



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Western Federal Lands Highway Division  
610 E. Fifth Street  
Vancouver, WA 98661  
Phone 360-619-7700  
Fax 360-619-7846

## **RECORD OF DECISION**

for the  
**STEHEKIN VALLEY ROAD IMPROVEMENT PROJECT**

from the  
**STEHEKIN RIVER CORRIDOR IMPLEMENTATION PLAN**

**STEHEKIN, WASHINGTON**

Submitted Pursuant to 42 U.S.C 4332(2) (c)  
(and where applicable 49 U.S.C. 303) by the  
U.S. Department of Transportation  
Federal Highway Administration  
Western Federal Lands Highway Division

### **DECISION**

Western Federal Lands Highway Division of the Federal Highway Administration (FHWA) concurs with the U.S. Department of Interior's (DOI), National Park Service (NPS) Decision to improve the Stehekin Valley Road within the Lake Chelan National Recreation Area (NRA) by resurfacing and stabilizing almost 7 miles of the road, relocating a 1.9 mile portion of the road outside of the Stehekin River channel migration zone, and constructing a 1200 foot long connector between the existing and proposed alignments for public and administrative access (Alternative 5). FHWA's decision is predicated on the NPS's management decision to use the channel migration zone of the river to guide management actions within the NRA. This management decision is strictly an NPS, not FHWA, decision. Based on the NPS management decision, FHWA decision relates only to the manner in which to provide safe and reliable public access to NPS resources within the NRA. The Stehekin Valley Road improvement proposal, as described in Alternative 5, in the FEIS, is selected by the FHWA based on its ability to sustain reliable access to NRA facilities, protect natural resources, and effectively manage limited NPS funds. The FHWA selection of Alternative 5 in this Record of Decision is consistent with the National Park Service selection of Alternative 5 in their March 14, 2013, Record of Decision.

### **FUNDING**

The Stehekin Valley Road Improvement Project is being developed as part of the Park Roads and Parkways category of the FHWA Federal Lands Highway Program, which is financed by the

Federal Highway Trust Fund. The NPS is the lead agency and FHWA is a cooperating agency in addressing National Environmental Policy Act (NEPA) compliance for this road improvement project. In addition to being a cooperating agency, FHWA provides the NPS technical support for construction services, including the design and the construction of the proposed improvements. The project was programmed for \$8.2 million with the most recent project cost estimate for the project at \$7.2 million. The Project is scheduled for construction in 2015.

## BACKGROUND

The FHWA ROD is based on studies and analysis completed by the NPS. These include:

- The *Stehekin Valley Road Improvement Project Environmental Assessment* (NPS, June 2005 referred to as the **EA**);
- The *Stehekin Valley Road Improvement Project Finding of No Significant Impact* (NPS, October 2005 referred to as the **FONSI**);
- The *Stehekin River Corridor Implementation Plan and Environmental Impact Statement* (NPS, July 2012, referred to as the **FEIS**); and
- The *Record of Decision, Stehekin River Corridor Implementation Plan* (NPS, March 14, 2013, referred to as the **NPS ROD**).

In 2005, NPS had developed an **EA** addressing proposed improvements solely to the Stehekin Valley Road in response to frequent flooding. Sections of the road lie within the Stehekin River channel migration zone making them susceptible to damage during severe storm events. In the **EA**, the NPS evaluated alternatives consisting of varying degrees of erosion control and safety improvements, flood related road repairs, and various measures to protect resources, improve visitor experience, and reduce maintenance. The NPS selected build Alternative 2 as its course of action in its **FONSI** in October 2005 and shortly thereafter, FHWA began the process of adopting the **EA** and issuing its own **FONSI**.

In November 2006, a severe storm event occurred in the Stehekin Valley, the third largest storm event on record, resulting in considerable damage to NRA infrastructure including Stehekin Valley Road. After this storm event, the NPS decided that it was in the best interest of the NRA and the Stehekin Valley community for NPS to evaluate large-scale management alternatives in an **EIS** with the intent to determine how best to respond to this increased magnitude and frequency of flooding in a manner that sustains all public facilities, protects natural resources, and effectively manages limited NPS funds. As a result, the NPS suspended the implementation of Alternative 2 selected in the **FONSI** and FHWA terminated its efforts to adopt the **EA** and issue its own **FONSI**.

