



United States Department of the Interior



NATIONAL PARK SERVICE
Pacific West Region
333 Bush Street, Suite 500
San Francisco, California 94104-2828

IN REPLY REFER TO

L7617 (PWRO-PP)

13 FEB 2014

Memorandum

To: Superintendent, Sequoia and Kings Canyon National Parks
From: Regional Director, Pacific West
Subject: Environmental Compliance for Wilsonia Disposition Plan,
Grant Grove, Kings Canyon National Park

The finalized *Finding of No Significant Impact* (FONSI) for the plan selected to guide disposition of NPS-owned structures in Wilsonia is approved.

To complete the conservation planning and environmental impact analysis phase of this project, upon announcement of the decision the FONSI should be made available to interested individuals, agencies, and organizations that received or commented on the supporting environmental assessment.

The diligence and initiative which park staff invested towards completion of the disposition plan, particularly the concerted efforts to coordinate with the SHPO and engage the Wilsonia community, are very much appreciated.

Christine S. Lehnertz

Attachment

cc:
PWR-CR

TAKE PRIDE[®]
IN AMERICA 

**National Park Service
U.S. Department of the Interior**



**Sequoia and Kings Canyon National Parks
California**

DISPOSITION PLAN FOR NATIONAL PARK SERVICE-OWNED STRUCTURES IN WILSONIA

Grant Grove, Kings Canyon National Park

FINDING OF NO SIGNIFICANT IMPACT January 2014

The National Park Service (NPS) has prepared a plan for disposition of 12 NPS-owned structures located in the Wilsonia Historic District, within Kings Canyon National Park. Eleven of the 12 structures are considered “contributing resources” to the Wilsonia Historic District. In 2011, a comprehensive condition assessment of the NPS-owned properties in Wilsonia was conducted to determine the condition of each structure and a budget cost estimate for the repair of the structures. The condition assessment helped the NPS develop alternatives, and determine the 50-year life cycle costs for the alternatives.

The finding of no significant impact (FONSI) and the environmental assessment (EA) constitute the record of the environmental impact analysis and decision-making process for the disposition of the 12 NPS-owned structures. The objectives of the disposition plan are to: 1) Identify those buildings that could be maintained in the future, in a sustainable and economically responsible fashion and identify alternatives for the long-term preservation of those buildings; 2) Determine the level of maintenance and rehabilitation for each NPS-owned building that would be retained; 3) Develop an implementation strategy for preserving the area’s historic resources; and, 4) Maintain the buildings in a manner consistent with the park’s purpose and mandated of resources protection.

The NPS will implement a slight modification of the preferred alternative, which includes a phased approach for the disposition of the structures. Incorporated into the alternative are measures for protection of park natural and cultural resources. The preferred alternative was selected after careful review of resource and visitor impacts and public comment.

SELECTION OF THE PREFERRED ALTERNATIVE

Seven alternatives were evaluated in the EA including a no action alternative and six action alternatives. Under the no action alternative, alternative A, the NPS would maintain the properties to address only minimum health and safety requirements, such as maintaining defensible space, removing unsafe structures, abandoning water and wastewater facilities, and evaluating and treating hazard trees. It is likely that over time, minimum maintenance would not effectively address the necessary repairs, and the buildings would be left to molder, elements that pose a risk to employees and/or visitors would be removed, and eventually the remaining structures would be removed from the site.

Under alternative B, the 12 NPS-owned structures would be removed and the lots would be restored to natural conditions. The buildings would either be transferred or sold and removed from the lots, or demolished and removed by the NPS. All structures and associated foundation systems would be documented in accordance with Section 110(b) of the National Historic Preservation Act (NHPA), under the stipulations of the California State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (Advisory Council), prior to being removed from the NPS-owned lot. The associated water and wastewater infrastructure would be abandoned below grade in accordance with best industry practices to reduce environmental impact on natural resources. The lot would be restored to appear similar to other vacant lots within the district (including site contouring and replanting). At the same time, the NPS would complete the cleanup of building materials from former demolitions on developed lots, such as the “Old Wilsonia Lodge” lot.

Under alternatives C, D, and E, the 12 NPS-owned structures would remain in place. Alternative C included stabilizing the structures as static elements of the Wilsonia Historic District. The NPS would determine the appropriate treatment per *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*. The structures would be mothballed, preserved, stabilized, or restored. Under alternatives D and E, adaptive reuse by the NPS or other entities was considered. Use by the NPS could include administrative occupancy or storage. Use of the structures for NPS housing was ruled out. Use by non-NPS entities or partners could be accomplished by leasing, assigning under an agreement, or assigning to the concessioner.

Alternative F considered land exchanges involving improved federal properties for private vacant lands within Wilsonia. The NPS would not target any private lands for exchange; private property owners would have to seek the exchange.

