

Environmental Review Record

Environmental Assessment



**KBIC Fire and Emergency Management Equipment Storage
November 12, 2025**

**Prepared by
The Keweenaw Bay Indian Community, Natural Resources Department**

Environmental Assessment Determinations and Compliance Findings

Project Information

Project Name: KBIC Fire and Emergency Management Equipment Storage

Start Date: 11/03/2025

Responsible Entity (RE): Keweenaw Bay Indian Community, 16429 Beartown Rd.
Baraga MI, 49908

RE Preparer: Dione D Price

Certifying Officer: Robert "RD" Curtis, Jr.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: Ojibwa Industrial Park Baraga, MI 49908

Additional Location Information:

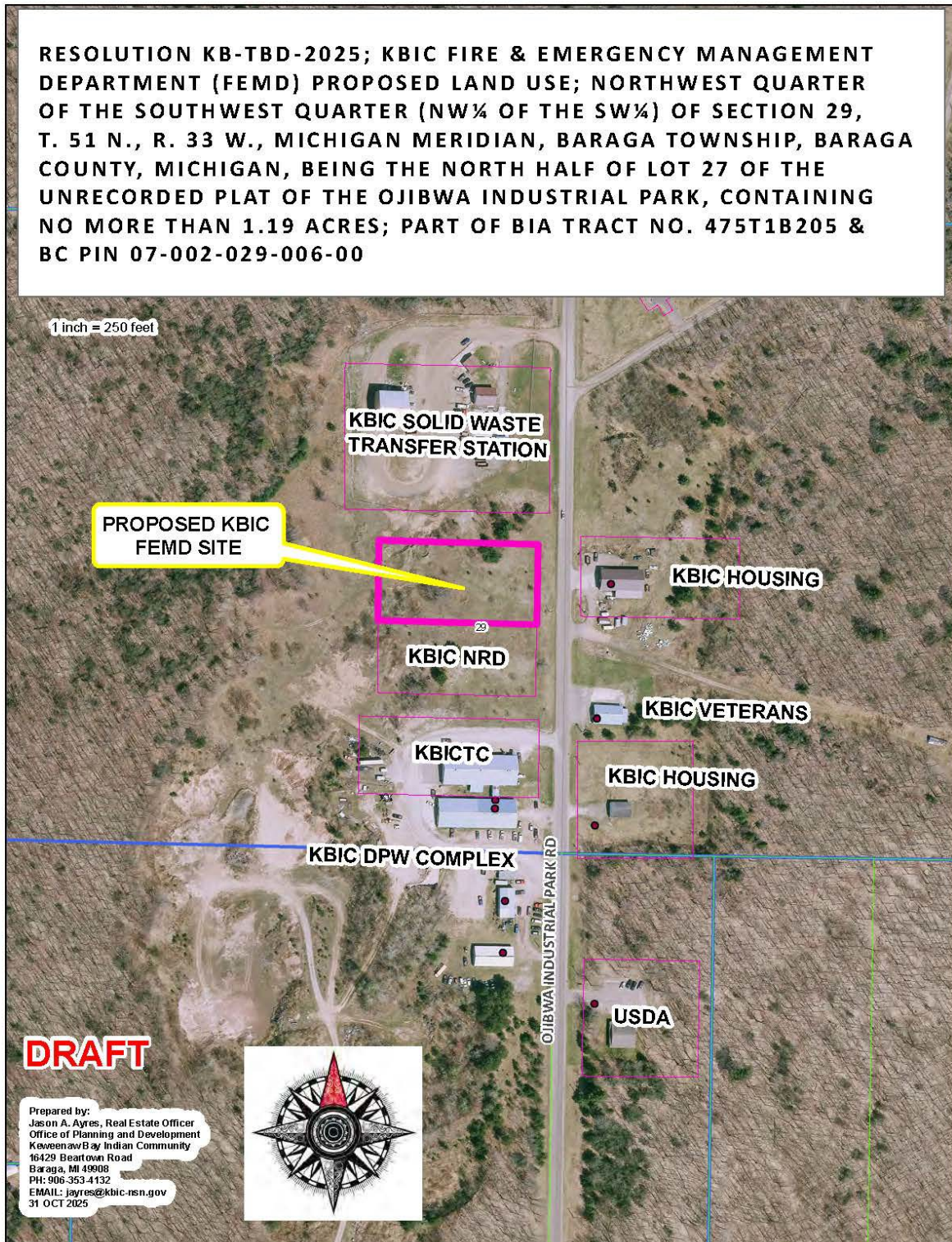
The proposed project property is located at the Northwest Quarter of the Southwest Quarter (NW ¼ of the SW ¼) of Section 29, T. 51 N., R. 33 W., Michigan Meridian, Baraga Township, Baraga County, Michigan, Being the North Half of Lot 27 of the Unrecorded Plat of the Ojibwa Industrial Park, Containing No More Than 1.19 Acres; Part of BIA Tract No. 475T1B205 & BC PIN 07-002-029-006-00.

