Coastal Change Analysis Program, which collected and provides land cover data for the Great Lakes basin from 2010, indicate that the Wisconsin Point Peninsula itself has a land- cover that is made up of approximately 32% forest (with deciduous forest making up 22%), 2.6% developed, and 26% wetlands. Importantly, this analysis, which is done at a 30M resolution likely overestimated the amount of palustrine scrub/shrub wetlands along Wisconsin Point as the program may be classifying dune grasses incorrectly in the C-CAP 2010 analysis. This overestimate of palustrine scrub/shrub wetlands along Wisconsin Point is confirmed by referencing the U.S. Fish and Wildlife Service's National Wetland Database. In that database, the area in question is only shown to have 0.29 acres of combined wetland area along the Allouez Bay coastline, and are classified as emergent palustrine wetlands that are seasonally flooded (Figure 11, Appendix A).

4.1.3 Sediment

Fine-grained sands, deposited by wind and wave action, underlie Wisconsin Point. Surface elevation ranges from 737’ at the top of the Moccasin Mike Landfill to 601’ at the shore of Lake Superior (Figure 10, Appendix A). According to the Wisconsin Point Area Management Plan (https://nwrpc.com/DocumentCenter/Home/View/54), there are two theories related to the origin of the sand spit (Wisconsin Point).

The first suggests the sand spit is the result of beach drifting due to erosion of the till bluffs along the south shore of Lake Superior, with wind and wave action then moving the sand westward to the mouth of the St. Louis River. The second, alternative hypothesis, suggests the source of the sand was the St. Louis River, along with deposition from south and north shores of Lake Superior.

The project is located on an accumulation of glacial sediments deposited during the Ice Age (Pleistocene Epoch). These sediments are underlain by deposits of sandstone, shale and basalts deposited up to 1.1 billion years ago during the late Precambrian period.

As noted in the Wisconsin Point Area Management Plan (Appendices F), the substrate of Wisconsin Point consists primarily of well-drained sands (Croswell sand 0-6%, Beaches 2-12%). Poorly- drained mucky soils (Newson muck 0-2% occupy a small area near the end of the Point. Wetland soils (Rifle peat 0-1%, Arnhem mucky silt loam 0-1%) extend from the western end, extending eastward along Allouez Bay to the base of Wisconsin Point (Figure 12, Appendix A).

4.2 Biological Environment

4.2.1 Plants

A prominent natural feature on the peninsula is the sandy beaches along Lake Superior, which are not vegetated. The transition zone between the beach and the interior of the peninsula is dominated by juniper and lichens. The mixed pine forest at the widest portion of the peninsula is primarily red and white pine. The native plant communities on Wisconsin Point are endemic to the Great Lakes region and are rare/declining across their range. Plant species sighted along the point include Canada Gooseberry, Fir Clubmoss, and Marsh Grass-of-Parnassus, among others

A 2011 baseline survey of Wisconsin Point identified a number of invasive plants and noxious weeds as management concerns. Invasive shrubs and trees associated with the forested area of Wisconsin Point are the Common Buckthorn, and the Eurasian Honeysuckle (Figure 15, Appendix A). These invasive plants would be removed during native species dormancy to ensure native plants are not negatively affected. Herbaceous species to be removed are the Bird’s-foot Trefoil, Canada Thistle, Climbing Nightshade, Hawksbeard, Orange/Yellow Hawkweed, Quackgrass, Queen Anne’s Lace, Spotted Knapweed, Tansy, and Yellow/White Sweet Clover.

These invasive plant species will be removed using Foliar sprayed with herbicide and left in place while wick applications will be used to limit exposure to non-target plants where applicable. The treatments will be completed prior to the flowering of the invasive plants, or if the plant has begun to flower and poses a risk of developing a viable seed it will be pulled and properly disposed of.

While the invasive plants and noxious weeds are concentrated near the tip of Wisconsin Point, they have also been found throughout the peninsula. These are currently encroaching on sensitive dune habitats to the Southeast of La Pointe Avenue, and are found adjacent to the parking lots. The report noted that parking lots and trails are currently serving as pathways for these invasive plants to reach the beach.

Several streams, Bear Creek, Bluff Creek and the Nemadji River empty into Allouez Bay. The marsh areas are dominated by tall native graminoids, such as bur-reeds, bulrushes, spikerush, sedges, and cattails. The deeper areas within and on the margins of the emergent marsh support floating-leaved and submergent aquatic macrophytes, and Tamarack snags are scattered throughout parts of this area. This wetland is composed mostly of native species, and plant diversity and wildlife values are quite high.

4.2.2 Fish

Lake Superior has an extensive list of fish species that could potentially be found in and around Allouez Bay. According to the Minnesota Sea Grant, native fish that can be found in Lake Superior are the Bloater, Brook Trout, Burbot, Cisco, Common Shiner, Creek Chub, Deepwater Sculpin, Emerald Shiner, Johnny Darter, Kiyi, Lake Chub, Lake Sturgeon, Lake Trout, Lake Whitefish, Longnose Dace, Longnose Sucker, Mimic Shiner, Ninespine Stickleback, Northern Pike, Pygmy Whitefish, Rock Bass, Round Whitefish, Rock Bass, Round Whitefish, Sand Shiner, Shorthead Redhorse, Shortjaw Cisco, Silver Redhorse, Slimy Sculpin, Smallmouth Bass, Spoonhead Sculpin, Spottail Shiner, Trout-perch, Walleye, White Sucker, and Yellow Perch. Reproducing non-native fish that have been found in Lake Superior are Alewife, Brook Silverside, Brown Trout, Chinook Salmon, Coho Salmon, Common Carp, Eurasian Ruffe, Fourspine Stickleback, Freshwater Drum, Pink Salmon, Rainbow Smelt, Rainbow Trout, Round Goby, Sea Lamprey, Threespine Stickleback, Tubenose Goby, White Bass, and White Perch. The American Eel and Atlantic Salmon have also been found in Lake Superior. However, they are not believed to be reproducing.

While the list of fish in Lake Superior is extensive, not all species of fish found in Lake Superior find the habitat of Allouez Bay suitable. In the past century, Allouez Bay has seen a significant reduction in the amount of emergent wetlands due to heavy industrialization in the area. However, Allouez Bay continues to provide valuable habitat to many species and native emergent wetlands still comprise a large portion of the shoreline and provide habitat for many resident and migratory species of birds and fish. The average depth of water in Allouez Bay is 5- 9 feet with an area of maximum depth in the central portion of the Bay which reaches 15-20 feet. This depth

of water is not ideal for many large fish species found in Lake Superior. However, many smaller fish species and fish found in the Bear Creek, Bluff Creek, and Nemadji Rivers can be found in Allouez Bay.

4.2.3 Wildlife

The Wisconsin Point Area Management Plan (https://nwrpc.com/DocumentCenter/Home/View/54) describes terrestrial and aquatic ecosystem conditions along Wisconsin Point, providing detail on the variety of mammalian and amphibian species typically inhabiting the Wisconsin Point. These include large vertebrates like white-tailed deer and black bear, as well as at least seventeen species of reptiles and amphibians and over 260 species of resident and migratory birds. Appendix D of the Wisconsin Point Area Management Plan also provides a detailed list of bird species.

WDNR's Natural Heritage Inventory Database indicates that many endangered, threatened, or special concern have been sighted on and around Wisconsin Point within the last 20 years. Wisconsin Point is a migratory bird stopover site as well. Beaches are used by many species of shorebirds and adjacent waters are used by migratory ducks, loons, and grebes. Piping Plover, Northern Harrier, Common Tern, Merlin, etc. have also been sighted on and around Wisconsin Point.

The Wisconsin Point Area Management Plan also provides a list of Rare, Threatened, or Endangered Animals and Insects found near Wisconsin Point, including the last year the species was observed, as well as the State and Federal status on the threatened/endangered species list. The species listed as threatened or endangered under the Endangered Species Act (ESA) or proposed for listing include: Canada Lynx, Gray Wolf, Northern long-eared Bat, Kirtland's warbler, Piping Plover, and Fassett's locoweed. There is no critical habitat for any ESA-listed species on Wisconsin Point.

4.3 Cultural and Socioeconomic Environment

Several reports and documents have detailed the cultural and historic resources that are found along Wisconsin Point. The Wisconsin Point Area Management Plan provides a comprehensive history of human occupation of the site, from the first known European to settle on the point in the late 1700s, to a history of Native American occupation of the site. The report indicates that the Fond du Lac Band were likely to have occupied the area sometime from the mid-1700s to the early 1800s.

Wisconsin Point is primarily owned and controlled by the City of Superior who actively manages city-owned lands on the peninsula as a public outdoor recreation area (zoned as open space) through the City's Parks and Recreation Division. In addition, approximately eighteen acres at the tip of the point was previously controlled by the U.S. Army Corps of Engineers. However, in

2002, the land was declared excess property. The Fond du Lac Band of Lake Superior Chippewa, through the Bureau of Indian Affairs, requested that this eighteen acres of land be placed into trust status for the band through a formal application by the BIA to the General Service Agency. This negotiation was successfully completed and the property was transferred to the federally-recognized Indiana Tribe, the Fond du Lac Band of Lake Superior Chippewa. There is also a nine acre parcel south of Wisconsin Point Road along Allouez Bay, which is controlled by WI Department of Natural Resources. A detailed map showing ownership is included in Appendix A, Figure 2.

The eighteen acres at the tip of the point includes two dwellings, along with a maintenance and storage building, associated with the operation of the Superior Entry South Breakwater Light, which was constructed in 1913 to facilitate vessel traffic through the Superior Entry. Superior Entry is the navigation channel on the St. Louis River that connects the harbors in Superior, WI, and Duluth, MN, and separates Minnesota Point from Wisconsin Point. The Superior Entry South Breakwater Light is listed on the National Register of Historic Places and the State Registry of Historic Places.

4.3.1 Tribal History

Historically, Ojibwe people are estimated to have first settled on Wisconsin Point as early as the 1740s, with one of the earliest known inhabitants named Joseph Osaugie, who became chief of a small native community on Wisconsin Point. On the area that is now part of the U.S. government land holding at the tip of the point, a tribal cemetery was documented as early as 1895; approximately ¼ mile from the lighthouse keeper's home. This 17th century Fond du Lac tribal burial ground was relocated to the St. Francis Cemetery in 1919, which is along the Nemadji River in the City of Superior. The Wisconsin Point Area Management Plan details the various changes in ownership of land along the point on pages 17-19. While the bodies from the Fond du Lac Band of Chippewa burial site were disinterred and relocated in the early 1900s, a sign and a stone historical marker announcing the Chippewa burial site currently exists at burial site. This site still remains a cultural resource for the Fond du Lac Band and tribal members still visit the site to leave cultural items (e.g., feathers, beads, stuffed animals, tobacco, coins, etc.) on the stone markers for the designated burial ground.

4.3.2 European Exploration and Settlement

Jean Baptiste Perrault was the first known European to set foot on Wisconsin Point. While on a trade expedition, Perrault's ship went aground on the Point in 1784. Later Perrault established the Connor's Point trading post which is located on the west side of the City of Superior. However, there is little documentation regarding prehistoric Native American presence on the Point. Ojibwe people were likely first settled on the Point sometime in the mid 1700's to the early 1800's. The first non-native claim to lands on Wisconsin Point was filed by Joseph A.

Bullen, in 1853. For more detailed historical information please refer to the Cultural and Historical Resources Chapter of the Wisconsin Point Area Management Plan (https://nwrpc.com/DocumentCenter/Home/View/54).

4.3.3 City of Superior

The City of Superior in the Ojibwe language is called *Gete-oodena*, meaning "Old Town." Around the time of European arrival, the Duluth-Superior region transitioned from being predominantly Dakota tribe lands to being predominantly Ojibwe as the Dakota moved west. The first-known Europeans to visit the area were French; in 1618, Etienne Brule, coasted along the south shore of Lake Superior where he met the Ojibwe. In 1632, a map from Samuel de Chaplain of the area showed "Lac Superieur de Tracy" as Lake Superior and the lower end shore as "Fond du Lac." Soon after, fur trading companies established posts. Between 1890 and 1920, the City of Superior was heavily settled by migrants from the eastern United States as well as immigrants from over fifteen countries, including England, Scotland, Ireland, Norway, Sweden, Finland, Belgium, Germany, Austria, Hungary, and Croatia.

There are several parks in the City of Superior, including the second largest municipal forest in the United States, located in the cities Billings Park neighborhood. Pattison State Park is one of the two state parks within a short driving distance south of the city. Pattison State Park contains Big Manitou Falls, the highest waterfall in the state at 165 feet (50 m). The twin ports of Duluth-Superior, the largest in the Great Lakes, welcomes both domestic and foreign vessels. Bulk solids (such as grains) make up much of the tonnage handled by the port, and the silos of such port facilities are visible on the Superior waterfront.

The City of Superior has one high school, one middle school, and six elementary schools with a total enrollment over 5,000 students. The University of Wisconsin-Superior (UWS) is a public liberal arts college, and the Wisconsin Indianhead Technical College (WITC) offers skill development and technical education. Superior also has both the first and last Carnegie libraries built in Wisconsin.

As of the time of publication of the Wisconsin Point Area Management Plan in 2012, there are approximately 97,000 residents living within a 10-mile radius of the Wisconsin Point area, with a population of over 250,000 in the broader Duluth-Superior Metropolitan Statistical Area. The City of Superior has approximately 27,244 residents, approximately 8.5% of whom come from racial or ethnic minorities. Approximately 18.9% of the City's population lives at or below the poverty line.

4.3.4 Visitor Use of Wisconsin Point

The Wisconsin Point Peninsula is considered a day-use natural area with a single road as the

main access (Wisconsin Point Road). There is no statistical analysis which quantifies the visitor usage and recreational value of Wisconsin Point specifically. However, the Wisconsin Point Area Management Plan provides anecdotal and qualitative information on the common activities that area visitors. Those activities include birdwatching, hiking, beach use, smelting (i.e., catching smelt), snowshoeing, boating, fishing, and lighthouse/ship-viewing. The WI Department of Transportation estimates that the average daily traffic on Wisconsin Point Road is 250 vehicles/day.