The May 14, 2010 **NPS/FHWA NEPA Compliance Guidance** and associated attachments, jointly prepared by the NPS and FHWA, advises the NPS and FHWA to serve as joint leads for transportation projects warranting an **EIS**. However, in this situation, the **EIS** involved a number of actions and management decisions solely within NPS jurisdiction and beyond FHWA's role or authority. In addition, at least one of the NPS management decisions needed to precede any decision by FHWA on the transportation elements of the proposed action. As a result, FHWA carefully reviewed the NPS/FHWA guidance and determined that the proper role for FHWA for

this project was to serve as a cooperating agency (Jennifer Corwin, Office Memorandum, November 14, 2011).

Throughout the development of the **EIS**, FHWA consulted closely with the NPS, developing alternative roadway designs and alignments. FHWA reviewed and commented on administrative drafts of the DEIS, the FEIS, and ROD and all comments were resolved prior to the release of those documents to the public. FHWA also participated in scoping and public meetings, addressed comments regarding the roadway portion of the project, and worked as a partner with the NPS in their "Choosing By Advantages" (CBA) process whereby the preferred alternative was selected. Given this involvement, FHWA finds that a reasonable range of transportation alternatives, as required by 40 CFR 1502.14, was considered in the **EIS**.

## **ALTERNATIVES CONSIDERED**

The **EIS** evaluated five management alternatives in response to what appears to be an increase in the magnitude and frequency of flooding by the Stehekin River. These management alternatives differ primarily in terms of how to minimize impacts to park resources from flooding. The management alternatives ranged from employment of more conventional means for managing floods (bank armoring, grade controls) to the concept of permitting the Stehekin River more opportunity to occupy its channel migration zone by relocating NRA facilities outside of this zone. Within each of these management alternatives, a specific roadway design was proposed that supports each individual alternative's management objective.

Alternative 1 is identified as the No Action Alternative in the **EIS**. This No Action Alternative incorporates the build alternative selected by the Park in its **EA** and associated **FONSI**. Pursuant to CEQ guidance, Alternative 1 is an appropriate No action Alternative for the NPS as it represents the current NPS course of management action (CEQ 40 questions, Question 3). However, the FHWA must evaluate a No Action Alternative that represents a continuation of existing conditions. The NPS evaluated a No Action Alternative that represented a continuation of existing conditions in its 2005 **EA**. The FHWA was a cooperating agency in the development of this NPS **EA**, but never issued an FHWA NEPA decision. Consequently, for purposes of FHWA's NEPA decision for the proposed action, FHWA considered six alternatives; the five build alternatives presented in the **EIS** and the No Action Alternative as described in the **EA**. To avoid confusion, the no action alternative from the **EA** will be referenced in this ROD simply as "No Action" and the five alternatives in the **EIS** will be labeled "Build Alternative" with each corresponding alternative number as was presented in the **EIS**.

### **No Action Alternative**

The No Action Alternative is a continuation of the existing conditions along the Stehekin Valley Road from MP 0 to MP 9.15. These conditions include periodic flooding of the road, road closures, and the loss of vehicle access to the upper Stehekin Valley and the interior of the Lake Chelan National Recreation Area and the Complex as well as loss of access to properties along the road corridor. There would continue to be ongoing uncontrolled erosion of the road, particularly during flood events, which could increase sediment loading into the Stehekin River depending on the location of the road erosion. While there would be no major planned road improvements, flood damage could result in the need to make major emergency repairs to keep



the road open and operational. Otherwise, ongoing maintenance and repair of the roadway would occur as needed. This work would include placing gravel on the roadway and minor road grading. The expected continued flooding would impact the stability of the roadway and road operations.

In the No Action Alternative, there would be no change to the degree to which the Stehekin River could occupy the channel migration zone. Also, there would be no change to the floodplain storage capacity as there would be no grade raises requiring the placement of fill in the floodplain nor would there be any realignment of the road outside of the river's channel migration zone. In the long-term, though, future flood events may require the NPS to implement emergency erosion control measures and grade raises to maintain access. This would further restrict the river's movement within its channel migration zone and reduce floodplain storage capacity.

#### **Build Alternative 1 (EIS Figures II-1 and II-2)**

Under this alternative the proposed roadway work includes the following:

- Perform minor realignments between milepost (MP) 6.0 and 6.5. The realignments are intended to repair flood damage and fix sight distance.
- Pave existing paved surface from Stehekin Landing, MP 0 to Harlequin Bridge MP 4.9.
- Chip-seal the gravel road from MP 4.9 at Harlequin Bridge to the winter turn around at MP 9.2 except for those areas with the established floodplain.
- Lower the road bed at MP 5.3 by about ten feet and shift the road approximately 15 feet away from the Stehekin River into the existing cutslope.
- Replace and realign culverts to the extent feasible within the existing road prism at MP 5.3 and from MP 8 to MP 9.2.
- Implement two grade increases from MP 6.25 to MP 6.53 and MP 6.95 to MP 7.14 to permit road operations to continue even with minor flooding and there are several road sections that would be repaired where there has been flood damage.
- Construct a vehicle turnaround at MP 9.2 to accommodate snow plowing and parking for winter recreational activities.