Direct Comments to: dprice@kbic-nsn.gov

Statement of Purpose and Need for the Proposal:

The project area for the FEMD garage is located within the L'Anse Indian Reservation in Baraga County, located in the Upper Peninsula of Michigan. As a rural, isolated community, KBIC suffers disproportionately from a lack of financial resources. This project will provide vehicle and equipment storage for wildland fire response activities. The structure is a 42'x30' pole barn type 3-bay garage facility. Future use will also include the construction of an administrative building to house the KBIC Fire and Emergency Management Department (FEMD) operations.

Maps, photographs, and other documentation of project location and description:





Determination:

✓	Finding of No Significant Impact. The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Funding Information

Estimated Total Project: \$120,000 (\$41,131.38 ARPA, remaining BIA funds)

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	☐ Yes ☒ No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Source: CBRS Projects Mapper: Coastal Barrier Resources System https://fwsprimary.wim.usgs.gov/cbrs-projects-mapper/
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	☐ Yes ☒ No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance

		may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. Source: FEMA National Flood Hazard Layer FIRMette.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	☐ Yes ☒ No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. Source: EPA NEPA Assist.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	☐ Yes ☒ No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	☐ Yes ☒ No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	☐ Yes ☒ No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a)	☐ Yes ☒ No	This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. KBIC worked with GIS Specialist, Design Engineer, and Natural Resources Department to redesign site layout to avoid ecological areas of concern including Regulatory Floodway and Zone D area.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	☐ Yes ☒ No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	☐ Yes ☒ No	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in

		compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	☐ Yes ☒ No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	☐ Yes ☒ No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Field Inspection: Date and completed by:

Dione D Price

11/5/2025 1:00:00 PM

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

KBIC Wildlife and Habitat Manager, Erin Johnston; KBIC THPO Officer, Paul Halverson; KBIC Natural Resources Director, Evelyn Ravindran; KBIC Wildlife Biologist, Blake Chosa; KBIC Realty, Jason Ayres; KBIC FEMD Director, Thomas Chosa.

Public Outreach:

Posting of ERR will occur for 30 days on KBIC website, KBIC Facebook, and KBIC Natural Resources Department Facebook. Hard copies will be located at KBIC Tribal Center and KBIC Natural Resources Department.

Cumulative Impact Analysis:

Overall, this project will have no impact to the environment as the proposed project location is within an already disturbed area with similar operations.

Alternatives; 40 CFR 1508.9]

With limited areas within the L'Anse Indian Reservation that are compatible to municipal infrastructure connections and an industrial building, there are no other alternative areas for the proposed project.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
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Project Mitigation Plan

None

APPENDIX A: Related Federal Laws and Authorities

Coastal Barrier Resources

General requirements	Legislation	Regulation
Financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

