

# Sequoia and Kings Canyon National Parks

NPS  
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  
Environmental Assessment

*March 2013*



*Page left intentionally blank.*

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

Environmental Assessment  
Disposition Plan for National Park Service-Owned Properties  
In Wilsonia

Kings Canyon National Park  
Tulare County, California

---

**ABSTRACT**

The National Park Service (NPS) is considering options for the future of 12 NPS-owned properties within the Wilsonia area of Kings Canyon National Park (park). 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. It is important to determine the buildings' future use in order to avoid the environmental impacts and operational issues that stem from prolonged vacancy and lack of regular maintenance, sometimes referred to as "benign neglect."

The objectives of the disposition plan are to:

- Identify those buildings that could be maintained, in the future, in sustainable and economically responsible fashion and identify alternatives for the long-term preservation of those buildings;
- Determine the level of maintenance and rehabilitation for each NPS-owned building that would be retained;
- Develop an implementation strategy for preserving the area's historic resources;
- Maintain the buildings in a manner consistent with the park's purpose and mandate of resources protection.

This environmental assessment (EA) evaluates a no action alternative and six action alternatives that address the objectives of the disposition plan.

Notes to Reviewers and Respondents

If you wish to comment on this EA, you may post comments online at <http://parkplanning.nps.gov/seki> or mail comments to Superintendent, Sequoia and Kings Canyon National Parks, Attn: Wilsonia Disposition Plan, 47050 Generals Highway, Three Rivers, California 93271. No emailed comments will be accepted. This EA will be on public review for 30 days.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we would be able to do so. We make all submissions from organizations and businesses, and individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

# TABLE OF CONTENTS

TABLE OF CONTENTS .....	ii
ACRONYMS AND ABBREVIATIONS .....	v
INTRODUCTION .....	1
Purpose and Need .....	1
Background.....	1
Project Purpose and Need.....	4
Project Objectives.....	7
Legislation, Guidance, and Previous Planning.....	7
Legislation, Policies, and Other Guidance .....	7
NPS Related Laws, Legislation, and Policies.....	7
Impairment of National Park Resources.....	13
Relevant State Legislation.....	13
Previous Planning and Other Guidance.....	14
Issues and Impact Topics.....	15
Scoping.....	15
Derivation of Issues and Impact Topics .....	16
Impact Topics Retained for Further Analysis.....	16
Impact Topics Dismissed from Detailed Analysis .....	17
Soils and Vegetation.....	17
Special-Status Species and Species of Management Concern.....	17
Wildlife.....	20
Wilderness Character and Resources.....	20
Air Quality and Greenhouse Gas Emissions .....	20
Soundscapes .....	21
Visual Resources and Lightscapes.....	21
Ethnographic Resources and Museum Collections .....	22
Visitor Use and Experience .....	22
Socioeconomic Environment.....	22
Health and Safety.....	22
Land Uses .....	23
Other Impact Topics .....	24
ALTERNATIVES .....	25
Introduction .....	25
Alternative A: No Action .....	25
Alternative B: Document and Remove Structures, Restore Site .....	25
Alternative C: Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District .....	26

Alternative D: National Park Service Adaptive Reuse.....	27
Alternative E: Non National Park Service Adaptive Reuse (includes partnering) .....	29
Alternative F: Land Exchange .....	30
Alternative G: Phased Disposition Strategy (Management Preferred Alternative).....	30
Mitigation Common to All Alternatives.....	31
Cultural Resources.....	31
General Project Mitigation and Best Management Practices .....	31
Alternatives Considered but Dismissed from Detailed Analysis.....	32
Environmentally Preferred Alternative.....	33
AFFECTED ENVIRONMENT.....	39
Location and General Project Area Description.....	39
Cultural Resources, including Historic Structures, Cultural Landscapes, and Archeological Resources ...	39
The Wilsonia Historic District.....	39
Other Historic Resources.....	43
Archeological and Ethnographic Resources.....	44
Wetlands, Floodplains, and Water Resources .....	44
Park Operations .....	45
Site Specific Conditions .....	45
ENVIRONMENTAL CONSEQUENCES .....	49
General Methodology for Analyzing Impacts .....	49
Geographic Area Evaluated for Impacts.....	49
Type of Impact.....	49
CUMULATIVE IMPACT ANALYSIS METHODOLOGY .....	49
Past, Present, and Reasonably Foreseeable Actions.....	50
ASSESSING IMPACTS USING CEQ CRITERIA.....	51
CULTURAL RESOURCES.....	51
Historic Structures .....	52
Cultural Landscapes .....	52
Archeological Resources .....	52
WATER RESOURCES.....	53
PARK OPERATIONS AND PARK FACILITIES .....	54
ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES .....	54
CULTURAL RESOURCES.....	54
No Action – Maintain the properties to address only minimum health and safety requirements.....	54
Alternative B- Document and Remove Structures, Restore Site .....	55
Alternative C- Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District ...	56
Alternative D: NPS Adaptive Re-Use .....	57
Alternative E: Non-NPS Adaptive Re-Use (includes Partnering).....	57

Alternative F: Land Exchange .....	58
Effects from Alternative G: Management Preferred Alternative.....	59
WATER RESOURCES .....	60
No Action: Maintain the properties to address only minimum health and safety requirements.....	60
Alternative B: Document and Remove Structures, Restore Site .....	61
Alternative C: Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District ...	61
Alternative D: NPS Adaptive Re-Use .....	61
Alternative E: Non-NPS Adaptive Re-Use (includes Partnering) .....	62
Alternative F: Land Exchange .....	62
Effects from Alternative G: Management Preferred Alternative.....	63
PARK OPERATIONS.....	63
No Action: Maintain the properties to address only minimum health and safety requirements.....	63
Alternative B: Document and Remove Structures, Restore Site .....	64
Alternative C: Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District ...	64
Alternative D: NPS Adaptive Re-Use [All 12 Rehabilitated] .....	64
Alternative E: Non-NPS Adaptive Re-Use (includes Partnering) .....	65
Alternative F: Land Exchange .....	65
Alternative G: Management Preferred Alternative.....	66
FUNDING AND IMPLEMENTATION .....	66
CONSULTATION AND COORDINATION .....	69
Scoping .....	69
Consultation and Permitting Requirements .....	69
Agencies, Organizations, and Individuals Consulted.....	70
List of Preparers, Reviewers, and Contributors.....	73
REFERENCES .....	75
Laws Cited or Reviewed.....	75
Selected Bibliography.....	76
APPENDICES .....	79
APPENDIX A – LAND PROTECTION PLAN 2013 UPDATE .....	81
APPENDIX B – PUBLIC SCOPING NEWS RELEASES .....	105

## ACRONYMS AND ABBREVIATIONS

ABA	Architectural Barriers Act of 1968
ADA	Americans with Disabilities Act of 1990
Advisory Council	Advisory Council on Historic Preservation
AHJ	Authority Having Jurisdiction
AMPs	Asset Management Planning Processes
AoE	Assessment of Effect
API	Asset Priority Index
BMPs	Best Management Practices
CBA	Choosing By Advantages
CDPH	California Department of Public Health
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CLI	Cultural Landscapes Inventory
CI	Capital Improvement
CNRA	California Natural Resources Agency
COE	United States Army Corps of Engineers
CRV	Current Replacement Value
EA	Environmental Assessment
EPA	Environmental Protection Agency
FCI	Facility Condition Index
FPR	Federal Property Regulations
HABS/HAER	Historic American Buildings Survey /Historic American Engineering Record
HSR	Historic Structure Report
IBC	International Building Code
LCC	Life Cycle Costs
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NFPA	National Fire Protection Association
NPS	National Park Service
NRHP	National Register of Historic Places
PAMP	Park Asset Management Plan
§	Section
§106	Section 106 of the NHPA
SEKI	Sequoia and Kings Canyon National Parks
SHPO	State Historic Preservation Officer
Standards	The Secretary of the Interior's Standards for the Treatment of Historic Properties
state	State of California
USFWS	United States Fish and Wildlife Service
VA	Value Analysis

*Page left intentionally blank.*

# INTRODUCTION

## Purpose and Need

### Background

The National Park Service (NPS) is considering options for the future of 12 NPS-owned properties within the Wilsonia area of Kings Canyon National Park (park).

Wilsomia is primarily a seasonal (summer) community which consists of private in-holdings and NPS-owned properties. This community, southeast of the Grant Grove Village area (Figure 1), was established as a homestead on 160 acres, prior to the park's designation in 1890. In 1918, the homestead was subdivided and the area was named "Wilsomia" after President Woodrow Wilson. The subdivided property was then sold for summer cabin development. Most of the cabins in Wilsonia were built between 1919 and 1945.

The NPS first acquired private land in Wilsonia in 1931. A few additional acquisitions occurred through the 1950s, and acquisition increased from the 1960s until the early 1980s. The last acquisition occurred in 1983. Most of the federally-owned lots acquired during that period are now vacant as the NPS removed most of the cabins from the lots; however, 12 NPS-owned structures remain in place, interspersed through the private land (Figure 2).

In March 1996, the Wilsonia community was listed as a Historic District on the National Register of Historic Places. The following is the statement of significance from the 1996 National Register of Historic Places Registration Form:

"The Wilsonia Historic District is eligible to the National Register under Criterion A as a representative recreational mountain community developed between 1918 and 1945, the peak years in the broader context; of recreational mountain communities developed in California between 1850 and 1950. While its development patterns and architecture are typical of the period, Wilsonia is unique in two major ways. First, its land ownership as a privately-owned tract since its subdivision is distinct from that of the majority of recreational mountain communities in California which were built on federally-owned land. Second, Wilsonia's setting wholly surrounded by a National Park is uncommon. The combination of built and natural elements, the land ownership pattern, and the setting as an inholding within a National Park makes the Wilsonia Historic District a cultural and historic resource unusual within the context of recreational mountain communities in the State of California."

In 2011, the Wilsonia Historic District successfully amended the original 1996 listing. The amendment expanded the period of significance in the recreational cabin district up through the mid-20th century, ending with the introduction of newer, contemporary building forms during the 1960s and 1970s. The amendment identified the entire Wilsonia district as one contributing site and noted that the compatibility of the recreational community infrastructure with the character-defining aspects of the mountain setting, (e.g. natural vegetation, meadows, boulders, rock outcroppings, intermittent streams, and hilly terrain) provides the district with its unique historic character and sets this place apart from other recreational resources. This acknowledgement of a contributing site recognized that the character defining features of the community extend beyond just the built cabins.

Figure 1- Project Area

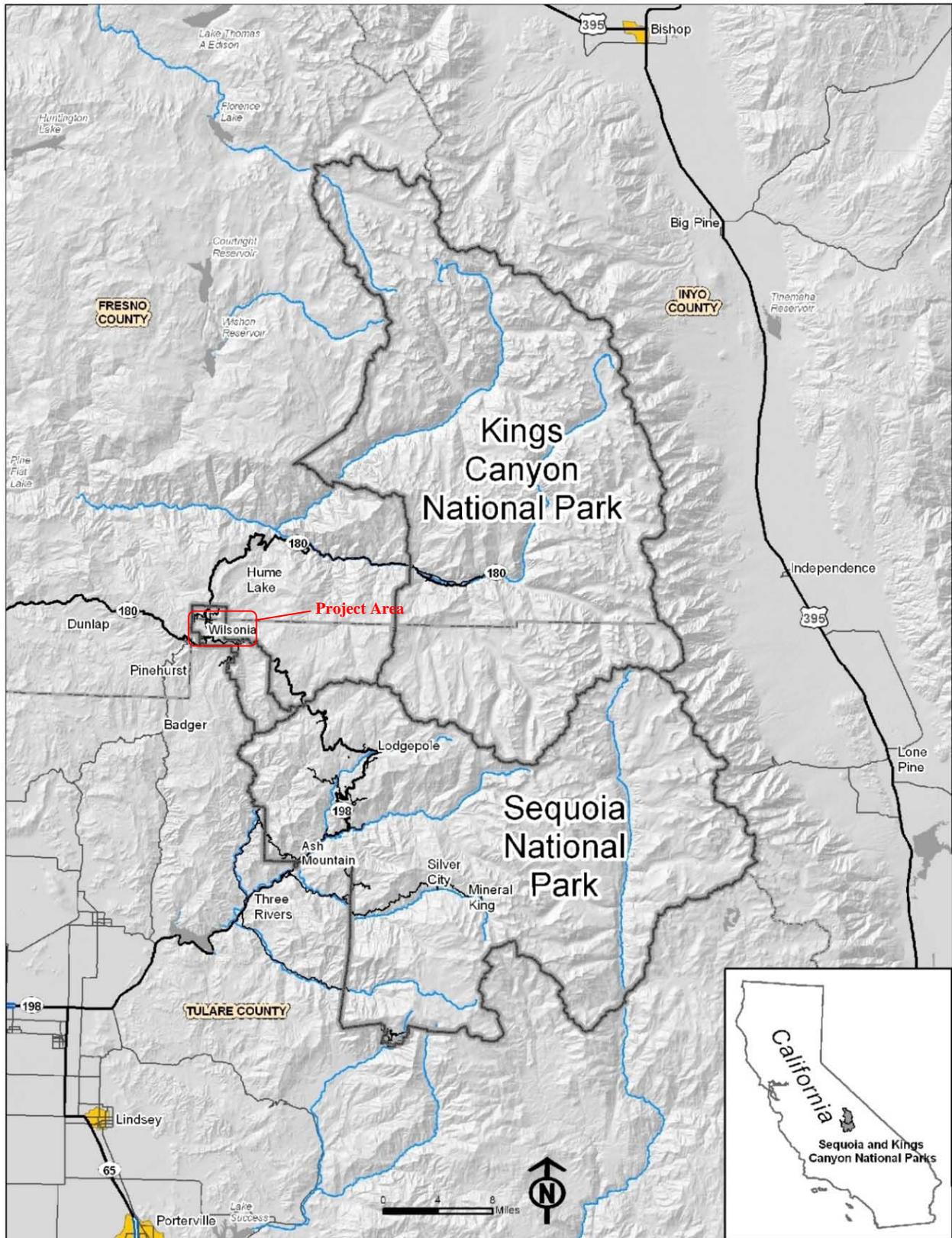
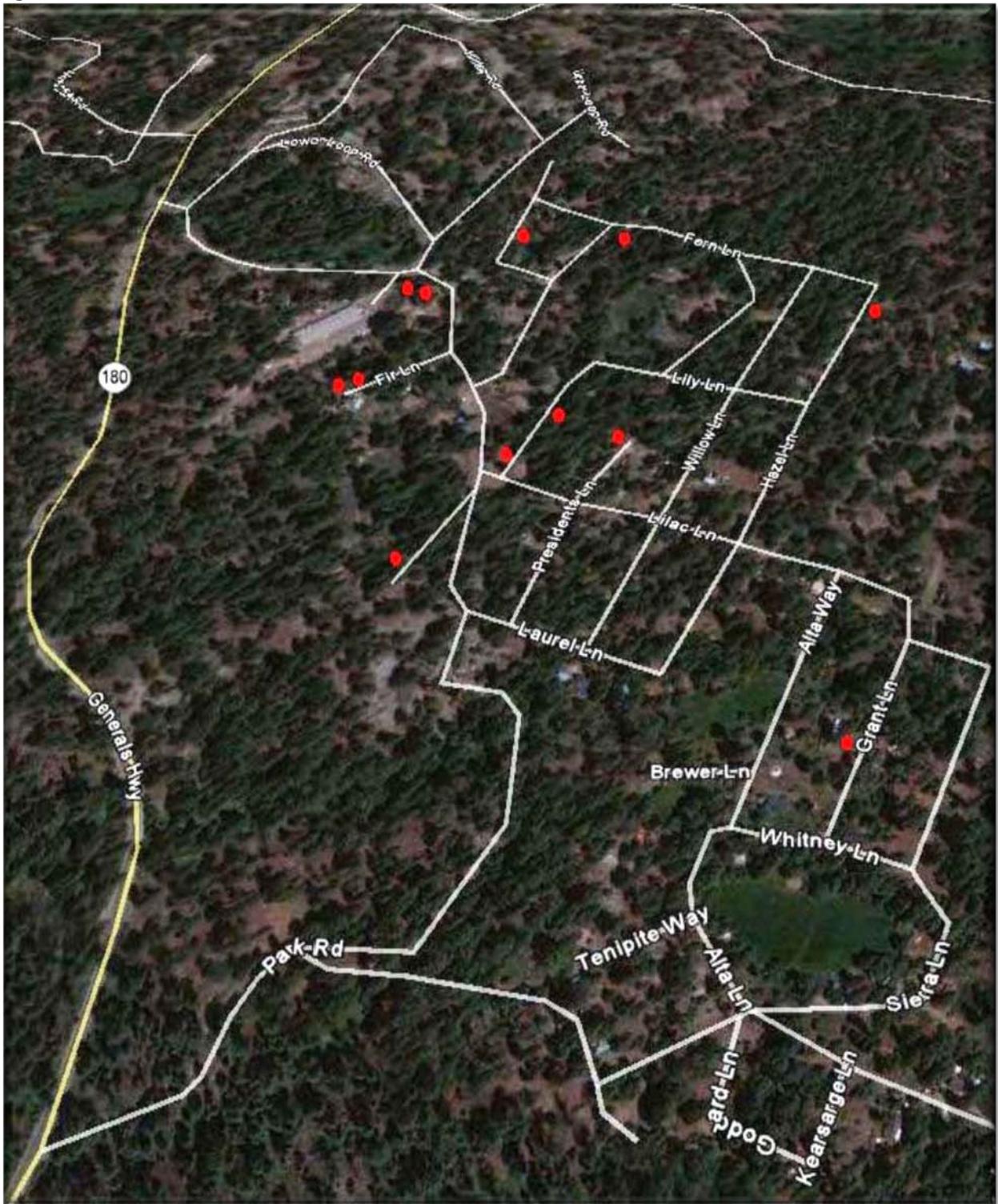