Under Alternative 1 (and 4), the Stehekin River would be provided the least amount of room to meander due to the retention of the existing roadway alignment in the Stehekin River's channel migration zone. In addition, the implementation of a grade raise within the McGregors Meadow area, considered part of the Stehekin River's channel migration zone, would greatly reduce the river's floodplain storage capacity.

#### **Build Alternative 2 (Environmentally Preferred Alternative for NPS and FHWA – EIS Figures II-1, II-3, II-5)**

Under this alternative the proposed roadway work includes the following:

- Repave existing paved surface from Stehekin Landing, MP 0 to Harlequin Bridge MP 4.9.
- Chip seal surface from MP 4.9 to MP 9.2 (end of project) except where located in a floodplain.
- Reroute 1.8 miles of the Stehekin Valley Road (MP 5.7 to MP 7.5) out of the Stehekin River channel migration zone around McGregor's Meadows.

- At MP 5.3, stabilize the slope adjacent to the river, elevate the road by about 4 feet for the length of about 100 feet and shift road away from Stehekin River approximately 10 feet into cutslope.
- Retain the original Stehekin Valley Road Alignment from MP 5.7 to MP 6.5 (to be renamed the McGregor Meadows Access Road) at a reduced level of service, to provide residents continued access to their homes. If road failure occurs from a major river channel shift, the NPS would work with private landowners on a case-by-case basis to determine whether access is to be restored or whether a property exchange is more appropriate.
- Convert the original Stehekin Road Alignment to a trail from MP 6.5 to MP 7.2.
- Construct a small parking area along the existing alignment at MP 6.5 to provide access to the trail.
- Obliterate and revegetate the original Stehekin Road Alignment from MP 7.2 to MP 7.5.
- Stabilize cutslope at MP 8.
- From MP 8 to MP 9.2 raise road grade.
- Improve drainage to the extent possible by realigning and upsizing culverts at MP 5.3, along the realignment, and from MP 8 to MP 9.2.
- Construct a vehicle turnaround at MP 9.2 to accommodate snow plowing and parking for winter recreational activities.

Under Alternative 2, the Stehekin River would, in time, be provided the greatest amount of room, out of all of the alternatives, to meander within its natural channel migration zone because a good portion of the existing roadway has been realigned outside of Stehekin River's channel migration zone. This alternative would also improve floodplain storage capacity over the existing condition, providing the greatest increase in capacity of all alternatives.

### **Build Alternative 3 (EIS Figures II-1, II-4, and II-5)**

Under this alternative the proposed roadway work includes the following:

- Pave existing paved surface from Stehekin Landing, MP 0 to Harlequin Bridge MP 4.9.
- Chip seal gravel surface from MP 4.9 to MP 9.2 except where located in a floodplain.
- Stabilize slope adjacent to the river at MP 5.3, by lowering roadbed by 10 feet and shifting the road away from Stehekin River approximately 15 feet into the cutslope.
- Reroute 1.6 miles of the Stehekin Valley Road (MP 5.7 to MP 7.3) out of the Stehekin River channel migration zone around McGregors Meadows.
- Convert the original Stehekin Road Alignment to a trail from MP 6.5 to MP 7.2.
- Obliterate and revegetate the original Stehekin Road Alignment from MP 7.2 to MP 7.5.
- Raise road grade from MP 8 to MP 9.2.
- Realign and upsize culverts at MP 5.3, along the reroute, and from MP 8 to MP 9.2.
- Construct a vehicle turnaround at MP 9.2 to accommodate snow plowing and parking for winter recreational activities.

Under Alternative 3, the Stehekin River would have slightly less room to meander within its natural channel migration zone compared to Alternative 2 because the existing alignment through Lower Field would be retained. This project would improve floodplain storage capacity

over the existing condition, providing the 3<sup>rd</sup> greatest increase in capacity over all of the alternatives.

#### **Build Alternative 4 (EIS Figures II-1 and II-6)**

In terms of proposed roadway improvements, this alternative is almost identical to Alternative 1 with the following exceptions:

- Stabilize slope adjacent to the river at MP 5.3, by elevating the road by about 3 feet for the length of about 100 feet and shift the road away from the Stehekin River approximately 10 feet into the cutslope.
- Stabilize cutslope at MP 8.

Like Alternative 1, Alternative 4 allows the least amount of room for the Stehekin River to meander and use the channel migration zone. With the proposed grade raises, this alternative reduces the floodplain capacity compared to the existing condition.