✓ No

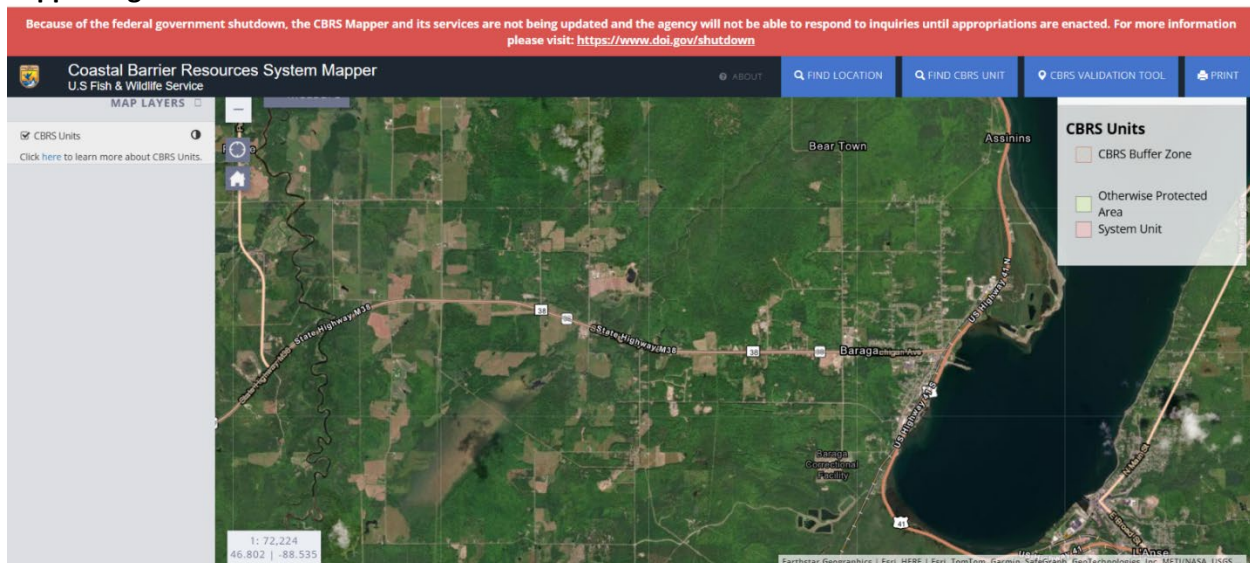
Document and upload map and documentation below.

Yes

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Source: CBRS Projects Mapper: Coastal Barrier Resources System <https://fwsprimary.wim.usgs.gov/cbrs-mapper-v2/>

Supporting documentation



Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

- ✓ No. This project does not require flood insurance or is excepted from flood insurance.

Based on the response, the review is in compliance with this section.

Yes

4. Will flood insurance be required as a mitigation measure or condition?

Yes

- ✓ No

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, it is recommended that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.

Source: FEMA National Flood Hazard Layer FIRMette.

Supporting documentation

National Flood Hazard Layer FIRMette



Legend

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, X, A99
- With BFE or Depth Zone AE, A9, A1, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions: 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

CROSS SECTIONS

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transient
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transient Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/5/2025 at 2:22 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

✓ No

Based on the response, the review is in compliance with this section.

Screen Summary

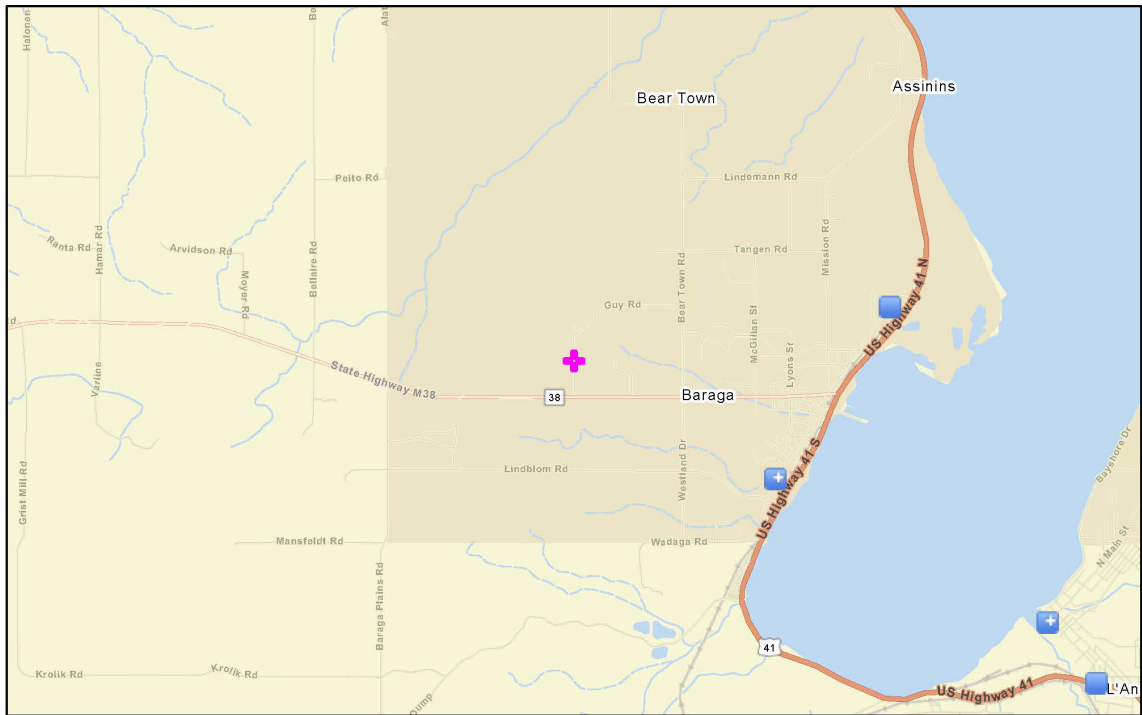
Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Source: EPA NEPA Assist.