Figure 2 - NPS-Owned Structures within Wilsonia



With the amendment, eleven of the NPS-owned structures are now considered “contributing resources” within the Wilsonia Historic District (Figure 3).

83688 Cedar (Epicurean House/Poochigian Cabin) (NPS 108671)  
83733 Cedar Lane (NPS 111488)  
83663 Chinquapin Lane (NPS 111495)  
83692 Fir (Postmaster’s House (NPS 91967)  
83619 Grant Lane (NPS 111492)  
83740 Hazel (NPS 111494)  
83736 Park Road (NPS 111490)  
83681 President’s Lane (NPS 111491)  
83708 Fir (Barkman Cabin) (NPS 230755)  
83708 Fir (Barkman Shed) (NPS 230756)  
83690 Park Road (NPS 230757)

In addition, there is one NPS-owned cabin that is noncontributing to the Wilsonia Historic District: 83692 Fir (Next to Postmaster’s House) (NPS 91969).

In the past thirty years, the NPS has not actively pursued the acquisition of private cabins in Wilsonia. However, the “willing seller” acquisition policy remains in place (2013 Land Protection Plan Amendment, Appendix A). Subsequent to the establishment of the Historic District, the NPS has not removed any cabins from its properties within the District. In the past several years, the NPS has secured each of the NPS-owned structures from entry and examined their relative stability. Two structures located at 83708 Fir Lane (the “Barkman” cabin and shed) had the most extensive work, including securing the buildings and painting the exteriors. However, because the buildings have not had periodic maintenance, and they are not occupied, they are deteriorating over time.

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 also helped the NPS develop preliminary alternatives, and determine the 50-year life cycle costs for those alternatives.

### **Project Purpose and Need**

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. It is important to determine the buildings’ future use in order to avoid the environmental impacts and operational issues that stem from prolonged vacancy and lack of regular maintenance, sometimes referred to as “benign neglect.”

#### There is a need to manage NPS-owned properties in Wilsonia in a fiscally responsible and sustainable manner.

To most effectively manage its assets (facilities), park management must make difficult decisions about how assets should be maintained within budget limitations as per the NPS Facilities Asset Management Program Policies and guidelines (PAMP).

#### 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.

Section 106 mandates that federal agencies take into account the effects of their actions on properties listed or eligible for listing in the National Register and give the Advisory Council on Historic Preservation a reasonable opportunity to comment. While it does not require the preservation of such properties, it does require that their historic or prehistoric values be considered in weighing the benefits



and costs of federal undertakings to determine what is in the public interest. Its practical effect is to encourage agencies to seek ways to avoid or minimize damage to cultural resources. Agencies must recognize properties important to communities as well as to the nation as a whole, so they need to be aware of the interests of local groups and individuals. The goal of the process is to make sure that preservation is fully considered in federal actions, thereby protecting our shared heritage from thoughtless or ill-considered damage.

There is a need to consider *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

*The Secretary of the Interior's Standards for the Treatment of Historic Properties* (Standards) with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings are intended to provide guidance and treatment options to historic building owners. There is a need to consider these options when making a determination of the future management of the 12 NPS-owned structures.

There is a need to meet life, health and safety codes/requirements.

The disposition strategy must meet minimum life-health-safety and NPS Policy requirements, and determine applicable code and/or policy variances:

- Potable water as defined/governed by California Department of Public Health (CDPH), Title 22;
- Wastewater disposal in accordance with Tulare County and park environmental impairment codes and mandates;
- Building fire protection system approved by the NPS Pacific West Regional Office Authority Having Jurisdiction (AHJ);
- Americans with Disabilities Act of 1990 (ADA) and Architectural Barriers Act of 1968 (ABA) compliant;
- NPS policy/regulations/directors orders, including DO-83: Public Health;
- Sustainability;
- Seismic;
- Seasonality;
- Building Codes: International Building Code (IBC), California code, California Historic Building Code, Tulare County code;
- NPS Capital Investment Strategy (Park Asset Management Plan, or PAMP), NPS Facilities/Construction guidance related to Capital Improvement (CI)

In addition, some historic building materials have the potential to contain toxic substances (asbestos, lead paint, etc.) that are potentially hazardous to building occupants/workers. There is a need to conduct careful investigation and analysis to determine if abatement is required; commonly known as an environmental building assessment. All workers involved in the encapsulation, repair, or removal of known toxic materials should be adequately trained, licensed to handle/dispose of material, and wear proper personal protective equipment. Also, there is a need to develop preventive and routine maintenance for historic structures known to contain such materials, including proper warnings and precautions.

There is a need to protect the historic integrity of the Wilsonia Historic District.

The goal of the project is to balance the sustainable and fiscally-responsible management of the area, while maintaining the integrity of the Wilsonia Historic District. An assessment of effect on the Wilsonia Historic District would be conducted *programmatically* as part of this analysis. However, the effects on individual cabins would be analyzed with the implementation of the selected alternative in accordance with the *National Historic Preservation Act* (NHPA).

### There is a need to reduce environmental impacts on natural resources.

It was determined in a 2006-2007 Environmental Health Survey that the existing NPS-owned properties compromise the natural resources because of shallow ground water and the close proximity of wells to waste systems and waste systems to natural surface waters, wetlands, and riparian areas (NPS 2006/2007). The recommendation at that time was to discontinue use of the cabins. There is a need to determine if impacts are still occurring and what types of actions are necessary to restore and protect the area's natural resources.

## **Project Objectives**

The project purpose and need feed directly into the project objectives. The objectives of the disposition plan are to:

- Identify those buildings that could be maintained, in the future, in sustainable and economically responsible fashion and identify alternatives for the long-term preservation of those buildings;
- Determine the level of maintenance and rehabilitation for each NPS-owned building that would be retained;
- Develop an implementation strategy for preserving the area's historic resources;
- Maintain the buildings in a manner consistent with the park's purpose and mandate of resources protection.

## **Legislation, Guidance, and Previous Planning**

### **Legislation, Policies, and Other Guidance**

While there are numerous laws that affect the management of these parks, the laws that are most applicable to this planning effort include: the *Organic Act of 1916* (16 USC 1), the *General Authorities Act of 1970* (16 USC 1a-8), the *Redwood Act of 1978* (16 USC 1a-1), the *National Historic Preservation Act* (16 USC 470), the *Clean Water Act of 1972* (33 USC § 1251 et seq.), the *Safe Drinking Water Act of 1974* (42 USC 7401 et seq.), the *National Environmental Policy Act of 1969* as amended (42 USC 4321 et seq.), and the parks' enabling legislation (primarily 26 Stat. 478, 26 Stat. 650, 44 Stat. 818, 54 Stat. 41). Also, the *Americans with Disabilities Act of 1990* (ADA) and the *Architectural Barriers Act of 1968* (ABA) are considered and listed previously.

### **NPS Related Laws, Legislation, and Policies**

The *NPS Organic Act of 1916* (Organic Act) (16 USC 1, 2-4) and the *General Authorities Act* (16 USC 1a-8) direct the NPS to conserve the scenery, natural and historic objects, and wildlife, and to provide for the enjoyment of those resources in such a manner as to leave them unimpaired for future generations. The *Redwood Act* (16 USC 1a-1) reaffirmed the mandates of the *Organic Act* and provided additional guidance on the national park system management as follows:

The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the national park system and shall not be exercised in derogation of the values and purposes for which these various areas have been established (16 USC 1a-1).

The *National Historic Preservation Act* (NHPA), passed in 1966, as amended, established the U.S. policy of preserving history, while balancing that preservation with concerns for current, efficient use of property. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation (Advisory Council) a reasonable opportunity to comment on such undertakings. The procedures in this part define how federal agencies meet these statutory responsibilities. The section 106 process seeks to accommodate historic preservation concerns with the needs of federal undertakings through consultation among the

agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties (§ 800.1 Purposes. (a) Purposes of the section 106 process).

Chapter 5 of *NPS Management Policies 2006* focuses on the management and treatment of cultural resources within units of the National Park System. The NPS will holistically approach the treatment of related cultural resources in a park. All cultural resource and natural resource values will be considered in defining specific treatment and management goals. Research will be coordinated and sequenced so that decisions are not made in isolation. Each proposed action will be evaluated to ensure consistency or compatibility in the overall treatment of park resources.

The relative importance and relationship of all values will be weighed to identify potential conflicts between and among resource preservation goals, park management and operation goals, and park user goals. Conflicts will be considered and resolved through the planning process, which will include any consultation required by 16 USC 470f (Section 5.3.5).

*NPS Management Policies 2006*, Section 5.3.3, Historic Property Leases and Cooperative Agreements allows for the leasing of historic properties. The NPS may permit the use of a historic property through a lease or cooperative agreement if the lease or cooperative agreement will ensure the property's preservation. Proposed uses must not unduly limit public appreciation of the property; interfere with visitor use and enjoyment of the park; or preclude use of the property for park administration, employee residences, or other management purposes judged more appropriate or cost effective.

If a lease or cooperative agreement requires or allows the lessee or cooperator to maintain, repair, rehabilitate, restore, or build upon the property, the work must be done in accordance with applicable Secretary of the Interior's standards and guidelines and other NPS policies, guidelines, and standards.

*NPS Management Policies 2006*, Section 5.3.5.4.7, Use of Historic Structures (NPS 2006) and NHPA (16 USC 470h-2(a)(1)) and Executive Order 13006 (Locating Federal Facilities on Historic Properties) require each federal agency—before acquiring, constructing, or leasing buildings—to use, to the maximum extent feasible, historic properties available to it whenever operationally appropriate and economically prudent. The NHPA also requires each agency to implement alternatives for the adaptive use of historic properties it owns if that will help ensure the properties' preservation. Therefore, compatible uses for structures will be found whenever possible. This policy will help prevent the accelerated deterioration of historic structures due to neglect and vandalism. Unused significant historic structures should be stabilized and protected through appropriate measures (such as mothballing) until long-term decisions are made through the planning process.

All uses of historic structures are subject to preservation and public safety requirements. No administrative or public use will be permitted that would threaten the stability or character of a structure, the museum objects within it, or the safety of its users, or that would entail alterations that would significantly compromise its integrity.

*NPS Management Policies 2006*, Section 5.3.5.4.5, addresses the movement of historic structures. Proposals for moving historic structures will consider the effects of movement on the structures, their present environments, their proposed environments, and the archeological research value of the structures and their sites. No historic structure will be moved if its preservation would be adversely affected or until the appropriate recovery of significant archeological data has occurred. Prehistoric structures will not be moved.

A nationally significant historic structure may be moved only if

- it cannot practically be preserved on its present site; or
- the move constitutes a return to a previous historic location, and the previous move and present location are not important to the structure's significance.

A historic structure of less-than-national significance may be moved if

- it cannot practically be preserved on its present site; or
- its present location is not important to its significance, and its relocation is essential to public understanding of the park's cultural associations.

In moving a historic structure, every effort will be made to reestablish its historic orientation, immediate setting, and general relationship to its environment.

As summarized in the Project Purpose and Need Section, the NPS *Cultural Resource Management Guidelines* (NPS-28) provides additional information on compliance with the NHPA and how to assess impacts to cultural resources from any undertaking. An undertaking may be in the public interest even though it will impair cultural resources. The Section 106 process is designed to ensure that decisions are made with full awareness of the nature of the resources affected and the specific effects an action will have, and that feasible ways to avoid or minimize adverse effects are fully considered and acted upon. Location or design alternatives, for example, may reduce if not eliminate potential damage. The loss of historic structures and archeological resources may be mitigated by recording and data recovery. The benefits to be derived from an undertaking do not constitute mitigation, however, and measures that minimize but do not avoid adverse effects do not justify a finding of no adverse effect, except as specified in 36 CFR 800.9(c)(1).

Per 36 CFR 800.5[e], if an undertaking will adversely affect National Register—eligible or listed properties, the park notifies the Advisory Council and enters into consultation with the California State Historic Preservation Office (SHPO) about ways to avoid or mitigate the potential effect(s). Historians, archeologists, historical architects, ethnographers, curators, and cultural landscape architects may all play roles in this process as needed. This consultation generally results in a memorandum of agreement (MOA) recording any conditions that the NPS must meet in carrying out the undertaking. The Advisory Council may also participate in consultation. Other interested groups and individuals, at their request, may be invited to act as consulting parties. The Advisory Council's Public Participation in Section 106 Review, which provides more guidance in this area, indicates that agencies should involve the public “in a flexible manner that reflects the type of undertaking under consideration, the agency's administrative processes, and the nature of known or expected public interests.”

There are two principal statutory laws that have special applicability for property management. The first is the *Federal Property and Administrative Services Act of 1949* (40 USC 101 et seq.; June 30, 1949, ch. 288, 63 Stat. 377), which assigned responsibility to the General Services Administration (GSA) to establish regulations guiding and governing civilian executive agencies of the federal government in all matters pertaining to property management. The second is Public Law 84-863 (31 USC 3512(b); August 1, 1956, ch. 814, 70 Stat. 782), which requires that financial accounting as well as physical accounting be incorporated in property management. The *Federal Management Regulation*, issued by GSA, is the successor regulation to the Federal Property Management Regulation. In accordance with Subchapter C, Section 102.75, the disposal agency must determine that there is no further federal need or requirement for the excess real property and the property is surplus to the needs of the federal government. After reaching this determination, the disposal agency must expeditiously make the surplus property available for acquisition by state and local governmental units and non-profit institutions (Section 102-75.350) or for sale by public advertising, negotiation, or other disposal action. The disposal agency must consider the

availability of real property for public purposes on a case-by-case basis, based on highest and best use and estimated fair market value.