Alternative G was identified as the NPS preferred alternative in the EA. The alternative selected for implementation is a slightly modified version of Alternative G presented in the EA. While the EA stated that the phased disposition strategy would follow a specified order, the public suggested that the elements of the alternatives could be accomplished in any order or may occur simultaneously. Therefore, the alternative selected for implementation has been modified - any of these options can be explored simultaneously.

1. Seek land exchanges (title) – as described under alternative F.
2. Seek partners for non-NPS adaptive reuse – leasing and assigning (including partnering) – as described under alternative E.
3. If there are no parties interested in land exchanges or non-NPS adaptive reuse for specific structures, then the structures will either be:
 - a. Stabilized as static elements of the Historic District – as described under alternative C.
 - b. Improved for NPS adaptive reuse– as described under alternative D.
 - c. Removed from the site and the property restored – as described under alternative B.

The modification of Alternative G does not result in any change in the EA’s determination of intensity, duration, or magnitude of environmental consequences. Therefore, the modified Alternative G (as described above) is selected for implementation because it best meets the purpose and need for the project. The purpose of the project is to develop a comprehensive and feasible strategy for the future disposition of the 12 NPS-owned structures in Wilsonia, while meeting legal requirements and protecting park natural and cultural resources. There is a need to manage NPS-owned properties in a

fiscally responsible and sustainable manner. There is a need to ensure compliance with Section 106 of the National Historic Preservation Act and Director’s Order No. 28: Cultural Resource Management. There is a need to consider *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*. There is a need to meet minimum life-health-safety codes and/or requirements, and determine applicable code and policy variances. And there is a need to maintain the integrity of the Wilsonia Historic District. Because alternative G explores several options, it is anticipated that most of the NPS-owned structures would remain in place, and a few would be removed.

RESOURCE PROTECTION MEASURES

To prevent and minimize potential adverse impacts associated with the preferred alternative, best management practices (BMPs) and resource protection measures will be implemented during construction and post-construction phases of the project (Table 1).

Table 1. Resource Protection Measures

Mitigation Measures	Responsible Party
<ul style="list-style-type: none"> • The NPS project manager will ensure that the project remains within the construction limits and parameters established in the compliance documents and that mitigation measures are properly implemented. • Construction zones will be signed at approach points. No construction activity will be permitted outside the construction limits. • All protection measures will be clearly stated in the construction specifications/special construction requirements, and workers will be instructed to avoid conducting activities beyond the construction limits as defined by construction plans or marked limits. • Garbage, trash, and other solid waste associated with construction operations will be disposed of in bear-proof trash bins and disposed of weekly or sooner if warranted, outside the park. • All contractor employees must attend a park-led bear training class. • All tools, equipment, barricades, signs, surplus materials, and rubbish will be removed from the project work limits upon project completion. All demolition debris will be removed from the project site, including all visible concrete and metal pieces. This material will be disposed of outside the park in an approved location. • Contractors will be required to properly maintain construction equipment (i.e., mufflers) to minimize noise from equipment use and follow California state idling regulations/laws. • A hazardous spill plan will be in place, stating what actions will be taken in the case of a spill, notification measures, and preventive measures to be implemented, such as the placement of refueling facilities, storage, and handling of hazardous materials. • Where appropriate and available, “environmentally friendly” grease, hydraulic oil, and bar and chain oil will be used. These lubricants are vegetable or mineral oil based, less toxic, and biodegradable. • All equipment on the project will be maintained in a clean and well-functioning state to avoid or minimize contamination from mechanical fluids as well as meeting the California Air Resources Board “Off-Road” and On-Road emission requirements. All equipment will be checked daily. • BMPs for drainage and sediment control will be implemented to prevent or reduce nonpoint source pollution and minimize soil loss and sedimentation in drainage areas. Use of BMPs in the project area for drainage area protection will include all or some of the following actions, depending on site-specific requirements: <ul style="list-style-type: none"> ○ Keeping disturbed areas as small as practicable to minimize exposed soil and the potential for erosion. 	<p>NPS Project Manager</p>