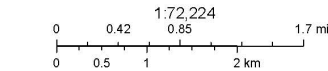
Supporting documentation

AQ FEMA OIP



November 5, 2025

-  Air Pollution (ICIS-AIR)
-  Air Pollution (ICIS-AIR)
-  Search Result (point)



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, U.S. EPA Office of Air and

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

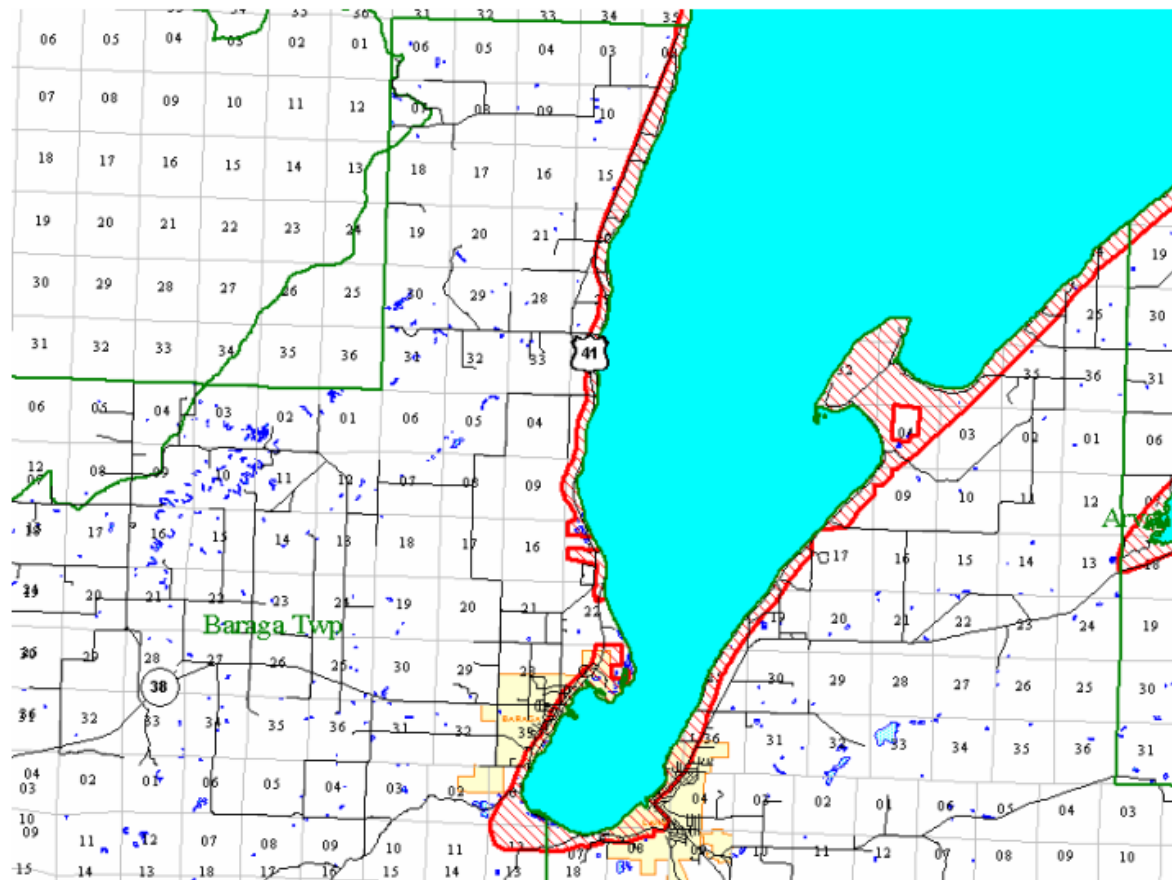
Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

