

**FINDING OF NO SIGNIFICANT IMPACT**  
**Wisconsin Point Dune Restoration**  
**Project Superior, Wisconsin**

The National Oceanic and Atmospheric Administration (NOAA), through the Wisconsin Coastal Management Program (WCMP), proposes to fund the Wisconsin Point Dune Restoration Project on Wisconsin Point in Superior, Wisconsin. Restoration work will result in elimination of 14 access points resulting in approximately 85 acres of forest restoration and 48,000 sq. ft of dune restoration, sq. 40,000 ft of shoreline wetland will be restored, and 150 acres of sensitive wildlife habitat will be reconnected. This will be achieved by revegetating the damaged forest and sensitive dune landscape. Additionally, 3600 linear feet of shoreline erosion along the Allouez Bay side of the point would be restored and stabilized. NOAA also considered a No Action alternative; this scenario would result in no funding being provided to the WCMP, and no restoration of the sensitive dune system of Wisconsin Point or stabilization of the eroding shoreline along the Allouez Bay side of the Point.

The analysis in the attached Environmental Assessment concludes that significant individual and/or cumulative environmental effects would not result from implementation of the preferred alternative. Thus, Preparation of a Finding of No Significant Impact (FONSI) is warranted. NOAA uses eleven criteria for determining the significance of the impacts of a proposed action. These criteria are discussed below as they relate to the proposal. Each criterion is discussed below with respect to the proposed action and considered individually, as well as in combination with the others.

**a. Has the agency considered both beneficial and adverse effects? (A significant effect may exist even if the federal agency believes on balance the effect will be beneficial.)**

The agency has considered both beneficial and adverse effects, and no significant effects are anticipated. Contributing federal funding towards the Wisconsin Point Dune Restoration Project would improve the sensitive dune ecosystem and beach dune habitat along Wisconsin Point, enhance public beach access at five of the remaining six locations along the point, close 14 other existing public access points along Wisconsin Point Road and associated parking areas to promote habitat restoration, and stabilize shoreline habitat along Allouez Bay. The Wisconsin Point Peninsula is located within the St. Louis River Area of Concern, one of 27 remaining Areas of Concern (AOC) designated by the U.S. EPA on the U.S. coastline of the Great Lakes because of past environmental degradation/contamination. Specifically, 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. Under the preferred alternative, NOAA would contribute \$1,384,810 to fund the restoration work. (Under the No Action alternative, no restoration work would be done on Wisconsin Point, resulting in continued erosion of Wisconsin Point Road, continued spread of invasive plants/shrubs/trees, and continued degradation of the sensitive dune ecosystem.) There would be beneficial consequences as a result of the project work, and a few minor adverse effects to the landscape during removal of parking turnouts, and the installation of enhanced parking turnout materials and stabilization of the shoreline along Allouez Bay. For example, there would be disturbance to the bank along Allouez Bay in order to install riprap and vegetation that will be used to stabilize the currently eroding Wisconsin Point Road. The removal of 14 parking turnouts will also result in the removal of any

current gravel or paved surfaces, and the planting of native plants and shrubs. Large natural barriers, such as boulders may also be installed in order to discourage the continued use of foot trails which have been cutting through the dune areas. This work would result in minor adverse impacts associated with animal species in those immediate areas and they would likely shift to other areas of the point. There would also be temporary noise and disturbance during shoreline stabilization, removal of 14 parking turnouts, enhancement of five of the remaining six parking turnouts, and installation of the Americans with Disabilities Act (ADA) compliant raised boardwalk systems which will extend from the five enhanced parking turnouts to the beaches along Lake Superior. These disturbances will be temporary as the project work will be completed within a year of initialization. Over the long term, these disturbances will result in 48,000 sq. ft of sand dune habitat, 40,000 sq. ft of shoreline wetlands, 85 acres of pine barren forest dune habitat, and 150 acres of sensitive wildlife habitat being restored, which will have positive consequences to some species, and will not negatively impact any threatened or endangered species. Finally, there would be some effects to aesthetics, which on balance would be positive. The removal and restoration of the 14 parking turnouts will enhance the natural and visual aesthetic of Wisconsin Point. The enhanced five parking turnouts will incorporate natural landscaping and ADA compliant boardwalks for pedestrians to easily and safely access the beach along Lake Superior. The materials that will be utilized for the enhanced parking areas will be pervious pavers (stone) to improve storm water drainage, and large natural boulders and trees to encourage the use of the raised boardwalks (metal and wood) that will be installed. Thus, the proposed dune restoration would be compatible with the natural surroundings of Wisconsin Point. There are no sensitive human populations in the immediate vicinity of the Point that could be adversely affected, and there would be no effect to any threatened or endangered species or critical habitat identified under the Endangered Species Act. Further, there would be no adverse impacts to historical properties as the Ojibwe cemetery located on Wisconsin Point will not be disturbed by project work. For these reasons, none of the anticipated effects from the habitat restoration are considered significant.

**b. To what degree would the proposed action affect public health and safety?**

The proposed project would have a minor beneficial effect on public health and safety by enabling pedestrians to safely cross between the sensitive dune system and the beach shoreline of Lake Superior. Installation and use of the raised ADA compliant boardwalks will also allow for visitors with physical impairments to enjoy the natural areas and beach access provided by the boardwalks that were previously unavailable.