<ul style="list-style-type: none"> ○ Locating waste and excess excavated materials outside of drainages to avoid sedimentation. ○ Installing silt fences, temporary earthen berms, temporary water bars, sediment traps, stone check dams, or other equivalent measures (including installing erosion-control measures around the perimeter of stockpiled fill material) prior to construction. ○ Conducting regular site inspections during the construction period to ensure that erosion-control measures were properly installed and are functioning effectively. ○ Storing, using, and disposing of chemicals, fuels, and other toxic materials in a proper manner. ● Contact Caltrans District 6 at (559) 488-7396 if any activities associated with the rehabilitation or demolition of the 12 NPS owned structures within the Wilsonia community require: 1) large over-sized vehicles to supply or remove construction equipment or materials to or from the site; and/or, 2) require temporary lane closes. 	
Vegetation	
<ul style="list-style-type: none"> ● Pressure wash equipment to remove all dirt and plant parts before entering the park for the first time, paying special attention to undercarriage and grill/radiator; subsequent entries will not require pressure washing unless the vehicle shows signs of mud, plant material, or other substances. Project manager will inspect equipment for compliance prior to entry into the park and reject equipment that is not adequately clean. ● Survey for and control invasive nonnative vegetation in the project area for one to three years after project activities are completed. ● All disturbed ground will be restored to natural conditions immediately after project completion, per a SEKI approved restoration plan to include regrading to natural contours, preventing erosion of bare soils, and establishing native vegetation. ● Imported materials must come from an approved source. Consult with the NPS senior invasive plant ecologist to determine acceptable sources for materials. ● Survey for and provide protection for any populations of special status plants located within project area prior to any ground disturbing or construction activities. 	<p>NPS Project Manager, Sequoia and Kings Canyon National Parks (SEKI) Restoration and Native Plants Ecologist</p>
Wetlands	
<ul style="list-style-type: none"> ● The NPS will consider the natural resource value of demolition and restoration of a property that is within a floodplain or is on the boundary of a wetland when considering whether to exchange, stabilize, reuse, or remove a structure under the preferred alternative. ● Prior to any exchange, each property will be evaluated to determine if there are ongoing effects to critical park resources, including water resources (e.g. wetlands, floodplains, streams, and riparian areas). If these effects cannot be mitigated, then the lands would not be considered for exchange. ● Wetlands within project zones shall be reviewed for NPS Jurisdictional Wetland status. ● Wetland and floodplain mitigations shall be included for project areas near or within wetlands/floodplain areas. ● Impacts on wetlands will be avoided and minimized to the extent practicable. No wetland fill will occur without authorization from the Corps and appropriate permitting under the Clean Water Act. ● Appropriate permits (404 permit and 401 certification) will be acquired should there be any impacts on wetlands. 	<p>NPS Project Manager and Environmental Protection Specialist</p>
Water Resources	
<ul style="list-style-type: none"> ● Ensure that soils/sediments do not have an opportunity to enter any naturally-occurring waterbody or storm drain system. 	<p>NPS Project Manager</p>

<ul style="list-style-type: none"> • Equipment cleanout areas shall be approved in advance and marked as such when used. • All equipment that could come in contact with a naturally-occurring waterbody or potentially enter a storm drain system shall be: a) thoroughly cleaned of soil/mud and all organic matter by rinsing the equipment within a containment barrier constructed at least 100 ft. of any waterbody; b) disinfected with a chlorine solution (one part bleach to 32 parts water or stronger) followed by a thorough rinse with clean water, and c) soil/mud, organic debris and cleaning solution collected and removed from the parks. • Fuel and other hazardous materials will be accessed, applied, and stored within a containment barrier constructed at least 100 ft. from any waterbody or storm drain system. • Every day, prior to commencement of work, all machinery will be inspected for leaks, leaked material removed from the environment, and if a leak is found, the machinery will not be used until repaired. • Machinery maintenance involving potential contaminants will occur outside the parks. • Hazardous spill clean-up materials will be on site at all times. 	
Soils	
<ul style="list-style-type: none"> • Erosion and sediment control will be required (see the "General Measures" section). • Topsoil will be removed from areas of construction and stored for later reclamation use. The topsoil will be redistributed as near the original location as possible and supplemented with scarification, mulching, seeding, and/or planting with native species. 	NPS Project Manager
Wildlife	
<ul style="list-style-type: none"> • Food-storage and garbage disposal requirements will be complied with at all times. • Prior to modifying any structure, park biologists will conduct surveys to determine if bats are present. Bats will be excluded from the structures prior to any project activities. 	NPS Project Manager, SEKI Wildlife Biologist,
Air Quality, Natural Soundscapes, and Visual Resources	
<ul style="list-style-type: none"> • No idling for NPS general use vehicles and a 5 minute idling limit for heavy diesel equipment. • Cover all haul trucks carrying construction materials or debris. • Consider noise effects when scheduling project work (e.g., establish quiet hours to protect residents, employees and park natural and cultural resources). • Construction activities will be scheduled to minimize effects on residents to the greatest extent practicable. • Use the quietest equipment to accomplish the task efficiently and safely. • All structures considered in the alternatives will conform to the parks' Architectural Character Guidelines. • Any security lighting needed on structures will be consistent with NPS policy. 	NPS Project Manager
Cultural Resources	
<ul style="list-style-type: none"> • A restrictive covenant will be developed for each federal property to be exchanged in order to ensure the preservation of historic structures on the property. <ul style="list-style-type: none"> ○ The restrictive covenant will require the private grantee to maintain the historic structure, at grantee's expense, in a manner consistent with its listing on the National Register of Historic Places. The private grantee will be responsible for preparing HSRs and treatment plans consistent with the Standards (NPS 1992). ○ The NPS will retain the right to review and approve all proposed construction, alteration, repair, maintenance or reconstruction for the building(s) or grounds, including anything due to casualty damage of the building or premises. This review will be coordinated with SHPO and the 	NPS Project Manager, SEKI Cultural Resources Program Manager