L'Anse Township, T50N R33W, T51N R33W, T51N R32W and T52N R32W

The red hatched area is the **Coastal Zone Management Area**



Yes

✓ No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

- ✓ No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation



Keweenaw Bay Indian Community
Natural Resources Department



TO: Dione Price, Environmental Health Manager
FROM: Blake Chosa, Wildlife Biologist
DATE: November 4th, 2025
RE: Endangered Species Act Section 7 Consultation for a New KBIC Fire & Emergency Management Department Garage

As per request, a review was performed for the proposed construction of a new garage for the KBIC Fire & Emergency Management Department as it may pertain to the Endangered Species Act Section 7 consultation process. The area of focus is at the Ojibwa Industrial Park consisting of 1.19 acres located on Ojibwa Industrial Park Rd, Baraga, MI on the northwest quarter of the southwest quarter of section 29, T-51-N, R-33-W, Baraga County, MI.

The general goals of this project are to construct a new 42'x30' garage as well as a driveway in the already developed area of the Ojibwa Industrial Park.

The U.S. Fish & Wildlife Service identified five species falling under the protective provisions of the Endangered Species Program that may be present in Baraga County, MI. Threatened species include Canada lynx (*Lynx canadensis*) and rufa red knot (*Calidris canutus rufa*). Proposed threatened species include the monarch butterfly (*Danaus plexippus*). Gray wolf (*Canis lupus*) was identified as an endangered species and the tricolored bat (*Perimyotis subflavus*) was identified as a proposed endangered species. There is proposed critical habitat listed for rufa red knot and the monarch butterfly, but neither overlap the project area. The tricolored bat has no listed critical habitat. There is final critical habitat listed for Canada lynx with no overlap in the project area, but there is final critical habitat listed for gray wolf and it does overlap within the project area.

Based on careful review of the U.S. Fish & Wildlife Service technical assistance website that pertains to each of the aforementioned species, it is felt that the proposed scope of activities associated with this project will not impact any of the listed species or associated critical habitat since the project area is already developed.

This project will not jeopardize the continued existence of listed or "protected resources" (endangered or threatened species or designated or proposed critical habitat) in Baraga County, MI. Please let me know if you have questions or if more information is required.

Sincerely,

Blake Chosa
Wildlife Biologist

CC: Evelyn Ravindran, NRD Director
Erin Johnston, Wildlife & Habitat Manager
Gene Mensch, Fisheries Biologist



Natural Resources
14539 Pequaming Rd
L'Anse, MI 49946-8339
Phone: (906) 524-5757
Fax: 524-5748



Tribal Center
16429 Bear Town Rd
Baraga, MI 49908-9210
Phone: (906) 353-6623
Fax: 353-7540



Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

The land is currently located within an established industrial park.