#### **Build Alternative 5 (EIS Figures II-1, II-2, and II-5)**

Under this alternative the proposed roadway work includes the following:

- Pave existing paved surface from Stehekin Landing, MP 0 to Harlequin Bridge MP 4.9.
- Chip seal surface from MP 4.9 to MP 9.2 (end of project) except where located in a floodplain.
- In reconstruction sections at MP 5.3, along the reroute, and from MP 8 to MP 9.2 improve drainage to the extent possible by realigning and upsizing culverts.
- Stabilize shoulder at MP 5.1.
- At MP 5.3 stabilize slope adjacent to the river, elevate road at a vertical height of about 4 feet for the length of about 100 feet and shift road up to 20 feet away from Stehekin River into cutslope.
- Reroute 1.8 miles of the Stehekin Valley Road (MP 5.7 to MP 7.5) out of the Stehekin River channel migration zone around McGregors Meadows.
- Retain the original Stehekin Valley Road Alignment from MP 5.7 to MP 6.5, to be renamed the McGregor Meadows Access Road, until the NPS has determined that it is no longer practicable to maintain this section of the road. After which time, all access will be via a new the 1200-foot connector road described below.
- Construct a 1200-foot connector road between the original alignment, at roughly MP 6.37, to provide immediate park administrative and private landowner motor vehicle access in the event that the existing alignment between MP 5.7 and 6.3 should be washed out. This section of road has experienced considerable flooding in the past and is expected to eventually fail.
- Construct a small public parking site and turnaround in the vicinity of the intersection of the 1200 foot connector and the Stehekin Valley Road to permit pedestrian access to public land within McGregor Meadows.
- Convert the original Stehekin Road Alignment to a trail from MP 6.5 to MP 7.2.
- Obliterate and revegetate the original Stehekin Road Alignment from MP 7.2 to MP 7.5.



- Construct a short MSE wall and rockery wall (less than 250 feet each) along the reroute to reduce impact footprint.
- Stabilize cutslope at MP 8.
- From MP 8 to MP 9.2 raise road grade.
- At MP 9.2 construct a vehicle turnaround to accommodate snow plowing and parking for winter recreational activities.

This alternative would permit the Stehekin River the second greatest amount of room, out of all of the alternatives, to meander within its natural channel migration zone because a good portion of the existing roadway has been realigned outside of Stehekin River's channel migration zone. It provides slightly less maneuverability within the channel migration zone and a slightly less increase of floodplain storage capacity due to the construction of the 1200 foot connector road.

## ENVIRONMENTALLY PREFERABLE ALTERNATIVE

Implementing regulations for NEPA promulgated by the Council of Environmental Quality (CEQ) [40 CFR 1505.2(b)] require that agencies identify "the alternative or alternatives which were considered to be environmentally preferable." The environmentally preferable alternative is "the alternative that causes the least damage to biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (46 FR 18026-18038).

FHWA has identified Alternative 2 as the Environmentally Preferable Alternative because it would result in the least harm to the biological and physical environment primarily by protecting the ecological functions and values of the Stehekin River and its tributaries from adverse impacts caused by NPS management actions to maintain public and administrative facilities, including the public transportation infrastructure. The proposed roadway work relocates the greatest portion of the road (along with Alternative 5) outside the channel migration zone and permits the Stehekin River the widest geographic area to function naturally. In addition, Alternative 2 has less impacts, than Alternative 5, to the biological and physical environment because it does not include the 1200 foot "Reroute Access Connector" which will impact a forested wetland and require the placement of fill into the Stehekin River floodplain. The FHWA identification of Alternative 2 in this Record of Decision as the Environmentally Preferable Alternative is consistent with the NPS identification of Alternative 2 in their March 14, 2013, Record of Decision as the Environmentally Preferable Alternative.

## SELECTED ALTERNATIVE

Based on the **EA**, the **FONSI**, the **EIS**, the **ROD**, supporting documents, and the supplemental cumulative effects analysis prepared by the FHWA in September 2013, FHWA selects the Stehekin Valley Road Improvement as described in Alternative 5 for implementation because it supports the NPS's management approach to provide the Stehekin River the greatest use of the channel migration zone while also maintaining uninterrupted access to NPS facilities. In addition, FHWA believes that this alternative, by relocating a portion of the road most susceptible to flooding, outside of the channel migration zone, will ensure the most reliable and

safe access for NPS personnel and visitors. FHWA anticipates that this relocation will reduce maintenance costs by removing the need to repair roads damaged by storm events and to maintain erosion protection measures for this section of the road. Finally, though Alternative 2 is the environmentally preferable alternative, FHWA selects Alternative 5 because it improves road user safety at MP 8 and, with the construction of the 1200 foot connector between the realignment and the existing alignment (the primary reason why Alternative 5 was not identified as the environmentally preferred alternative), motor vehicle access will remain uninterrupted in the event that a large storm event should damage occur to what is believed to be the most at-risk section of the existing alignment from MP 5.7 to 6.3. The FHWA selection of Alternative 5 in this Record of Decision is consistent with the National Park Service selection of Alternative 5 in their March 14, 2013, Record of Decision.