There is also an Ojibwe cemetery located on the Point (Site 19, Figure 1, Appendix A) which is regularly visited by both tribal members, and the community as a sacred area.

4.3.5 Other Uses

The St. Louis River Estuary is an expansive estuary which is utilized for recreational opportunities by the community. It is a popular area for boating, canoeing, kayaking, fishing, bird watching, and camping. According to the Superior Department of Commerce, the areas surrounding the Estuary are utilized for mining, forestry, and other industrial processes. Specifically, transportation is a major industry in Douglas County. Located at the head of Lake Superior, the county's outstanding network of highway, rail, air, and seaway transportation options provides convenient and cost-effective delivery of raw materials and distribution of finished products. That is one reason secondary wood products, plastics, industrial equipment and other manufacturers are prospering in Douglas County. Also, higher education, health care, business services, telecommunications and retail sectors support the industrial base. Several locally owned and operated financial institutions work with the region's economic development community to encourage new and expanding businesses. The University of Wisconsin Superior and Wisconsin Indianhead Technical College provide training and research services to local employers.

4.3.6 Planning Efforts for Wisconsin Point

The Superior Common Council approved the *City of Superior Comprehensive Plan 2010-2030* in January 2011. The goal of protecting high priority natural areas within the City of Superior, including wildlife corridors, as well as controlling erosion at public access points to waterways, is identified in the Implementation Chapter. In addition, the actions under Alternative I (Preferred Alternative) are recommended in the *City of Superior Master Park Plan 2010* as a high priority park system improvement. Additionally, this project is specifically identified in the *St. Louis River Area of Concern Remedial Action Plan: Roadmap to Delisting*. Each of these plans involved an aspect of public participation and have had much exposure since their publication.

Additionally, NOAA, as part of the Habitat Blueprint initiative in the Great Lakes, which is meant to build upon existing NOAA programs, prioritize activities, and guide future actions in

two pilot locations within the Great Lakes. One of these pilot locations is the St. Louis River Estuary. As part of the Habitat Blueprint planning process, NOAA's Office for Coastal Management conducted a stakeholder engagement process to assess regional needs, document work that is ongoing in the St. Louis River estuary, and to identify priority resource gaps. Over the course of three months in fall 2014, 188 individuals, representing 68 different organizations, were interviewed, focusing on how the organization is impacted by the Estuary, the organization's awareness of restoration activities in the Estuary, and the general perceptions about the St. Louis River. In these interviews, stakeholders indicated that recreation opportunities within the estuary are very important, and there was broad support for restoration projects, especially as it related to wetland bird habitat and projects that appropriately balance recreation and ecological function. Also, urban runoff was seen as a major concern with many stakeholders strongly supporting green infrastructure and low impact development.

The City of Superior also held multiple public forums to address any concerns or objections to the project as well as a separate tribal and cultural meeting to discuss the sensitive historical nature of the point. All of the public and tribal comments were taken into consideration for the final design package (Preferred Alternative).

5.0 ENVIRONMENTAL CONSEQUENCES

This section outlines likely environmental consequences of the No Action alternative and the preferred alternative. This section also addresses planned methods to mitigate a few of the potential impacts (i.e., mitigation measures). In sum, the analyses below shows that all anticipated consequences of both alternatives are expected to be minor, and most of the anticipated impacts of the preferred alternative would be beneficial, including improvements to accessibility and visitor safety. Neither the preferred alternative nor the No Action alternative is anticipated to have any significant adverse impacts.

5.1 Physical Environment

The physical alterations from the proposed activities within Alternative I are not anticipated to alter floodplains or sediments within the geography. The primary impacts would come from removal of 14 existing parking turnouts providing access to Lake Superior, construction of boardwalks (driving pilings into the sandy soils) over the dunes, and addressing shoreline issues along Allouez Bay. Table 1 below summarizes the anticipated consequences to the physical environment along Wisconsin Point.

Alternatives Comparison Table 1: Anticipated Environmental Consequences to Physical Resources

Physical Environment	**Alternative I – Contribute Federal Funding (Preferred Alternative)**	**Alternative II – Deny Federal Funding (No Action Alternative)**
Climate	Climate conditions on Wisconsin Point are influenced by Lake Superior and Allouez Bay. During the winter season there are large, thick sheets of ice which during storm surges are pushed against the beach on the Lake Superior side of the Point, and against the shoreline and road on the Allouez Bay side of Wisconsin Point. Restoration and stabilization work will help to protect the sensitive sand dunes from excessive erosion from these yearly winter events, and stabilize the erosion caused from the ice along Wisconsin Point Road.	The no action alternative will not stabilize the shoreline erosion along Wisconsin Point Road and significant erosion will continue. During the winter months when ice sheets have developed, high wind events will continue to push ice sheets up against the shorelines and cause further damage.
Hydrology	The actions in Alternative I are anticipated to have positive impacts on floodplain/hydrology as construction will incorporate low impact development in order to manage stormwater onsite. Also, by removing the 14 parking turnouts as proposed in Alternative I, the city will be replacing impervious parking surfaces with approximately 81,500 sq. feet of forest restoration, and approximately 44,000 sq. feet of dune restoration. The project is anticipated to contribute to removal of excess sediments and nutrients by controlling erosion into Allouez Bay through shoreline stabilization work and wetland plant restoration.	The no action alternative will not alter the current state of Wisconsin Point or the erosion occurring on the Wisconsin Point Road along Allouez Bay. With no improvements being made flooding events on the Point could continue to have an adverse impact on the stability of the shoreline and could lead to additional shoreline and road erosion.
Sediment	At each of the four consolidated parking/access areas in the preferred alternative, the public use will be enhanced by expanding parking opportunities and installing the elevated boardwalk to increase accessibility for disabled persons. The proposed boardwalks would be six feet wide, with rails, and will be supported by helical piles. The use of helical piles eliminates the need to excavate the dunes. Also, landscape fencing will block adjacent dune access, thus encouraging use of boardwalks and reducing impact to adjacent soil. Long term stabilization of the eroding slopes along Allouez Bay and wetland restoration are key	The no action alternative would not stabilize the existing erosion along Allouez Bay and large amounts of soil and sediments would subsequently be deposited into the bay during major storm events as the erosion of Wisconsin Point Road continued.

	components to preserving Allouez Bay Habitat. As the expanded parking turnouts would be constructed with low impact development techniques to manage stormwater runoff, impacts to adjacent soil would be minimal.	

5.2 Biological Environment

This table summarizes the biological resources of the alternatives considered. While the proposed project could have some impacts in the near term, these minor impacts, individually and cumulatively, to plants and animals would not be significant. Any disturbances from the restoration and construction activities would be minor.

Alternatives Comparison Table 2: Anticipated Environmental Consequences to Biological Environment

Biological Resource	**Alternative I – Contribute Federal Funding (Preferred Alternative)**	**Alternative II – Deny Federal Funding (No Action Alternative)**
Plants	Short-term impact on terrestrial habitat along Wisconsin Point would result from the operation of construction equipment. The removal of 14 parking turnouts would cause temporary minor negative impacts to surrounding plant life as construction equipment will be used, and construction personnel will be working; however, the subsequent restoration of approximately 81,500 sq. feet of forest habitat, and approximately 44,000 sq. feet of dune habitat would positively benefit the native plant environment. Additionally, the five parking turnouts that are to be expanded (locations #1, #9, #12, and #21) will yield a combined 48,850 sq. feet of permeable pavement, in addition to 5,560 sq. feet of boardwalk area with 174 helical piles needed during construction. At these locations, the City anticipates an additional 14,000 sq. feet of forest restoration and 13,800 sq. feet of dune restoration to occur. Shoreline restoration work along Allouez Bay would incorporate a mixture of structural and non-structural methods, including riprap, fascines, live stakes, and native seed and plantings. This mixture of methods would allow for habitat to be improved and stabilized while maintaining Wisconsin Point Road in its current location. The City of Superior anticipates installing a combined	If no construction or restoration work is done in the point there will be no removal of invasive plant species, which will result in the continued negative impacts to native plant species currently seen on Wisconsin Point. There would also be no adverse impacts resulting from construction activities as they would not occur.

	1,800 cubic yards of riprap, 3,600 linear feet of fascines, and 1,800 live stakes at the three shoreline restoration sites along Allouez Bay. This process would yield 4,000 sq. yards of native wetland seeding and 1,800 native wetland plantings. The planting and seeding would serve to improve aquatic habitat along the Allouez Bay shoreline adjacent to Wisconsin Point Road, and slope stabilization measures would serve to reduce shoreline erosion deteriorating infrastructure along Wisconsin Point Road. As the City of Superior has completed similar slope stabilization work in the past along Wisconsin Point, similar permits through WI DNR would be necessary (Permit # IP-NO-2014-16-T03882 for Winter 2015 riprap installation). Removal of invasive species and replanting of native plant species on Wisconsin Point will restore the area and promote a healthy environment.	
Fish	The negative impacts on fish habitat would be short-term and minimal, resulting from the shoreline restoration work completed along Allouez Bay. These negative impacts would range from sediment disturbance to habitat disturbance from construction activities. The parking turnout elimination and expansion activities proposed in Alternative I should not create a significant negative impacts on the surrounding aquatic environment as permeable pavement installations would serve to mitigate stormwater runoff from the parking lots. Also, with proposed City of Superior monitoring and supervision over the Point's recreational assets, any additional impacts resulting from increased visitors (e.g., trash) would be addressed through the Parks and Recreation Department's existing maintenance activities.	The No Action Alternative would not improve the shoreline erosion currently occurring along Allouez Bay and there would continue to be a large amount of sediment runoff into the bay. This would result in no change to the current status quo of the bay and it would continue to be unsuitable for many fish species
Wildlife	There are three threatened and three endangered species associated with the project area. The threatened species are the Canada Lynx, Northern Long-eared bat, and the Fassett's Locoweed. Endangered species are the Gray Wolf, Kirtland's Warbler, and the Piping Plover. Potential minor impacts to these species would be minimal and mitigation measures will be taken by the City of Superior to avoid disturbance during construction. The potential minor impacts include noise and construction activities resulting in any migrating piping plover not using the Point, and Kirkland's Warbler may avoid the area of disturbance as well. It is highly unlikely for either the piping plover, or the Kirkland's warbler to occur on the point as it does not provide suitable habitat for nesting. Further analysis can	The No Action Alternative would result in no disturbance to threatened or endangered species outside of any currently public use disturbances that are already experienced on the Point.

	be found in Appendix B and C.	

5.3 Cultural and Socioeconomic Environment

Potential impacts to the cultural and socioeconomic environment from both alternatives are detailed in the table below. These impacts are not anticipated to be significant or detrimental to any known cultural or socio economically important aspects of the Point.

Alternatives Comparison Table 3: Anticipated Environmental Consequences to Cultural and Socioeconomic resources

Resource	**Alternative I – Contribute Federal Funding (Preferred Alternative)**	**Alternative II – Deny Federal Funding (No Action Alternative)**
Tribal History	The City of Superior has been working with the Fond du Lac tribe since the planning phase of the project design. All activities that would potentially impact cultural or historical resources of interest to the tribe will be avoided entirely or overseen by a tribal member. Because of the cultural and historical significance of Wisconsin Point to the community, the project also allows for an educational experience using signage, outreach, and the continued use of the Wisconsin Point by surrounding schools once construction and restoration work is completed. An archaeological review was conducted on Wisconsin Point as part of the design phase. During the review there were multiple artifacts that were identified and there is no construction planned in areas where known artifacts have been noted. Ground Penetrating Radar (GPR) will be used at the remaining five turnouts that are being enhanced so as to not disturb any unknown artifacts that may be present on the Point. However, there is a minor potential for disturbance where GPR has not been used. Shovel testing was also completed at the 5 parking turnouts that will be enhanced, as well as where the pylons for the boardwalk viewing areas will be placed. This was to ensure that there were no artifacts of cultural significance that would be destroyed, or ruined during the construction process.	Under the No Action Alternative there will be no signage, or outreach associated with the history of Wisconsin Point, outside of continued use by the surrounding schools. There would also be little to no risk associated with the historic tribal artifacts being disturbed.

European Exploration and Settlement	Educational signage will be utilized under Alternative I that will tell the story of Wisconsin Point, and the restoration work that would be done on the Point.	Under the No Action Alternative there will be no signage, or outreach associated with the history of Wisconsin Point, outside of continued use by the surrounding schools.
City of Superior	Wisconsin Point is a day-use recreational area that is frequented by members of the public, and tribal communities who live in and around the City of Superior. The restoration work under Alternative I would enhance the experience for the community and allow for education of younger generations and visitors from surrounding areas.	Under the no action alternative, there would be no enhancements to the point or to the surrounding community's experience of the Point.
Visitor Use of Wisconsin Point	Recreational access to Lake Superior would be temporarily, negatively impacted by construction of the four expanded parking turnouts. In the long-term, recreation access would improve through increased public access of beach areas via handicap accessible boardwalks, removal of nuisance species, and improved parking capacity at four locations along the point.	Under no action alternative, dune habitat could continue to erode and nuisance species which reduce the recreational potential of the area will continue to spread. There would also be no enhancements to public access, particularly for those persons with disabilities.
Other Uses	Wisconsin Point Road will remain in service following construction, so emergency response will not be impacted. While the number of parking areas will be reduced, the improved accessibility of passages between parking lots and Lake Superior coast, and the larger parking lots for emergency vehicles would likely yield little or improved impact on response times to reach beach users.	Little impact; however, Wisconsin Point Road will likely continue to erode/crumble into Allouez Bay, creating transportation safety issues to vehicles using the road to access the Point.
Planning Efforts for Wisconsin Point	Restoration of Wisconsin Point Sensitive Dunes, and the Wisconsin Point Road is part of the Wisconsin Point Area Management Plan. Alternative I would allow for the restoration of the Point's sensitive dune system and Wisconsin Point Road, and work towards the goals outlined in the Wisconsin Point Area Management Plan. Wisconsin Point is also listed as an AOC in the St. Louis River Area of Concern Implementation Framework: Roadmap to Delisting (Remedial Action Plan Update) (https://coast.noaa.gov/data/docs/nerrs/Reserves_LKS_M gmtPlan.pdf)	The Wisconsin Point restoration goal outlined in the Management Plan would not be removed.