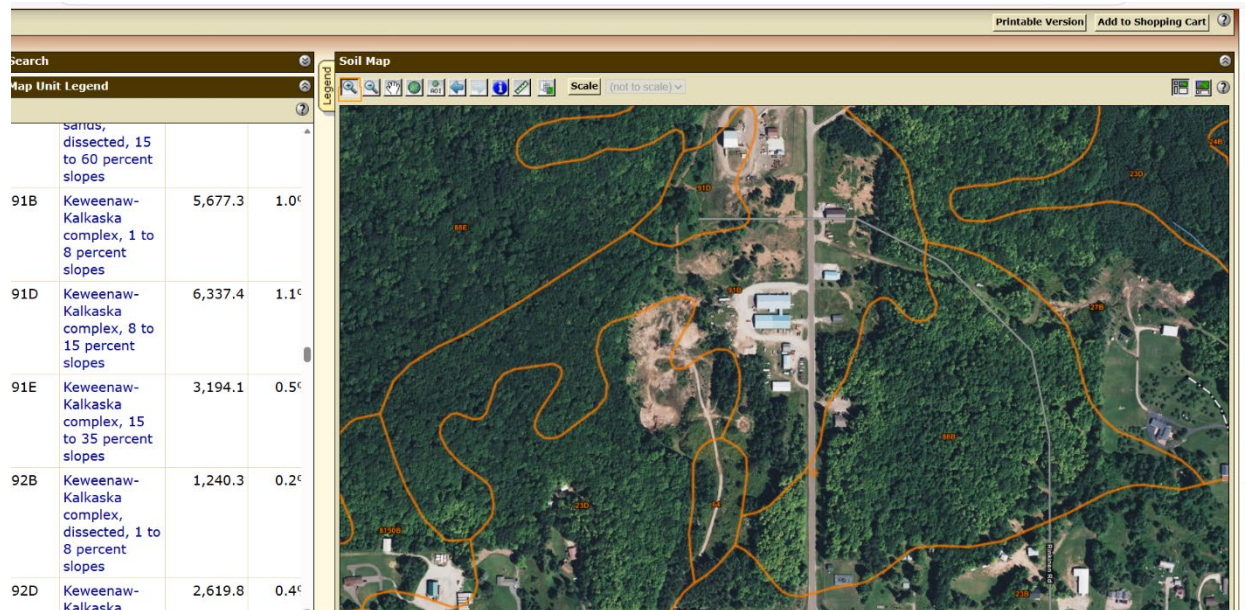
Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation



Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a	

1. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

✓ No

2. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to

the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units.

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

Supporting documentation

National Flood Hazard Layer FIRMette



08°31'50"W 46°47'17"N



Base map Imagery Source: USGS National Map 2.023

Legend

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE)
	With BFE or Depth
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
	Future Conditions: 1% Annual Chance Flood Hazard
	Area with Reduced Flood Risk due to Levee, See Notes
	Area with Flood Risk due to Levee
OTHER AREAS	Area of Minimal Flood Hazard
	Effective LOMRs
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transient
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
MAP PANELS	Coastal Transient Baseline
	Profile Baseline
	Hydrographic Feature
MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/5/2025 at 2:22 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

- ✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Yes, because the project includes activities with potential to cause effects (direct or indirect).

Threshold (b). Document and upload the memo or explanation/justification of the other determination below:

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.

Supporting documentation



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS



IN REPLY REFER TO:

Environmental,
Cultural and Safety

Midwest Regional Office
Bishop Henry Whipple Federal Building
One Federal Drive, Room 550
Fort Snelling, MN 55111

JAN 26 2010

Summer Sky Cohen, Tribal Historic Preservation Officer
Keweenaw Bay Indian Community
16429 Beartown Road
Baraga, Michigan 49908

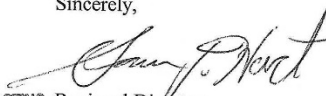
RE: **Final Report:** "Archaeological Identification Survey of the Industrial Park Timber Sale on the L'Anse Reservation for the Keweenaw Bay Indian Community in Baraga County, Michigan" by James E. Myster, Bureau of Indian Affairs, January 2010.

Dear Ms. Cohen:

Section 106 review of the 240 acre **Industrial Park Timber Sale** project on the Keweenaw Bay Indian Community (KBIC) L'Anse Reservation in Sections 20 and 29, T51N R33W in Baraga County, Michigan centered on the likelihood that the project will affect archaeological or architectural sites eligible for the National Register of Historic Places. An archaeological identification survey was done by BIA archaeologists James Myster (Assistant Regional Archaeologist) and Richard Berg (Regional Archaeologist) assisted by David Osmak (Baraga Field Station Forester), Summer Cohen (KBIC THPO) and Joe Jacker (KBIC Cultural Resources Technician) on September 18, 2008. Myster and Osmak returned from May 12-13, 2009. Enclosed please find a copy of the final report for this project.