Per Section 102-78.65 of the *Federal Management Regulation*, federal agencies must—

(a) To the extent practicable, establish and implement alternatives for historic properties, including adaptive use, that are not needed for current or projected agency purposes. Agencies are required to get the Secretary of the Interior's approval of the plans of transferees of surplus federally-owned historic properties; and

(b) Review all proposed excess actions to identify any properties listed in or eligible for listing in the National Register. Federal agencies must not perform disposal actions that could result in the alteration, destruction, or modification of an historic or cultural property until federal agencies have consulted with the SHPO and the Advisory Council.

General Exchange Authority: The Act of July 15, 1968 (P.L. 90-401, 82 Stat. 354, 16 USC. 4601-22) authorizes the Secretary of the Interior to acquire inholdings (non-federal land) located within a unit of the National Park System by conveying or by exchange, federally-owned real property under the Department's jurisdiction, so long as the federal property is deemed suitable for disposal and is located in the same state as the non-federal property being acquired. This Act also authorizes the Secretary to grant leases on National Park System land, except for property within national parks or monuments of scientific significance. Federal property within Kings Canyon National Park cannot be leased under this provision of the Act.

*(b) Exchange of lands; other disposal; equal land values.* The Secretary of the Interior is authorized to accept title to any non-federal property or interest therein within a unit of the National Park System or miscellaneous area under his administration, and in exchange therefore he may convey to the grantor of such property or interest any Federally-owned property or interest therein under his jurisdiction which he determines is suitable for exchange or other disposal and which is located in the same State as the non-federal property to be acquired. Provided, however, that timber lands subject to harvest under a sustained yield program shall not be so exchanged. Upon request of a State or a political subdivision thereof, or of a party in interest, prior to such exchange the Secretary or his designee shall hold a public hearing in the area where the lands to be exchanged are located. The values of the properties so exchanged, either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor from funds appropriated for the acquisition of land for the area, or to the Secretary as the circumstances require.

Exchanges are subject to the provisions of environmental and cultural legislation and regulation listed below:

- Endangered Species Act of 1973, as amended (16 USC. 1531): Agency must take into account the effect of a proposed action on critical habitat for endangered species.
- National Historic Preservation Act of 1966, as amended (16 USC. 470): Agency must take into account the effect of a proposed action on any site, structure or object included in the National Register.
- National Environmental Policy Act of 1969, as amended (42 USC. 4321): Agency must prepare detailed statement on the environmental impact of the proposed action.

- Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), the "Superfund" Act (42 USC. 103 sec. 9601): Agency is subject to significant liability potential as the owner of property on which hazardous substances are discovered.
- Executive Order 11988 of May 27, 1977, Floodplain Management: If site of proposed action is located in a floodplain, the agency must take steps to prevent adverse effects on floodplain.
- Executive Order 11990 of May 24, 1977, Protection of Wetlands: If site of proposed action is located in a wetland, the agency must take steps to prevent adverse effects on the wetland.
- Departmental Manual 602 DM2: Prior to acquisition, an environmental site assessment must be conducted to determine presence of hazardous substances. If such substances are present, acquisition cannot proceed until remediation has occurred at no additional cost to the taxpayer.

36 CFR Chapter 1, Part 18, Section 18.3 establishes the regulations for leasing NPS administered lands, and states that: (a) In general, the Director may lease any property (except non-historic land) under this part if the Director makes the determinations required by § 18.4; and, (b) Non-historic land may not be leased under this part.

Before leasing property in a park area under this part, the Director of the NPS must determine that: (a) The lease will not result in degradation of the purposes and values of the park area; (b) The lease will not deprive the park area of property necessary for appropriate park protection, interpretation, visitor enjoyment, or administration of the park area; (c) The lease contains such terms and conditions as will assure the leased property will be used for activity and in a manner that are consistent with the purposes established by law for the park area in which the property is located; (d) The lease is compatible with the programs of the NPS; (e) The lease is for rent at least equal to the fair market value rent of the leased property as described in § 18.5; (f) The proposed activities under the lease are not subject to authorization through a concession contract, commercial use authorization or similar instrument; and, (g) If the lease is to include historic property, the lease will adequately insure the preservation of the historic property (Section 18.4).

NPS *Management Policies 2006*, Section 8.12, Leases, states that in accordance with 36 CFR Part 18, the NPS may enter into a lease for the use of any park property—historic or nonhistoric (except nonhistoric land)—if the following determinations are first made by the appropriate regional director (who may redelegate this authority to superintendents):

- (1) The lease will not result in degradation of the purposes and values of the park area.
- (2) The lease will not deprive the park area of property necessary for appropriate park protection, interpretation, visitor enjoyment, or administration.
- (3) The lease contains such terms and conditions as will ensure that the leased property will be used for an activity and in a manner that are consistent with the purposes established by law for the park area in which the property is located.
- (4) The lease is compatible with NPS programs.
- (5) The lease is for rent at least equal to the fair market value rent of the leased property.
- (6) The proposed activities under the lease are not subject to authorization through a concession contract, commercial use authorization, or similar instrument.
- (7) If the lease includes historic property, the lease will adequately ensure the preservation of the historic property. (In addition, a lease that includes historic property may be executed by the NPS only after compliance with the CFR Part 800, the commenting procedures of the Advisory Council on Historic Preservation).

It is likely that lease uses will be permissible under paragraph (6) if: the leased property where the proposed services are to be provided is not near a particular visitor destination of the park area; and, the patrons of the lessee are expected to be primarily persons who come to the park area only to use the lessee's services. In addition, before the park leases a facility, the facility must meet the minimum life-health-safety code as liability control measure. This would be the responsibility of the entity that leases the property.

The *Clean Water Act*, passed in 1972 as amendments to the *Federal Water Pollution Control Act*, and significantly amended in 1977 and 1987, was designed to restore and maintain the integrity of the nation's water. It furthers the objectives of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters and of eliminating the discharge of pollutants into navigable waters. It establishes effluent limitation for new and existing industrial discharge into U.S. waters; authorizes states to substitute their own water quality management plans developed under section 208 of the act for federal controls; provides an enforcement procedure for water pollution abatement; and requires conformance to permits required under section 404 for actions that may result in discharge of dredged or fill material into a tributary, wetland, or associated water source for a navigable river.

The *Safe Drinking Water Act*, as amended (42 USC 7401 et seq.) (SDWA) is the main federal law that ensures the quality of Americans' drinking water. SDWA was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and groundwater wells. The SDWA authorizes the EPA to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water.

*NPS Management Policies 2006* (NPS 2006) provides guidance on the design and operation of water supply and wastewater systems. Water systems will be designed to maximally conserve water and the energy used in its treatment and distribution. Water and delivery systems will be designed and maintained to provide sufficient water to operate fire sprinkler systems and fire hydrants. Water efficient devices will be installed in retrofitting structures and building new structures. Water supply systems and their operators must comply with all applicable state and federal health standards (section 9.1.5.1).

New wastewater systems, or extensions or expansions of existing systems, will be constructed only if a determination has first been made that reasonable conservation measures will not be sufficient to cover park needs. In the selection of an appropriate method of wastewater treatment, factors such as all-season reliability, regulatory and public health issues, cost-effectiveness, and minimum adverse impact on the environment will all be considered. Alternatives to traditional methods may be used, especially in environmentally sensitive regions or in areas where water is in short supply. Where alternative technologies are used, such as composting toilets, there should be interpretation for visitors regarding the value of recycling organic solid waste. Wastewater will be adequately treated so that on its return to water courses or when recycled it meets or exceeds applicable state and federal water quality standards. Water and wastewater systems and their operators are subject to state and federal health standards. Superintendents must ensure that operators are certified and that operations are inspected and conducted in accordance with all laws, regulations, and policies (section 9.1.5.2).

*Director's Order 83: Public Health* (DO-83) outlines what the NPS will do to ensure compliance with prescribed public health policies, practices, and procedures with respect to all public health activities within areas of NPS jurisdiction (NPS 2004). *Reference Manual 83: Drinking Water Standards* (NPS 2004) provides additional guidance on how NPS managers will reduce the risk of waterborne diseases and provide safe drinking water to employees, the visiting public, and park partners by assuring that drinking water systems are properly operated, maintained, monitored, and deficiencies are promptly corrected.

*Director's Order 75A: Civic Engagement and Public Involvement (DO-75A)* articulates the NPS' commitment to civic engagement and to have all National Park Service units and offices embrace civic engagement as the essential foundation and framework for creating plans and developing programs.

*Director's Order 20: Agreements (DO-20)* establishes NPS policies and procedures for administering agreements; identifies and describes the types of agreements that the NPS enters into with Federal and non-Federal entities; identifies and describes the responsibilities and functions of NPS officials in administering agreements; and affirms the NPS' commitment to comply with the regulations, policies and procedures imposed by the Office of Management and Budget Circulars, the Code of Federal Regulations, the Federal Acquisition Regulation, Executive Orders, the Department of the Interior regulations, and other applicable governmental laws and regulations.

*Director's Order 12: Conservation Planning, Environmental Impact Analysis and Decision-Making (DO-12)*, and accompanying Handbook, set forth the policy and procedures by which the NPS carries out its responsibilities under the *National Environmental Policy Act of 1969 (NEPA)*. DO-12 is the governing policy and procedures for how the NPS complies with NEPA. The DO-12 and Handbook lay the groundwork for the way the NPS approaches environmental analysis, public involvement, and resource-based decision-making.

## **Impairment of National Park Resources**

In addition to determining the environmental consequences of implementing the preferred and other alternatives, *NPS Management Policies 2006* (section 1.4) requires analysis of potential effects to determine whether or not proposed actions would impair a park's resources and values.

The prohibited impairment is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values (*NPS Management Policies 2006*). Impairment may result from visitor activities; NPS administrative activities; or activities undertaken by concessioners, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park. Impairment findings are not necessary for visitor experience, socioeconomics, public health and safety, environmental justice, land use, and park operations, etc., because impairment findings relate back to park resources and values. Ultimately, a written non-impairment determination will be prepared for the selected action and appended to the decision document.

## **Relevant State Legislation**

The *California Environmental Quality Act (CEQA)* (California Public Resources Code, Section 21000 et seq.), was passed in 1970, in response to the passage of the NEPA. CEQA is California's broadest environmental law and requires state and local agencies to identify the significant impacts of their actions and to avoid or mitigate those impacts, if feasible (CNRA 2010). CEQA applies to all discretionary projects proposed to be conducted or approved by a California public agency, including private projects requiring discretionary government approval (CDFW 2010a). Federally sponsored and financed projects involving a state or local agency and a federal agency are subject to both NEPA and CEQA review. This project will be reviewed under both NEPA and CEQA because action alternatives may require obtaining permits from the state.

The *Porter-Cologne Water Quality Control Act* established the State Water Resources Control Board (SWRCB) and each Regional Water Quality Control Board (RWQCB) as the principal state agencies for having primary responsibility in coordinating and controlling water quality in California. The SWRCB has the ultimate authority over state water rights and water quality policy. The Act also established nine RWQCBs to oversee water quality on a day-to-day basis at the local/regional level.

## Previous Planning and Other Guidance

The primary park planning documents that are relevant to this project are the parks' *Final General Management Plan and Comprehensive River Management Plan / Final Environmental Impact Statement* (GMP) (NPS 2007); the *Aquatic/ Water Resources Management Plan* (NPS 1989); *Park Asset Management Plan* (NPS 2008); *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (NPS 1992); and the *Sequoia and Kings Canyon Architectural Character Guidelines* (1989).

The 2007 GMP establishes a vision for what the parks' should be, including desired future conditions for natural and cultural resources, as well as for visitor experiences, and includes a comprehensive river management plan for rivers within the parks' that have been designated by Congress as components of the national wild and scenic rivers system. A key element of the approved GMP is to make facilities, including utilities, more resource-efficient and to implement water conservation measures. The GMP states that "future utility replacements, repairs or new systems are to be located so as to minimize resource damage and to be inconspicuous."

Specifically, for Wilsonia, the GMP directs the parks to:

- Evaluate NPS historic buildings for preservation and adaptive use.
- Evaluate NPS-owned historic buildings for adaptive reuse through the historic leasing program for seasonal staff residences, public lodging, or concession housing. (Septic constraints could limit adaptive reuse.)
- Remove nonhistoric NPS structures and restore the areas. Acquire properties on a willing-seller / willing-buyer basis when funding is available or resources are threatened.
- Update the Land Protection Plan to acknowledge the national register status of the Wilsonia Historic District.

The *Aquatic/ Water Resources Management Plan* (1989) for SEKI describes the parks' water resources information base and problems, along with park-specific objectives for the management of aquatic and water resources. Data collection efforts include developing water quality monitoring programs, identifying impacts in both front- and backcountry areas, and monitoring species. Management actions include managing visitor use, managing wet meadows, mitigating acidic deposition, and fostering public education, as well as conducting research. The plan is scheduled to be updated based on the issues and concerns identified in the 2005 *Water Resources Information and Issues Overview Report*, which was prepared by the NPS Water Resources Division (NPS 2005).

The Parks Asset Management Plan (PAMP) (NPS 2008) directs park management to:

- Allocate core operational and maintenance funding based on priority levels
- Reduce the existing maintenance liabilities for assets that are no longer critical to the mission of the park by (a) demolishing or mothballing existing structures; (b) transferring assets to a non-NPS entity; or (c) replacing inefficient or high deferred maintenance structures with new construction
- Dispose of Grant Grove-Wilsonia assets to address water and sewer system issues and resolve code issues or transfer these assets to park partners
- Dispose of select structures at Wolverton and Giant Forest
- Focus on sustainability and life cycle considerations, which will be a key focus in all activities
- Track utilities at an asset level to better understand operational costs and associated service levels
- Better educate park staff on the limited resources and how it affects existing and future asset maintenance

*The Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR Part 68 in the July 12, 1995 Federal Register (Vol. 60, No. 133)) (Standards) (NPS 1992) are used to guide management decisions in preserving historic properties. The Standards are used to plan for the protection and treatment of historic structures and cultural landscapes to maintain their integrity.

The Sequoia and Kings Canyon National Parks *Architectural Character Guidelines* (NPS 1989) define the appropriate architectural style for new development and replacement of old facilities within the parks in an attempt to reinforce the integral identity of the parks. The document defined architecture appropriate for new development work in Sequoia and Kings Canyon National Parks based on the following traditional premises:

1. National Parks should have an architecture that contributes to the understanding that they are special places that require special attitudes and behavior on the part of park visitors.
2. National Parks should be developed so that architectural themes are consistent throughout the developed areas of the park.
3. New development work in older National Parks should be designed in a way that establishes a continuity with the most successful design elements of past park projects.
4. Ultimately, park architecture has a significant impact on how visitors perceive and use the park.

While the document was initially used for the construction of new buildings and other facilities, it has also been used for periodic maintenance and repairs to existing structures to assure conformity with the defined architectural styles. It has not been utilized or modified to include design standards for the Wilsonia Historic District. However the Wilsonia properties fall within the general category for large rustic cabins and ranger residences; and will follow the typical architectural characteristics associated with these types of buildings.

## **Issues and Impact Topics**

### **Scoping**

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 State Historic Preservation Office, 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 (CALTRANS) and the Native American Heritage Commission. CALTRANS 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 and the Trust and 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 Structures*. 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 NPS administered 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 are explored in the planning process.