5.4 Other Environmental Consequences

This subsection considers additional potential environmental consequences project objectives under the Preferred Alternative (Alternative I) not discussed in the preceding subsections. First, it summarizes potential air quality and noise impacts. Next, it addresses aesthetics and visual impacts. Finally, potential cumulative impacts are identified and discussed. These types of consequences would not occur in the short term as a result of the No Action Alternative. Under the No Action alternative, assuming the City of Superior identifies other sources of funding and arranges for the project work to be completed as proposed, the long-term environmental consequences would be the same as they would be under the Preferred Alternative.

5.4.1 Air Quality Impacts

Minor, temporary increases in the amounts of carbon monoxide and other pollutants associated with the use of heavy machinery could be associated with the proposed project during the removal of 14 parking turnouts and stabilization of roadway erosion. Any such impacts would primarily be restricted to the construction site at each parking turnout that is being removed, and the shoreline along Allouez Bay that will be reinforced to mitigate roadway erosion of Wisconsin Point Road. Short-term construction activities should have no long-term air quality impacts on the Point or surrounding environment.

5.4.2 Noise Impacts

There could be a minor increase in noise levels within the project area during the construction stage of the proposed work, particularly when the 14 parking turnouts are being removed and shoreline stabilization along Wisconsin Point Road is being performed. However, the equipment needed for this work is likely to be no noisier than the scrapers, bulldozers, excavators, and large trucks used when Wisconsin Point Road was installed. Noise impacts are expected to be short-term (Approximately 6 months) and limited to active periods of construction. The contractors removing the 14 parking turnouts, enhancing five of the remaining six, and stabilizing the shoreline along the road will ensure their mechanical equipment is in good working order.

NOAA evaluated whether there were sensitive populations (i.e., schools, churches, Hospitals, etc.) in close proximity to the proposed construction site. There are no sensitive population near the project construction site and therefore, any short-term noise impacts associated with project construction would not be expected to adversely affect sensitive populations.

5.4.3 Aesthetics and Visual Impacts

Effects on aesthetics of the proposed project would be neutral. The stabilization of the shoreline along Wisconsin Point Road and Allouez Bay would not have a significant visual impact. However, the current erosion of the road would be fixed. Invasive plant species will be removed

and replanted with native trees, shrubs and grasses to deter regrowth of invasive species once removed. The removal of 14 parking turnouts will allow for replanting of native vegetation and dune grasses to restore degraded dune systems and provide a more natural appearance to the landscape. The remaining five parking turnouts will be enhanced with pervious pavers and natural barriers of boulders and trees to encourage use of the boardwalks. The boardwalk will be raised using helical pylons, which will require a smaller footprint, and will be ADA compliant to allow for wheelchair use by visiting patrons. There will also be signage installed that provides information on the restoration project, and the habitat that was restored.

The project is not expected to negatively impact the view of Lake Superior, or the Allouez Bay but enhance the public's ability to view both, while also restoring habitat. The topography and tree cover of the point varies along the full length with denser tree cover occurring on the Northwest end of the point. A canoe and boat landing on the Allouez Bay side of the point will also be enhanced to ensure the public's continued use and to avoid any potential erosion that would affect those areas or the use of Allouez Bay.

5.4.4 Cumulative Impacts

As indicated previously, the Wisconsin Point peninsula is located within the St. Louis River AOC, one of 27 remaining AOCs designated by the U.S. EPA on the U.S. coastline of the Great Lakes because of past environmental degradation/contamination.

Over $420 Million has been invested on infrastructure upgrades, remediation, and habitat restoration in this area since 1978, and the 2013 update of the Roadmap for Delisting document for the AOC identifies an additional $300-400 Million in actions necessary for removing the nine identified Beneficial Use Impairments by 2020.

The GLRI has included projects on and near the Wisconsin Point Peninsula, as well as near the proposed project area. For example, in 2011, the St. Louis River Alliance (working closely with WI DNR, MN DNR, Douglas County, City of Superior, and City of Duluth) received funding from the U.S. Fish and Wildlife Service to help restore nesting piping plovers to beaches near Superior, WI and Duluth, MN. In 2012, monitoring and restoration efforts began along beaches of Wisconsin Point, MN Point, as well as Allouez Bay. As outlined in the 2014 St. Louis River AOC Project Highlights document, this project work is occurring on Minnesota Point, which is a continuation of the freshwater sandbar complex forming Wisconsin Point, as well as Allouez Bay, and near Wisconsin Point. The location of this restoration near Wisconsin Point is east of the sand spit forming the peninsula, and while it is creating additional piping plover habitat, it would not exacerbate the impacts of the proposed project work. This project included a small wildlife refuge along Allouez Bay near the western tip of the peninsula, which is near the proposed site of shoreline stabilization work done by this project. As of February 2014, the Allouez Bay wildlife refuge had received "extensive habitat improvements," with additional work in 2014 planned for Shafer Beach (east of the peninsula).

In addition to past GLRI projects, there are several other projects on and near the peninsula and proposed project area. One such project was led by Douglas County, along with U.S. Army Corps of Engineers and the WI DNR, which conducted a feasibility study at Shafer Beach (east of the Wisconsin Point peninsula), which was completed in 2016, to determine feasibility of widening the beach to improve habitat using groins and beach nourishment. Additionally, the National Fish and Wildlife Foundation funded the Douglas County Land and Water Conservation District to restore 25 acres of wild rice and control invasive species in Allouez Bay which started in 2015. This work is not occurring on the peninsula, rather on the south coast of Allouez Bay. Twelve additional projects are detailed in the Wisconsin Point Area Management Plan as ongoing and/or planned projects.

The City of Superior has also conducted past projects on the peninsula, which address the public concerns regarding the condition and safety of Wisconsin Point Road. The road connecting existing parking turnouts (numbered from 1 at the base of the peninsula, to 21 at the lighthouse) is approximately 24 feet wide, and narrows to 20 feet near the western end of the peninsula (near turnout number 15) (turnout numbers reference Figure 4, Appendix A). Road maintenance projects have included asphalt overlay road repairs between lots #15 and #19 (2007), replacement of aging culvert (1/4 mile southeast of peninsula's base) (2014), pothole repairs along a 500 foot stretch of road near turnout #1 (2014), as well as repairing 100 feet of Wisconsin Point Road's edge, which was crumbling into Allouez Bay by installing riprap at the base of the slope and revegetating the shoulder (winter 2015, done with WI DNR permit # IP-NO-2014-16- T03882). The City's planned road construction along Wisconsin Point Road includes asphalt overlay repairs between parking turnout's #1 and #15, as well as asphalt overlays between #19 and #21. The road improvement projects have been and plan to be conducted within the footprint of the existing pavement/shoulder corridor of Wisconsin Point Road in order to avoid potential impacts to ecological or historical resources.

While there are many projects that have occurred, and that will occur near the proposed project site, these asphalt overlays will not be occurring concurrently with parking turnout removal/expansion and Allouez Bay shoreline work, and therefore would not exacerbate the minimal impacts that are possible with the proposed Alternative I project. The past GLRI habitat project along Wisconsin Point, which established the Piping Plover wildlife refuge area on Allouez Bay would be ¾ mile away from the proposed shoreline stabilization construction zone, and is therefore not likely to be adversely impacted.

5.4.5 Irreversible and Irretrievable Commitments of Resources

As would be the case with any construction project, the primary irreversible and irretrievable consequences of stabilizing road erosion, removing parking turnouts, enhancing parking turnouts, restoring habitat, and installing boardwalks would be the time, monies, and human effort to plan and implement the proposed project. If the proposed project were to be damaged by future

unforeseen events, it would be difficult to recapture the financial resources invested in implementing the project. However, because the land is owned by the City of Superior, any damages that may occur after construction is completed for the project would be under the 5-year post-construction monitoring period of the project. The City of Superior's Parks and Recreation Department, along with the City's Environmental Coordinator would coordinate necessary corrective measures.

6.0 COMPLIANCE WITH OTHER ENVIRONMENTAL AND ADMINISTRATIVE REVIEW REQUIREMENTS

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), enacted in 1940, and amended several times since then, prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" Bald Eagles, including their parts, nests, or eggs. The term "take" means to "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb (16 U.S.C. § 668c)." The USFWS has expanded the definition of "take" to include the term "destroy" to ensure that "take" includes destruction of eagle nests (50 C.F.R. 22.3). The term "disturb" is further defined by regulation as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause,….injury to an eagle, a decrease in productivity, or nest abandonment" (50 CFR 22.3).

Compliance: Bald and golden eagles have been reported at Wisconsin Point on a number of occasions and are listed as among the many bird species that use Wisconsin Point in an Appendix to the *Wisconsin Point Management Plan*. NOAA consulted with Margaret Rheude, the Eagle Disturbance/Take Permits contact for MN and WI, regarding any eagle's nests reported on Wisconsin Point. She indicated that the nearest eagle's nests reported have been seen more than 0.5 miles from Wisconsin Point and would not require a Disturbance/Take permit. Since the project will not involve any construction activities or vegetation clearing within 660 feet of an eagle's nest, NOAA believes the project will avoid incidental take of bald and golden eagles.

Clean Air Act

The Clean Air Act (42 U.S.C. § 7401 *et seq*.) directs the U.S. Environmental Protection Agency to set limits on air emissions to ensure basic protection of health and the environment. The fundamental goal is the nationwide attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). Primary NAAQS are designed to protect human health. Secondary NAAQS are designed to protect the public welfare (for example, to prevent damage to soils, crops, vegetation, water, visibility, and property).

Compliance: Construction will be carried out using hand-held and heavy equipment. Construction activities will range from heavy equipment removing/enhancing parking turnouts, placing boulders near parking turnouts, and to installing helical piles for boardwalks. Dune grass will be planted by hand. If funded, the construction activities will comply with all applicable state

and local requirements.

Clean Water Act

The Clean Water Act (33 U.S.C. § 1251 *et seq.*) is the principal law governing pollution control and water quality of the Nation's waterways. Section 404 of the Clean Water Act authorizes a permit program for the beneficial uses of dredged or fill material in navigable waters. The USACE administers the program. As a condition of wetlands permits issued under Section 404, the USACE also requires compliance with Section 401 of the Clean Water Act, which requires applicants for federal licenses or permits to conduct activities that may result in a discharge of pollution into the waters of the United States to obtain a certification, of compliance with applicable water quality standards and goals, from the appropriate state (or a waiver from the state).

Compliance: Construction will be carried out using hand-held and heavy equipment. Construction activities will range from heavy equipment removing/enhancing parking turnouts, placing boulders near parking turnouts, and to installing helical piles for boardwalks. Dune grass will be planted by hand. If funded, the construction activities will comply with all applicable state and local requirements.

Coastal Barrier Resources Act (CBRA)

Originally passed in 1982 and reauthorized multiple times, the Coastal Barrier Resources Act (16 U.S.C. § 3501 *et seq.*; 12 U.S.C. § 1441 *et seq.*) was enacted to address issues related to coastal barrier development and to minimize the loss of human life, wasteful federal expenditures, and damage to fish, wildlife and other natural resources by restricting federal financial assistance in designated coastal barriers, with some exceptions.

Compliance: The project is not within a designated Coastal Barrier Resources Act area and does not involve development activities inconsistent with this Act.

Coastal Zone Management Act (CZMA)

The goal of the federal Coastal Zone Management Act (CZMA) (16 U.S.C. § 1451, *et seq*., 15 C.F.R. Part 923) is to preserve, protect, develop and, where possible, restore and enhance the Nation's coastal resources. The federal government provides grants to states with federally approved coastal management programs. The State of Wisconsin has a federally approved program. Section 1456 of the CZMA requires any federal action inside or outside of the coastal zone that affects any land or water use or natural resources of the coastal zone to be consistent, to the maximum extent practicable, with the enforceable policies of approved state management programs. It states that no federal license or permit may be granted without giving the State the opportunity to concur that the project is consistent with the State's coastal policies. The regulations outline the consistency procedures.

Compliance: Construction will be carried out using hand-held and heavy equipment. Construction activities will range from heavy equipment for removing/enhancing parking turnouts, placing boulders near parking turnouts, and installing helical piles for boardwalks.

Dune grass will be planted by hand. If funded, the construction activities will comply with all applicable state and local requirements and require consistency certification.

Department of Commerce Requirements for Grants and Cooperative Agreements
The Department of Commerce published, in the *Federal Register*, on December 30, 2014, (at 79 *Federal Register* 78390) updates to and a compilation of the Department of Commerce pre-award requirements and standard terms and conditions for grants and cooperative agreements awarded by the Department. These cover the laws, regulations, administrative requirements, and federal and Department of Commerce policies and procedures for financial assistance awards.
Compliance: Special Award Conditions on the financial assistance award that would fund the proposed project require compliance with these requirements.

Endangered Species Act
The Endangered Species Act (16 U.S.C. § 1531 *et seq.*; 50 C.F.R. parts 17, 222, and 224) directs all federal agencies to conserve endangered and threatened species and their habitats and encourages such agencies to utilize their authority to further these purposes. Under the Act, NOAA's National Marine Fisheries Service and USFWS publish lists of endangered and threatened species and their critical habitat. Section 7 of the ESA requires that federal agencies consult with these two agencies to minimize the effects of federal actions on endangered and threatened species.
Compliance: Consultation with the USFWS was initiated with a letter and supplemental materials sent on September 1, 2017 which included the final project design, and species analysis. A letter of concurrence was received from Andrew Horton for a finding of "may affect, but are not likely to adversely affect listed species" on September 29, 2017 (Appendix B and C).

Environmental Justice
To be consistent with the President's Executive Order 12898 on Environmental Justice (February 11, 1994), Executive Order 12948 (Amendment to Executive Order 12898), and the Department of Commerce's Environmental Justice Strategy, applicants must ensure that their projects will have no disproportionately high and adverse human health or environmental effects on minority or low income populations.
Compliance: The proposed project work on Wisconsin Point will not have disproportionately adverse human health or environmental effects on minority or low income populations. No action will displace minority or low-income populations, but some actions, such as the improvement of lake front access via boardwalks will benefit all visitors to the Point. The project is consistent in use and type with existing zoning and land use regulations. Minorities make up approximately 8.5% of the residents of the City of Superior with American Indians accounting for 2.6%. In Douglas County, minority populations account for approximately 6.5% of the county's total population.