Seven surface historic sites (BG-BIAFN-30 to 36) were recorded that included a possible old cabin area, a hunting shack and five maple sugaring areas. Avoiding the sites is recommended so no Phase II evaluations are needed. If the sites are avoided, the Bureau of Indian Affairs, Midwest Regional Office, determines that **no historic properties will be affected** by the project. Please review the information and return your comments to this office. If no reply is received within 30 days, the BIA will assume that you concur with our determination and accept the report as written. If you have any questions regarding this project, please contact James Myster, Assistant Regional Archaeologist, at 612-725-4512.

Sincerely,


ACTING Regional Director

Enclosure

cc: w/encl: Frederick Vande Venter, Natural Resources, Great Lakes Agency, BIA
David Osmak, Baraga Field Station Forester, BIA

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

Based on the response, the review is in compliance with this section.

✓ No

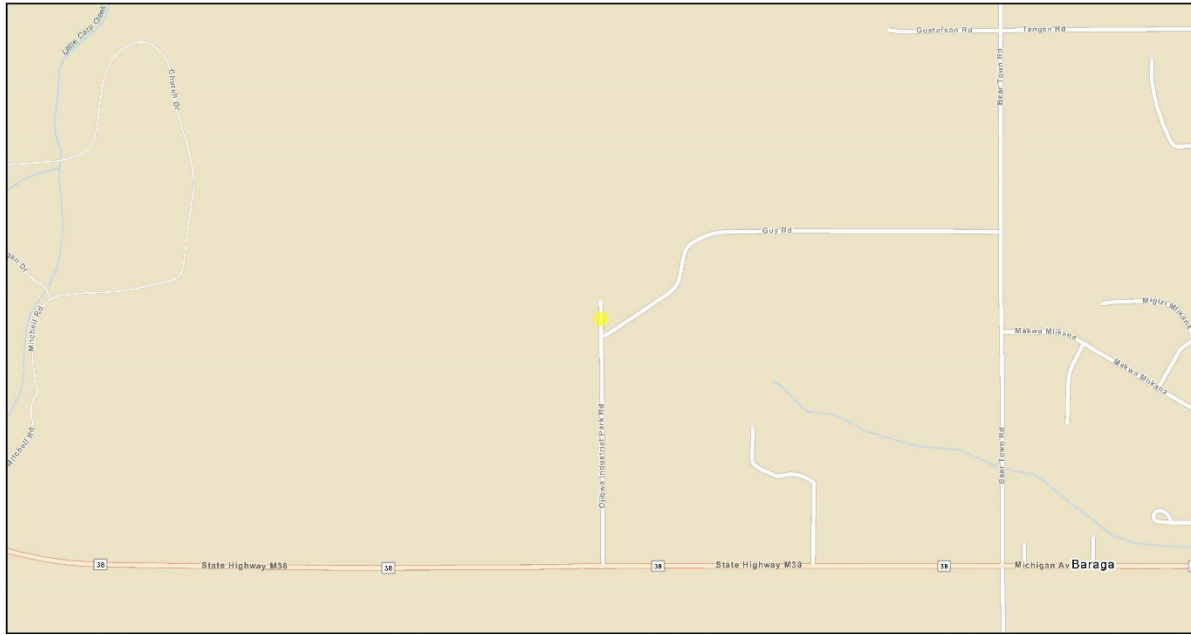
Screen Summary

Compliance Determination

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Sole Source Aquifer FEMD OIP



11/5/2025, 3:46:24 PM

● ArcGIS World Geocoding Service

1:13,101
0 0.1 0.2 0.4 mi
0 0.17 0.35 0.7 km

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS,
(c) OpenStreetMap contributors, and the GIS User Community