## **Derivation of Issues and Impact Topics**

Specific impact topics were developed for discussion and to allow comparison of the environmental consequences of each alternative. These impact topics were identified based on internal and external scoping; federal laws, regulations, and executive orders; NPS *Management Policies 2006* (NPS 2006); site visits; and NPS knowledge of limited or easily impacted resources. A brief rationale for the selection of each impact topic is given below, as well as the rationale for dismissing specific topics from further consideration.

The resources which could be affected and the impacts that could occur are described in detail in the "Affected Environment" and "Environmental Consequences" sections of this document.

## **Impact Topics Retained for Further Analysis**

In this section and the following section on *Impact Topics Dismissed from Further Analysis*, the NPS takes into account all potential impacts by considering the direct, indirect, and cumulative effects of the proposed action on the environment, along with connected and cumulative actions. The NPS defines "measurable" impacts as moderate or greater effects. It equates "no measurable effects" as minor or less effects. "No measurable effect" is used by the NPS in determining if a categorical exclusion applies or if impact topics may be dismissed from further evaluation in an EA or EIS. The use of "no measurable effects" in this environmental document pertains to whether the NPS dismisses an impact topic from further detailed evaluation. The reason the NPS uses "no measurable effects" to determine whether impact topics are dismissed from further evaluation is to concentrate on the issues that are truly significant to the action in question rather than amassing needless detail in accordance with Council on Environmental Quality (CEQ) regulations at 1500.1(b).

It was determined that there would be a measurable effect on the following impact topics: cultural resources (including historic structures, cultural landscapes, and archeological resources); water resources (including wetlands and floodplains); and park operations (Table 1).

**Table 1. Impact Topics Retained for Further Evaluation and Relevant Laws, Regulations, and Policies**

Impact Topic	Reasons for Retaining Impact Topic	Relevant Laws, Regulations, and Policies
Cultural Resources, including Historic Structures, Cultural Landscapes, and Archeological Resources	All but one of the structures considered in this planning effort are “contributing resources” to the Wilsonia Historic District. Landscape elements are included in the Wilsonia Historic District and the area comprising the District may also be eligible for listing on the NRHP as a cultural landscape district and therefore included on the NPS’ Cultural Landscapes Inventory (CLI). In addition, there are known archeological resources around the area, and if any are located within the project area, the NPS must determine effects to those resources. Therefore, all actions affecting cultural resources must be evaluated in accordance with NHPA and relevant NPS mandates and policies.	<i>National Historic Preservation Act of 1966</i> (NHPA) (16 USC 470 et seq., P.L. 89-665); Chapter 5 of <i>NPS Management Policies 2006</i> (NPS 2006); <i>Director’s Order 28: Cultural Resource Management</i> (NPS 1998)
Water Resources, including Wetlands and Floodplains	The existing structures and systems for water withdrawal and wastewater disposal may affect the area’s water resources and wetlands. Existing structures may be located within or near wetlands and floodplains. The effects to these resources need to be considered when evaluating the alternatives; therefore these topics will be further evaluated.	<i>NPS Organic Act of 1916</i> ; <i>Clean Water Act of 1972</i> (33 USC 1251, P.L. 92-500); <i>Director’s Order 77 Natural Resource Management Guidelines</i> (NPS 1991); <i>Director’s Order 77-1: Wetlands Protection</i> ; <i>Director’s Order 77-2: Floodplain Management</i>
Park Operations	Alternatives could affect park operations. Therefore this topic will be further evaluated.	<i>NPS Management Policies 2006</i> (NPS 2006)

**Impact Topics Dismissed from Detailed Analysis**

**Soils and Vegetation**

Wilsonia is located on typical southern Sierra granitic intrusions, overlain with metamorphic rock. Soils in the area are generally sandy and loamy sands developed from parent bedrock. Vegetation is primarily mixed conifer forest dominated by ponderosa pine, Jeffrey pine, sugar pine, white fir, and incense cedar, with some understory brush including manzanita and ceanothus. There are no giant sequoias within Wilsonia, but they are located nearby.

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 would be no change to the overall vegetation type of the area, and negligible to minor change to soils. Therefore these topics will not be further evaluated.

**Special-Status Species and Species of Management Concern**

Section 7 of the *Endangered Species Act of 1973* (ESA, as amended, 16 USC. 1531–1544; P.L. 93-205) directs all federal agencies to use their existing authorities to conserve threatened and endangered species and, in consultation with the USFWS, to ensure that their actions do not jeopardize listed species or destroy or adversely modify critical habitat. As defined in section 3 of the Act, an endangered species is any species which is in danger of extinction throughout all or a significant portion of its range, and a threatened species is any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. Additionally, *NPS Management Policies 2006*

mandates that state and locally listed species would be managed in the same manner as federally listed species, where feasible.

The NPS keeps an updated list of special status species and species of management concern based on the USFWS website and lists of state-listed species (CDFW 2010c and 2010d) and species of concern (CDFW 2011a and 2011b), to determine which species could potentially be affected by implementation of the proposed project.

#### Special Status Wildlife Species

NPS biologists identified 23 wildlife species with special status that have been known to occur in or could travel through the Wilsonia area. These include one federally listed endangered wildlife species, the California condor (*Gymnogyps californianus*) (also state listed), and one candidate species for federal listing, the Pacific fisher (*Martes pennanti*). There are two California state listed endangered species known to occur in the area: the great gray owl (*Strix nebulosa*), and willow flycatcher (*Empidonax traillii*); and two state listed threatened species: Swainson's hawk (*Buteo swainsonii*), and the Sierra Nevada red fox (*Vulpes vulpes necator*). There are several California "Species of Special Concern", including the Northern goshawk (*Accipiter gentilis*), California spotted owl (*Strix occidentalis occidentalis*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Plecotus townsendii*), Western red bat (*Lasiurus blossevillii*), Western mastiff bat (*Eumops perotis*), spotted bat (*Euderma maculatum*), Vaux's swift (*Chaetura vauxi*) (many observations around Wilsonia), black swift (*Cypseloides niger*), sharp-shinned hawk (*Accipiter striatus*), yellow warbler (*Dendroica petechia brewsteri*) (many observations around Wilsonia), short-eared owl (*Asio flammeus*), long-eared owl (*Asio otus*), badger (*Taxidea taxus*), and mountain beaver (*Aplodontia rufa*). There are two California "protected" species that could occur in the project area: golden eagle (*Aquila chrysaetos*) and peregrine falcon (*Falco peregrinus anatum*).

There is a slight chance that the federally- and state-listed California condor could fly over the project area, but there would be no effect on these species from project implementation since they do not nest or forage in the area (Gammons, pers. comm., June 15, 2012). The Pacific fisher inhabits forests with substantial canopy cover and tends to be rather shy and solitary, generally avoiding inhabited areas. The fisher is known to occur within the project vicinity and could be disturbed during project work from noise disturbance. The probability of the fisher to be in the project area, however, is unlikely since any work that would occur within the Wilsonia area would be in areas where human activity is common. The fisher tends to avoid these areas, and potential impacts to the fisher are anticipated to be negligible. For these reasons, the California condor and fisher have been dismissed from further analysis.

The state listed willow flycatcher was last seen around the Big Stump area of Grant Grove in 1985, and is thought to be extirpated from the project area. The great gray owl are rare visitors, and would unlikely be in the project area more than momentarily. Observations of the state listed red fox are rare; however, they could be present in the project area momentarily. Even if present, these species would not be affected by the project, as they generally stay away from human occupied areas. For these reasons, these species have been dismissed from further analysis.

Bats are known to occupy areas within Wilsonia, and could be utilizing any of the NPS-owned structures as roosting habitat. Prior to modifying the structures, park biologists would conduct surveys to determine if bats are present. Bats would be excluded from the structures prior to any project activities.

The remaining species could occur at any given time in the project area. All of the proposed project work would occur within the Wilsonia community, within previously disturbed areas, and where noise and human activity are prevalent during the summer. Effects from noise and presence of work crews would be temporary and localized, and last only as long as the project activities. While these species could be

present in or near the project area, it is likely that they would be present for a short period of time (i.e. an occasional flyover). After further review of park data and using professional judgment, special status wildlife species was dismissed as an impact topic because project implementation would have negligible effects on these species.

#### Listed Plants and Plant Species of Concern

Of over 1,500 taxa of vascular plants in the parks, no species are listed as federally threatened or endangered. Six federally- or state-listed species were identified on the USFWS official list that could occur within the Wilsonia area, and include: Hoover's spurge (*Chamaesyce hooveri*), Springville Clarkia (*Clarkia springvillensis*), San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*) critical habitat; San Joaquin adobe sunburst (*Pseudobahia peirsonii*), Keck's checker-mallow (*Sidalcea keckii*), and Ramshaw Meadows abronia (*Abronia alpine*). Hoover's spurge, Springville Clarkia, San Joaquin Valley Orcutt grass, San Joaquin adobe sunburst and Keck's checker-mallow occur in the lowlands of the San Joaquin Valley west of the park. None of these taxa are known to occur within the park, and based on habitat requirements and known distribution, are not expected to occur within the parks or the project area. Ramshaw Meadows abronia is known from only one extant, extended occurrence at Ramshaw Meadows and Templeton Meadows, which is south of Sequoia National Park. Based on survey results and habitat requirements, this plant is not expected to occur in the proposed project area.

There is only one state-listed rare plant species, Tompkins sedge (*Carex tompkinsii*), that is known to occur in SEKI. Tompkins sedge reaches the southern edge of its distribution in the South Fork of the Kings River, and would not be affected by this project.

There are few ground disturbing activities for each project alternative. The primary impact would occur from driving project equipment onto the site. Prior to any work on the property, the sites would be surveyed for plant species of concern. If populations are found, those areas would be flagged and crews will be instructed to avoid those areas. Since there is little ground disturbance associated with project activities, and any species found would be avoided, special status plant species have been dismissed from further analysis in this environmental document.

#### Non-Native Plant Species

The two most abundant invasive non-native plant species in the Wilsonia area are reed canarygrass (*Phalaris arundinacea*) and foxglove (*Digitalis purpurea*). Other invasive non-native species that may occur in the project area are woolly mullein (*Verbascum thapsus*), bull thistle (*Cirsium vulgare*), smooth brome (*Bromus inermis*), orchard grass (*Dactylis glomerata*), and velvetgrass (*Holcus lanatus*). Reed canarygrass is one of nine "transformer" species present in SEKI that have wide-ranging impacts on park resources and diversity. Transformer species not only displace native plant species and habitats, but are also able to modify or alter ecosystem functions. In addition to forming monocultures that outcompete and displace native wetland vegetation, reed canarygrass elevates wetlands and alters sedimentation rates (NPS 2013). Reed canarygrass is a species of high management concern in SEKI. Foxglove, through its ability to dominate wetland vegetation following reed canarygrass removal, is also of high management concern in Wilsonia.

The NPS conducts treatments to eradicate reed canarygrass, to contain foxglove, and to restore native wetland vegetation on or near some of these properties. Current maintenance and fuel hazard reduction at these properties has the potential to move invasive plant propagules within the Wilsonia area and to other areas of the park. Ongoing disturbances at occupied cabins may also provide habitat for these invasive plants. Actions that would restore natural conditions near reed canarygrass-infested wetlands would provide a small benefit to the overall effort to eradicate reed canarygrass from the Wilsonia and Grant Grove area. However, the overall effects are minor and localized, or can be mitigated through prevention and outreach. Residents in Wilsonia are periodically provided with information on non-native plants to

help minimize the spread of these species. Prior to any ground disturbance, areas would be surveyed and mitigations implemented to minimize the risk of spreading non-native plant propagules. The project is not likely to create additional opportunities for increasing these species, or lead to the establishment of additional non-native species, therefore this topic has been dismissed from further analysis.

### **Wildlife**

According to the NPS *Management Policies 2006*, the NPS strives to maintain all components and processes of naturally evolving park unit ecosystems, including the natural abundance, diversity, and ecological integrity of animals (NPS 2006). The project work would occur within the Wilsonia community, which is a developed area where human noise and presence is common. The project work would occur within previously disturbed areas. While there could be temporary displacement of wildlife during project activities, the impacts would be localized, temporary, and not outside the natural range of variability for wildlife species, their habitats, or the natural processes sustaining them. Population numbers and structure would remain stable and viable. Occasional responses to disturbance by some individuals are expected, but without measurable interference with survival, reproduction, or other factors affecting population levels. Sufficient habitat remains to maintain viability of all species. Therefore, this impact topic has been dismissed from further evaluation.

### **Wilderness Character and Resources**

The *Wilderness Act of 1964* (16 USC 1131–1136, P.L. 88-577) established the national wilderness preservation system in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. Under the provisions of this act, wilderness areas are to be administered for the use and enjoyment of the American people in such a manner as to leave them unimpaired for future use and enjoyment as wilderness.

Sequoia and Kings Canyon National Parks' original wilderness designation occurred under the *California Wilderness Act of 1984* (16 USC 1131, P.L. 98-425, 98 Stat. 1619); additional acreage was designated as wilderness by the *Omnibus Public Land Management Act of 2009* (H.R. 146). The total designated and managed wilderness for the parks' is 837,962 acres—approximately 96.8% of the parks' total acreage. The activities proposed in this environmental document would occur outside of proposed and designated wilderness and would have no discernible impact on wilderness character and resources. Therefore, this impact topic has been dismissed from further evaluation.

### **Air Quality and Greenhouse Gas Emissions**

The 1977 amendment to the *Clean Air Act of 1963* (42 USC 7401 et seq., P.L. 88-206) requires federal land managers to protect park air quality. Sequoia and Kings Canyon National Parks were designated Class I under the 1970 *Clean Air Act*, as amended. A Class I area is subject to the most stringent regulations of any designation. Further, the 1970 *Clean Air Act* provides the federal land manager (the Assistant Secretary for Fish and Wildlife and Parks and the Park Superintendent) with an affirmative responsibility to protect the parks' air-quality-related values (including visibility, plants, animals, soils, water quality, cultural and historic properties and objects, and visitor health) from adverse air-pollution impacts. Section 118 of the *Clean Air Act* requires the parks to meet all federal, state, and local air-pollution standards.

The proposed project is located within the San Joaquin Valley Air Pollution Control District (SJV Air District). This air district is susceptible to air pollution given its climate, topography, and human activities. Most of the air pollutants within the parks originate outside the park boundaries. Non-point sources continue to be the major contributor of air pollutants in the SJV Air District, including cars, trucks, farm equipment, and other agricultural activities. According to 2006 air-quality monitoring data, the main contributor in the park to the criteria air pollutants (CAPs) and greenhouse gases (GHGs) is transportation, contributing 66%. The largest portion of this is from visitor vehicle miles travelled.

However, emissions from construction equipment would produce particulate matter (PM), nitrogen oxides (NOx), and hydrocarbons, precursors to the formation of ozone.

There would be a slight impact on localized air quality with the use of motorized equipment during project work. There could be a slight increase in dust levels. However, there is not expected to be any change in general air quality from the project alternatives and no long-term, adverse impacts to air quality from implementing any alternative. Therefore, the impact topic of air quality was dismissed from further analysis.

### **Soundscapes**

In accordance with NPS *Management Policies 2006* and Director's Order-47: *Sound Preservation and Noise Management*, an important part of the NPS mission is preservation of natural soundscapes associated with national park units. Natural soundscapes exist in the absence of human-caused sound. The natural ambient soundscape is the aggregate of all the natural sounds that occur in park units, together with the physical capacity of transmitting natural sounds. Natural sounds occur within and beyond the range of sounds that humans can perceive and can be transmitted through air, water, or solid materials. The frequencies, magnitudes, and durations of human-caused sound considered acceptable varies among NPS units, as well as potentially throughout each park unit, being generally greater in developed areas and less in undeveloped areas.