## **SECTION 4(f)**

As legislated in Moving Ahead for Progress for the 21<sup>st</sup> Century, Section 1119(c)(2), Section 4(f) does not apply to the Stehekin Project as Federal lands transportation facility, as defined under 23 U.S.C. 101(a)(8), are exempt from Section 4(f); and the Stehekin Road, providing access to North Cascades National Park and to Lake Chelan National Recreation Area, both of which are units of the National Park System, qualifies as a "Federal lands transportation facility."

## **MEASURES TO MINIMIZE HARM**

Listed below are all measures to minimize harm applicable to the roadway portion of the selected alternative from the FEIS. All practicable measures to minimize environmental harm have been incorporated into the selected alternative. Some identical measures may be listed under different resources. These measures have been developed in partnership between the NPS and FHWA. FHWA concurs with all measures associated with the Stehekin Valley Road Improvement activities.

### **Land Use (FEIS, page 319)**

- 1) Clearly identifying the construction limits to prevent expansion of construction operations into undisturbed areas.
- 2) Minimizing disturbance from reroutes by incorporating toe walls at fill locations where feasible.
- 3) Minimizing clearing of vegetation associated with the road rehabilitation.
- 4) Restoring some riparian areas to natural conditions.

### **Air Quality (FEIS, page 331)**

- 5) Chipping or mulching vegetation on site rather than disposing of it off site or burning it.
- 6) Spraying water to minimize fugitive dust resulting from roadway construction.
- 7) Covering trucks transporting soils and aggregate to Lake Chelan Barge.



- 8) Encouraging contractor employees and NPS employees to travel in groups to and from the project site (rather than in multiple separate vehicles).
- 9) Revegetating bare and staging areas as soon as possible (upon final grading or when staging area is no longer in use).
- 10) Minimizing the extent of vegetation removal associated with road rehabilitation.
- 11) Encouraging the use of local labor sources and large-volume material delivery to minimize trip generation during construction activity.
- 12) Encouraging idling of construction vehicles and equipment for no longer than 15 minutes when not in use.
- 13) Encouraging use of a biodiesel mix fuel rather than traditional diesel fuel.

**Soils and Vegetation (FEIS, pages 351-353)**

- 14) Locating staging areas where they would minimize new disturbance of area soils and vegetation.
- 15) Minimizing ground disturbance to the extent practicable.
- 16) Minimizing construction along water courses during periods of heavy precipitation.
- 17) Minimizing driving over or compacting root-zones.
- 18) Using mats or plywood to minimize soil-compaction impacts to wetland areas.
- 19) Salvaging topsoil from excavated areas for use in recovering source area or other project areas.
- 20) Windrowing topsoil at a height that would help to preserve soil microorganisms (less than 3 feet).
- 21) Covering salvaged topsoil with a breathable, water-repellent fabric and anchoring the perimeter to limit erosion.
- 22) Avoiding leaving excavated soil alongside trees, and providing tree protection if needed for specimen trees.
- 23) Reusing excavated materials where possible in the project area.
- 24) Revegetating project areas through native seeding or planting.
- 25) Importing weed-free clean fill and topsoil.
- 26) Identifying clearing limits to minimize the amount of vegetation loss.
- 27) Clearing and grubbing only those areas where construction would occur.
- 28) Reusing topsoil from the reroute areas, to the extent practicable, to obliterate and revegetate abandoned road sections.
- 29) Preparing and approving a Hazardous Spill Plan or Spill Pollution Control and Countermeasure plan (SPCC), whichever appropriate, before construction begins.
- 30) Encouraging the use of vegetable oil in place of hydraulic fluid in heavy equipment.