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

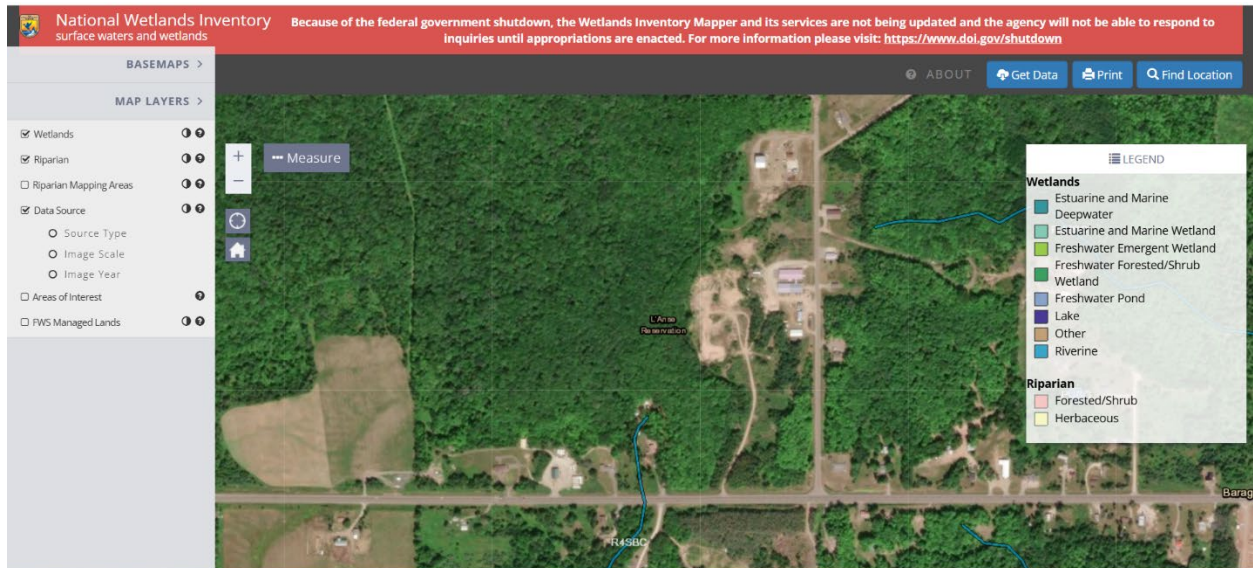
Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation



Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

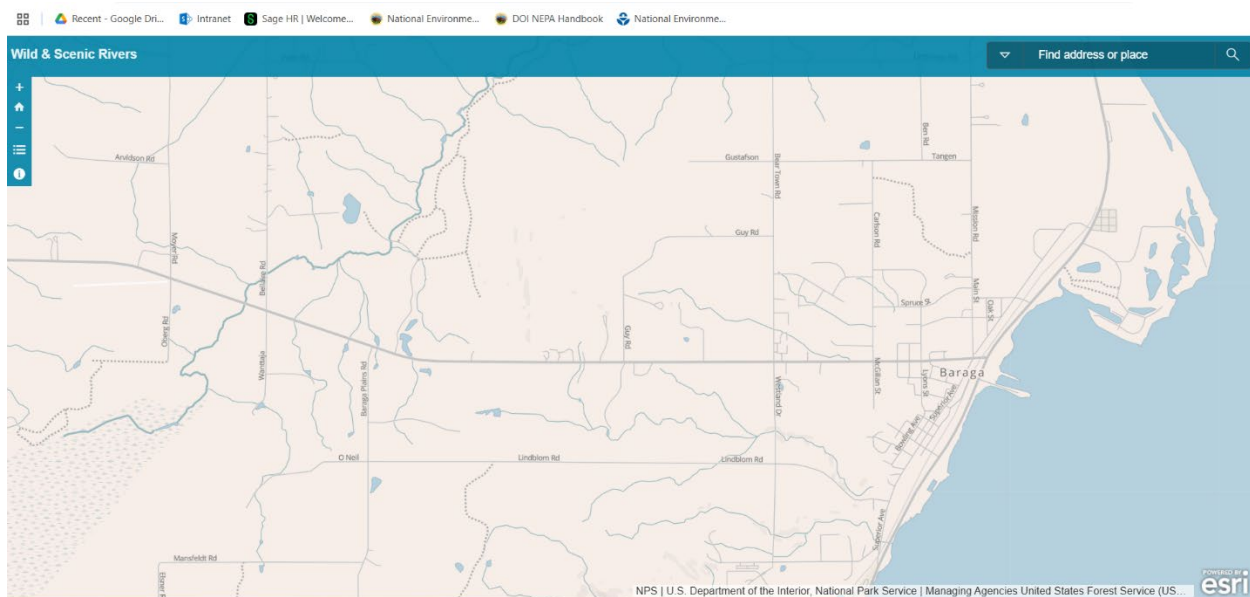
Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation



Are formal compliance steps or mitigation required?

Yes

✓ No