The project elements associated with the action alternatives would occur within the Wilsonia community, which is a developed area near Grant Grove, where human-generated noise is common. Project components would be phased over a number of years and would be dependent on funding. Noise and the presence of work crews would be temporary and only last as long as the project activities. Noise associated with rehabilitating the structures would be short-term and localized, and construction activities would be scheduled to minimize effects on residents to the greatest extent practicable. Because there would be less than minor effects on the soundscape from project implementation, this impact topic has been dismissed from further analysis.

### **Visual Resources and Lightscapes**

NPS *Management Policies 2006* (NPS 2006) states that scenic views and visual resources are considered highly valued associated characteristics. It is NPS policy to preserve, to the greatest extent possible, the natural landscapes and visual qualities of the parks. Sequoia and Kings Canyon National Parks have developed aesthetic guidelines for park buildings. The parks' *Architectural Character Guidelines* for building design stipulate that:

. . .new construction must be sensitive to its context. It must defer to and respect the natural setting. It should not be overly sophisticated nor should it create a sense of human domination over the landscape.

In accordance with *Management Policies 2006* (NPS 2006), the NPS will preserve, to the greatest extent possible, the natural lightscapes of parks, which are natural resources and values that exist in the absence of human-caused light. The NPS will restrict the use of artificial lighting in parks to those areas where security, basic human safety, and specific cultural resource requirements must be met; use minimal-impact lighting techniques; and shield artificial lighting where necessary to prevent the disruption of the night sky, natural cave processes, physiological processes of living organisms, and other similar natural processes.

The project activities associated with action alternatives would occur within the Wilsonia community where structures and artificial features are expected. All structures considered in the alternatives would conform to the parks' *Architectural Character Guidelines* and the area's cultural landscape, and therefore

would have a negligible impact on visual resources. Any security lighting needed on structures would be consistent with NPS policy and would have a negligible effect on night sky values. For these reasons, visual resources and lightscapes have been dismissed from further analysis.

### **Ethnographic Resources and Museum Collections**

The NPS Director's Order 28: *Cultural Resource Management*; and, NPS-28: *Cultural Resource Guideline*, defines ethnographic resources as any site, structure, object, landscape, or natural resource feature assigned traditional legendary, religious, subsistence, or other significance in the cultural system of a group traditionally associated with it. There are no known ethnographic resources in proposed project area; therefore, this topic has been dismissed from further analysis.

According to the NPS Director's Order 24: *Museum Collections*, the NPS requires the consideration of impacts on museum collections (historic artifacts, natural specimens, and archival and manuscript material) and provides further policy guidance, standards, and requirements for preserving, protecting, documenting, and providing access to, and use of, NPS museum collections. Actions considered in this environmental document would have no impact on museum collections; therefore, this topic has been dismissed from further evaluation.

### **Visitor Use and Experience**

Very few park visitors experience the Wilsonia area. It is away from the main visitor use area of Grant Grove. If the NPS decides to provide an interpretive component for any of its structures in Wilsonia, the use in the area may increase slightly, but it is not expected to be more than a minor change from current conditions. Therefore this impact topic will not be further analyzed.

### **Socioeconomic Environment**

Alternatives associated with this project would neither have measurable effects on local businesses nor would appreciably change local or regional land use. There may be a minor influence on socioeconomics associated with availability for construction work during project implementation, but no long-term or substantial change to the socioeconomic environment would result from any of the alternatives. Actions considered in this proposal would have minimal impact on the socioeconomic environment; therefore, this topic has been dismissed from further analysis.

### **Health and Safety**

NPS *Management Policies 2006*, Section 8.2.5.1, establishes the policy for visitor safety. The NPS will strive to identify and prevent injuries from recognizable threats to the safety and health of persons and to the protection of property by applying nationally accepted codes, standards, engineering principles, and the guidance contained in Director's Orders #50B, #50C, #58, and #83 and their associated reference manuals. The saving of human life will take precedence over all other management actions as the NPS strives to protect human life and provide for injury-free visits. The NPS will do this within the constraints of the *1916 Organic Act*. The primary — and very substantial — constraint imposed by the *Organic Act* is that discretionary management activities may be undertaken only to the extent that they will not impair park resources and values.

Section 1.9.1.4 of NPS *Management Policies 2006* establishes the foundation for employee safety and health. The safety and health of employees, contractors, volunteers, and the public are core NPS values. In making decisions on matters concerning employee safety and health, NPS managers must exercise good judgment and discretion and, above all, keep in mind that the safeguarding of human life must not be compromised. The NPS must ensure that all employees are trained and informed on how to do their jobs safely, and that they have the necessary clothing, materials, and equipment to perform their duties with minimal personal risk.

Based on the above policies, the NPS and its concessioners, contractors, and cooperators must seek to provide a safe and healthful environment for visitors and employees. The NPS will strive to identify recognizable threats to the safety and health of persons and to the protection of property. When practicable, and consistent with congressionally designated purposes and mandates, the NPS will reduce or remove known hazards and apply other appropriate measures, including closures, guarding, signing, or other forms of education.

The NPS-owned properties within Wilsonia are currently inspected periodically for health and safety issues, including hazard trees and hazard fuels. This would not change under any of the alternatives. Therefore this impact topic will not be further evaluated.

### **Land Uses**

There are 190 private tracts remaining in Wilsonia, amounting to approximately 56.18 acres. Most tracts are small, individually owned cabin sites, although two tracts totaling 19 acres are owned by the Masonic Family Club and used as a private resort for members of the organization. There are 205 separate structures of more than shed size; 166 of them being used as family dwellings for at least part of the year. Few homes are used as year-round residences. Most homes are on one-tenth acre. There is potentially room for about 150 more cabins to be built on the remaining undeveloped private land.

The NPS first acquired land in Wilsonia in 1931. A few additional acquisitions occurred in the 1930s-1950s. The number of cabin tract acquisitions increased in the late 1960s continuing through the very early 1980s. However, in the early 1980s the number of acquisitions began to decrease, with budget cuts limiting funds available for acquisition.

In the 1986 Land Protection Plan for Wilsonia (LPP), the management objective for the NPS was to eliminate residential development so that the area could be restored to its natural condition and enjoyed by all of the public rather than just by a relatively few private land owners. The listing of the Wilsonia Historic District on the NRHP changed the status of the area. Since the listing of the Wilsonia Historic District on the NRHP, the NPS must also review permits in a historic preservation context (36 CFR 800). In particular, the NPS' review constitutes an "undertaking" as defined by the regulations and, thus, the provisions of Section 106 of the NHPA apply. The 2011 Amendment to the Historic District listing further changed the Wilsonia Historic District's nominated features to include natural and cultural features. The Amendment parallels the NPS management objectives in the LPP: *Wilsonia will continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and "natural or wild" tracts (without structures) held and administered by the NPS.*

The 1986 LPP has recently been amended by the 2013 Land Protection Plan (Appendix A) to reflect the changes that have occurred since the 1995 NRHP listing and the 2011 Amendment to the Historic District listing. The levels of residential use will be managed to minimize the effects on the natural environment within and outside of the Wilsonia area, including soil disturbance, removal of vegetation (including hazard trees), wastewater disposal, introduction of invasive plants, diversion of surface water flows, and the displacement and/or unnatural concentrations of wildlife. The levels of residential use will be managed to minimize the effects on the cultural environment (both archeological and historic features).

Under the updated LPP, the NPS will continue a policy of willing seller/ willing buyer; however, the NPS will no longer seek to acquire and remove the structures without first considering the protection of the Historic District. The continuation of current residential uses on privately-held land is also now considered to be acceptable. The updated 2013 LPP establishes acceptable and unacceptable land uses for Wilsonia.

The land uses within Wilsonia may change if a land exchange alternative is selected or if NPS-owned structures are removed and the site restored. However, the Wilsonia community at large would still be a combination of federally-owned and private lands, and in general, the land uses would remain very similar as current conditions. Therefore this topic was not included for further evaluation.

### **Other Impact Topics**

There would be no effect from the project on Wild and Scenic Rivers, Indian Trust Resources and Prime and Unique Farmland because there are none of these resources in the project area. There would be no effect on health or environmental effects on minorities or low-income populations or communities as defined in the EPA's *Final Guidance For Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses* (EPA 1998). No areas within the project sites are designated as critical habitat or ecologically critical areas. The alternatives being considered in this document would not affect the parks' status as an international biosphere reserve. For these reasons, these topics are dismissed from further analysis.

## ALTERNATIVES

### Introduction

This chapter describes the no action alternative, and six action alternatives that consider a comprehensive disposition plan for the NPS-owned properties in Wilsonia.

The no-action alternative provides a baseline from which action alternatives can be compared, magnitudes of proposed changes can be evaluated, and environmental impacts of those changes can be measured.

### Alternative A: No Action

Under this alternative, 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 waste water facilities, and evaluating and treating hazard trees. An annual visual inspection and a comprehensive condition assessment would be conducted every 5 years. In the future, minimum maintenance would not be adequate to retain the structures, and they would continue to deteriorate. At the time when maintenance does not address the necessary repairs, the NPS would allow the structures to deteriorate naturally into the earth, removing only those elements that pose a risk to employees and/or visitors. After the buildings are removed, the sites would be restored to natural conditions, but any below grade infrastructure would remain in place.

### Alternative B: Document and Remove Structures, Restore Site

Under this alternative, all the structures would be removed from the NPS-owned lots in Wilsonia, and the lots would be restored to natural conditions. The NPS is authorized to dispose of improvements on NPS real property, including off site removal, subject to the terms and conditions contained in the *Federal Property Regulations* (FPR) Part 102-75.990 and the McKinney-Vento Act. Before a structure eligible or listed in 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). Mitigation would be coordinated and agreed upon by the NPS, CA SHPO, the Advisory Council and any other relevant parties, typically through the development of a Memorandum of Agreement. Additionally, in accordance with 36 CFR 800.2(c)(2)(ii) and the NPS' DO-75A: Civic Engagement and Public Involvement, the NPS will consult with Federally recognized Indian Tribes regarding this proposed undertaking.

Transfer of Buildings: The NPS would seek opportunities to transfer the buildings at no cost to an external entity who would remove the buildings from the lots. The entity would have to qualify for this transfer in accordance with the FPR. Any transfer of property to a tribe would be considered per FPR 102-75.1110 through 1125 and Section 102-75.350 of the *Federal Management Regulation*. The entity would be responsible for completing the removal within one year of the transfer; the NPS or beneficiary would restore the lot to natural conditions. The anticipated time period for completion would be 1 to 3 years.

Sell Buildings: After transfer options have been fully explored, the buildings would be offered to external entities at fair market value. The NPS would post a public notice advertising the intent to demolish, post a notice of the availability of the cabins for off-site removal, or consider bids for salvage value. The purchaser would be responsible for removing the structures from the lots within one year of sale; the NPS

would then restore the lot to natural conditions. The anticipated time period for completion would be 3 to 5 years.

Removal of Structures by the NPS: Once the opportunities for transferring or selling the buildings are exhausted, or after 5 years, the NPS would pursue funding for the documentation, demolition, and removal of the remaining NPS-owned structures in Wilsonia, and for site restoration. The typical time period to secure competitive funding, award a demolition contract, and complete the restoration efforts would be 3 to 8 years.

If funding is not available for the removal of the structures, the NPS would allow the structures to molder. Moldering is defined as allowing structures to deteriorate naturally into the earth. However, if the NPS determines that any of the structures are posing adverse life-health-safety risks, and/or creating unacceptable impacts to the historic district or the cultural landscape, the NPS would seek moneys for emergency removal. The anticipated time period for the moldering process is 5 to 20 years.

Documentation and Site Restoration Component: All structures and associated foundation systems would be documented in accordance with Section 110(b) of the NHPA, under the stipulations of the SHPO and Advisory Council, prior to being removed from the NPS-owned lot. The associated water and waste-water 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.

### **Alternative C: Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District**

Under this alternative, per NPS-28, Chapter 8, a Historic Structure Report (HSR) would be prepared for individual NPS-owned structures, or groups of structures, to determine the appropriate treatment, i.e. if they would be mothballed, preserved, stabilized, or restored in accordance with the Standards (NPS 1992). A separate HSR should be prepared for every major structure managed as a cultural resource. Groups of similar structures or ensembles of small, simple structures may be addressed in a single report. In no case should restoration, reconstruction, or extensive rehabilitation of any structure be undertaken without an approved HSR, Parts 1 (Developmental History) and 2 (Treatment and Use). At a minimum, under this alternative, the exterior of all historic buildings would be structurally stabilized. Until HSRs are prepared and funding is appropriated, mothballing would be the treatment option selected in the interim, per NPS Preservation Brief 31 (NPS 1993). Mothballing includes closing up the structure temporarily to protect it from the weather as well as to secure it from vandalism. This requires stabilization of the exterior, properly designed security protection, generally some form of interior ventilation--either through mechanical or natural air exchange systems--and continued maintenance and surveillance monitoring. The following nine steps are involved in properly mothballing a building:

1. Prepare an HSR to document the architectural and historical significance of the building(s) and to inform treatment recommendations.
2. Prepare a condition assessment of the building; reviewed by a licensed California professional structural engineer (PE).
3. Structurally stabilize the building.
4. Exterminate or control pests, including termites and rodents.
5. Protect the exterior from moisture penetration.
6. Secure the building and its component features to reduce vandalism or break-ins.
7. Provide adequate ventilation to the interior.

8. Secure or modify utilities and mechanical systems.
9. Develop and implement maintenance and monitoring plan for protection.

The three types of long-term treatments considered under this alternative are preservation, rehabilitation, and restoration.

Preservation would be the selected treatment type when the structure's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement; when depiction at a particular period of time is not appropriate; and when a continuing or new use does not require additions or extensive alterations. Prior to undertaking work, a documentation plan for preservation would be developed. Preservation may be as simple as basic maintenance of existing materials and features or may involve preparing a HSR. Protection, maintenance, and repair are emphasized while replacement is minimized.

Rehabilitation would be the selected treatment type when repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, rehabilitation may be considered as a treatment. Prior to undertaking work, a documentation plan for rehabilitation would be developed. In rehabilitation, historic building materials and character-defining features are protected and maintained as they are in the treatment preservation; however, an existing historic fabric has become damaged or deteriorated and, as a result, more repair and replacement would be required. Extensively deteriorated, damaged, or missing features would be replaced using either traditional or substitute materials.

Restoration would be utilized when the structure's design, architectural, or historical significance during a particular period of time outweighs the potential loss of extant materials, features, spaces, and finishes that characterize other historical periods; when there is substantial physical and documentary evidence for the work; and when contemporary alterations and additions are not planned. A documentation plan for restoration would be developed.

Restoration may be comprehensive, or only focus on the exterior. The goal for restoring historic buildings is to make the building appear as it did at its most significant time in its history. First, those materials and features from the "restoration period" are identified, based on thorough historical research. Next, features from the restoration period are maintained, protected, repaired (i.e., stabilized, consolidated, and conserved), and replaced, if necessary. As opposed to other treatments, the scope of work in restoration can include removal of features from other periods; missing features from the restoration period may be replaced, based on documentary and physical evidence, using traditional or compatible substitute materials. Only those designs that can be documented as having been built should be re-created in a restoration project.

In addition to the work on the structures, the associated water and waste-water infrastructure would be abandoned below grade in accordance with best industry practices to reduce environmental impact on natural resources. Into the foreseeable future, the building exterior components would be maintained periodically to preserve the historic fabric and appearance. The lots surrounding the buildings would be maintained for minimum wildland fire defensibility. No work would be done to meet accessibility requirements or health and safety code requirements; and no retrofitting measures would be included to improve energy efficiency. Thus, these buildings would not be adaptively reused in the future.