- 31) Minimizing construction limits and areas to be cleared where possible.
- 32) Clearly identifying the construction limits, to prevent expansion of construction operations into undisturbed areas.
- 33) Rehabilitating or restoring road reroute clearing areas not occupied by the roadway.
- 34) Retaining specimen trees where possible adjacent to erosion protection sites and along the reroute / realignment areas (as identified by park staff).
- 35) Restoring staging and other temporarily impacted areas following construction.
- 36) Obliterating and revegetating abandoned road segments and areas disturbed by construction with native plant species.
- 37) Minimizing actions that affect endangered, threatened, or sensitive plant species in the project area.
- 38) Keeping fill slopes as steep as possible where fill is proposed to raise the road to minimize the disturbance footprint.
- 39) Minimizing clearing of vegetation associated with reroutes by incorporating toe walls at appropriate locations (Alternatives 2 and 3).
- 40) Importing certified weed free materials from outside Lake Chelan NRA.
- 41) Avoiding the use of stockpiled materials from the Company Creek Pit unless designated for the project.
- 42) Covering trucks when transporting materials outside the project area to reduce or eliminate particle release during transport.
- 43) Washing all vehicles that have come into contact with soil or materials that may contain noxious weed seed prior to working in weed-free areas or transporting weed-free materials.
- 44) Covering stored soil and rock to prevent exposure to noxious weed seed.
- 45) Separating contaminated soil from weed-free soil and using the contaminated soil for subsurface fill.

**Water Resources (Hydraulics, Stream Characteristics, Water Quality, Wetlands, Floodplains) (FEIS, pages 375-376)**

- 46) Locating staging and stockpiling areas away from the Stehekin River.
- 47) Delineating staging areas to prevent incremental expansion of the staging area.
- 48) Covering stockpiled fine-grained soil and rock near surface water and, if overwintered, with a breathable, water-repellent fabric, such as silt fence, anchored around the perimeter.
- 49) Using temporary sediment-control devices such as filter fabric fences, sediment traps, or check dams as needed during culvert replacement.
- 50) Identifying the area to be cleared to define the extent and clearing only those areas, necessary for construction.

- 51) Minimizing the amount of disturbed earth area and the duration of soil exposure to rainfall.
- 52) Minimizing soil disturbance, and reseeding or revegetating disturbed areas as soon as practical.
- 53) Conserve topsoil and duff from the reroute areas to rehabilitate (recreate habitat) the obliterated road segments and road shoulders where reroutes occur.
- 54) Scarifying slopes, if necessary, to slow erosion.
- 55) Retaining soil erosion and sediment control measures in disturbed areas until stabilization (by reseeding or revegetation).
- 56) Constructing temporary diversion devices such as swales, trenches, culverts, or drains to divert stormwater runoff away from disturbed areas, including exposed slopes.
- 57) Using native duff and topsoil to cover exposed soil as soon as practical.
- 58) Installing protective construction fencing around, adjacent to, or near wetland and/or riparian areas that are to be protected, or using other erosion protection measures to protect water resources in the project area.
- 59) Avoiding machinery use below the wetted perimeter of water bodies where possible (work would be done from the bank).
- 60) Using vegetable-based hydraulic fluid in heavy equipment.
- 61) Limiting the duration of the in-stream work as much as possible.
- 62) Timing in-stream work to occur at lower-flow periods (i.e., work would not occur during heavy river flows).
- 63) Minimizing creation of impervious surface.
- 64) Using a Storm Water Pollution Prevention Plan for construction activities to control surface runoff, reduce erosion, and prevent sedimentation from entering water bodies during construction.
- 65) Developing and implementing a comprehensive Spill Prevention/Response Plan that complies with federal and state regulations and addresses all aspects of spill prevention, notification, emergency spill response strategies for spills occurring on land and water, reporting requirements, monitoring requirements, personnel responsibilities, response equipment type and location, and drills and training requirements.
- 66) Use work area isolation techniques when water is present in adjacent streams (not the Stehekin River itself).
- 67) Refueling activities would be done at least 100 feet from the river and its tributaries or other surface water.
- 68) Areas where refueling or maintenance of equipment would occur would be identified and would have containment devices such as temporary earth berms.
- 69) Absorbent pads would be available to clean up spills.



- 70) Restrictions on the location of fueling sites, requirements for spill containment, and other measures to safeguard aquatic and terrestrial habitat from construction-related contaminants would be identified.

