

**United States Department of the Interior  
Bureau of Land Management  
Northeastern States District  
LLESM03300**

**Thunder Bay Island, Right-of-Way for Trail Access**

**CATEGORICAL EXCLUSION/DECISION  
DOCUMENTATION**

**DOI-BLM-ES-0030-2015-0017-CX**

**Date:** September 14, 2015

**Type of Action:** Right-of-Way/Land use Authorization  
Section 501, Federal Land Policy and Management Act

**Serial Number:** MIES-058104

**Location:** Michigan Meridian  
Township 31 North, Range 10 East,  
Section 34, lots 1 and 2.  
Lake Huron,  
Alpena County, Michigan

**Project Acreage:** 1.10 acres

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## CATEGORICAL EXCLUSION/DECISION DOCUMENTATION

1. **Proponent:** Township of Alpena, Alpena County, Michigan  
**NEPA #:** DOI-BLM-ES-0030-2015-0017-CX  
**Project Name:** Thunder Bay Island, Right-of-Way for Trail Access  
**Case File Number:** MIES-058104  
**Date of Application:** July 9, 2015  
**Location:** Michigan Meridian  
Township 31 North, Range 10 East,  
Section 34, lots 1, and 2.  
Alpena County, Michigan

Containing approximately 1.10 acres in Alpena County, Lake Huron, Michigan

2. **BLM District Office:** Eastern States, Northeastern States District, Milwaukee, Wisconsin
3. **Project Description:** The Township of Alpena, Michigan submitted a right-of-way (ROW) application to use Federal land on Thunder Bay Island. The applicant is proposing the seasonal use of a portable dock on the northwest shore of the island for continued access to the island and lighthouse structures via an existing trail. Trail access and the portable dock were previously authorized by the United States Coast Guard (USCG). The trail and dock are located on land which reverted from USCG to the jurisdiction of the Bureau of Land Management (BLM) on April 20, 2015. Alpena Township acquired the southern portion of the island and the lighthouse structures under the Recreation and Public Purposes Act in October 25, 2014. Use of the trail is needed to provide continued access to the lighthouse across Federal land. The existing trail allows the Township and Thunder Bay Island Lighthouse Preservation Society the ability to access the island from a safe location on the western shore. The dock location is near a deep water channel north of a deteriorating boathouse and is the only safe landing site protected from the winds and dangerous shoals that surround the island. The trail begins at the landing area on the western shore, then proceeds along the western tree line south to the lighthouse property. The trail is approximately 12 feet wide for a distance of approximately 3,908 feet. The trail contains 1.1 acres and is composed of compacted dirt with some ground vegetation. Very little if any maintenance is required because conditions on the island limit the growth of vegetation. The trail is presently used to access the lighthouse for repairs and maintenance, but if safe docking structures were constructed for public access to the island in the future, the trail would also be used for day only visitors to the lighthouse. The island is open to the public but access to its shores is dangerous and there is no permanent pier or other docking facilities to allow visitors to safely land on the island. There are no structures or facilities along the trail route. The portable docking system and trail would be used seasonally by Alpena Township and volunteers from May through October. A small garden tractor occasionally

transports supplies along the trail to the lighthouse. This is the same trail that was historically used by the USCG when the lighthouse was in operation. Under the proposed action, the BLM would re-authorize the use of an existing trail and docking facility under the provisions of the Federal Land Policy and Management Act. No new rights would be added to the re-authorization and rent would be waived in accordance with 43 Code of Federal Regulations (CFR) 2806.15(b)(2).

**4. Authority:**

In accordance with Section 501 of the Federal Land Policy and Management Act (FLPMA), and regulations at 43 CFR 2800, the Secretary of the Interior with respect to the public lands is authorized to grant, issue, or renew rights-of-way over, upon, under, or through such lands for roads, trails, highways, railroads, canals, tunnels, tramways, airways, livestock driveways, or other means of transportation.

- 5. Plan Conformance Review:** The proposed action is in conformance with the Michigan Resource Management Plan (RMP) Amendment and Environmental Assessment: Disposal of U.S. Coast Guard Lighthouse Properties (1997) that provides for the preservation of lighthouse structures. Providing access to the lighthouse and surrounding structures on Thunder Bay Island supports the goals of maintenance and preservation of historic maritime structures.

**6. Compliance with National Environmental Policy Act (NEPA)**

The proposed action is categorically excluded from further documentation under the NEPA in accordance with Department of Interior (DOI), Departmental Manual, 516 DM 11.9 E. (10):

Transfer or conversion of leases, permits, or rights-of-way from one agency to another (e.g., conversion of Forest Service permits to a BLM Title V Right-of-way).

The use of the portable dock and the trail was previously authorized when the lands were under USCG jurisdiction for lighthouse purposes. The Township has applied for a new authorization to use an existing trail under BLM authorities.

**7. Departmental Exceptions And Critical Resource Values Checklist:**

The proposed action generally does not require the preparation of an Environmental Assessment (EA), or Environmental Impact Statement (EIS), as the proposal has been found to not individually or cumulatively have a significant effect on the human environment. The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action is the use of a trail system on Thunder Bay Island and the seasonal use of a portable dock.