### **Alternative D: National Park Service Adaptive Reuse**

Per NPS-28, Chapter 8, research about historic structures is a prerequisite for treatment and provides a basis for decision making by managers. Under this alternative, the first step would be to prepare a HSR for individual NPS-owned structures, or groups of structures, to inform the rehabilitation of the structures

in accordance with the Standards (NPS 1992), and adaptive reuse by the NPS. The three types of uses considered in this alternative are storage, administrative occupancy, and housing. Mothballing, as described under alternative C, would be used for historic structures as a transition to adaptive reuse.

Storage: The historic buildings determined appropriate for storage reuse would be structurally stabilized and the exterior of the buildings would be rehabilitated (roof, siding, deck, windows, doors etc.) to maintain the character defining features of the buildings as they contribute to the integrity of the historic district. Associated water and wastewater infrastructure would be abandoned below grade in accordance with best industry practices to reduce environmental impact on natural resources.

Building exterior components would be maintained and/or rehabilitated to preserve the historic fabric and appearance; lots would be maintained for minimum wildland fire defensibility. The interior of the buildings would be stabilized and rehabilitated to facilitate safe access for storage. The typical time period to secure competitive funding, award of contract, and complete the rehabilitation efforts would be 3 to 8 years.

Administrative Occupancy: The historic buildings determined appropriate for administrative occupancy would be brought up to the minimum life-health-safety code (see requirements below) while preserving the character defining features in accordance with the Standards. Administrative occupancy includes rehabilitation of associated water and wastewater infrastructure to current code (to include any variances) and maintaining lots for minimum wildland fire defensibility. There would be no overnight use, but appropriate day-uses could include: offices, training, field school, volunteer use, and/or a science and education center. The typical time period to secure competitive funding, award contract, and complete the rehabilitation efforts would be 5 to 10 years per structure.

Housing: NPS policy allows historic structures to be used for housing when “a given historic structure can be rehabilitated to meet housing standards without adversely affecting its historic character and if the rehabilitated structure will meet a need identified in the Park Housing Management Plan.”

SEKI conducted a housing needs assessment in 2012 and is currently updating the Sequoia and Kings Canyon Housing Management Plan. The housing needs assessment determined that there is a sufficient amount of employee housing in the Grant Grove area. Therefore, this component of the alternative will not be considered further.

Minimum life-health-safety and NPS policy requirements:

- Potable water as defined/governed by CDPH, 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 AHJ;
- ADA and ABA compliant;
- NPS policy/regulations/directors orders, including DO-83: Public Health;
- Sustainability;
- Seismic;
- Seasonality;
- Building Codes: IBC, California code, California Historic Building Code, Tulare County code;
- NPS Capital Investment Strategy (PAMP), NPS Facilities/Construction guidance related to CI

Code or policy variances to be considered:

- NPS AHJ may approve no automatic fire protection system;
- ADA/ABA may approve variance for adaptive re-use when impact on historic character cannot be avoided;

- California Historic Building Code may supersede other code requirements (e.g. IBC, CA Building Code, etc).

### **Alternative E: Non National Park Service Adaptive Reuse (includes partnering)**

Under this alternative, adaptive reuse of the 12 NPS-owned structures and associated infrastructure would be considered for non-NPS entities, and could include leasing, assignment through agreements, or assignment to the concessioner.

Under all options, the transfer of the assignment is for the structure(s) “as is.” The assignee would be responsible for alterations to the structure for historic preservation and for life-health-safety requirements. The assignee would be responsible for preparing the HSR and treatment plan, and submitting this to the NPS, who would then submit to SHPO for their review. There would be a time frame imposed within the transfer article stipulating when the HSR and treatment plan would be submitted, and when repairs would need to be completed.

Leasing: NPS *Management Policies 2006*, Section 8.12, Leases, states that in accordance with 36 CFR Part 18.4, the NPS may enter into a lease for the use of any park property—historic or nonhistoric (except nonhistoric land)—if the following determinations are first made by the appropriate regional director (who may redelegate this authority to superintendents):

- (1) The lease will not result in degradation of the purposes and values of the park area.
- (2) The lease will not deprive the park area of property necessary for appropriate park protection, interpretation, visitor enjoyment, or administration.
- (3) The lease contains such terms and conditions as will ensure that the leased property will be used for an activity and in a manner that are consistent with the purposes established by law for the park area in which the property is located.
- (4) The lease is compatible with NPS programs.
- (5) The lease is for rent at least equal to the fair market value rent of the leased property.
- (6) The proposed activities under the lease are not subject to authorization through a concession contract, commercial use authorization, or similar instrument.
- (7) If the lease includes historic property, the lease will adequately ensure the preservation of the historic property. (In addition, a lease that includes historic property may be executed by the National Park Service only after compliance with the CFR Part 800, the commenting procedures of the Advisory Council).

If applicable, the lease would be granted to a person or entity for a specified period of time not to exceed 60 years.

Assigning under an agreement: The NPS would consider assigning appropriate structures to interested parties through an agreement. The *Historic Site Act* (16 USC §462(e)), and NPS policies (DO-20: Agreements) authorizes cooperative agreements with states, municipal subdivisions, corporations, associations, or individuals to protect, preserve, maintain, or operate any historic or archeological building, site, object, or property for public use regardless of whether title thereto is in the United States.

Assigning to the Concessioner: The NPS would consider assigning appropriate structures to the concessioner. Buildings assigned under the terms of a concession contract would be NPS owned structures and would be part of the overall facility inventory of the park. If any of the NPS-owned structures are considered appropriate for concessioner use, and subsequently assigned to the concessioner, the concessioner would be responsible for all maintenance and repair of the facilities, lands, and utility systems assigned for their use, in accordance with standards acceptable to the NPS and the SHPO.

## **Alternative F: Land Exchange**

The exchanges considered under this alternative would involve improved federal properties for private vacant lands within the Wilsonia subdivision. The estates to be exchanged would be the fee simple lands. Prior to any exchange, each property would 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. The NPS would not target any private lands for exchange; private property owners would have to seek the exchange.

The federal properties would be conveyed by quitclaim deed, subject to certain use restrictions outlined below and valid third-party rights of record (if any). The private lands would be conveyed by warranty deed to the United States subject only to valid third-party rights of record and encumbrances acceptable to the U.S. Department of Justice. (See 16 USC 460I-22(b) for other specific exchange requirements.)

A restrictive covenant would be developed for each federal property to be exchanged in order to ensure the preservation of historic structures on the property. The restrictive covenant would 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 would be responsible for preparing HSRs and treatment plans consistent with the Standards (NPS 1992). The NPS would 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 would be coordinated with SHPO and the Advisory Council. Failure to adequately adhere to the terms of the restrictive covenant could result in reversion of the property to the United States.

## **Alternative G: Phased Disposition Strategy (Management Preferred Alternative)**

This alternative would implement a phased approach utilizing several components of the above disposition alternatives in the following order.

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. After the options for land exchanges and non-NPS adaptive reuse have been exhausted (or after 2 years) the remaining structures would be evaluated. Three options would be considered for each remaining NPS-owned structure:
  - a. Stabilize as static elements of the Historic District – as described under alternative C.
  - b. NPS adaptive reuse of selected structures – as described under alternative D.
  - c. Remove structure and restore site – as described under alternative B.

Once land exchange options are exhausted (after 1 year of seeking exchanges), the NPS would pursue partners for non-NPS adaptive reuse, as described under alternative C. If no partners are found after 1 year, then the NPS would evaluate the remaining buildings to determine which buildings would be stabilized as static elements of the Historic District, which structures would be demolished and removed, and which structures would be adaptively reused by the NPS.

For those structures to be stabilized as part of the Historic District, HSRs would be developed to determine the appropriate type of treatment, i.e. if they would be mothballed, preserved, stabilized, or restored in accordance with the Standards (NPS 1992). The HSR would also provide recommendations on potential NPS-adaptive reuse for each of the structures.

Structures identified for demolition and removal would be documented in accordance with Section 110(b) of the NHPA, under the stipulations of the SHPO and Advisory Council, prior to being demolished and 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).

### **Mitigation Common to All Alternatives**

Mitigation measures are designed to prevent or minimize adverse impacts or to contain impacts within acceptable limits during and after project implementation. Mitigation measures and guidance has been included in each project alternative. The following are additional guidance and mitigation measures that would be incorporated into project implementation.

### **Cultural Resources**

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).

Mitigation will be coordinated and agreed upon by the NPS, SHPO, the Advisory Council and any other relevant parties, typically through the development of a MOA.

Should previously unknown historic or prehistoric resources be unearthed during project implementation, work will be halted in the discovery area, the site secured, and SEKI's cultural resources program manager notified. A qualified cultural resource management specialist will examine the area as soon as possible and will follow the procedures of 36 CFR Part 800.13[c].

In the event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during project activities, the regulations implementing the Native American Graves Protection and Repatriation Act (43 CFR Part 10) shall be followed.

### **General Project Mitigation and Best Management Practices**

#### Water resources:

- The NPS would 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
- 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.
- Ensure that soils/sediments do not have an opportunity to enter any naturally-occurring waterbody or storm drain system.
- 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.

Air quality:

- 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.

Soundscapes:

- Consider noise effects when scheduling project work (e.g., establish quiet hours on visitors, employees and park natural and cultural resources).
- Construction activities would be scheduled to minimize effects on residents to the greatest extent practicable.
- Use the quietest equipment to accomplish the task efficiently and safely.

Wildlife:

- Comply with food-storage and garbage disposal requirements at all times.
- Prior to modifying any structure, park biologists would conduct surveys to determine if bats are present. Bats would be excluded from the structures prior to any project activities.

Vegetation:

- 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 non native 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, according to 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 the project area prior to any ground disturbing or construction activities

Visual Resources:

- All structures considered in the alternatives would conform to the parks' *Architectural Character Guidelines*.
- Any security lighting needed on structures would be consistent with NPS policy.

**Alternatives Considered but Dismissed from Detailed Analysis**

Several commenters 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.

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 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**

The environmentally preferred alternative is determined by applying the criteria suggested in the NEPA, which guides the CEQ. 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.

The identification of the environmentally preferred alternative was based on an analysis that balances factors such as physical impacts on various aspects of the environment, mitigation measures to deal with impacts, and other factors, including the statutory mission of the NPS and the purposes for the project. (For a comparison of the alternatives and the potential environmental effects under each alternative, see Table 2. A full discussion of impacts is presented in Chapter 4).

The environmentally preferable alternative is “the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources (46 FR 18026 - 18038). According to Director’s Order 12, through identification of the environmentally preferable alternative, the NPS and the public are faced with determining the relative merits of the choices before them as represented among the alternatives and must clearly state through the decision-making process what values and policies were used in reaching a decision.

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, the no action alternative 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 (4), assure a safe, healthful, productive, and aesthetically and culturally pleasing surroundings (2) while attaining a wide range of beneficial uses (3). However, because several of the existing structures are located on or near wetlands and floodplains, there may still be undesirable and unintended consequences (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 has been determined to be the environmentally preferred alternative.

**Table 2. Impact Summary Table**

*Note: This is a summary table only. The full descriptions of impacts are found in Chapter 4, Environmental Consequences Section.*

	Alternative A: No Action	Alternative B: Documentation and Removal	Alternative C: Stabilize Structures	Alternative D NPS Adaptive Reuse	Alternative E Non-NPS Adaptive Reuse	Alternative F: Land Exchange	Alternative G: Phased Approach
Cultural Resources	There would be no adverse effect on historic structures or the cultural landscape in the short term. However, it is likely that in the future the structures would be allowed to molder, resulting in long-term adverse effects. There would be no effect on archeological resources. Mitigation would be instituted to reduce those effects, in consultation with SHPO and the ACHP. There would be no adverse effect to archeological resources. Even with the potential future loss of eleven contributing structures, 93% of the contributing structures would remain, and the overall historic integrity of the Wilsonia Historic	Alternative B would result in an adverse effect to historic structures and cultural landscapes. Mitigation would be instituted to address those effects, in consultation with SHPO and the ACHP. There would be no adverse effect to archeological resources. Even with the loss of eleven contributing structures, 93% of the contributing structures would remain, and the overall historic integrity of the Wilsonia Historic District would remain in place as described on the National Register of Historic Places Registration Form (2011), as “a mosaic of privately held residential tracts of land (with culturally sensitive	Under alternative C, there would be a beneficial effect on the historic resources and cultural landscape of the Wilsonia Historic District. The overall historic integrity of the Wilsonia Historic District would remain in place as Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.	The overall historic integrity of the Wilsonia Historic District would remain in place as all the structures that contribute to the Historic District would be preserved, and Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.	The overall historic integrity of the Wilsonia Historic District would remain in place as Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.	The overall historic integrity of the Wilsonia Historic District would remain in place as Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.	This alternative would result in both beneficial and adverse effects on the historic structures and cultural landscape of the Wilsonia Historic District. Mitigation would be instituted to address adverse effects, in consultation with SHPO and the ACHP. There would be no adverse effect to archeological resources. It is likely under this alternative that some of the eleven contributing structures would remain in place, and some would be removed. However, even if all eleven structures were removed, 93% of the contributing structures would remain in place, and the overall historic integrity of

	Alternative A: No Action	Alternative B: Documentation and Removal	Alternative C: Stabilize Structures	Alternative D NPS Adaptive Reuse	Alternative E Non-NPS Adaptive Reuse	Alternative F: Land Exchange	Alternative G: Phased Approach
	District would remain in place as described on the National Register of Historic Places Registration Form (2011), as “a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.”	structures) and “natural or wild” tracts (without structures) held and administered by the NPS.”					the Wilsonia Historic District would be protected. The Historic District would remain as described on the National Register of Historic Places Registration Form (2011), as “a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.”
Water Resources	There would continue to be long term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. Under this alternative, all NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This	The effects to water resources from removing the structures and restoring site conditions would be long term and beneficial. Under this alternative, all NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a localized area.	There would continue to be long-term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. All NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a	There would continue to be long term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, improving water quality in a localized area.	There would continue to be long term minor adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, improving water quality in a localized area.	There would continue to be short-term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams, until the effects are either mitigated or the structures are removed. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements,	There would be beneficial effects on water resources from removing structures near or in wetlands and riparian areas. If any structures remain within these areas, there would continue to be long-term adverse effects on water resources. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, or

	Alternative A: No Action	Alternative B: Documentation and Removal	Alternative C: Stabilize Structures	Alternative D NPS Adaptive Reuse	Alternative E Non-NPS Adaptive Reuse	Alternative F: Land Exchange	Alternative G: Phased Approach
	would improve water quality in a localized area.		localized area.			improving water quality in a localized area.	capped appropriate 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.
Park Operations	The no action alternative would result in a long-term adverse effect on park operations because work crews normally assigned to visitor and administrative facility upkeep would be periodically reassigned to work in Wilsonia. As a result, other park priorities would not be completed or would be delayed until crews were available.	There would be adverse short-term effects on park operations during the removal of the structures. Long-term effects on park operations from the removal of the structures would be beneficial.	There would be short- and long-term adverse effects on park operations from this alternative.	There would be short- and long-term adverse effects on park operations from this alternative.	There would be a slight adverse effect on park operations as treatment plans are reviewed, but overall, the effects of this alternative on park operations would be long-term and beneficial.	There would be a slight adverse effect on park operations as exchange requirements are developed and treatment plans are reviewed, but overall, the effects of this alternative on park operations would be long-term and beneficial.	This alternative would result in short-term adverse effects on park operations and long-term beneficial and adverse effects.