Executive Order 11990 – Protection of Wetlands and Executive Order 11988 – Floodplain

Management
Executive Order 11990 requires federal agencies to avoid the adverse impacts associated with the destruction or loss of wetlands, to avoid new construction in wetlands if alternatives exist, and to develop mitigation measures if adverse impacts are unavoidable. Executive Order 11988 requires federal agencies to avoid, to the extent possible, long and short-term adverse impacts associated with the occupancy and modification of floodplains.
Compliance: NOAA's Guidance Manual on Compliance with Implementing Executive Orders 11988 and 11990 (issued in 2012) outlines an evaluation process for projects that extend into floodplains and wetlands. However, the evaluation process does not apply to most projects that entail minor modification of existing facilities or structures in a floodplain or wetland to improve safety or environmental conditions, as long as certain conditions are met.

Executive Order 13112 – Invasive Species
The purpose of Executive Order 13112 is to prevent the introduction of invasive species, respond to and control invasions in a cost-effective and environmentally sound manner, and to provide for restoration of native species and habitat conditions in ecosystems that have been invaded.

Compliance: This proposed project includes a plan for removal of invasive and toxic weed species, as well as a post-construction monitoring plan, which will monitor the spread of and remove invasive species on the site. During construction, all local and state construction regulations will be followed to prevent the spread of invasive species.

Executive Order 13158 – Marine Protected Areas (MPAs)
Executive Order 13158 requires federal agencies to identify actions that affect natural or cultural resources that are within MPAs. It further requires federal agencies, in taking such actions, to avoid harm to the natural and cultural resources that are protected by MPAs.
Compliance: The closest MPA to the project site is the Minnesota Pine Forest Scientific and Natural Area, which is located on the Minnesota Point Peninsula, a long, narrow sand bar adjacent to Wisconsin Point. The Pine Forest SNA is a 0.1 sq. km, state level, natural heritage MPA, with a commercial and recreational fishing restriction. Additionally, the Lake Superior National Estuarine Research Reserve (LS NERR), established in 2010, is an MPA, which contains the Wisconsin Point Peninsula within its footprint. The LS NERR is a key coordinating entity for environmental restoration work in the St. Louis River estuary. The LS NERR's partnership close coordination with the City of Superior.

Fish and Wildlife Coordination Act
Provisions of the Fish and Wildlife Coordination Act (16 USC § 661-666c) provide for interagency consultation, particularly consultation with the USFWS and appropriate state wildlife agency, when federal agencies plan to conduct activities involving the impoundment, diversion, deepening, control, or modification of a body of water for any purpose, with only two exceptions. Interagency consultation allows federal agencies to incorporate recommended conservation measures intended to reduce potential project impacts on fish, wildlife, and the aquatic and

terrestrial plant species upon which they depend.
Compliance: NOAA and the City of Superior, WI consulted a variety of State of Wisconsin and federal agencies, listed in section 9.0 of this report, about potential impacts of the proposed project, including USFWS and WDNR. USFWS did not provide any recommendations, as noted under the paragraphs outlining Endangered Species Act compliance. In addition, Wisconsin DNR evaluated the potential for impacts to state-designated threatened and endangered species and did not have concerns about potential effects (C. Webb, WDNR, personal communication, May 25, 2016). (Appendix B and C).

Magnuson-Stevens Fishery Conservation and Management Act
The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. § 1801 *et seq*.) as amended and reauthorized by the Sustainable Fisheries Act (Public Law 104-297), established a program to promote the protection of essential fish habitat in the review of projects conducted under federal permits, licenses, or other authorities that affect or have the potential to affect such habitat. After essential fish habitat has been described and identified in fishery management plans by regional fishery management councils, federal agencies are obligated to consult with the 41 National Marine Fisheries Service with respect to any action authorized, funded, or undertaken, or proposed to be authorized, funded, or undertaken, by such agency that may adversely affect any essential fish habitat.
Compliance: There is no essential fish habitat in the Great Lakes and therefore no potential to adversely affect essential fish habitat.

Marine Mammal Protection Act
The Marine Mammal Protection Act (16 U.S.C. § 1361 *et seq.*), as amended, prohibits the take of marine mammals in U.S. waters and by U.S. citizens on the high seas, as well as the importation of marine mammals and marine mammal products into the U.S. The primary management objective of the Act is to maintain the health and stability of the marine ecosystem, with a goal of obtaining an optimum sustainable population of marine mammals within the carrying capacity of the habitat. The Marine Mammal Protection Act is intended to work in concert with the provisions of the Endangered Species Act.
Compliance: There is no marine mammals in the Great Lakes ecosystems and therefore no potential to adversely affect marine mammals.

Migratory Bird Treaty Act
The Migratory Bird Treaty Act (16 U.S.C. § 715 *et seq.*) provides for the protection of migratory birds. For example, it regulates capturing or killing migratory birds, their import and export, scientific collection, and possession for educational purposes. The Act does not specifically protect migratory bird habitat, but USFWS may suggest consideration of time of year restrictions for construction or remedial activities at sites where it is likely migratory birds may be nesting or project schedules that would avoid the nesting seasons of migratory birds.
Compliance: Construction will be carried about by some heavy equipment, as well as by hand. Construction activities will range from heavy equipment for removing/enhancing parking

turnouts, placing boulders near parking turnouts, and installing helical piles for boardwalks. Dune grass will be planted by hand. If funded, the construction activities will comply with all applicable state and local requirements.

National Historic Preservation Act

The purpose of the National Historic Preservation Act (16 U.S.C. § 470 *et seq.*) is to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes by specifically providing for the preservation of historical and archaeological data which might otherwise be lost or destroyed.

Compliance: Consultation was initiated with the State Historic Preservation Officer, Leslie Eisenberg, on September 5, 2017 with a letter requesting concurrence with NOAA's finding of 'no adverse effect on cultural resources or historic properties.' After reviewing the project information it was requested from Ms. Eisenberg on October 6, 2017, that additional shovel testing be completed at the project site where areas will be further disturbed. Due to the timing of the winter months this testing was delayed until May, 2018. Once the additional shovel testing was completed and analysis compiled in a final report, the additional information and a letter requesting concurrence was sent to Ms. Eisenberg on June 4, 2018. A letter of concurrence with NOAA's finding of 'no adverse effect on cultural resources or historic properties' was received on July 12, 2018. Consultation was also initiated with Tribal Historic Preservation Officers from the following tribes; Bad River Band of the Lake Superior Tribe of the Chippewa, Fond du Lac Band of Lake Superior Chippewa, St. Croix Indians of Wisconsin, White Earth Nation of Minnesota Chippewa. Of these tribal consultations there were no comments, or responses received regarding the project design or work however, Fond du Lac was heavily involved throughout the entire planning process with the City of Superior (Appendix D).

National Marine Sanctuaries Act

Under the National Marine Sanctuaries Act, federal agency actions, internal or external to a national marine sanctuary, including private activities authorized by licenses, leases, or permits, that are likely to destroy, cause the loss of, or injure any sanctuary resource are subject to consultation with the Secretary of Commerce. Each federal agency proposing such an action must provide a written statement describing the action and its potential effects on sanctuary resources no later than 45 days before the final approval of the action. In addition, sanctuary permits may be required for certain actions that would otherwise be prohibited.

Compliance: There are no National Marine Sanctuaries in Wisconsin.

Rivers and Harbors Act

The Rivers and Harbors Act of 1899 (33 U.S.C. § 401 *et seq.*) regulates development and use of the nation's navigable waterways. Section 10 of the Act prohibits unauthorized obstruction or alteration of navigable waters and vests the U.S. Army Corp of Engineers with authority to regulate discharges of fill and other materials into such waters.

Compliance: No project work will occur in any river or harbor for the full duration of the project

therefore, all construction activities would be carried out in compliance with federal and state law.

7.0 PREPARERS

Megan M. Grove, Great Lakes Environmental Compliance Specialist
The Baldwin Group, Inc., onsite at Office for Coastal Management
Bachelor of Science (Environmental Geography), University of North Dakota

Patmarie S. Nedelka, NEPA and Environmental Compliance Coordinator
Office for Coastal Management, National Ocean Service, NOAA
Master of Science (Biological and Physical Oceanography), Old Dominion University
Bachelor of Science (Fisheries and Wildlife Management), Michigan State University

Brent J. Schleck, Environmental Scientist
The Baldwin Group, Inc., onsite at Office for Coastal Management
Master of Science (Urban Planning), University of Michigan
Bachelor of Science, Purdue University

8.0 REFERENCES

(GLISA, 2010) http://glisa.umich.edu/climate/lake-effect-snow-great-lakes-region

(NCDC, 2016) https://www.ncdc.noaa.gov/climatenormals/clim60/states/Clim_WI_01.pdf

9.0 LIST OF AGENCIES AND PERSONS CONSULTED

State of Wisconsin
Mike Friis, *Program Manager and Public Access Coordinator, Wetland Protection and Land Use Planning Coordinator, Wisconsin Coastal Management Program*
City of Superior
Linda Cadotte, *Director of Parks, Recreation & Forestry*
Mary Morgan, *Director of Parks, Recreation & Forestry (previous)*
Darienne McNamara, *Environmental Regulatory Coordinator*
Duluth Archaeology Center, L.L.C.
Susan C. Mulholland, *Archaeologist* Stephen
L. Mulholland, *Archaeologist* Nigel Wattrus,
Archaeologist
U.S. Fish and Wildlife Service
Lisa Mandell, *Deputy Field Complex Supervisor*
Andrew Horton, *Fish & Wildlife Biologist*

Wisconsin Historic Society
John H. Broihahn, *State Archaeologist*
Leslie Eisenberg, *Burial Sites Program Coordinator*
Bad River Band of the Lake Superior Tribe of the Chippewa
Robert Blanchard, *Chairman*
Edith Leoso, *Tribal Historic Preservation Officer*
Fond du Lac Band of Lake Superior Chippewa
Kevin DuPuis, *Chairman*
Karen Diver, *Chairwoman*
Marcus Ammesmaki, *Tribal Historic Preservation Officer*
Jill Hoppe, *Tribal Historic Preservation Officer* Chuck Walt, *Executive Director of Tribal Programs* Wayne Dupuis, *Environmental Manager*
St. Croix Indians of Wisconsin
Lewis Taylor, *President*
Wanda McFaggen, *Tribal Historic Preservation Officer*
White Earth Nation of Minnesota Chippewa
Terrance Tibbetts, *Chairman*
Cayla Olson, *Tribal Historic Preservation Officer*

