

Response to Public Concerns

Stehekin River Corridor Implementation Plan

National Park Service
U.S. Department of the Interior

North Cascades National Park Complex
Lake Chelan National Recreation Area



NPS RESPONSE TO CONCERNS ABOUT CLOSING THE SHOOTING RANGE IN STEHEKIN

If the NPS /FHWA choose to proceed with a road reroute, the current shooting range would close due to its close proximity and direction-of-fire toward the reroute. The existing shooting range has also been identified as a hazardous waste site (due to the lead bullet waste) that will require costly cleanup. A new shooting range on public land is not proposed because it is inconsistent with NPS policies regarding hazardous materials and hazard waste management. Specific policies state “The Service will make every reasonable effort to prevent or minimize the release of contaminants on or that will affect NPS lands or resources, and the Service will take all necessary actions to control or minimize such releases when they occur. (NPS Management Policies, Section 9.1.6.2). Further, the NPS is directed to ensure “...the parties responsible for contamination or threatened contamination of NPS property bear the responsibility for addressing such contamination.” Addressing contaminant issues throughout the country reflects a nationwide approach for the last 20 years to prevent new contamination and to close and cleanup existing hazardous materials sites. Under the Comprehensive Environmental Response, Compensation, and Recovery Act (CERCLA), lead is considered a hazardous substance, and the Act imposes liability on past and present owners or operators of properties where a release of a hazardous substance into the environment exists.

Impacts from a shooting range are also not confined just to the range itself, as noise impacts carry significant distances from the range. Subject to county zoning, a shooting range could potentially be created on private property within the valley, although this would not eliminate the contamination that would then occur on private land. NPS law enforcement rangers now complete their required range shooting at facilities downlake. Hunters coming to Stehekin from outside the valley can sight in their firearms prior to coming to the valley. Valley residents who use firearms can reasonably sight in their guns on private land within the valley, thereby relieving taxpayers of the expensive costs of creating a new range and incurring the associated cleanup costs that inevitably will occur.

NPS RESPONSE TO STEHEKIN HERITAGE’S PROPOSED ALTERNATIVE 5

Because this alternative is based on components in the existing SRCIP and contains few new ideas that the NPS can implement (based on existing law and policies), it has not been evaluated as a separate alternative in the FEIS. Nonetheless, components of it are considered in modifications to the alternatives in the FEIS. These include the multiuse trail into Buckner Orchard, allowing bicycle use on the obliterated section of road from McGregor Meadows to Lower Field, and changing the scoring criteria in the LPP (most to least risk).

NPS RESPONSE TO COMMENTS ABOUT THE STEHEKIN COMMUNITY

The NPS has incorporated a goal statement from the park’s Foundation Statement to acknowledge the Stehekin Community as a valued provider of visitor services and experiences. The Foundation Statement (in the SRCIP on page 9) states “Within Lake Chelan NRA, Stehekin is a private community that provides visitors with an opportunity to see and experience life in a remote setting that is not accessible by roads and is surrounded by wilderness.” One of the goals in the SRCIP DEIS (pages xvi and 3) states: “Continue visitor services provided by the Stehekin Community, including those

services and facilities found on private lands.” In the FEIS, this has been modified to: “Partner with the Stehekin Community to provide services, facilities and experiences for visitors.”

Furthermore, the SRCIP and LPP recognize the contributions that the Stehekin Community makes to visitor services. Page 148 of the DEIS states: “In establishing Lake Chelan NRA, Congress recognized the significance of the Stehekin Community, which plays a central role in enabling recreational use of the area. The enabling legislation for Lake Chelan NRA recognizes that people will continue to live and work within the recreation area.” As noted above, other statements in the SRCIP on pages xvi, 3 and 9 also acknowledge the Stehekin Community. In addition, environmental impact analysis (on page 251 of the SRCIP) states that “The NPS has no intention of purchasing all the land within the Stehekin Valley.”