*Page left intentionally blank.*

## AFFECTED ENVIRONMENT

This section provides a summary of the resources associated with the alternatives and the environmental consequences of the alternatives. It is organized by impact and resource topics that were derived from internal park and external public scoping, and is limited to those topics that may be affected by the alternatives. More detailed information on resources in Sequoia and Kings Canyon National Parks can be found in the GMP (NPS 2007).

### **Location and General Project Area Description**

Sequoia and Kings Canyon National Parks are located in the eastern part of central California. Although established by separate acts of Congress, the two parks are contiguous and managed jointly. The project area under consideration is located in the Wilsonia community within Kings Canyon National Park, in the Grant Grove area (Figure 1).

### **Cultural Resources, including Historic Structures, Cultural Landscapes, and Archeological Resources**

#### **The Wilsonia Historic District**

##### **(information derived from the 1996 Nomination and 2011 Amendment)**

Wilsonia is an approximately 108-acre unincorporated village located within the Grant Grove section of Kings Canyon National Park, immediately to the east of State Highway 180. A predominantly privately-owned inholding wholly surrounded by the National Park, the community is comprised of 212 buildings built between 1919 and the present which are integrated into the natural vegetation in a forest setting. It is a community of rustic mountain cabins built by residents of the San Joaquin Valley for use as summer homes where they could escape the heat, dust, and pollen of the Valley and follow outdoor recreational pursuits. Most of the primary structures are occupied on a seasonal basis.

The structures are rustic mountain cabins whose character-defining features include front, side and/or rear porches or decks; wood siding; wood windows and doors; pitched roofs of metal, wood, or composition shingles; chimneys of stone or brick; and natural landscaping. Character-defining features of the setting are the natural vegetation, meadows, boulders, rock outcrops, intermittent streams, and hilly terrain.

The site is a heavily wooded mixed conifer forest dominated by ponderosa pine, Jeffrey pine, sugar pine, white fir, and incense cedar. There are numerous giant sequoias in Wilsonia which were planted by property owners in the early years of development. Low level plants include ferns, deer brush, greenleaf manzanita, and ceanothus. The Historic District retains a sufficient level of architectural integrity in its historic natural setting. The Wilsonia Historic District is a cultural feature on the forest landscape which evokes much the same feeling as when it was built.

Wilsonia is comprised of three tracts, subdivided between 1918 and 1921, which are laid out in an irregular pattern with over 30 roads. All the roads are narrow, some barely wide enough for one car. Some roads are paved; others are not paved. Still others have been paved but are nearly indistinguishable from walking paths. Street names are indicated on wooden posts at the majority of intersections. Most cabins in Wilsonia are located on one-tenth-acre lots unseparated by fences. Some of the vacant land has never been developed, while other lots are vacant as a result of fire, snow damage, or demolition of cabins.

The NPS began acquiring land in Wilsonia in 1931, accelerating acquisition between the late 1960s and the early 1980s. Federally-owned lots, now mostly vacant, are interspersed with privately-owned land. The oldest extant cabins in Wilsonia date from 1919, the year after the first tract in Wilsonia was subdivided and lots went on sale. Some cabins began as platforms for cooking with the family sleeping in tents on the property. Over time, rooms were enclosed on the platform and the structure evolved into a

cabin. Other early cabins were built as simple one- or two- room shelters for cooking and sleeping without electricity or running water; most had detached outhouses. While some of the early cabins remain intact with just one or two rooms, the majority were expanded over time as families grew and needs changed. Despite the alterations, the majority remain modest and simple, reflecting the seasonal nature of their occupancy and the outdoor focus of life in Wilsonia.

Cabins were built from materials which captured the rustic flavor of the setting or complemented it. Native materials were often chosen to blend with the local environment. These materials included wood and stone, often secured locally. The design and location of cabins were often determined by natural features on the property such as rock outcrops or slopes. One cabin in Wilsonia was built atop such a rock formation. In design, materials, and location, the cabins in Wilsonia embody a feeling of rusticity and compatibility within the environment in which they were built, which is typical of mountain resources built during the period of significance.

Only one cabin in Wilsonia is believed to have been designed by an architect. Many cabins were designed and built by the owners themselves, some of whom were carpenters. Many cabins were also designed and built by local contractors or carpenters who built several cabins in Wilsonia. The majority of cabins built between 1918 and 1945 have similar physical characteristics. Most are one or one-and-one-half stories in height with foundations of wood post, stone, or concrete. Rectangular plans are typical, though many are "L"-shaped. Often gabled wings have been added perpendicular to the main section or attached to the ends. Shed roofed extensions for bathrooms which are attached to the main part of the structure are common. Many cabins have open front, side, and/or rear porches or decks which extend the living space of the residence into the outdoors. Most cabins have a prominent chimney built of stone or brick, while a few have metal flues. In most cases, the fireplace is the centerpiece of the cabin and a gathering place for family activities.

The exterior walls of all the cabins are clad in wood siding of various varieties, including shingles, shakes, board and batten, bark, log, and rough sawn lumber. Wood siding is run either vertically or horizontally. Some cabins have more than one type of siding. A variety of windows and doors occur, primarily wood doors and wooden double hung sash windows with single or multiple panes. Wooden winter shutters hinged to the window frames are common. Many have loft bedrooms built into the half story under the roof. Most cabins have gable roofs while a few have gambrel roofs. Roofs were originally of wood shingles and shakes, composition shingles, and corrugated metal. In recent years some shake and shingle roofs have been replaced with metal which serves as a deterrent for damage from both fire and snow load. Many properties have outbuildings including storage sheds, outhouses, and, in a few cases, small guest cabins. Though the cabins built after 1945 tend to be slightly larger, most show a strong continuity in plan, materials, and cladding with those built during the period of significance.

Four "A" frames were also built after 1945 in Wilsonia. Despite the difference in massing, the "A"-frames in Wilsonia are compatible in cladding and materials with the cabins built during the period of significance.

Most cabins in Wilsonia have been altered. Many buildings have a bedroom and/or bathroom addition, some have multiple additions, many have sleeping lofts which were developed in the attic space, and a few have second story additions. In most cases, however, the additions have been carried out in a manner compatible with the design plan, use of materials, and method of construction of the original structure. Due to deterioration caused by wildlife and harsh winters over many years, the original siding has been changed on some cabins from wood shake or shingle to board and batten siding or to another more durable wood siding. In most cases the new siding has not compromised the architectural integrity of the structure and is compatible with the other historic cabins in the district. In cases where the change in siding has been done in conjunction with other alterations such as the replacement of wood windows with

aluminum windows, the integrity of the cabin has been compromised and the structure has become a non-contributor to the historic district. At the time of the 1996 listing, of the 212 primary buildings in Wilsonia, 139 were considered contributors (66%) to the Historic District. Contributors are those cabins built during the period of significance (1918-1945) which maintain a high level of architectural integrity.

The Wilsonia Historic District was determined to be eligible to the National Register under Criterion A as a representative recreational mountain community developed between 1918 and 1945, the peak years in the broader context of recreational mountain communities developed in California between 1850 and 1950. While its development patterns and architecture are typical of the period, Wilsonia is unique in two major ways. First, its land ownership as a privately-owned tract since its subdivision is distinct from that of the majority of recreational mountain communities in California which were built on federally-owned land. Second, Wilsonia's setting wholly surrounded by a National Park is uncommon. The combination of built and natural elements, the land ownership pattern, and the setting as an inholding within a National Park makes the Wilsonia Historic District a cultural and historic resource unusual within the context of recreational mountain communities in the State of California. The Wilsonia Historic District's period of significance covers the development years of the community, beginning with the subdivision of the land in 1918 and ending in 1945 when new construction slowed down significantly. It was entered in the National Register on March 14, 1996.

**2011 Amendment** The Wilsonia Historic District successfully amended the original 1995 listing to expand the period of significance, update the evaluations of individual contributing and non-contributing resources, and acknowledge the contributing nature of the interspersed landscape elements (man-made and natural) to the larger district. The expanded period of significance reflects the consistent nature of the vernacular forms erected in the recreational cabin district up through the mid-20th century, ending with the introduction of newer, contemporary building forms during the 1960s and 1970s, and the changing patterns of local park management.

The Amended Documentation, approved on June 1, 2011, identifies the entire Wilsonia district as one contributing site. This evaluation acknowledges the fact that the district is 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.

As outlined in the 1995 National Register Nomination, the Wilsonia Historic District was composed of 212 primary buildings (excluding small guest cabins, sheds, outhouses, and other outbuildings). Of these, 139 (approximately 66%) were evaluated as contributors, and 73 as non-contributors due to age or alterations. With the 2011 amendment, the Wilsonia Historic District now contains a total of 211 primary buildings. Of these, 162 (approximately 77%) are evaluated as contributors, and 49 as non-contributors due to age or alterations. In addition to the individual buildings, the overall cultural landscape is added as a contributing site, for a total of 163 contributing resources within the Wilsonia Historic District.

With the amendment, eleven of the NPS-owned structures are now considered “contributing resources” within the Wilsonia Historic District (Table 3):

**Table 3. NPS-Owned Contributing Structures**

<p>83688 Cedar (Epicurean House/Poochigian Cabin) (NPS 108671)</p>	
<p>83733 Cedar Lane (NPS 111488)</p>	
<p>83663 Chinquapin Lane (NPS 111495)</p>	
<p>83692 Fir (Postmaster's House) (NPS 91967)</p>	
<p>83619 Grant Lane (NPS 111492)</p>	
<p>83740 Hazel (NPS 111494)</p>	

<p>83736 Park Road (NPS 111490)</p>	
<p>83681 President's Lane (NPS 111491)</p>	
<p>83708 Fir (Barkman Cabin) (NPS 230755)</p>	
<p>83708 Fir (Barkman Shed) (NPS 230756)</p>	
<p>83690 Park Road (NPS 230757)</p>	

**Other Historic Resources**

A Historic Resources Study (HRS) of the broader Grant Grove Developed Area was undertaken in 1997 in anticipation of future development and in light of the recognition of now potentially eligible buildings and structures dating from the late 1930s through the late 1940s. The HRS (Kopczynski and McCoy 1998) was designed to provide a historical overview of the developed area (approximately 310 acres), identifying and evaluating cultural resources in light of the NRHP eligibility criteria. The survey did not include the Wilsonia area. Several structures within the Grant Grove Village were determined eligible for

listing on the National Register. A draft NRHP nomination for a proposed “Grant Grove Historic District” was prepared in 1998. The NPS is currently updating the nomination for the proposed historic district.

### **Archeological and Ethnographic Resources**

The last extensive archeological survey in the Grant Grove area was conducted in October 1974 (NPS 1986) prior to the development of the concessions facilities at Grant Grove. The party surveyed approximately 700 acres north and west of Wilsonia that included the entire Grant Grove development area. No surface evidence of archeological resources was found on any proposed development site. Site specific archeological surveys are conducted for project work, but there has been no complete survey of the NPS-owned properties in Wilsonia. However, these surveys have found both prehistoric and historic resources, and it is likely that archeological resources are located in the area based on site conditions.

While there has been no formal ethnographic study conducted for the parks, ethnographic evidence suggests seasonal use by several groups of Western Mono (Monache) Indians, including the Wobonuch, Entimbich, and Wuksachi groups (Gayton 1948). Yokut groups (to the west) and Owens Valley Paiute groups (to the east) may have visited the area as well. Subsistence was based primarily on hunting and gathering, which entailed seasonal migrations from permanent base camps at lower elevations to temporary camps at higher elevations.

### **Wetlands, Floodplains, and Water Resources**

For regulatory purposes under the *Clean Water Act*, as amended (33 USC § 1251 et seq.), the term wetlands means “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” Executive Order 11990, (*Protection of Wetlands*, 42 FR 26961), requires federal agencies to avoid, where possible, adversely impacting wetlands. Further Section 404 of the *Clean Water Act* authorizes the U.S. Army Corps of Engineers to prohibit or regulated, through a permitting process, discharge or dredged or fill material or excavation within waters of the United States. NPS policies for wetlands, as stated in *NPS Management Policies 2006*, *Director’s Order 77-1: Wetlands Protection*, and *Procedural Manual 77-1: Wetland Protection*, strive to prevent the loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.

Executive Order 11988 (*Floodplain Management*, 42 FR 26951), requires an examination of impacts to floodplains and the potential risk involved in placing facilities within floodplains. *NPS Management Policies 2006*, *Director’s Order 77-2: Floodplain Management*, and *Procedural Manual 77-2: Floodplain Management*, provide guidelines for proposed actions in floodplains. It is NPS policy to preserve floodplain values and minimize potentially hazardous conditions associated with flooding.

A wetlands inventory has not been conducted for the NPS properties within Wilsonia, but several site visits have been conducted and surface water, wetland, and riparian habitat were found in proximity to several of the NPS-owned structures. The structure at 83690 Park Road is located on a lot where the majority of the lot is a drainage / wetland area (NPS 2011; NPS 2006/2007) and is next to an intermittent creek. The building at 83663 Chinquapin Lane is located on a potential wetland / high water table area. The “Postmaster’s House” at 83692 Fir Lane is within ten feet of an unnamed creek, and the building at 83691 Fir Lane is located 15 feet from an unnamed creek. Both of these structures are likely within the floodplains of these creeks. The structure at 83736 Park Road has a culvert that seems to drain into the yard and road runoff flows into the yard also.

The wetlands in this area appear to have been altered by human occupation in the last 150 years. There are deeply incised channels that have lowered water tables and appear to be actively eroding. These incised channels have likely resulted from concentrating water through culverts to pass under roads, from

intentional ditching to maintain this road drainage system, and perhaps from livestock grazing in the 19<sup>th</sup> and early 20<sup>th</sup> century. This change in natural hydrological pattern is likely a large contributing factor to the ability of reed canarygrass to establish and dominate in these wetlands. With the drop in the water table, vigorous and highly competitive native wetland vegetation may be converted to drier-site vegetation that does not resist invasion by reed canarygrass.

## **Park Operations**

When General Grant National Park (now Kings Canyon National Park) was designated, recreational development increased in the area. For the first two decades after designation, recreational use of the area remained much the same as it had before the park was established. Facilities were minimal, consisting of a few small cabins clustered near a store and lunch counter. The first concessions permit was granted in 1909 and the concessioner operated a general store, lodging unit, and a feed yard. By the following year, development included telephone and mail service, tent cabin rentals, and piped in water to the campground. Plans were also underway to expand the dining room and increase the number of cabins. Tourists were still reaching the park by stagecoach or horseback, and visitation remained low during the first decade of the twentieth century.

In the 1930s, the concession-operated facilities were expanded, and the “Village area” (now known as Grant Grove Village) was developed. Included were a NPS administrative building, and concession-operated store, coffee shop, comfort station, service station, and several other smaller buildings. The area had several small modifications through the late 1950s, but additional development did not occur until the NPS “Mission 66” initiative. At this time, several concession-operated facilities were enlarged, and a new restaurant addition was constructed. A new NPS visitor center was constructed, along with several new employee houses, and a new maintenance area. Campgrounds were updated and new comfort stations were developed.

Grant Grove appears today largely as it did after the completion of the Mission 66 initiative. The NPS administrative facilities include a ranger station, visitor center, administrative offices, park housing, and a maintenance shop with adjacent fire station. The maintenance shop, fire station, ranger station, and employee housing areas share a common entrance to the Wilsonia area, on Park Road. The maintenance shop and fire station are located adjacent to the Wilsonia area.

The concessions facilities at Grant Grove Village includes the John Muir Lodge (constructed in 1998), tent cabins and rental cabins, a restaurant, gift shop, and market, along with employee housing (cabins, dorms, and a trailer area). There are no concessions facilities within the Wilsonia area.