10.0 APPENDICES

A: Figures

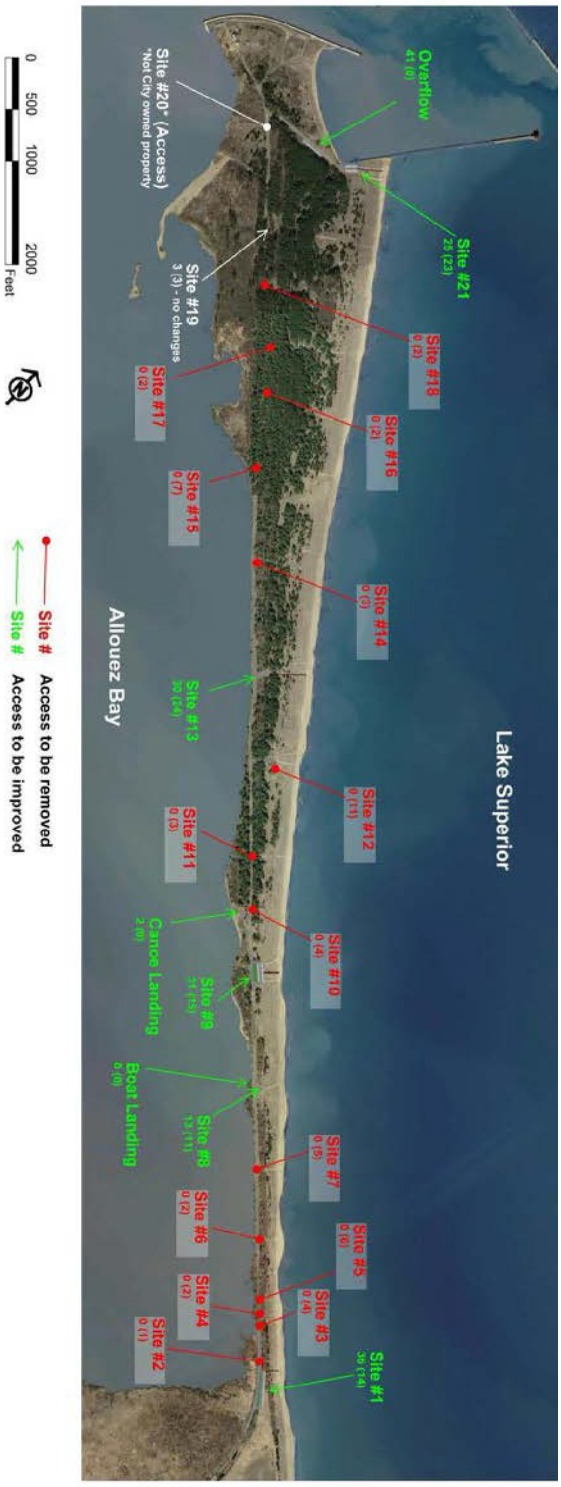


Figure 1 - Wisconsin Point Parking Turnout Locations Overview

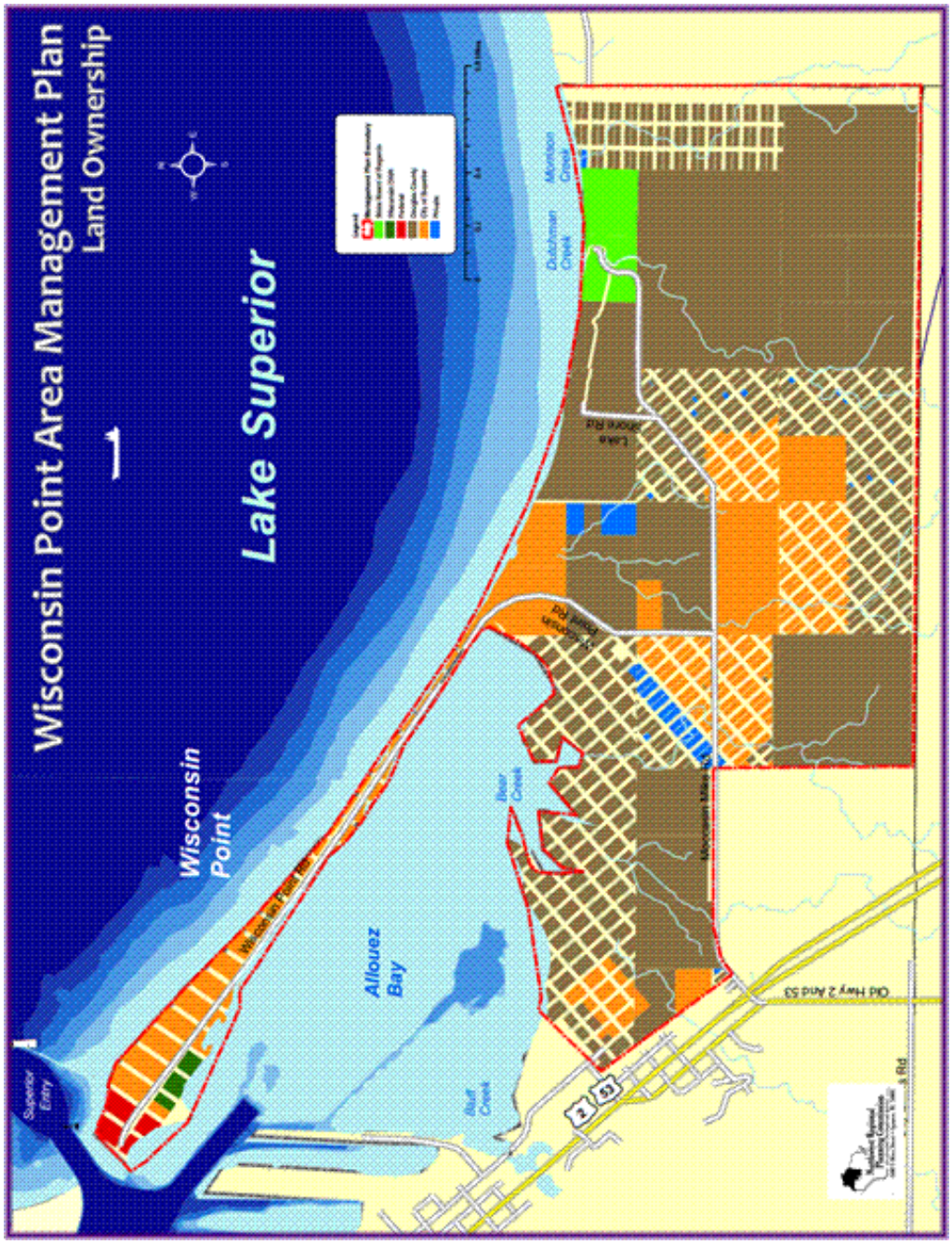


Figure 2 - Land Ownership

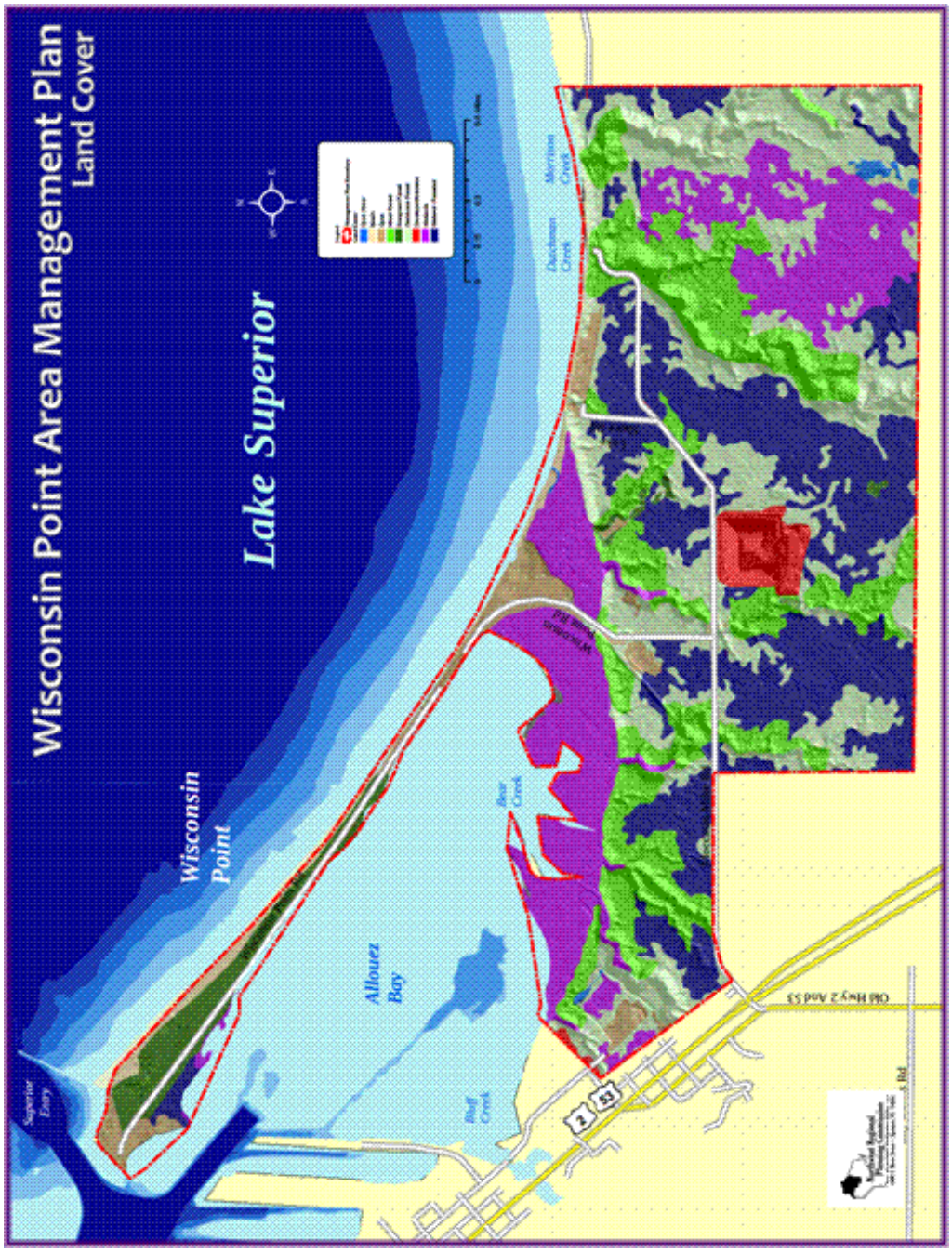


Figure 3 - Land Cover

Figure 4 - Enhancement and Stabilization Overview

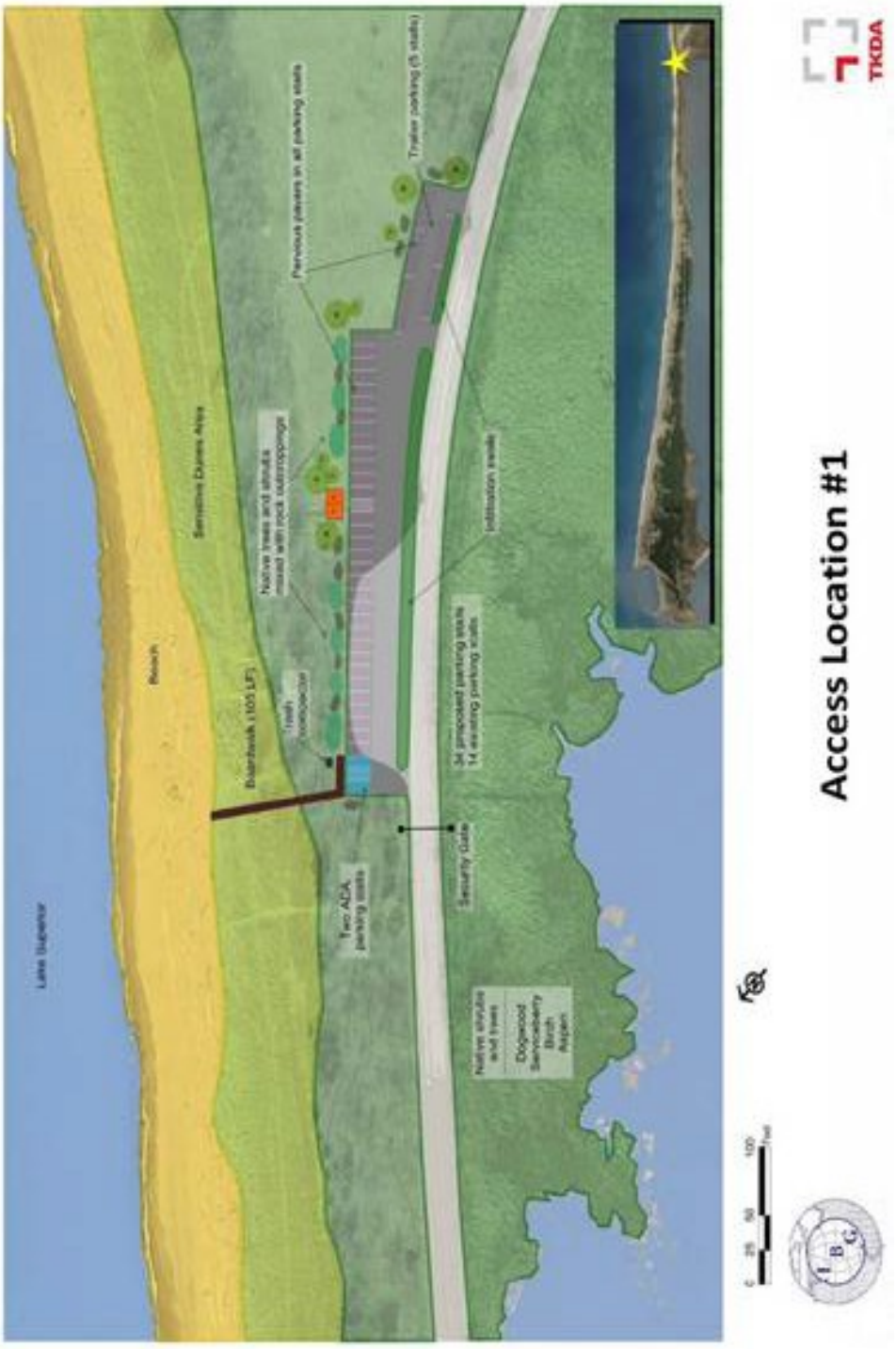


Figure 5 - Access Location #1

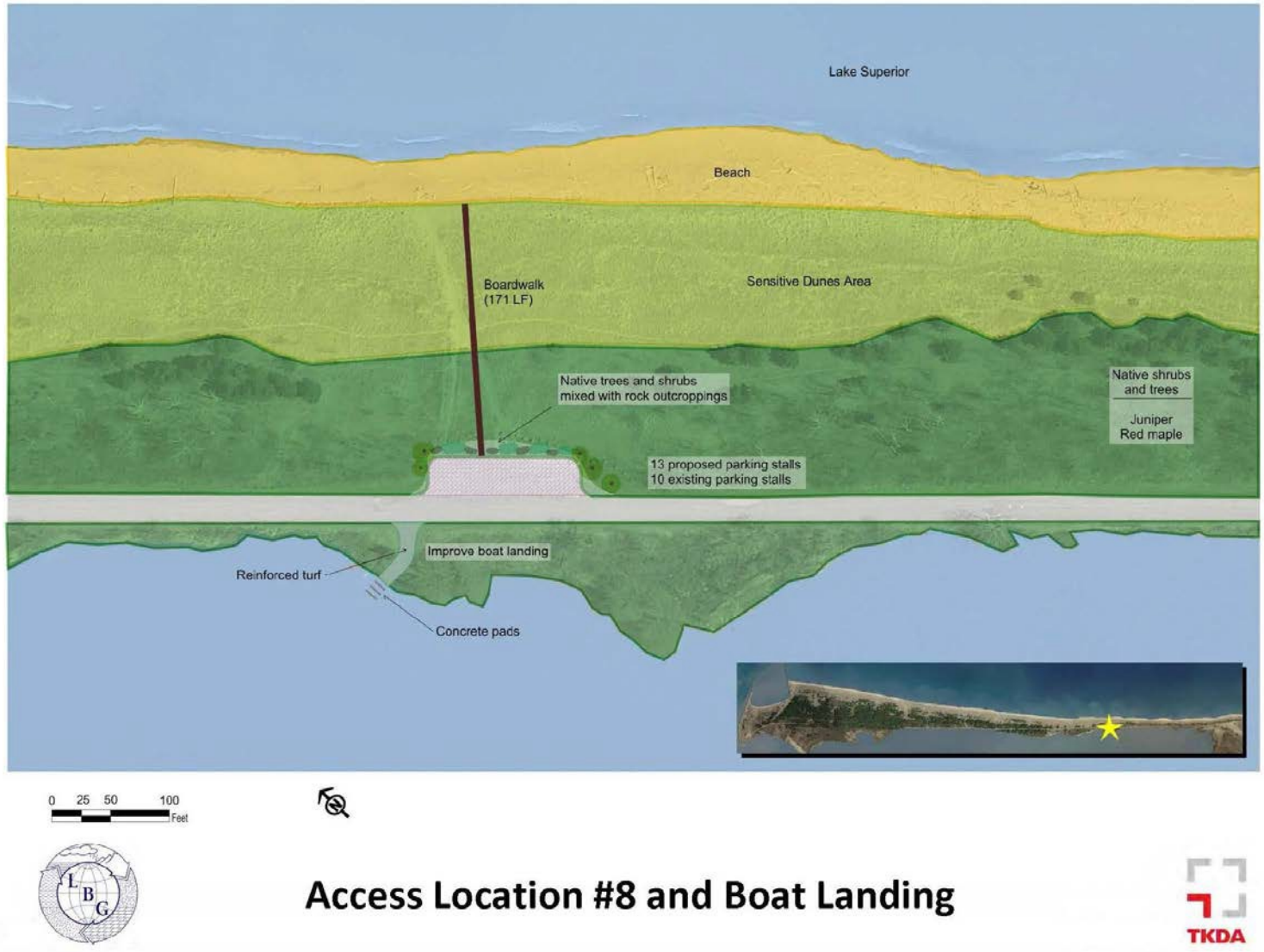


Figure 6 - Access Location #8

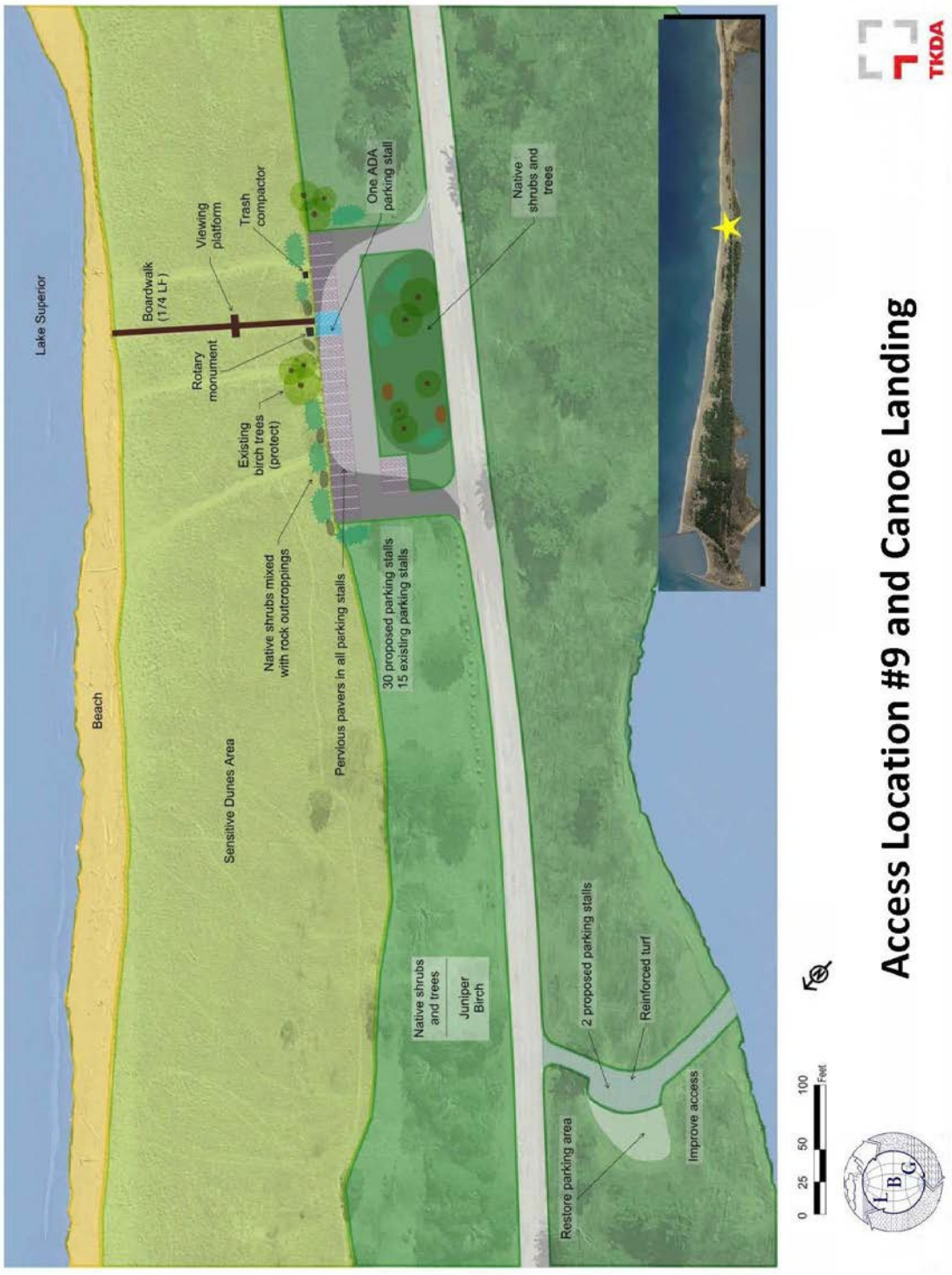


Figure 7 - Access Location #9

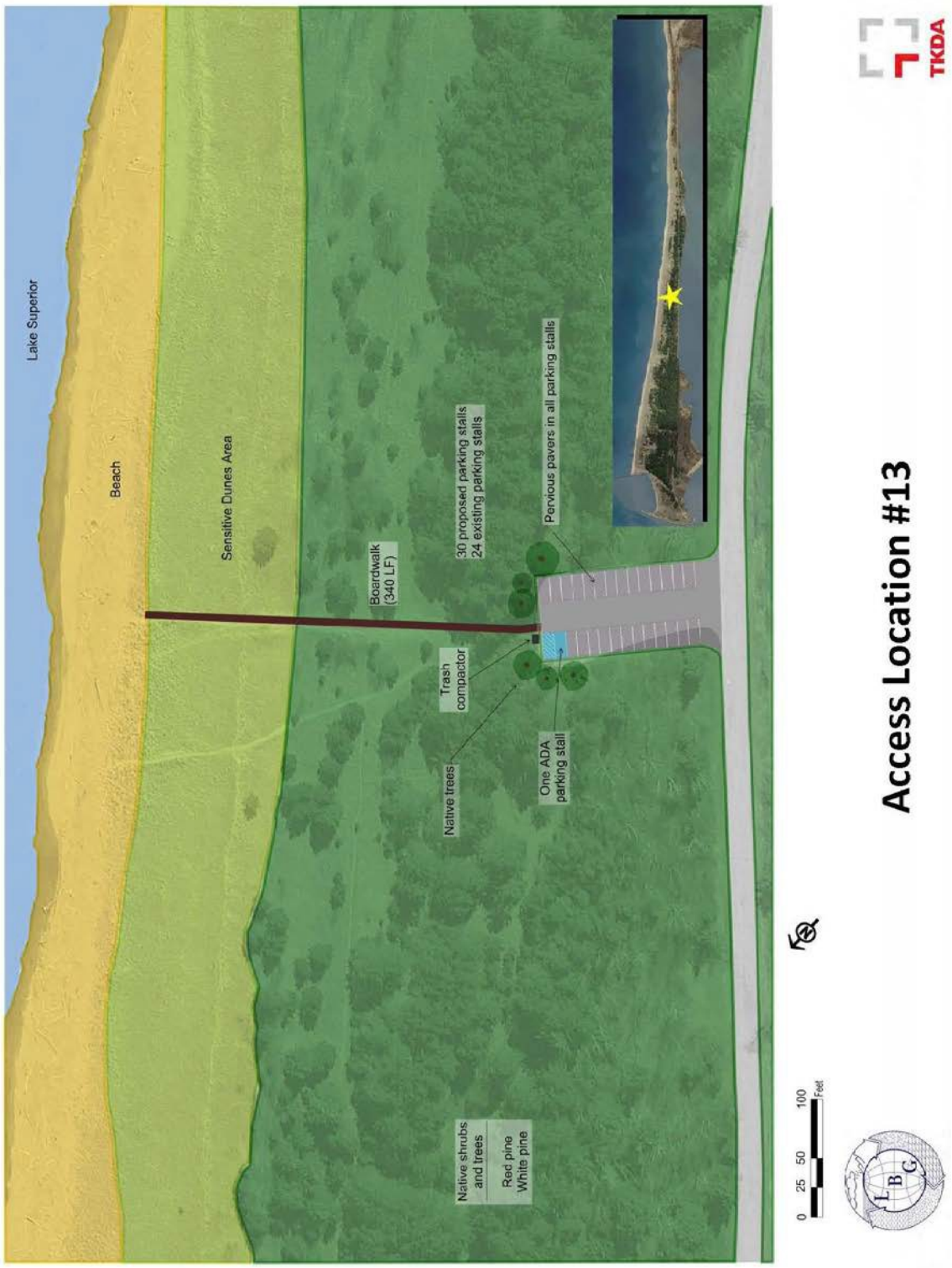


Figure 8 - Access Location #13

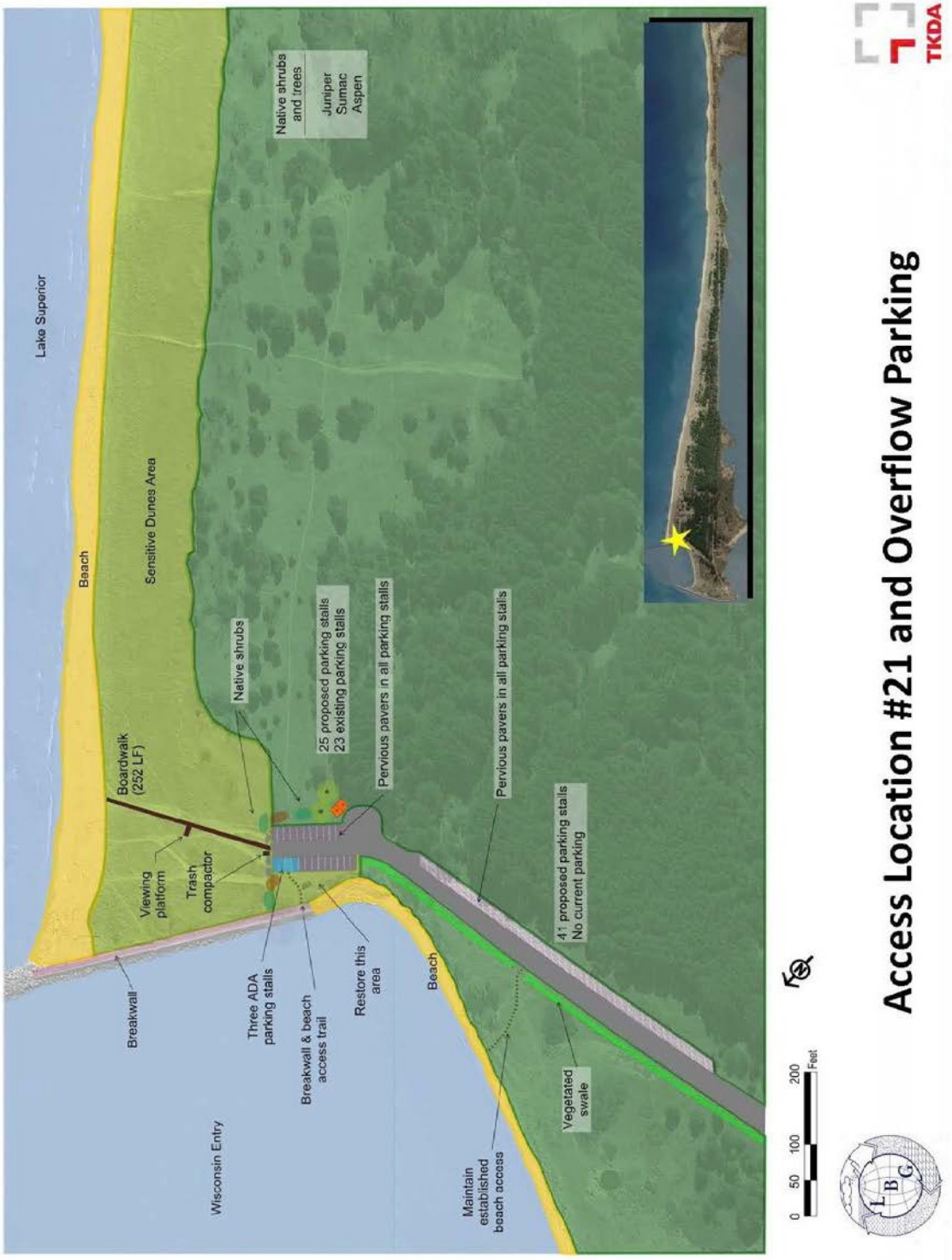


Figure 9 - Access Location #21

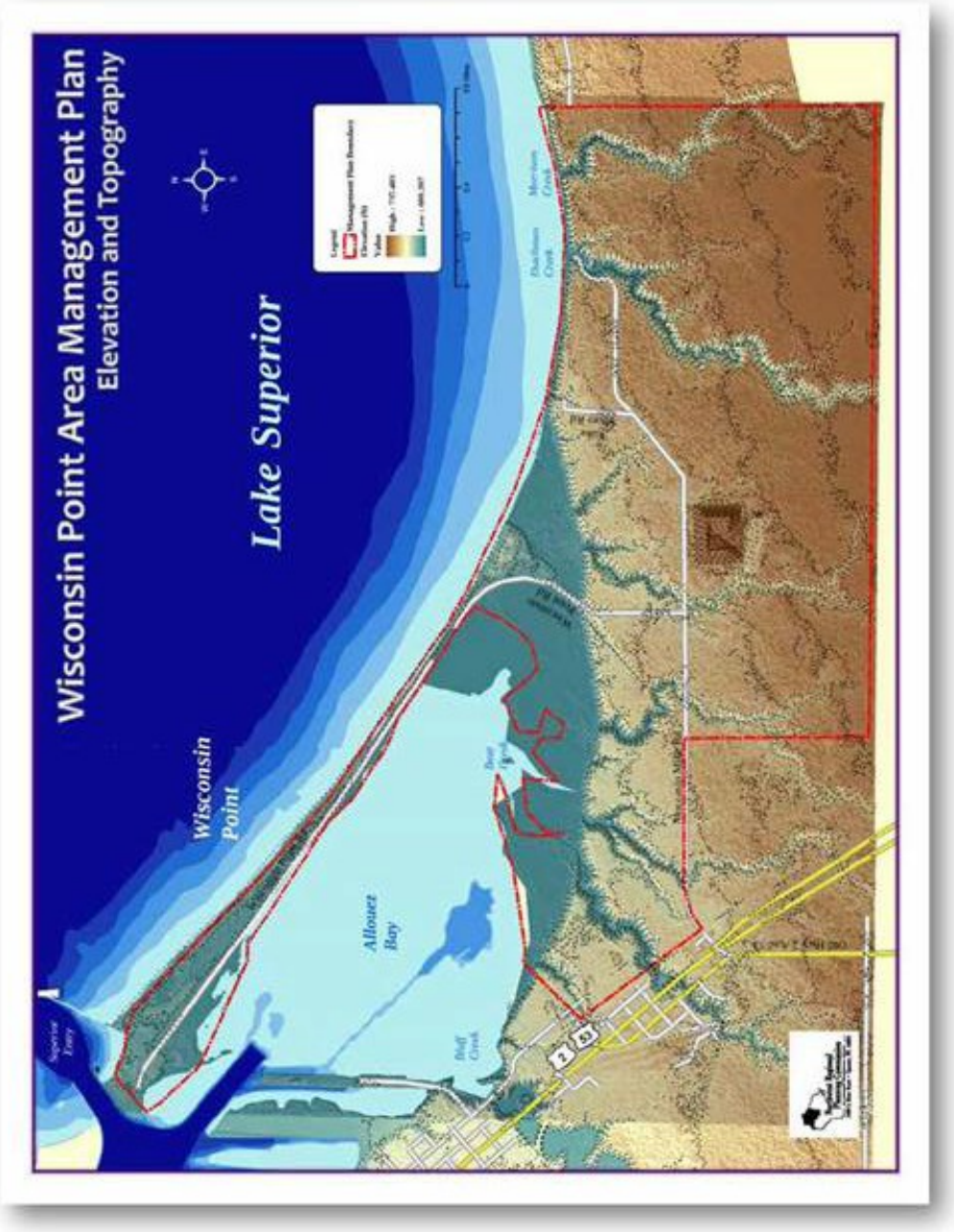


Figure 10 - Elevation and Topography

Figure 11 - Wetlands

Figure 12 - Soil Types

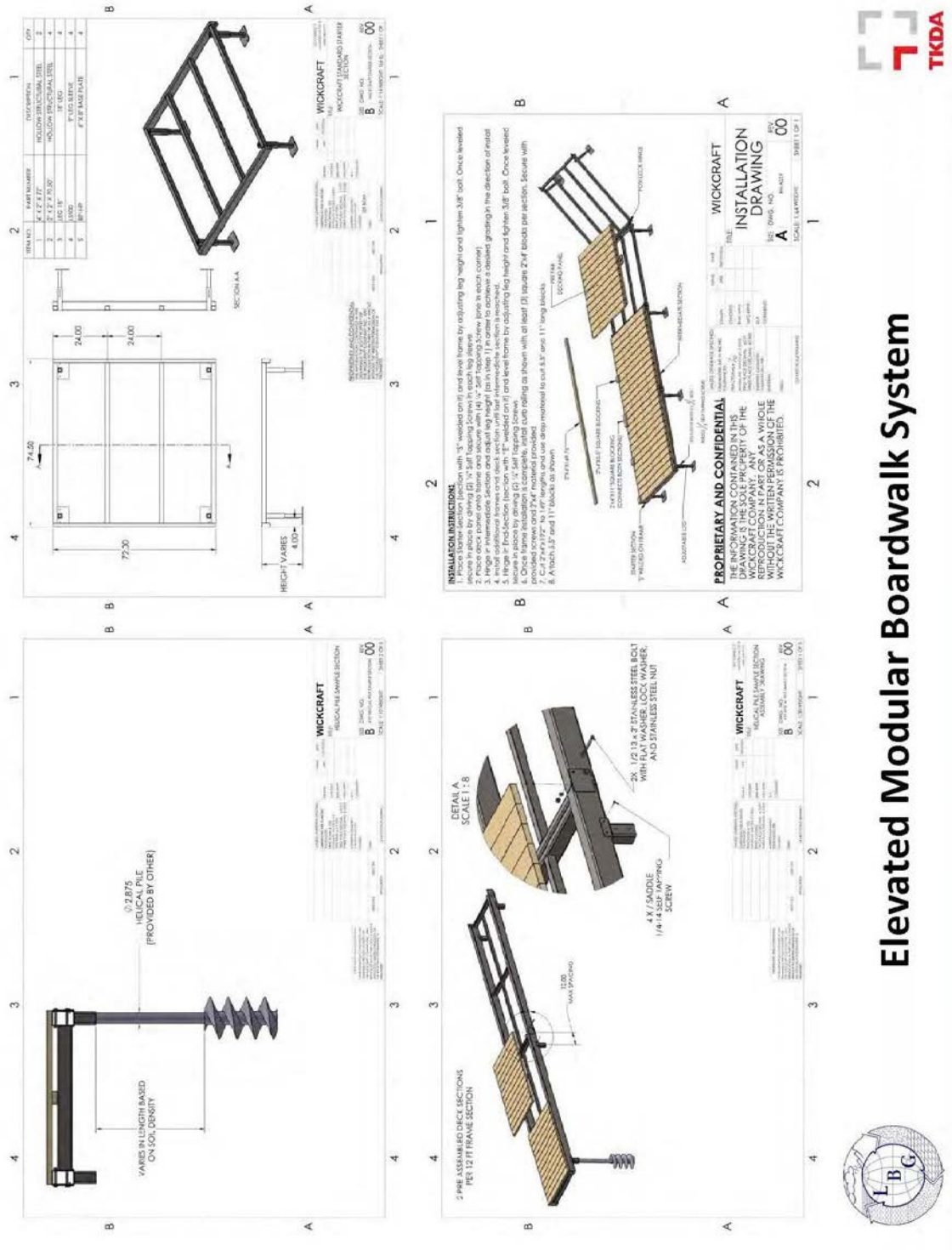
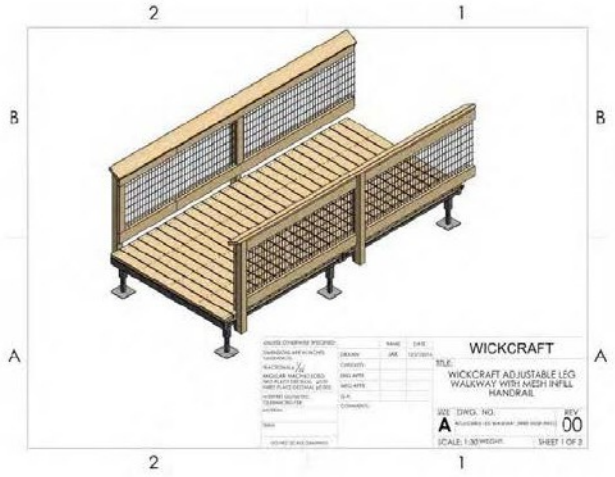
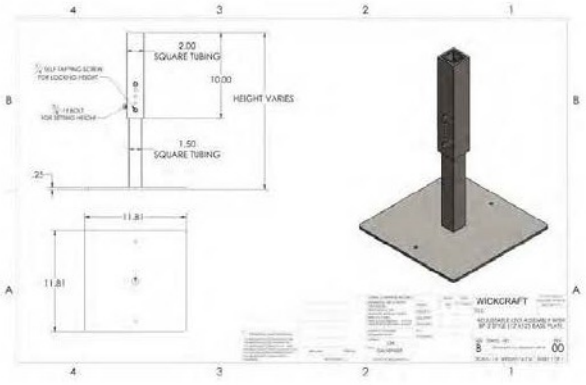


Figure 13 - Elevated Boardwalk System #1

Figure 14 - Elevated Boardwalk System #2





Elevated Modular Boardwalk System

Figure 15 - Invasive Plant Removal Locations

B: Endangered Species Act Compliance Letter

U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management

September 1, 2017

Ms. Lisa Mandell
Deputy Field Complex Supervisor
U.S. Fish and Wildlife Service, Ecological Services Field Office
4101 American Blvd. East
Bloomington, MN 55425

Consultation Code: 03E17000-2017-SLI-0456

Dear Ms. Mandell:

NOAA's Office for Coastal Management has transferred funding from the Great Lakes Restoration Initiative to the City of Superior (via the Wisconsin Coastal Management Program) for a project to improve public access and habitat at Wisconsin Point in Superior, Wisconsin. Restoration plans for the Wisconsin Point peninsula, the sandbar complex between Allouez Bay and Lake Superior, seek to address the issues created by twenty parking turnouts, which currently span the peninsula's access road. We have made the determination that the proposed activity may affect, but is not likely to adversely affect any species listed as threatened or endangered by project work under the ESA of 1973, as amended. Our supporting analysis is below, and to assist with your review, please refer to the enclosed maps and diagrams showing the work to be performed on Wisconsin Point.

Proposed Project
In short, this project will eliminate 14 of 20 parking turnouts and beach access points on Wisconsin Point Road along Lake Superior, which have led to dune deterioration (identified in Red on enclosed overview map). Large natural boulders and signage will be installed to discourage public use, asphalt and gravel will be removed, and native tree species will be planted at the turnouts that will be restored. The remaining five turnouts along Lake Superior will be enlarged, using low-impact development techniques (e.g., pervious pavement), and improved to include elevated boardwalks supported on helical piles for beach access over the dunes (identified in green on enclosed overview map). See