The proposed action has been reviewed to determine if any exceptions apply in accordance with 516 DOI Departmental Manual and 43 CFR 46.15, and no exceptions were identified:

***Have significant adverse impacts on public health or safety.***

There will be no impact on public health or safety based on the proposed action because there will be no change in the historic use of the land if continued docking and trail use is granted under a new authorization by the BLM. Safe access to the island is required for the Township to meet its responsibility to maintain and preserve the historic lighthouse structures.

***Have significant impact on such natural resources, and unique geographic characteristics such as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, national natural landmarks, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, national monuments, migratory birds, and other ecologically significant or critical areas.***

Continued seasonal use of the trail will not impact natural resources or any unique geographic areas on the island. The land was not actively managed for wildlife habitat under USCG management and there will be no change in the approach to wildlife management by the BLM. The temporary dock and trail supports the ongoing preservation and maintenance of the lighthouse structures by Alpena Township in partnership with the non-profit group, the Thunder Bay Island Lighthouse Preservation Society (TBILPS).

***Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.***

Use of resources values would not be impacted and management direction would not change as a result of continued use of the temporary dock and trail by the Township. There have been no unresolved conflicts regarding the preservation and maintenance of the lighthouse structures and custodial management of the public lands for wildlife habitat.

***Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.***

The use of the temporary dock and trail would not result in uncertain or potentially significant environmental effects or involve unknown risks because custodial management of the land and impact on resources will not change.

***Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.***

The use of the temporary dock and trail does not establish any precedent for future action with potentially significant environmental effects because all future actions will be subject to the requirements and protections of FLPMA, NEPA, and all applicable regulations that govern public lands.

***Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.***

The use of the temporary dock and trail would not have a direct relationship to other actions or result in significant environmental cumulative effects. Any future land use proposals would be analyzed in a separate site-specific environmental analysis.

***Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.***

The lighthouse structures on Thunder Bay Island are listed on the National Register of Historic Places (NRHP), and the establishment of the temporary dock and use of trails for seasonal improvements and maintenance of these historic structures by the Township and TBILPS supports the requirements of properties listed on the NRHP.

***Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.***

The following species are either threatened or endangered in Alpena County:

Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines, swarm around wooded areas in autumn, roosts in upland forests during spring and summer
Piping plover <i>Charadrius melodus</i>	Endangered	Beaches along shorelines of the Great Lakes
Rufa Red knot <i>Calidris canutus rufa</i>	Threatened	Occurs along coastal areas during migration (May 1- September 30)
Eastern massasauga <i>Sistrurus catenatus</i>	Candidate	
Hines Emerald Dragonfly <i>Somatochlora hineana</i>	Threatened	Resides in spring fed wetlands, wet meadows, marshes
Dwarf lake iris <i>Iris lacustric</i>	Threatened	Prefers partially shaded sandy soils on lakeshores
Pitchers thistle <i>Cirsium pitcheri</i>	Threatened	Prefers stabilized dunes or blowout areas

Source: U.S. Fish and Wildlife Service, 2015

existing trail to access the lighthouse will not impact these species because there will not be any change to the historic use of the existing trail.

***Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.***

The use of the temporary dock and trail will not violate any Federal, State, tribal or local law or laws imposed for the protection of the environment.

***Have a disproportionately high and adverse effect on low income or minority populations.***

Thunder Bay Island is uninhabited and the use of a temporary dock and trail would not impact low income or minority populations. Thunder Bay is approximately 10 miles off-shore of Alpena, Michigan

***Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.***

There are no known Indian sacred sites on the island based on cultural surveys conducted in 1998 and 2011, and the use of the temporary dock and trail will not limit or change access to the island for any purpose. Access to the island has always been and remains difficult due to the waves, shoals, and geography around the island.

***Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species***

The use of a temporary dock and trail would not contribute to the introduction or spread of invasive species because access to the island is by boat and use of the trail is limited to use for seasonal maintenance and preservation of historic structures. Even the potential for increased public use in the future would not result in an increase in concern for the spread of invasive species or noxious weeds because public access would be limited to the trail. Conditions on the island are very harsh and the potential for all vegetative growth is limited. It's difficult for any specie to become established on the island. If invasive or noxious species are identified in the future, custodial techniques will be modified in order to remove and prevent them from spreading.

**8. I CERTIFY THAT NONE OF THE DEPARTMENTAL EXCEPTIONS LISTED IN PART 7 ABOVE APPLIES TO THIS ACTION.**

Prepared by: Carol Grundman Date: 9-17-15  
Carol Grundman  
Realty Specialist

Reviewed by: Kurt J. Wadzinski Date: 9/17/2015  
Kurt Wadzinski  
Planning and Environmental Coordinator

**Decision:**

This action is covered by one of the Bureau of Land Management's categorical exclusions developed pursuant to the National Environmental Policy Act. The proposed action has been screened against Department of the Interior exceptions to the use of categorical exclusions and none of the exceptions apply. Therefore, neither an environmental impact statement nor an environmental assessment is necessary. The proposed action is in conformance with the approved land use plan, and will not involve any significant adverse environmental effects. The proposed action will have no effect on the President's Energy Policy and a Statement of Adverse Energy Impact is not required.