<p>Advisory Council. Failure to adequately adhere to terms of the restrictive covenant could result in reversion of the property to the United States.</p> <ul style="list-style-type: none"> • Before a structure eligible or listed on the National Register is removed, development of mitigation measures for the adverse effect will be required. Mitigation may include, but is not limited to documentation that must be prepared in accordance with Section 110(b) of the NHPA that must be submitted to and accepted by the Chief, Historic American Buildings Survey /Historic American Engineering Record (HABS/HAER) Program (NPS-28, Chapter 8). • Known historic sites and documented/isolated cultural resources occurrences will be flagged and avoided during project work, and a NPS archeologist will be on-site whenever there is ground disturbance near the site. • Protection of Archeological Remains: In the event of the inadvertent discovery of historic properties such as archeological resources, suspected human remains, funerary objects, sacred sites, or objects of cultural patrimony, the park cultural resources program manager and superintendent will be immediately notified. Work in the affected area(s) will stop immediately until the historic properties are reviewed by the park. As appropriate, consultation with the SHPO and any affected American Indian tribes will also take place regarding disposition of affected artifacts and remains. During consultation, reasonable measures will be taken to protect the discovery site, including any appropriate stabilization or covering; to ensure the confidentiality of the discovery site; and to restrict access to the discovery site. • Should unknown archeological resources be uncovered during construction, work will be halted in the discovery area, the site will be secured, and the appropriate SEKI staff will consult with the California SHPO and affiliated tribes, if necessary, according to 36 CFR 800.13 and, as appropriate, provisions of the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). • In compliance with the NAGPRA, the NPS will also notify and consult with concerned American Indian tribal representatives for the proper treatment of human remains, funerary, and sacred objects should these be discovered during project construction. • Archeological specimens found within the construction area will be removed only by the NPS or their designated representatives. • If a historic structure will be removed, the SEKI cultural resources program manager, curator and/or preservation specialist will conduct a documented inspection to identify architectural elements and objects that may be reused in rehabilitating similar historic structures or that may be added to the SEKI museum collection. 	
Minimum Life-Health-Safety and NPS policy requirements	
<ul style="list-style-type: none"> • The following list includes minimum life, health, safety and NPS policy requirements that will be adhered to: <ul style="list-style-type: none"> ○ Potable water as defined/governed by California Department of Public Health, Title 22; ○ Wastewater disposal in accordance with Tulare County and park environmental impairment mandates; ○ Building fire protection system approved by NPS Pacific West Regional Office/ Authority Having Jurisdiction; ○ Americans with Disabilities Act and Architectural Barriers Act compliant; ○ NPS policy/regulations/director orders, including with Director's Order-83 Public Health; ○ Sustainability; ○ Seismic; ○ Seasonality; ○ Building Codes: International Building Code, California code, California Historic Building Code, Tulare County code; ○ NPS Capital Investment Strategy (PAMP), NPS Facilities/Construction guidance related to Capital Investments 	NPS Project Manager

OTHER ALTERNATIVES CONSIDERED

The NPS considered, but rejected from analysis in the EA, several additional preliminary alternatives. Several respondents requested that the NPS sell the properties and cabins to private citizens. This alternative was ruled out as the NPS does not have the authority to sell national park lands to the public. However, an alternative considering land exchanges was fully explored in the previous section and is a component of the selected alternative.

A commenter asked the NPS to assess the feasibility of converting one of the structures to a museum or visitor center that would focus on the history of the Wilsonia area. Wilsonia is located away from the primary visitor use area at Grant Grove. To develop a NPS-operated museum or visitor center at Wilsonia would require the consideration of a number of issues, such as parking and traffic flow, water/wastewater system requirements, long-term maintenance and sustainability, and staffing requirements. These issues are outside the scope of this planning effort. However, if residents of Wilsonia are interested in utilizing a private structure within Wilsonia as a museum, similar to the Honeymoon Cabin at Mineral King, the NPS would not oppose this use.

Several commenters were interested in the water and wastewater systems at Wilsonia, and asked if the systems could be upgraded to be in compliance with state and county codes without damaging the Wilsonia Historic District. The NPS is looking at site specific options for water and wastewater disposal for each property. There are no plans to develop a community-wide water and/or wastewater system in Wilsonia. This type of project is beyond the scope of this planning effort.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

According to the CEQ regulations implementing NEPA (43 CFR 46.30), the environmentally preferable alternative is the alternative “that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. The environmentally preferable alternative is identified upon consideration and weighing by the Responsible Official of long-term environmental impacts against short-term impacts in evaluating what is the best protection of these resources. In some situations, such as when different alternatives impact different resources to different degrees, there may be more than one environmentally preferable alternative.” The CEQ provides direction that “the environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in the NEPA’s §101.”