attached schematic of one of the proposed expanded beach access points (site #1); this drawing shows the largest of the four planned parking areas. Landscaping fencing and signs will also be installed to block use of adjacent dunes and encourage use of the boardwalks. Public access points to Allouez Bay will not be closed. Shoreline erosion along Allouez Bay, resulting from steep slopes from past road construction, will be addressed by stabilizing the shoreline using vegetation and structures (see enclosed diagram and map of erosion and stabilization along Allouez Bay). There are six endangered and threatened species in Douglas County. This consultation addresses potential project impacts to each, as well as to migratory birds.

Canada lynx (*Lynx canadensis)*
No resident populations are currently known in the state of Wisconsin; however, possible Canada lynx observations are reported annually to the Wisconsin Department of Natural Resources (DNR). Review of the data the agency reported in recent years (*Rare Carnivore Observations: 2014; and Rare Carnivore Observations: 2015*) did not identify any Canada lynx

sightings in Douglas County. Further, the Canada lynx is not listed in the *Wisconsin Point Area Management Plan* as being present on the peninsula or surrounding areas.

Additionally, lynx thrive in moist, cool boreal (primarily coniferous) forests that have large populations of snowshoe hares to serve as the primary food source *(Canada Lynx Fact Sheet)*. The land cover data available for the Wisconsin Point peninsula indicate that the forested land cover types are 22% deciduous, mixed with red and white pine stands, suggesting that the habitat is not suitable for lynx. There is no critical habitat for Canada lynx in Wisconsin.

Considering this information, NOAA concludes that the proposed action will have no effect on Canada lynx.

Gray wolf *(Canis lupus)*
There is no critical habitat for the species in Wisconsin. As of April 2016, the minimum statewide gray wolf population in Wisconsin was approximately 866-897, an increase from previous years *(Wisconsin Gray Wolf Monitoring ReporfJ*. Wolves in the Western Great Lakes area primarily use northern woodlands; however, they have expanded their range into areas that are a mix of forest and agriculture in Minnesota and Wisconsin. The primary variables that affect where wolves can survive are adequate food (primarily deer, but also beaver, moose, snowshoe hare and occasionally small mammals) and human tolerance, according to the US FWS. While the Wisconsin Point peninsula does not maintain a large amount of densely forested land cover, there is a possibility that gray wolves could be found on Wisconsin Point. Wolf packs have not been seen on Wisconsin Point, but a 2014 Wisconsin DNR Post-Delisting Monitoring report indicated that a single wolf was reported near Wisconsin Point in the April 2013 to April 2014 time-period (Figure 1 from http://dnr.wi.gov/topie/Wildlifehabitat/wolf/documents/PostDelistMonitor2014_.pdf). Establishment of wolves