Maintaining a “viable and thriving local community,” however, is dependent upon many factors, most of which are outside NPS purview. These factors include, but are not limited to, continuation of regularly scheduled year-round ferry service; use of private property as primary year round residences vs. vacation homes; continuation of a postal service, management and operation of the Stehekin School; and general economic conditions. The NPS recognizes that Chelan County has primary jurisdiction over actions and activities on private property that largely shape the community. The NPS is willing to work with Chelan County and community residents to explore the variety of attributes that are part of supporting a viable and thriving community, including the full spectrum of joint efforts and partnerships that may be needed to support these. Because this process would concern a community on private land, the NPS recognizes Chelan County as the appropriate entity to take the lead in the planning effort.

Although the NPS acknowledges the role of the Stehekin Community in providing visitor services, it has no legal authority to take an active role in directing the community. Rather, the NPS believes that this responsibility resides with private residents and landowners in Stehekin and Chelan County. The NPS continues to be interested in working with the County to explore the needs of this vibrant community.

NPS RESPONSE TO CONCERNS ABOUT THE STEHEKIN VALLEY ROAD RELOCATION AND ITS IMPACT ON PRIVATE LAND

Although there would be additional impacts from relocating a portion of the Stehekin Valley Road as proposed in Alternatives 2 and 3 in the DEIS and FEIS Alternative 5, the proposed alignment for the road avoids the most historic alignment of the Old Wagon Road completely. Although the alignment is closer to other parts of the old road, it would also avoid these other portions of the road that are not eligible for the National Register.

Not moving the road would have greater impacts on sand, silt and gravel deposition in the Stehekin River than the impacts from moving the road. Not moving the road would continue to allow the Stehekin River to wash away sections of the road in the floodplain / channel migration zone. Because the road is bare of vegetation, it would wash away more quickly, contributing to rapid bank erosion. Although there would be impacts to currently undeveloped forest upland in the alternatives where the road would be relocated, this portion of the road is not within the floodplain / channel migration zone and would not result in impacts to the Stehekin River. Elevating and hardening the road in the floodplain would also likely accelerate movement of the river through McGregor Meadows and increase the amount of gravel and large woody debris in the channel downstream. The primary source of gravel in this area is cut-bank erosion on the west side of the channel. Based on analysis for the SRCIP, it would likely cost taxpayers more over the long run to keep the road in place (Alternatives 1

and 4). Of note, the Stehekin River watershed, as a whole, contains only approximately two percent floodplains. Protecting these limited floodplain resources would have greater ecological value than protecting additional forested upland, which dominates the watershed.

There are a few properties that are indirectly protected by the current alignment of the Stehekin Valley Road. Among these include: Upper Company Creek Road and the Stehekin Valley Ranch. Although the portion of the road that offers some buffer area between the river and these properties would be maintained as the McGregor Meadows Access Road, catastrophic road failure could cause flooding of these parcels. Even if the road remained in place, this could also occur because the road in these locations is within the floodplain / channel migration zone.

Maintaining the road in place in McGregor Meadows by elevating and hardening it (DEIS Alternative 4) would also likely have direct negative impacts to private property by raising floodwater height, increasing flood water velocity, and accelerating movement of the river through this area. Right now, the alignment of the road and river could threaten private property because the road is a weak point in the floodplain that may be exploited by future large floods to form large new side channels that could grow to become a primary river channel.

The DEIS considered a wide range of impacts from the reroute. Additional analysis of the impacts of the reroute, including from potential impacts to private property by changing the road from the Stehekin Valley Road to the McGregor Meadows Access Road has also been included in the FEIS.

NPS RESPONSE TO COMMENTS ABOUT THE MCGREGOR MEADOWS ACCESS CONNECTOR

While the McGregor Meadows area will continue to flood and it is likely that eventually the Stehekin Valley Road in this area would become impassable, provisions have been made in the DEIS and FEIS for continued vehicle access to this area, including identification of the need for new access from the proposed reroute in a revised alternative in the FEIS. In the FEIS, in response to public comments, an access route from the Stehekin Valley Road (proposed reroute section) to tie-in with the existing road in McGregor Meadows has been identified, surveyed and designed. This 1000 ft. long, 12 ft. wide road would be constructed with the reroute.