**c. To what degree would the proposed action affect unique characteristics of the geographic area in which the proposed action is to take place?**

The Wisconsin Point Peninsula is a 228-acre baymouth sandbar complex located between Lake Superior and Allouez Bay in the southeast end of Superior, Wisconsin. The Point contains approximately 2 ¾ miles of open sand beach and dunes, open water, small interdune 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 species of fish 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 affected by the proposed action.

**d. To what degree would the proposed action have effects on the human environment that are likely to be highly controversial?**

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 Wisconsin 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 which is regularly visited by both tribal members, and the community as a sacred area. Due to construction equipment and activities during the restoration work, installation of the boardwalk systems, and the shoreline stabilization, there is a high likelihood of inconvenience to the public who may wish to visit the Point during these activities. The Ojibwe cemetery located on the Point would possibly be difficult to get to however, the Fond du Lac tribal community and members have been very supportive of this project work and improvements to the health of the point.

**e. What is the degree to which effects are highly uncertain or involve unique or unknown risks?**

None. The possibility of dune restoration work being conducted on Wisconsin Point has been discussed publicly and the Point is located within the St. Louis River Area of Concern. The proposed design for the restoration work was informed by input from the City of Superior through multiple public meetings (September 27, 2016, January 25, 2017) and a Cultural/Tribal public meeting (December 7, 2016) held by the City. In short, restoration work and enhancements made to the Point would not involve unique, unknown, or highly uncertain risks; all available data indicate that any adverse impacts would be minimal.

**f. What is the degree to which the action establishes a precedent for future actions with significant effects or represents a decision in principle about a future consideration?**

None. Approval of funding for this proposed work would not establish a precedent. NOAA approves funding for small construction projects consistent with Section 306A of the CZMA every year. In many instances, NOAA funding has supported projects involving restoration and shoreline stabilization. Any future work that would occur on the Point would be subject to the same requirements of any small construction project consistent with Section 306A of the CZMA.

**g. Does the proposed action have individually insignificant but cumulatively significant**

## **impacts?**

Wisconsin Point peninsula is located within the St. Louis River Area of Concern, one of 27 remaining Areas of Concern (AOC) 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 Great Lakes Restoration Initiative (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 Wisconsin Department of Natural Resources, Minnesota Department of Natural Resources, 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, Wisconsin and Duluth, Minnesota. In 2012, monitoring and restoration efforts began along beaches of Wisconsin Point, Minnesota 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 Wisconsin Department of Natural Resources, 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). 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

Wisconsin Department of Natural Resources permit # IP-NO-2014-16-T03882). The City's planned road construction along Wisconsin Point Road includes asphalt overlay repairs between parking turnouts #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.

**Project Outcomes:**

- 48,000 sq. ft of sand dune habitat will be restored
- 40,000 sq. ft 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

**h. What is the degree to which the action adversely affects entities listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historic resources?**

None. The City of Superior has been working with the Fond du Lac tribe continually during 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 the 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 artifacts that may be present on the Point that are not already recorded or known. However, there is a minor potential for disturbance where GPR has not been used. Shovel testing was also completed at the 5 of the remaining 6 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.

NOAA performed formal consultation under the National Historic Preservation Act with the State Historic Preservation Officer, Leslie Eisenberg, from Wisconsin as well as 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, 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. The State Historic Preservation Officer, Leslie Eisenberg, provided NOAA a letter of concurrence regarding this project work with a finding of ‘no adverse effect on cultural resources or historic properties.’

**i. What is the degree to which endangered or threatened species, or their critical habitat, as defined under the Endangered Species Act of 1973, are adversely affected?**

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.

NOAA (and, in some cases, the City of Superior, Wisconsin) consulted a variety of State of Wisconsin and federal agencies about potential impacts of the proposed project, including U.S. Fish and Wildlife Service and Wisconsin Department of Natural Resources. U.S. Fish and Wildlife Service did not provide any recommendations. In addition, Wisconsin Department of Natural Resources evaluated the potential for impacts to state-designated threatened and endangered species and did not have concerns about potential effects.

Consultation with the U.S. Fish and Wildlife Service 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.

**j. Does the proposed action have a potential to violate federal, state, or local law for environmental protection?**

None. All necessary permits have been identified and acquired by the City of Superior for the project work to be completed, and all federal, state, and local laws will be followed during construction and restoration at the Point.

**k. Will the proposed action result in the introduction or spread of a non-indigenous species?**

None. One of the purposes of this project work is to remove currently present invasive plant species as well as to plant native species on the Point. Once project work is completed there will be 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 1,800 cubic yards of riprap, as well as 3,600 linear feet of fascines and 1,800 live stakes at the three shoreline restoration sites along Allouez Bay. Additionally, 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 Wisconsin Department of Natural Resources 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.

**Findings of No Significant Impact  
Wisconsin Point Dune Restoration Project**

NOAA prepared the attached analysis evaluating consequences related to the proposal to grant full approval of the Wisconsin Point Dune Restoration Project, to help address degradation of sensitive coastal dune systems and shoreline erosion along Wisconsin Point. After considering all available information and circumstances, NOAA has determined that the proposed action will not result in significant or uncertain impacts, and the expected impacts of the action currently proposed were considered in the Wisconsin Point Environmental Assessment. Accordingly, preparation of an Environmental Impact Statement for this action is not necessary.



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for Ocean Services and Coastal Zone Management

10/18/18  
Date