Approved by: Dan S. [Signature] Date: 9/17/2015  
District Manager  
Northeastern States District

## **Decision Appeal Instructions**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer, September 17, 2015, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4.

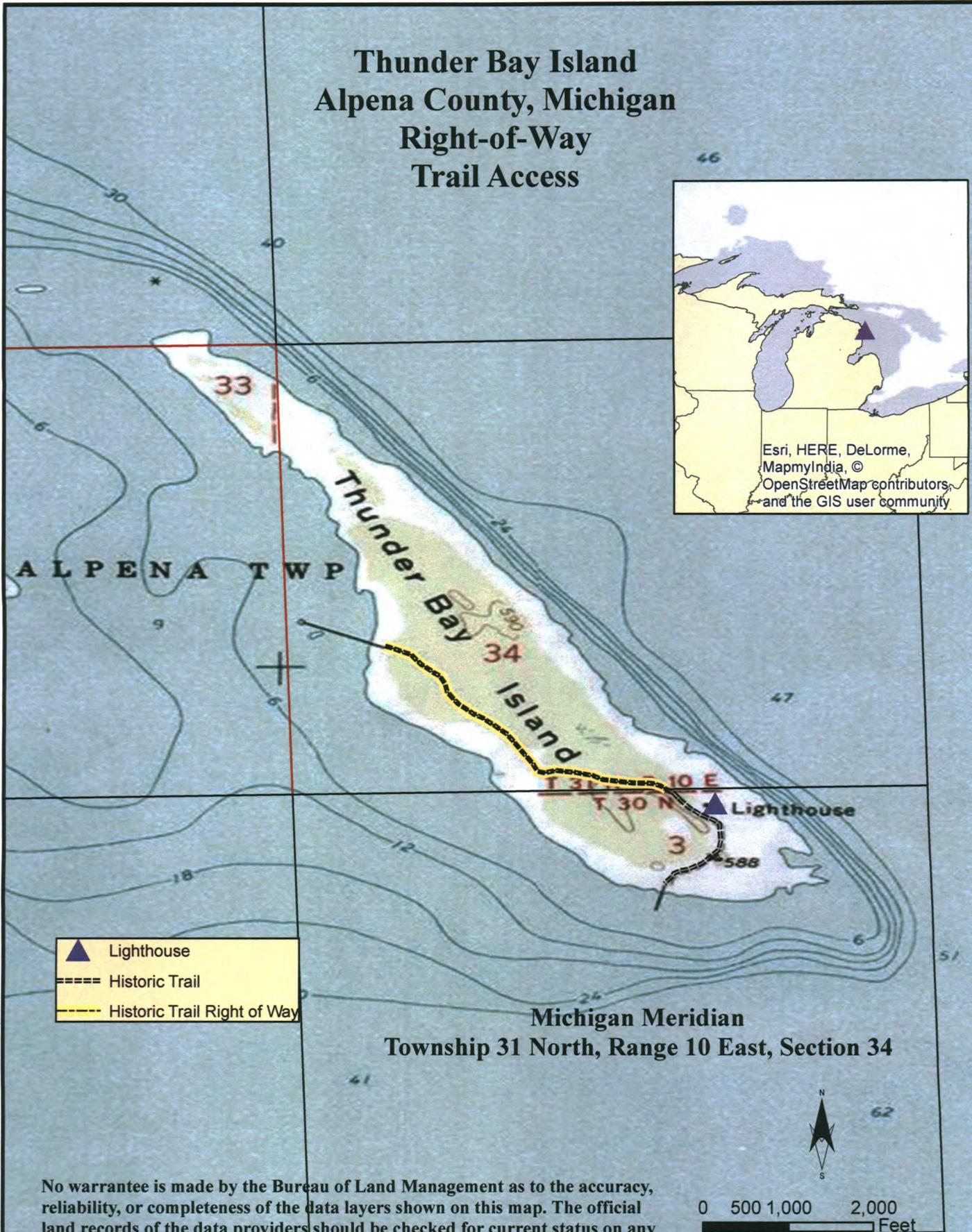
Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at the Northeastern States District Office, 626 E. Wisconsin Ave., Suite 200, Milwaukee, WI 53202-4617. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

9. **References**

U.S. Fish and Wildlife Service (2015). *Thunder Bay Island ROW IPac trust resource report*. Retrieved from  
<http://www.fws.gov/midwest/endangered/lists/michigan-cty.html>

**10. Project Location Map**

# Thunder Bay Island Alpena County, Michigan Right-of-Way Trail Access



-  Lighthouse
-  Historic Trail
-  Historic Trail Right of Way

Michigan Meridian  
Township 31 North, Range 10 East, Section 34

No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked for current status on any specific tract of land.