[Section 101 states that] it is the continuing responsibility of the Federal Government to:

- (1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- (4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

- (5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- (6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

When considering the environmentally preferred alternative in this context, alternative A, no action, is not considered the environmentally preferred alternative because it does not resolve the issue of the long-term management of the 12 NPS-owned structures; the structures would be repaired only as needed to meet minimum life-health-safety requirements and would eventually deteriorate over time. Their outward appearance would remain generally the same and environmental conditions would remain the same. Therefore, alternative A does not meet criteria 1, 2, 3 or 4. Alternative B, the removal of all of the NPS-owned structures, would result in the most beneficial effects to the biological and physical environment. The building sites would be restored to natural conditions and any ongoing adverse effects from the presence of the structures would be eliminated. However, alternative B does not meet criteria 4 as stated in NEPA's §101 because it does not preserve the historic and cultural aspects of the nation's heritage when compared to those alternatives which propose preserving all or some of the historic structures.

Alternatives C, D, E, and F all meet the criteria in similar ways. These alternatives all allow for the long-term management of the historic and cultural aspects of the nation's heritage (criteria 4), assure safe, healthful, productive, and aesthetically and culturally pleasing surroundings (criteria 2) while attaining a wide range of beneficial uses (criteria 3). However, because several of the existing structures are located on or near wetlands and floodplains, there may still be undesirable and unintended consequences (criteria 3) in the long term by choosing to maintain the structures, if mitigation cannot reduce the environmental effects. Alternative G provides a phased approach for the future management of the 12 NPS-owned structures. It is likely, under this alternative that some structures would be preserved and rehabilitated by NPS or non-NPS entities, meeting criteria 2, 3, and 4. Structures that may be degrading the natural environment would be removed, or the impacts mitigated, meeting criteria 2, 3, and 6. Because alternative G meets most of the criteria from NEPA's §101, it was identified in the EA as the environmentally preferred alternative.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR § 1508.27, significance is determined by examining the following criteria.

Impacts that may be both beneficial and adverse: A significant effect may exist even if the agency believes that on balance the effect will be beneficial

Implementation of the selected alternative will result in some adverse impacts; however, the overall benefit of the project outweighs the negative effects. The efficiency and cost of park operations will improve if the 12 NPS-owned properties are: exchanged for vacant land within Wilsonia, are leased to other entities, adaptively reused by partners or by the NPS, or if some of the structures are removed resulting in decreased long-term maintenance costs.

Park cultural resources will be protected because the structural and landscape elements of the Wilsonia Historic District will remain in place under the selected alternative. It is likely that some of the eleven contributing structures will remain in place and will receive an adequate level of protection in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*; some structures, however, will likely be removed. Even if all eleven structures are removed, 93% of

the contributing structures within the Wilsonia Historic District will remain in place, and the overall historic integrity of the Wilsonia Historic District will be protected. The Wilsonia Historic District will remain as described on the National Register of Historic Places Registration Form (2011), as “much more than just a collection of isolated recreational cabin *buildings*, but is a cohesive landscape composed of small and large scale man-made features as well as the interrelated natural forested landscape.” However, a long-term adverse effect will occur on individual historic structures if they are removed and mitigation does not reduce the effects.

There will be beneficial effects on water resources from removing structures near or in wetlands and riparian areas. If any structures remain within these areas, there will continue to be long-term adverse effects on water resources. Water and wastewater systems will be upgraded or constructed to meet minimum code requirements, or capped appropriately to reduce the risk of runoff or leakage, improving water quality in a localized area, resulting in a long-term beneficial effect on water resources.

There is localized disturbance of vegetation that occurs from maintaining the structures, including retaining defensible space. This involves clearing brush from the area and removing small trees and tree limbs that are too close to the structures. Also some hazard tree work occurs in the area, which involves tree removal and removing limbs from trees. There could be localized disturbance to vegetation and soils from project activities if any of the structures are removed and beneficial effects from restoring the areas to natural conditions after removal; however, these effects are negligible to minor and localized. There will be no change to the overall vegetation type of the area, and negligible to minor change to soils. Ambient noise levels will be moderately impacted from elevated noise during construction from equipment and vehicles. Resource protection measures, as listed in Table 1 above, will reduce adverse effects. A summary of resource effects is found in Table 2 of the EA.

Degree of effect on public health or safety

Proposed rehabilitation and improvements will address public health and safety concerns associated with the vacant properties. The selected alternative will result in local long-term beneficial effects on public health and safety from improvements to the structural features of NPS-owned properties and inclusion of safety measures that reduce the potential for accidents. Traffic-control measures will be implemented to protect visitors during construction.