**Fish and Wildlife (FEIS, pages 415-416)**

- 71) Scheduling construction activities with seasonal consideration of wildlife lifecycles to minimize impacts during sensitive periods (e.g., bird nesting and breeding seasons). The timing of the construction of rock barbs and other channel- or bank stabilization measures as well as extraction of large woody debris could be limited to avoid spawning and other sensitive periods for fish and aquatic wildlife.
- 72) Minimizing the degree of habitat removal (vegetation clearing) by delineating construction limits.
- 73) Limiting the effects of light and noise on wildlife habitat through controls on construction equipment and timing of construction activities, such as limiting construction to daylight hours to the extent practicable.
- 74) At the end of the work day, cover excavated pits and trenches to prevent animals from being trapped.
- 75) Soil and erosion control best management practices employed on the project will minimize the potential for trapping small animals.
- 76) Using spill-prevention measures to prevent inadvertent spills of fuel, oil, hydraulic fluid, antifreeze, and other toxic chemicals that could affect wildlife. As required by law, prepare and implement a hazardous spill plan or SPCC plan, whichever is appropriate.
- 77) Discouraging construction personnel at work sites from providing a source of human food to wildlife, avoiding habituating of wildlife and increased human/wildlife conflicts.
- 78) Maintaining proper food storage, disposing of all food waste and food-related waste promptly in a bear-resistant receptacle, and removing all garbage off site at the end of each working day.
- 79) Using intake screening devices and drawing from deep and/or fast-moving water to avoid impacts to aquatic organisms during water withdrawal.

**Federally-Listed Species (FEIS, page 424)**

- 80) Determining whether northern spotted owls are nesting, and then whether or not the proposed action will affect the active nest or disrupt reproductive behavior. If it is determined that the action will not affect an active nest or disrupt breeding behavior, work will proceed without any restriction or mitigation measure. If it is determined that construction activities will affect an active nest or disrupt reproductive behavior, then avoidance strategies will be implemented.
- 81) If after northern spotted owl protocol surveys have been completed by July 1 in the year work is planned and occupancy has not been documented at the site (as determined by NPS wildlife biologist), work may begin after July 1 of that year. If the site is occupied

and nesting is occurring, construction activities within a 0.7 mile radius of the active nest cannot be conducted from March 1 through September 6 or after at least 4 weeks have passed since young fledged. This construction start date will be recommended by the NPS wildlife biologist and approved by NOCA Superintendent.

- 82) Storing food and garbage in wildlife-resistant containers during the day and removing all garbage off-site from project work areas at the end of each working day.
- 83) Reporting any dead or injured Federally-listed species found in the action area within 24 hours to a special agent of the U.S. Fish and Wildlife Office (USFWS), Division of Law Enforcement at (360) 753-7764, or to the USFWS Western Washington Fish and Wildlife office at (360) 753-9440.
- 84) Notifying USFWS in writing within 3 working days of the accidental death of, or injury to, a northern spotted owl or of the finding of any dead or injured spotted owls during implementation of the proposed federal action. Notification must include the date, time, and location of the incident or discovery of a dead or injured spotted owl, as well as any pertinent information on circumstances surrounding the incident or discovery. The USFWS contact for this written information is the Manager for the Western Washington Fish and Wildlife office.

#### **Cultural Resources (FEIS, pages 431-432)**

- 85) Documenting the rock walls along the reroute using HAER criteria if these would be affected by proposed road construction.
- 86) Stopping work in the area of identification and nearby areas if archeological resources are discovered at any point during the project work (as directed by the park) until the find is evaluated and action taken to avoid or mitigate the impact.
- 87) When it is necessary to stop work due to archeological resources discovery, the contractor would cease all activities in the area of discovery; allow the archeologist to complete investigations; and take measures to protect the resources discovered as directed by the park. (During this time, work may proceed in unaffected areas.)
- 88) Monitoring ground-disturbing actions as appropriate during construction to ascertain presence/absence of archeological materials within the proposed construction zone. Monitoring would be focused where buried historical deposits might be present beneath existing development. The NPS archeologist would identify sites prior to construction. Evaluating the eligibility of the site under National Register of Historic Places criteria if monitoring results in the discovery of archeological materials.
- 89) Following procedures outlined in the Native American Graves Protection and Repatriation Act (NAGPRA) in the unlikely event that human remains or any objects protected under NAGPRA are exposed. This would include the potential need to stop work for a minimum of 30 calendar days. (During that time, work may resume in nonsensitive areas.)

### **Visitor Experience (FEIS, pages 439-440)**

- 90) Allowing construction delays and one-lane closures to be no longer than 20 minutes per passage through the project (longer delays could be approved in advance).
- 91) Avoiding evening, weekend, and holiday work by requiring approval in advance. Longer construction delays or total road closures would also be approved in advance.
- 92) Distributing press releases to local media, locating signs in the recreation area, and providing information on the boat to inform visitors about road conditions in the lower Stehekin Valley during the project.
- 93) Using a public information program to warn of construction-related road closures, delays, and road hazards.
- 94) Keeping a McGregor Meadows and Lower Field route open during reroute construction.
- 95) Providing notice to equestrians (e.g., Stehekin Valley Ranch) regarding conditions that could make the road temporarily impassable for horse crossing.
- 96) Managing vehicle traffic and contractor hauling of materials, supplies, and equipment within the construction zone to minimize disruptions in visitor traffic.
- 97) Developing a safety plan prior to the initiation of construction to ensure the safety of recreation area visitors, workers, residents, and park staff.
- 98) Minimizing dust during construction on public roadways (by minimizing soil disturbance, spraying water [no chemicals] over disturbed soil areas during dry periods, and revegetating disturbed soil areas as soon as practical following construction).