would be deterred by vehicle traffic and human presence on the peninsula, but individual transient wolves could pass through the area to prey on deer, beaver, or other species. In the very unlikely event that any gray wolves were present in the area during construction and restoration activities, they would likely move to other areas, and the only effects to the wolves would be insignificant or discountable. Thus, the proposed project may affect, but is unlikely to adversely affect, gray wolves.

Northern long-eared bat *(Myotis sepfenfrionalis)*
During the summer, these bats roost underneath bark, in cavities, or in crevices of both live and dead trees. Males and non-reproductive females may also roost in cooler places, like caves and mines. Occasionally individuals roost in barns, sheds, or other structures. They spend the winter hibernating in caves and mines, called hibernacula. The northern long-eared bat-breeding season begins in late summer or early fall. After delayed fertilization in the spring, pregnant females give birth in areas they utilize during the summer, often alter assembling in maternity colonies, where they typically roost in trees. The proposed project is anticipated to be carried out in late spring and summer months. No caves or mines are identified at Wisconsin Point. The Wisconsin Point peninsula occurs within the Superior

Coastal Plain ecological landscape, which is not a type of habitat that the northern long-eared bat is highly associated with, according to the Wisconsin DNR's *Ecological Landscapes of Wisconsin* report. In addition, the Wisconsin DNR homepage listing the state status of the northern long-eared bat and the counties in which it has been documented (http://dnr.wi.gov/topic/endangeredresources/animals.asp?mode=detail&speccode=amacc01150) indicates that occurrences of the species in Douglas County have not been reported to the Wisconsin Natural Heritage Inventory. All this evidence supports a conclusion that the proposed project would have no effect on this bat species because it would not be present at the project site.

Fassett's locoweed *(Oxytropis campetris)*
Fassett's locoweed is endemic to Wisconsin and, according to the US FWS, "grows on gentle slopes in sand-gravel shorelines around shallow lakes that are subject to water level fluctuations." According to the Wisconsin Dept. of Natural Resources (DNR), there are several ecological landscapes in Wisconsin; however, the three ecological landscapes which are listed as having a high association with Fassett's locoweed habitat do not cover the Wisconsin Point peninsula, which the DNR's Ecological Landscape report designates as Superior Coastal Plain. Since the Superior Coastal Plain ecological landscape is listed as having an association score with this species of "0, none," and the plant is not listed in the plant inventory included in the *Wisconsin Point Area Management Plan*, the proposed project would have no effect on Fassett's locoweed because the species is not known to occur in the project area.