Degree to which effects on the quality of the human environment are likely to be highly controversial

Public scoping began for this project on November 21, 2011, when Sequoia and Kings Canyon National Parks posted a press release describing the project and requesting public comment on the parks’ website and the NPS Planning, Environment, and Public Comment (PEPC) website. A letter announcing public scoping was sent by mail or emailed to 779 individuals, agencies, interest groups, and businesses on the parks’ mailing list. Included in the mailing were letters to 170 Wilsonia residents. In addition, 160 media representatives were notified by press release of the public scoping period, and 61 tribes, tribal representatives, or affiliated groups were notified by letter. Public scoping notices and information on the project was published in the Kaweah Commonwealth (newspaper and website) on November 25, December 2, and December 23, 2011. Interagency scoping was conducted with the California State Historic Preservation Office, and information on the project was presented at the Sierra Nevada Native American Coalition meeting on February 12, 2012. Due to the holiday season and a low initial response, the public scoping was extended until January 21, 2012. Given the

substance of these comments, there is no evidence that the effect to the quality of the human environment will be highly controversial.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks

The selected alternative meets project objectives by allowing some structures to be maintained within the Wilsonia Historic District in a fiscally-responsible manner, addressing human health and safety concerns, while protecting park natural and cultural resources. The anticipated effects on the human environment, as analyzed in the EA, are not highly uncertain or unique, nor were any unknown risks identified.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

The disposition of the 12 NPS-owned properties in Wilsonia will not result in significant adverse effects to the natural environment, cultural resources, or visitor experience because the project was designed to minimize resource and visitor impacts and resource protection measures were incorporated into the project to further reduce identified adverse effects. In addition, the selected alternative will provide for the long-term protection of the overall integrity of the Wilsonia Historic District, and will protect area natural and cultural resources. The project involves 12 NPS-owned structures, and will not set a precedent for future actions that could have significant effects.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

The EA concluded that past, present, and future activities, when coupled with the implementation of the disposition plan for the 12 NPS-owned structures within Wilsonia, will not result in cumulatively significant impacts. The presence of structures and roads in proximity to or within wetlands and riparian areas can create increased impervious areas, resulting in increased surface water runoff and unnatural sediment loads in nearby streams, adversely affecting water resources in a localized area. Ineffective wastewater systems (including pit toilets and cesspools) can degrade water quality of both surface and ground waters. Fill placed in wet areas to construct buildings can result in the loss of wetlands. Since there have been no studies to address these issues on private lands, there is no way to adequately assess the overall effects to water resources from past actions.

In the past, as the NPS acquired and then removed structures from Wilsonia, there were likely beneficial effects on water resources from closing the wastewater systems, removing structures, and restoring the property to more natural conditions. Under this alternative, any adverse effects from existing wastewater systems will be stopped, resulting in beneficial cumulative effects on water quality. Some structures will continue to be located near wetlands and streams, but due to the size of the community and the small area affected, the cumulative effects will likely be imperceptible. The selected alternative will result in both beneficial and adverse effects on individual historic structures, and no cumulative effects. There will be a slight adverse effect on park operations as treatment plans are reviewed, but overall, the effects of this alternative on park operations will be long-term and beneficial as it is anticipated that many of the structures will no longer require periodic maintenance by the NPS. Overall, the selected alternative will have no significant cumulative effects.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources

Adverse effects on historic properties occur when irreparable alterations of features or patterns, including demolition, diminish the overall integrity of the resource so that it no longer qualifies for the National Register of Historic Places. Adverse effects to built-environment historic properties (aboveground buildings and structures) under NHPA section 106 can be addressed with a good-faith effort to consider whether and how to avoid, minimize, or mitigate the effect. This may involve modifying the undertaking, imposing certain mitigation conditions, or other measures negotiated in consultation with the California SHPO, the Advisory Council, culturally associated American Indian tribes and groups, and the public.

The selected alternative will result in both beneficial and adverse effects on the historic structures and cultural landscape of the Wilsonia Historic District. In consultation with the SHPO and Advisory Council, mitigation will be instituted to reduce adverse effects (see Table 1). There will be no adverse effect to archeological resources. It is likely under this alternative that some of the eleven contributing structures will remain in place, and some will be removed. However, even if all eleven structures were removed, 93% of the contributing structures will remain in place, and the overall historic integrity of the Wilsonia Historic District will be protected. The Historic District will remain as described on the National Register of Historic Places Registration Form (2011), as “much more than just a collection of isolated recreational cabin *buildings*, but is a cohesive landscape composed of small and large scale man-made features as well as the interrelated natural forested landscape.”

The NPS initiated consultation with the SHPO on November 22, 2011 regarding the Area of Potential Effect (APE) and provided general information on the project objectives. In a March 28, 2012 email response, a representative from the SHPO office concurred with the APE identified by the NPS. The SHPO representative was invited to the NPS Choosing By Advantages (CBA) workshop for this project, which the NPS held on March 6, 2012; unfortunately the SHPO representative was unable to attend.

On May 29, 2013, the NPS sent a letter to the SHPO notifying them that the NPS completed the public review of the EA and requested concurrence on how best to approach continuing consultations with the SHPO office. On October 16, 2013, the SHPO responded to the NPS and concurred that identification of architectural historic properties is sufficient, and that development of a Programmatic Agreement (PA) would be an appropriate method to complete the Section 106 process and implement the disposition strategy proposed by the NPS. As noted below, the based on these discussions the NPS will prepare a PA to complete consultation for the selected alternative.