NPS RESPONSE TO REQUESTS FOR A MORE INDEPTH SOCIOECONOMIC IMPACT ANALYSIS

In an effort to address these concerns, the NPS has revised the socioeconomic sections in the Affected Environment and Environmental Consequences chapters of the FEIS to more clearly articulate the impacts of potential land exchanges and acquisitions in the Stehekin Valley. This revision includes more information on the Stehekin socioeconomic environment, including the fact that both population and housing have increased since the creation of Lake Chelan NRA and that a majority of houses are used for vacation/recreational purposes. It is not the role of the NPS, as a land management agency, to define the characteristics of a vibrant community; rather, this role is one of the responsibilities of that community and its local governing agency. Therefore, the NPS would support the Stehekin Community and Chelan County in conducting work that explores the full range of attributes needed to support a vibrant community in Stehekin.

NPS RESPONSE TO REQUESTS FOR A MORATORIUM ON LAND ACQUISITIONS/NO NET LOSS PRIVATE LAND

As stated in the DEIS on page 251 and at the public meetings and elsewhere, the NPS has no intention of purchasing all of the private land in Stehekin. As part of the LPP process, the NPS is, however,

required to identify priorities for land within the boundary of Lake Chelan NRA. Many of the private lands within Stehekin contain important resources, such as wetlands, riparian areas or wildlife habitat. In the 2010 revised draft LPP, a resource-based criteria system, that includes acknowledgement of changing conditions on the Stehekin River, was used to set relative priorities. These ratings do not mean that the NPS intends to purchase the private land. Rather, this serves as a guide for the NPS when a private property owner approaches the NPS to explore selling or exchanging their property. The NPS expects the rate of real estate transactions to similar to those that have occurred over the last 16 years. Since the completion of the 1995 Land Protection Plan, which actually listed more acreage as High Priority than did the 2010 draft LPP, only five tracts have been purchased by the NPS, totaling roughly 4.8 acres.

Furthermore, Congress provided authority and direction to the NPS to respond to private property owners that approach the NPS to sell or exchange their property. Congress provides oversight of this authority and must make appropriations to either purchase or exchange lands. If appropriations are made, the NPS will continue to respond to property owners that request us to purchase their property. In addition, since the establishment of Lake Chelan NRA, Stehekin's population and development have continued to increase despite the decrease in the number of acres of private land in the valley. Proposed NPS land exchanges in the DEIS would allow additional infilling of land within existing developed areas. As shown in responses to other comments, there is no reason why the private Stehekin Community cannot continue to be a vibrant resource for residents and visitors.

The identification of the channel migration zone is intended to show that this is the area within which the Stehekin River has migrated over the past 1,000 years. It is also; therefore, the area that could be affected by future channel changes in the Stehekin River. Properties within the CMZ could be subject to future flooding if these channel changes occur. As a result, the NPS has identified a need to remove its public facilities (buildings and structures, such as the road) out of this area if possible. Private landowners are encouraged to do the same; however remaining in the CMZ is their choice. Chelan County also, decides whether to permit construction of new development on private property within the CMZ. Once the river affects a property, the ability for a landowner to participate in a land exchange with the NPS is greatly limited because the assessed property value is likely reduced.

Incompatible uses (currently defined on page 20 of the 2010 draft LPP) are different. Simply because a structure is located in the channel migration zone does not mean that its use is incompatible with the purpose or intent of Lake Chelan NRA. Development in the CMZ is not by itself incompatible with the purpose or intent of Lake Chelan NRA. The language within section 3.4.4 has been revised to acknowledge that Advanced Protection Measures identified by the Army Corps of Engineers, such as elevating a structure, constructing a ring dike around a structure, etc. can be options to mitigate threats to water quality and natural resources when a property is located within the CMZ.

The LPP has been revised to focus on the two most threatened gravel deposition zones at McGregor Meadows and the Stehekin River mouth. Sites that are most threatened within McGregor Meadows were given an even higher priority ranking vs. the river mouth because channel changes here are more advanced and likely to be more rapid and hazardous due to the steep river gradient. Other criteria used to evaluate NPS interest included wetlands and cultural resources.

The NPS will continue to respond to requests from private property owners seeking to explore exchanges, sale or sale of easements. The NPS response to these requests would continue to be guided by the LPP.