Kirtland's warbler *(Setophaga kirtlandii)*
The Kirtland's warbler nests in young jack pine stands and, until 2007, had primarily nested in Michigan. Since 2007, Kirtland's warbler has been found to nest in Canada, Michigan, and Wisconsin, according to the US FWS. No critical habitat for the species has been established. Kirtland's warbler build their nests on the ground in stands of young Jack Pines that are between 5 and 16 feet tall, with trees spaced apart enough to allow sunlight to reach the ground, and with minimum patch sizes ranging from 30-79 acres (Wisconsin DNR's Kirtland Warbler Species Guidance, http://dnr.wi.gov/files/PDF/pubs/er/ER0687.pd0. According to the Wisconsin DNR's Kirkland's warbler species guidance, the species has been documented in five Wisconsin Counties, including Douglas County, but nesting is only known to happen in Adams and Marinette Counties in the central portion of the state. The forested land cover on Wisconsin Point peninsula is characterized by white and red pine, not the young jack pines the species prefers. Additionally, the Wisconsin DNR identifies the Wisconsin Point peninsula as occurring within the Superior Coastal Plain ecological landscape in its *Ecological Landscapes of Wisconsin* report. Kirtland's warbler is not listed as associated with this landscape. Since the warblers' preferred habitat type does not match with the primary habitat along Wisconsin Point, and there are no nesting sites located within Douglas County, the proposed project would have no effect on the Kirtland's warblers.

Piping plover *(Charadrius melodus)*

Piping plovers have breeding grounds in the Great Lakes that they use from May through late July to early September. Some construction activities at Wisconsin Point are scheduled for the springtime, extending into the summer. Wisconsin Point peninsula is located within the Wl-1 unit, designated as critical habitat for piping plover. Given this designation, there are other efforts in the immediate vicinity of this proposed project to improve piping plover habitat.

Restoration projects have included components to develop nesting attractants, respond to any plover nesting behavior identified, and carry out local public education and outreach. Three sites have been restored to improve habitat for plovers: Minnesota Point (across the channel from Wisconsin Point), Shafer Beach (off Lake Shore Rd, east of Wisconsin Point), and the state wildlife refuge on Wisconsin Point, along Allouez Bay. Of these restoration sites, the nearest is approximately 0.5 miles away from the Wisconsin Point Road stabilization improvements along Allouez Bay.

The Wisconsin Point project area appears not to meet the habitat requirements for breeding piping plover because it currently lacks wide, undisturbed, unforested systems of dunes and interdune wetlands within the footprint of this project area. Nonetheless, piping plover have been recorded at Wisconsin Point in recent years (www.youtube.com/walch?v=ksQYkcWIVkl), and the U.S. Corps of Engineers reports they have been observed each year, but do not nest (http://greatlakesdredging.net/filesM/isconsin-Point-Section-204 Graham Bowman.pdD. As nesting is the most sensitive part of the piping plover life cycle to human disturbance, if any piping plovers were feeding or resting, but not nesting, near the Wisconsin Point dune landscape during construction activities, they could move to the nearby habitats (some of which have been restored specifically for piping plover) until construction activities subsided. This type of piping plover response would be insignificant. Thus, NOAA concludes that the proposed project may affect, but is not likely to adversely affect, piping plover. The City of Superior, which will be conducting the work, has pledged to work closely with the Wisconsin DNR's Natural Heritage Inventory program to avoid impacts to piping plover.

In the long term, consolidating parking turnouts along the Point will reduce the erosive impact of human traffic through dune habitat, resulting in larger tracts of potentially undisturbed beach and dune habitat, which could improve the suitability of the Wisconsin point peninsula's dune habitat for piping plover nesting in the future, a possible beneficial effect of the project.

Other Migratory Birds

Bald and golden eagles have previously been reported at Wisconsin Point on a number of occasions and are listed as among the many bird species that use Wisconsin Point in an Appendix to the *Wisconsin Point Management Plan*. NOAA consulted with Margaret Rheude, of your office, about whether there have been any eagle's nests reported on Wisconsin Point. She indicated that the nearest eagle's nests reported have been seen more

than 0.5 miles from Wisconsin Point. Since the project will not involve any construction activities or vegetation clearing within 660 feet of an eagle's nest, NOAA believes the project will avoid incidental take of bald and golden eagles. Other migratory birds also use Wisconsin Point, including northern harrier, common tern, and merlin. The proposed project would not result in any take of migratory birds (or other actions prohibited under the Migratory Bird Treaty Act) either during project construction or after construction is complete. Instead, the project will restore and enhance migratory bird habitat.

Based on the analysis provided above, NOAA OCM has determined that the above referenced project is not likely to adversely affect ESA-listed species. We certify that we have used the best scientific and commercial data available to complete this analysis. We request that the United States Fish and Wildlife service concur with this determination.

Please contact Megan Grove by e-mail (megan.grove@noaa.gov) or by phone (952-368-2507) for any more information.

Sincerely,

/SIGNED/

Megan Grove

Cc:
Patmarie Nedelka, NOAA headquarters
Mike Friis, Wisconsin Coastal Management Program Linda Cadotte, City of Superior

C: Response from the U.S. Fish and Wildlife Service to Consultation Letter

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Minnesota-Wisconsin Ecological Services Field Office
4101 American Boulevard East
Bloomington, Minnesota 55425

September 29, 2017

Ms. Megan Grove
National Oceanic and Atmospheric Administration
Office for Coastal Management
307 West Twelfth Street
Traverse City, Michigan 49684

RE: Request for concurrence regarding proposed conservation project
FWS TAILS No. 03E19000-2017-I-1040

Dear Ms. Grove:

This letter is in response to your request for concurrence with the determination that activities associated with improvements to public access and habitat at Wisconsin Point in Superior, Wisconsin may affect, but are not likely to adversely affect gray wolf (*Canis lupus*) and piping plover (*Charadrius melodus*). The National Oceanic and Atmospheric Administration is proposing to transfer funds from the Great Lakes Restoration Initiative to the City of Superior to address dune habitat deterioration. Proposed actions will involve removing 14 of 20 parking turnouts and beach access points on Wisconsin Point Road and restoring those areas. These actions are not anticipated to negatively affect the habitat quality on Wisconsin Point. The a proposed project area is located in Sections 27, 28 and 34, Township 49 North, Range 13 West, Douglas County, Wisconsin.

Gray wolf

We concur with your determination that the proposed project may affect, but is not likely adversely affect the gray wolf. Impacts to the species from disturbance are anticipated to be insignificant or discountable within the action area based on the limited amount of available suitable habitat.

Piping plover

We concur with your determination that the proposed project may affect, but is not likely adversely affect the piping plover. Impacts to the species from disturbance are anticipated to be insignificant or discountable within the action area based on the historical nature of piping plover

use on Wisconsin Point and the ctm-ent quality of suitable nesting habitat for the species. The consolidation of parking turnouts on Wisconsin Point is anticipated to reduce human induced erosion of dune habitat and will benefit piping plover and its suitable habitat.

' ni is concludes consultation under Section7 of the Endangered Species Act, as amended. Please contact our office if this project changes or new information reveals effects of the action to proposed or listed species or critical habitat to an e>,.'tent not covered in your original request. If you have questions, please con tact me at 952-252-0092 (extension 208) or via email at *andrew_horton@jivs.gov*.

Sincerely,

9/29/2017

X Andrew Horton

Andrew Horton
Fish&W!dlife Biologist Signed by: ANDREW HORTON

D: National Historic Preservation Act Consultation Letter

U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

4 June 2018

Leslie Eisenberg
Burial Sites Program Coordinator
Historic Preservation-Public History Division
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Dear Ms. Eisenberg:

The National Oceanic and Atmospheric Administration (NOAA) proposes to fund habitat restoration and public access improvements on Wisconsin Point in Superior, Wisconsin. Consultation was initiated on September 5, 2017 (Case # 17-1242/DG) with your office and the original consultation letter, and response is included with this package, as well as a Phase I Archaeological Shovel Testing report.

During initial consultation it was requested that further archaeological testing be done in the project area to assess if any historic artifacts are present in areas that will be enhanced, restored, or disturbed (Pit toilets). As a result of this request the City of Superior requested shovel testing be done at all locations where enhancements will be made, including where all pylons will be placed for the boardwalk system that is outlined in the project plan. The attached archaeological report outlines in detail the results of this testing.

In short, there was a large piece of rotten wood and a long metal bolt that was located at site 13, where the boardwalk meets the parking area. In the attached report a map of the site 13 location and shovel testing locations can be found on page 14, along with additional information about what was found. These particular artifacts were also reviewed by Todd Lindahl, a local historian and it was determined that the bolt is consistent with a bolt that holds the frame of a railroad car together.

Based on the results from the archaeological shovel testing at lot 13 it was determined that a helical pylon support system for the boardwalk as it meets the parking area is not ideal. Therefore, the design team was asked to find an alternative method to anchor the boardwalk at lot 13. The new method for securing the boardwalk to the parking area would instead fasten the boardwalk directly to the concrete curb that will be constructed within the existing parking lot. The fasteners will be drilled and sealed by epoxy into the concrete after the placement of the curb has been finalized. This method will be at grade and will involve no ground disturbance as the helical pylons will be eliminated at this end of the boardwalk. This can be seen in Figure 16 of the archaeological report. With these modifications the impact to the buried wooden item will be avoided.

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to identify historic properties that may be impacted by a federal undertaking. Federal agencies are required to seek ways to avoid, minimize, or mitigate any adverse effects of undertakings on historic properties listed, or eligible for listing, on the National Register of Historic Places, including sites of traditional religious and cultural importance.

Providing funding for the proposed project would constitute an undertaking. In accordance with the NI-IPA, we are seeking your input.

Based on the available information and modifications made to avoid impacts, NOAA proposes a finding that this project will have no adverse effect on cultural resources or historic properties, pursuant to 36 CFR 800.5(b). In accordance with 36 CFR 800.3(c)(4), NOAA will assume concurrence if no comments are received within 30 days of receipt of this letter.

If you have any questions regarding the project or if you have any info1mation you would like to share about the site in response to this letter, please contact me at (952) 368-2507 or megan.grove@noaa.gov.

Sincerely,

/SIGNED/

Megan Grove
Great Lakes Regional Contact

Enclosures:
Project
Design
Archaeological Report

cc: R. Ghertler, NOAA Federal Preservation Officer
P. Nedelka, NOAA Office for Coastal Management
M. Friis, Wisconsin Coastal Management Program

HP-05-07 (8/15/03)

For SHPO Use Only. Case # 17-1242/06

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type. Return to:

Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706

RECEIVED
SEP 0 6 2017
BY: .....

Please Check All Boxes and Include All of the Following Information, as Applicable:

I. GENERAL INFORMATION

☑ **This is a new submittal.**
☐ **This is supplemental information relating to Case #:_____ and title:_____**
☐ **This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement.**
The title of the agreement is _____

a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit): _____

b. Federal Agency Contact Person: Patmarie Nedelka Phone: 301-563-1127

c. Project Contact Person: Megan Grove Phone: 952-368-2507

d. Return Address: 1735 Lake Drive West Zip Code: 55317

e. Email Address: megan.grove@noaa.gov

f. Project Name: Wisconsin Point Dune Restoration Project

g. Project Street Address: Wisconsin Point, Douglas County, Superior, Wisconsin, 54880

h. County: Douglas City: Superior Zip Code: 54880

i. Project Location: Township 49N, Range 13, E(W) (circle one), Section _____, Quarter Sections _____

j. Project Narrative Description—Attach Information as Necessary.

k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE.

II. IDENTIFICATION OF HISTORIC PROPERTIES

☑ Historic Properties are located within the project APE per 36 CFR 800.4. Attach supporting materials.
☐ Historic Properties are not located within the project APE per 36 CFR 800.4. Attach supporting materials.

III. FINDINGS

☐ No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11.
☑ The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11.
☐ The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach necessary documentation, as described at 36 CFR 800.11, with a proposed plan to resolve adverse effect(s).

Authorized Signature: _____ Date: Sept. 5/2017

Type or print name: Megan Grove

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

☐ Agree with the finding in section III above.
☐ Object to the finding for reasons indicated in attached letter.
☒ Cannot review until information is sent as follows: 6

Authorized Signature: _____ Date: 5 Oct. 2017

October 6, 2017

WISCONSIN HISTORICAL SOCIETY

Megan Grove
Great Lakes Regional Contact
US Department of Commerce
NOAA Office of Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

Re: Wisconsin Point Dunes (DG-0024/BDG-0045) Restoration Project
City of Superior, Douglas County, Wisconsin - WHS 17-1242/DG

Dear Ms. Grove:

Thank you for providing me with the opportunity to review the proposed project that includes shoreline stabilization measures along Wisconsin Point Road, the construction of boardwalks, habitat restoration, public access improvements (restrooms) and parking area expansion within the Wisconsin Point Dunes site located within the City of Superior.

There are a number of larger issues that cannot be addressed simply by the results of the ground-penetrating radar study and pedestrian survey that have been performed. Because no subsurface archaeological testing was performed as part of the Phase I archaeological survey, it is impossible to evaluate if any intact archaeological deposits and/or buried cultural surfaces (as a result of continuous sand dune activity) exist within the direct and indirect areas of potential effect, including in areas to be re-vegetated and areas with planned boardwalk construction/beach access. In the absence of that information, it is impossible to assess National Register eligibility for the Wisconsin Point site (DG-0024), an important component of the work that still needs to be addressed. Without that determination, it is impossible to determine effects as a result of the proposed work.

There is also no mention of changing land use and landform contours over time that could be evaluated by reference to archival maps and other background research and that could ultimately inform post-construction effects of these proposed activities to the Point. For the proposed placement of the vault toilets and drain tile associated with the public access improvements, archaeological testing in that area must be undertaken. The discovery of surface finds (17-1) is reported along the beach at Allouez Bay, but no testing was performed to determine if a site was present in association with the discovery of three pieces of quartz debitage and two fragments of whiteware ceramics, or if the discovery may have resulted from the eroding bank depicted to the northeast of that location (Figure 24).

Importantly, Wisconsin Point is also the location of a number of reported burial sites whose location(s) remain unconfirmed; archaeological testing may help to identify those areas for avoidance during planned activities.

I look forward to receiving additional information and a Phase I/II report that addresses items highlighted in this correspondence. If you have any questions, please feel free to contact me.

Sincerely,

Leslie E. Eisenberg, Ph.D., RPA #10264
Archaeologist
State Historic Preservation Office
Tel.: 608.264.6507
E-mail: leslie.eisenberg@wisconsinhistory.org