Additionally, the CA SHPO notified the NPS that they feel that the identification of archeological properties is currently not sufficient and recommends a full archeological survey of the Wilsonia Historic District prior to implementation of this undertaking. While individual surveys of each NPS-owned lot would be useful, their position is that results of those surveys would be better understood in the context of a larger survey area. The practicality of conducting a comprehensive archeological survey on private lands warrants further consideration as the NPS cannot require private land owners in the Wilsonia Historic District to conduct archeological surveys. The NPS will continue to consult with the SHPO on this and other aspects of implementing the disposition strategy.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat

In accordance with the Endangered Species Act, the NPS keeps an updated list of special status species and species of management concern based on the U.S. Fish and Wildlife Service website and lists of state-listed species to determine which species could potentially be affected by implementation of the proposed project. Park staff consulted the list and determined there will be no effect on federally listed species or habitat.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

As described in the EA, depending on the success of each component of the selected alternative, there could be differing effects on the historic resources and cultural landscape of the Wilsonia Historic District. The impacts will range from beneficial to no adverse effect if structures are maintained and the historic integrity of the District is retained, to a determination of adverse effect on individual structures if any of the structures are removed from the Wilsonia Historic District.

Prior to any project work, the structures and lots will be surveyed for the presence of archeological resources. All below grade structures will remain in place, but excavation will occur if new water/wastewater systems are installed. If evidence of archeological resources is found in the area, the sites will be protected and project work will be secured, and the appropriate SEKI staff will consult with the California SHPO and affiliated tribes, as necessary. Therefore, there will be no adverse effect to archeological resources from the selected alternative.

Wetland vegetation may be temporarily disturbed during project work. If structures are removed from wetland areas, there will be a beneficial effect as natural conditions are restored. No prime farmlands, wild and scenic rivers, or ecologically critical areas will be affected.

Whether the action threatens a violation of federal, state, or local environmental protection law

The selected alternative does not violate any federal, state, or local environmental protection laws.

PUBLIC INVOLVEMENT AND NATIVE AMERICAN CONSULTATION

A press release describing the project and initiating the 30-day public scoping period was issued on November 21, 2011. Due to the holiday period, the initial public scoping period was extended until January 21, 2012. A letter announcing public scoping was sent by mail or emailed to 779 individuals, agencies, interest groups, and businesses on the parks' mailing list. Included in the mailing were letters to 170 Wilsonia residents. In addition, 160 media representatives were notified by press release of the public scoping period, and 61 tribes, tribal representatives, or affiliated groups were notified by letter. Public scoping notices and information on the project was published in the Kaweah Commonwealth (newspaper and website) on November 25, December 2, and December 23, 2011. Interagency scoping was conducted with the California SHPO, and information on the project was presented at the Sierra Nevada Native American Coalition meeting on February 12, 2012.

During the 60-day public scoping period, the parks received 43 separate letters and 3 form letters. Most of the letters were from private land owners in Wilsonia. A letter was received from the Bridgeport Indian Colony considering the acquisition of the structures by the tribe and providing comments on the National Register listing. Letters were also received from the California Department of Transportation District 6 (Caltrans District 6) and the Native American Heritage Commission. The

Caltrans District 6 requested additional information on the project, and the Native American Heritage Commission provided the parks with an updated mailing list and direction on tribal consultations. In addition, the Wilsonia Historic District Trust and the Sierra Masonic Family Club in Wilsonia provided input on their concerns and issues. Most of the individuals, the Wilsonia Historic District Trust, and the Sierra Masonic Family Club had similar concerns, which are summarized as follows.

One of the primary themes brought forward during public scoping is that Wilsonia is a big part of the local history and the integrity of the Wilsonia Historic District needs to be preserved for generations to come. The NPS recognizes that the Wilsonia Historic District is listed in the National Register of Historic Places and this is considered in the planning process.

There were a number of alternatives that were brought forward during public scoping. Respondents requested that the NPS use *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. In addition, commenters brought forward specific alternatives, such as rehabilitation for interpretation of the Wilsonia Historic District; rehabilitation and preservation to protect the integrity of the Wilsonia Historic District; retaining the structures for offices, park housing, or concessions use; leasing the cabins; selling the properties to the public; transferring ownership of the structures; and removing the structures and returning the land to its pre-development state. The NPS has considered all of these alternatives in the planning process, except for the sale of NPS lands to the public. The NPS does not have the authority to sell National Park lands.

Commenters were also concerned about the NPS' stated need to be in compliance with the legal mandates and codes related to the water and wastewater systems, and if the NPS could upgrade the water systems without demolishing the historic resources, or if the NPS could get a variance to codes due to the historic nature of the cabins. These options were explored in the planning process.