### **Park Operations (FEIS, pages 464-465)**

- 99) Providing and maintaining emergency vehicle access through the project area during construction.
- 100) Coordinating work between NPS and FHWA park liaison to minimize disruption to normal park activities.
- 101) Monitoring construction activities to ensure adherence to mitigation measures.
- 102) Monitoring construction activities to provide recommendations to minimize impacts on park resources.
- 103) Conducting legal boundary surveys prior to scheduling work that may have the potential to affect private property. If necessary, easements would be negotiated.
- 104) Providing emergency vehicle access through the project area during construction. Coordinating work with park staff to reduce disruption to normal activities.
- 105) Informing construction workers about the special sensitivity of park resources and values and regulations.



- 106) Providing the Park the opportunity to inform contractor and subcontractors about park resources.
- 107) Encouraging park resource specialists to be involved in inspections and monitoring and providing recommendations during the road rehabilitation and facility construction work.

#### **Hazardous Materials (FEIS, page 490)**

- 108) Refueling vehicles and equipment at least 100 feet from the river and its tributaries or other bodies of water.
- 109) Identifying areas where refueling or maintenance of equipment would occur and providing containment devices, such as temporary earth berms, surrounding these areas.
- 110) Ensuring that spill cleanup materials, such as absorbent pads, are present on site where needed.
- 111) Requiring restrictions on the location of fueling sites, requirements for spill containment, and other measures to safeguard aquatic and terrestrial habitat from construction-related contaminants in contracts.
- 112) Locating fuel storage tanks outside of the floodplain / channel migration zone floodplains and other sensitive areas.

#### **MONITORING OR ENFORCEMENT PROGRAM**

The following standard operating procedures will be implemented to ensure compliance with all measures to minimize harm:

- 1) FHWA develops an Environmental Commitment Summary (ECS) listing all measures to minimize harm and ensures that those environmental commitments are addressed in the contract plans, special contract requirements or the project engineer's notebook.
- 2) Based on an agreement between the FHWA and the National Marine Fisheries Service documented in a memorandum dated May 18, 2001, FHWA has agreed to having an Environmental Protection Specialist (EPS) and/or Engineer attend construction field reviews, for each year of construction, to ensure compliance with the ECS.
- 3) The FHWA Environmental Protection Specialist attends the preconstruction conference to review measures to minimize harm.
- 4) In accordance with the Biological Opinion issued on July 12, 2010, the NPS will prepare an annual report describing the progress of the proposed Project including the implementation of the associated terms and conditions and impact to the northern spotted owl.

## COMMENTS ON THE FINAL EIS

Two individuals commented on the Final **EIS**. Congressman Doc Hastings commended the NPS for its desire to improve access and reduce maintenance costs associated with flooding, noted significant changes in management that would occur, expressed concern for the large size of the EIS, and requested a minimum of 30-days additional time for his constituents, which was granted. A second letter came from a Stehekin property ownership seeking to clarify ownership and property lines associated with a particular parcel. No substantive new environmental information was provided in these correspondences, and neither comment warrants additional FHWA response in this Record of Decision.

## RECORD OF DECISION APPROVAL

Based on the systematic, interdisciplinary analysis contain in the **EA**, **FONSI**, **EIS**, and **ROD**, careful consideration of social, economic, and environmental factors, and input received from other agencies, organizations, and the public, FHWA approves Alternative 5 as the Selected Alternative. FHWA's selection is based on a thorough review and assessment of the need, alternatives, and environmental issues and impacts. The Stehekin Valley Road Improvement Project, as described in the Selected Alternative, support the NPS management options to permit the Stehekin River the greatest use feasible of the channel migration zone and regulated floodplain while providing reliable access to park resources, ensuring the greatest degree of safety for the travelling public, and reducing maintenance costs. The analysis described in this document, together with the analysis previously summarized in the aforementioned NEPA documents, adequately and accurately addresses the need, environmental issues and impacts of the propose project.

*Clara H. Conner*

Clara H. Conner  
Division Engineer  
Western Federal Land Highway Division  
Federal Highway Administration

*Sept. 27, 2013*

Date