The EA was made available for public review and comment during a 30-day period from April 28 to May 29, 2013. To notify the public of this review period, a letter was mailed or emailed to 1,162 stakeholders, interested parties, and local, state, and federal government agencies. The printed EA was distributed to approximately 60 parties on the parks' mailing list, and a CD version was sent to an additional 10 people. Letters inviting tribal consultations and comment, along with the printed EA, were mailed to 58 tribes or tribal organizations or representatives. A press release was distributed to more than 160 media outlets. Although the press release was not published in local newspapers, there was an article published in a newsletter distributed to Wilsonia residents about the public review period (The Wilsonia Times Spring Edition). Information and the EA was posted on the NPS Planning, Environment, and Public Comment (PEPC) website, and there was a link to this site from the parks' public website. Therefore, public outreach is considered adequate. The printed version of the EA was also available at the following area libraries: California State University, San Joaquin Sierra Unit; Fresno County Libraries: Bear Mountain, Central, Sunnyside, Fowler, Kingsburg, Orange Cove, Parlier, Reedley, Sanger, and Selma; San Joaquin Valley College: Hanford Extension, Visalia Campus, and Fresno Campus; Tulare County Law Library; Tulare County Libraries: Exeter, Lindsay, and Three Rivers.

The park received comments from 12 entities during the public review period of the EA, although one letter had 54 signatories. Letters were received from the Wilsonia Historic District Trust, the Caltrans District 6, and from 10 unaffiliated individuals.

Commenters expressed opinions on the alternatives and some requested clarification on some elements, primarily the timing involved in the implementation of the selected alternative. The NPS

considered these public comments, and as noted above, Alternative G was slightly modified to create the alternative which has been selected for implementation.

Several commenters requested that the NPS not utilize land exchanges, leasing, or adaptive reuse options as they were concerned with the legality of such actions. The legal foundation was clearly explained in the EA. Other commenters requested that the NPS sell the lands back to private parties or designate them as surplus properties and sell them. This was ruled out in the EA. One commenter provided a correction to the map on page 2 of the EA; the map was provided for an overview only, and the discrepancy does not alter the alternatives or the evaluation of effects. One commenter provided updated information on the conditions of one of the cabins which will be utilized when additional site specific surveys are conducted.

A law firm representing the Wilsonia Historic District Trust and 54 private landowners within Wilsonia requested the NPS work with private interests to develop water and wastewater systems for the Wilsonia area. There are no long-term or future foreseeable plans to develop a more comprehensive water and/or wastewater system for Wilsonia. This issue is outside scope of the EA.

None of the comments provided additional, new, or substantive information that will change the determination of effects in the EA.

The park initiated the coordination of this project with the California SHPO on November 22, 2011, and information on the project was presented at the Sierra Nevada Native American Coalition meeting on February 12, 2012. The SHPO concurred with the Area of Potential Effect (APE) in a January 9, 2012 email. A representative from the SHPO was invited to the Choosing By Advantage (CBA) workshop in a January 10, 2012 email (however he was unable to attend). The SHPO was sent the EA through the California State Clearinghouse on March 26, 2013, and then sent the final assessment of effect on May 29, 2013. On October 16, 2013, the SHPO responded that the identification of architectural historic properties appears to be sufficient but should be discussed in fuller detail during continuing consultation. Pursuant to these deliberations, the park will prepare a PA to complete consultation for the selected alternative in order to fulfill obligations under the Section 106 process and implement the disposition strategy. The NPS will continue to consult with the SHPO to fully address the points raised in their October 16, 2013 correspondence to NPS regarding the Treatment of NPS Properties within the Wilsonia Historic District.

The Caltrans District 6 requested that the NPS contact them should any of the activities associated with the rehabilitation or demolition of the 12 NPS owned structures within the Wilsonia community require: 1) large over-sized vehicles to supply or remove construction equipment or materials to or from the site; and/or, 2) require temporary lane closes. These measures have been added to the *Resource Protection Measures* section of this document.

The California State Clearinghouse sent a letter acknowledging that the NPS has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the CEQA; no additional comments were submitted through their review process.

CONCLUSION

Based on the conservation planning and environmental impact analysis documented in the EA, with due consideration of the nature of the public comments and consultations with other agencies, and given the capability of the mitigation measures to avoid, reduce, or eliminate impacts, the NPS has

determined that implementation of modified Alternative G does not constitute a federal action that normally requires preparation of an environmental impact statement (EIS). Environmental impacts that could occur are limited in context and intensity, with generally adverse impacts that range from localized to widespread, short- to long-term, and negligible to moderate. The selected actions will not have a significant effect on the quality of the human environment or the parks' cultural resources, or natural resources, and there will be no effect to threatened or endangered species.

There are no unmitigated adverse impacts on public safety, sites, or districts listed in, or eligible for listing in, the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, cumulative effects or elements of precedence were identified. Implementation of the action will not violate any federal, state, or local environmental protection law.

Based on the foregoing, it has been determined that an EIS will not be prepared and the selected actions may be implemented as soon as practicable.

Recommended: Woodrow N. Smeck 1.28.14
Woodrow Smeck Date
Superintendent, Sequoia and Kings Canyon National Parks

Approved: Christine S. Lehnertz 02/13/2014
Christine S. Lehnertz Date
Regional Director, Pacific West Region