## **Site Specific Conditions**

The NPS Environmental Health Services (EHS) has conducted several inspections between 2006-2007 of the water and wastewater systems utilized within Wilsonia that have resulted in the findings that these systems do not meet the minimum current code requirements for health and safety with respect to water and wastewater systems (NPS 2006/2007). These findings corresponded with a 1973 report completed by Walter Longs & Associates that “these properties severely compromise the natural resources and are a threat to public health because of shallow ground water and close proximity of wells to wastewater systems and wastewater systems to natural surface water” (1973). The report further states that the use of the properties should be discontinued to protect the hydraulic and meadow/forest environs. Because the long-term goal for the NPS-owned properties at that time was to remove the structures and the related systems, the water and wastewater systems were not upgraded to meet the minimum code requirements, and the structures were not used.

In 2011, the NPS conducted a comprehensive condition assessment on the NPS-owned structures as part of the implementation of the PAMP. Several buildings were found to be in good to moderate condition,

others were determined to be structurally unsound and in poor condition, but could be stabilized using methods that would likely maintain a majority of the historic fabric. At least two buildings were found to be in extremely poor condition and need of major renovation or reconstruction to make them inhabitable (83740 Hazel and 83690 Park Road). It is not likely that the majority of the historic fabric on the two buildings could be maintained if renovation occurs.



**Photo 1. 83740 Hazel Lane was rated in extremely poor condition.**



**Photo 2. 83690 Park Road was rated in extremely poor condition.**

Some examples of safety concerns called out in the 2011 condition assessment for the NPS-owned properties include:

- The ability to meet Tulare County's minimum requirement of one acre for dual construction of a well and septic system;
- Minimum separation requirement of 100 lineal feet horizontal separation between leach field and surface water;
- Exterior water lines, lack of sanitary seals on wells, presence of pit toilets, and insufficient septic systems;
- Deteriorated or failing chimneys and foundations;
- Electrical system/wiring not to code and exposed wiring; and
- Presence of debris and garbage outside the structure.

Targeted stabilization work has occurred on the NPS-owned structures in the past to preserve the structures until a long-term plan is developed. None of the buildings are open to the public or employees (other than for inspections and maintenance activities), and all are kept locked to prevent entry. Because the Wilsonia area is away from the major visitor use area at Grant Grove Village, most visitors do not spend time in this location. However, land owners in Wilsonia and their guests spend time in the area and these buildings can pose an attractive nuisance.

*Page left intentionally blank.*

## ENVIRONMENTAL CONSEQUENCES

This “Environmental Consequences” chapter analyzes both beneficial and adverse impacts that would result from implementing any of the alternatives considered in this EA. This chapter also includes methods used to analyze direct, indirect, and cumulative impacts. A summary of the environmental consequences for each alternative is provided in table 2, which can be found in “Chapter 2: Alternatives.” The resource topics presented in this chapter and the organization of the topics correspond to the resource discussions contained in “Chapter 3: Affected Environment.”

### General Methodology for Analyzing Impacts

In accordance with the CEQ regulations, direct, indirect, and cumulative impacts are described (40 CFR 1502.16) and the impacts are assessed in terms of context and intensity (40 CFR 1508.27). Where appropriate, mitigating measures for adverse impacts are also described and incorporated into the evaluation of impacts. The specific methods used to assess impacts for each resource may vary; therefore, these methodologies are described under each impact topic.

### Geographic Area Evaluated for Impacts

The geographic study area is generally defined as an area of approximately 108 acres adjacent to and including the Wilsonia community (Figure 1).

### Type of Impact

Impacts are discussed by type, as follows (the terms “impact” and “effect” are used interchangeably throughout this document):

- Direct: Impacts that would occur as a result of the proposed action at the same time and place of implementation (40 CFR 1508.8).
- Indirect: Impacts that would occur as a result of the proposed action but later in time or farther in distance from the action (40 CFR 1508.8).
- Adverse: An impact that causes an unfavorable result to the resource when compared to the existing conditions.
- Beneficial: An impact that would result in a positive change to the resource when compared to the existing conditions.

### CUMULATIVE IMPACT ANALYSIS METHODOLOGY

Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions regardless of what agency (federal or nonfederal) or person undertakes such other actions” (40 CFR 1508.7). As stated in the CEQ handbook, Considering Cumulative Effects under the National Environmental Policy Act (CEQ 1997), cumulative impacts need to be analyzed in terms of the specific resource, ecosystem, and human community being affected and should focus on impacts that are truly meaningful.

Cumulative impacts are considered for all alternatives, including alternative A, the no-action alternative. Cumulative impacts were determined for each affected resource by combining the impacts of the alternative being analyzed and other past, present, and reasonably foreseeable actions that would also result in beneficial or adverse impacts. Because some of these actions are in the early planning stages, the evaluation of the cumulative impact is based on a general description of the projects. These actions were identified through the internal and external project scoping processes.

- Past actions by the NPS have resulted in the removal of a number of structures from the Wilsonia community. The NPS first acquired private land in Wilsonia in 1931. A few additional acquisitions occurred through the 1950s, and acquisition increased from the 1960s until the early 1980s. The last acquisition occurred in 1983. Most of the federally-owned lots acquired during that period are now vacant as the NPS removed most of the cabins from the lots; however 12 NPS-owned structures remain in place, interspersed through the private land. These actions occurred prior to the area being listed on the National Register as an historic district, therefore these actions did not result in an adverse effect to historic structures or the Wilsonia Historic District.
- The NPS and Tulare County authorize building permits for the Wilsonia area. Periodically, residents submit permit requests to modify their structures, install water/wastewater systems, or to build new structures. All building and waste water permits require NPS concurrence, per 36 CFR 7.8. Permits are reviewed for the protection of natural resource values and are subject to review in a historic preservation context (per the regulations in 36 CFR 800).

Improvements, changes, reconstruction, maintenance, or alterations to existing structures on privately owned lands that will not adversely affect a property, as defined by the nationwide programmatic agreement streamline review process between the NPS (as a federal agency) and the National Council of State Historic Preservation Officers are (2008) are acceptable. New construction or changes in the current use, condition, or size of structures can be evaluated, on a case by case basis, with consideration given to their impacts on natural resources and cultural resources. This review process can involve multiple parties: property owner; NPS; SHPO; Tribes; Tulare County and take an extended period of time. Any project that could result in a no adverse effect determination is submitted to the SHPO for concurrence. If the project has the potential to result in an adverse effect on a historic resource, additional consultations with the SHPO, ACHP and other interested parties are required.

- The Land Protection Plan (LPP) for Wilsonia (Appendix A) was updated in 2013 to address acceptable and unacceptable uses, determine any fee acquisition needs, identify priority protection actions, and recommend possible methods of acquisition or alternative means of protection for this area. It also addresses the change in status of the area to an historic district.
- Past, ongoing and future park operations on NPS properties within the Wilsonia area include periodic hazard tree removal, non-native vegetation removal activities and associated native wetland restoration activities, and fire hazard fuel reduction activities.

### **Past, Present, and Reasonably Foreseeable Actions**

In defining the contribution of each alternative to cumulative impacts, the following terminology is used:

- Imperceptible: The incremental effect contributed by the alternative to the overall cumulative impact is such a small increment that it is impossible or extremely difficult to discern.
- Noticeable: The incremental effect contributed by the alternative, while evident and observable, is still relatively small in proportion to the overall cumulative impact.
- Appreciable: The incremental effect contributed by the alternative constitutes a large portion of the overall cumulative impact.

## **ASSESSING IMPACTS USING CEQ CRITERIA**

The impacts of the alternatives are assessed using the CEQ definition of “significantly” (1508.27), which requires consideration of both context and intensity:

(a) Context – This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long term effects are relevant.

(b) Intensity – This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that on balance the effect would be beneficial.
- (2) The degree to which the proposed action affects public health or safety.
- (3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetland, wild and scenic rivers, or ecologically critical areas.
- (4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.
- (5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
- (6) The 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.
- (7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.
- (8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
- (9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
- (10) Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

For each impact topic analyzed, an assessment of the potential significance of the impacts according to context and intensity is provided in the “Conclusion” section that follows the discussion of the impacts under each alternative. Resource-specific context is presented in the Methodologies section under each resource topic and applies across all alternatives. Intensity of the impacts is presented using the relevant factors from the list in (b) above. Intensity factors that do not apply to a given resource topic and/or alternative are not discussed.

## **CULTURAL 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 NRHP. 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 state historic preservation officer (SHPO), culturally associated American Indian tribes and groups, and the public.

All proposed actions in this plan would be performed in accordance with NPS Director's Order 28 (DO-28) cultural resource management guidelines. Consultation with interested parties would occur in accordance with the programmatic agreement or as otherwise agreed to in consultation with SHPO. Measures to mitigate any adverse effects of proposed actions would be implemented in consultation with the SHPO and would be documented in a memorandum of agreement or the NEPA decision document for this plan. If the NPS, SHPO, affected American Indian tribes and groups (if appropriate), and the ACHP could not agree on measures to avoid or minimize adverse effects and were unable to negotiate and execute an alternate memorandum of agreement in accordance with 36 CFR 800.6(b), the effect would remain adverse.

### **Historic Structures**

Of the 12 NPS-owned structures within the Wilsonia Historic District, 11 are contributing structures. Potential impacts to these 11 historic structures are evaluated based on changes to character-defining features of the resources and the ability of each alternative to maintain the integrity of the Wilsonia Historic District. This approach is derived from both the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings as well as the regulations of the ACHP implementing the provisions of Section 106 of the National Historic Preservation Act. In addition, per the nomination, the combination of built and natural elements, the land ownership pattern, and the setting as an inholding within a National Park makes the Wilsonia Historic District a cultural and historic resource unusual within the context of recreational mountain communities in the State of California.

### **Cultural Landscapes**

According to the NPS Director's Order 28: Cultural Resource Management (Director's Order 28) (NPS 2002), a cultural landscape is:

...a reflection of human adaptation and use of natural resources and is often expressed in the way land is organized and divided, patterns of settlement, land use, systems of circulation, and the types of structures that are built. The character of a cultural landscape is defined both by physical materials, such as roads, buildings, walls, and vegetation, and by use reflecting cultural values and traditions.

In addition, the amended National Register listing for the Wilsonia Historic District included landscape features as part of the District, including character-defining aspects of the mountain setting, (e.g. natural vegetation, meadows, boulders, rock outcroppings, intermittent streams, and hilly terrain). The preservation of topographical features is a key element of preserving the cultural landscape associated with the area.

Potential impacts on cultural landscapes, topography, landforms, and vegetation are evaluated in terms of past, present and future change resulting from implementation of the alternatives. The cultural landscapes evaluation addresses anticipated changes to land use, vegetation patterns, circulation systems, locations of structures, topographic features and relief, site elevation, slope orientation, rock exposure, and modification of soil types.

### **Archeological Resources**

Archeological resources are the remains of past human activity and the records documenting the analysis of such remains (NPS DO28: Cultural Resource Management Guideline). Potential impacts on archeological resources are assessed based on the amount of disturbance to an archeological resource and the degree to which the integrity remains or is otherwise lost without recordation of the remains.

## **WATER RESOURCES**

Water resources, including streams, riparian areas, and wetlands, have been identified in the project area. For this analysis, all impacts are considered to be localized to individual streams and wetlands or to connected wetlands within the immediate project area. Effects to water resources from the proposed alternatives can be adverse or beneficial. An adverse effect would move the system outside of or away from the natural range of variability for stream and wetland conditions, and would degrade the size, integrity, or connectivity of wetlands. A beneficial effect would move the system inside of or toward the natural range of variability, or results in an increase in the size, integrity, or connectivity of wetlands.

Impacts considered in the analysis includes impacts to waterways from development, impacts from inadequate or malfunctioning wastewater systems, and impacts from structures located on or near wetland areas.

Increased impervious areas, which arise from development, are associated with degraded waterways. Such physical impacts could lead to increased surface water runoff and unnatural discharge and sediment loads in nearby streams as precipitation is not normally percolated and transported through the soil as it would be in a natural landscape. Also, areas around each structure generally have increased soil compaction, potentially leading to the same effect.

Perhaps the greatest impact to water quality could be from inadequate and/or malfunctioning wastewater systems. Since there have been no water quality assessments conducted in the Wilsonia area, there is no baseline to assess impacts to water quality. Assuming most Wilsonia cabins are outfitted with septic systems, there is potential for groundwater contamination from leaking or failing septic systems. Household wastewater is routinely contaminated by bacteria, protozoa, viruses, harmful household chemicals, detergents, and pharmaceuticals. If released into the groundwater, these contaminants will reach the stream, although the impact will be varied and dependent upon the extent of septic damage and the amount of microorganisms or chemicals present within the defunct system. If human excrement is going into an outhouse, there are no barriers to prevent groundwater contamination and the water quality impacts could be ongoing and more detrimental than just a few leaking septic systems. Further, cabins without proper wastewater treatment increase the likelihood of water quality impacts. Although those cabins near waterways may have a greater impact, any cabin within the watershed has potential to contaminate groundwater.

Generally, if wastewater has not been treated properly, there would be adverse impacts to water quality. Either removing the structures completely and restoring the area or finding a more effective way to deal with wastewater would be beneficial to water quality.

Wetlands have been identified as critical habitats for a variety of plants and animals. Wetlands may be the most productive habitat in SEKI, and are often biodiversity hotspots. Globally, wetlands are considered to be among the most endangered habitats. Any filled wetlands within the project area results in a loss of important habitat which would not recover unless the cabin is removed and the wetland is restored.

The intensity of the impact considers effects of an action on the size, integrity, and connectivity of streams, riparian areas, and wetlands. Negligible impacts would not result in a detectable impact on a stream, wetland size, integrity, or connectivity. Minor impacts would be detectable and would result in a change in stream conditions, wetland size, integrity, or connectivity. If mitigation is needed to offset adverse impacts, it would be relatively simple to implement. Major impacts would be substantial and highly noticeable, with the potential for landscape-scale changes (either adverse or beneficial) in the distribution, quantity, or integrity of wetlands and water resources.

A short-term impact would have an immediate effect on wetlands and water resources, but would not cause long term impacts on wetland size, integrity, or connectivity. Short-term impacts are normally associated with transitional types of activities, such as facility construction. A long-term impact would have an effect that would remain beyond transitional activities and could lead to a permanent loss of wetlands as exhibited by a decline in wetland indicator species abundance, viability, and/or survival, or a beneficial effect from restoration actions.

## **PARK OPERATIONS AND PARK FACILITIES**

Impact analyses are based on the current description of park operations and park facilities presented in chapter 3. Park operations and park facilities includes quality of effectiveness of the infrastructure and the ability to maintain the infrastructure used in the operation of the park in order to adequately protect and preserve vital resources and provide for an effective and safe employee environment and visitor experience. Resource-specific context for assessing impacts of the alternatives on park operations and park facilities includes:

- the ability of the parks to operate within the constraints of the unit-specific budget and number of staff positions that have been allocated by Congress and the NPS Director’s office.
- the ability of park staff to provide for an effective and safe experience and protect resources within the park.
- the effects of temporary construction and/or demolition on the ability of park staff to complete maintenance activities and ensure a safe environment.

## **ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES**

### **CULTURAL RESOURCES**

#### **No Action – Maintain the properties to address only minimum health and safety requirements**

Historic Structures: The 11 NPS-owned structures considered contributors to the Historic District would be retained, with periodic maintenance occurring to address the minimum health and safety requirements. No large scale rehabilitation or changes to these structures would occur. The appearance of the structures would remain similar to the existing appearance in the near term. Any modifications would be accomplished with a goal of retaining the structures’ original appearance as much as possible. The structures would continue to contribute to the Wilsonia Historic District as long as they can be adequately maintained. Each modification would be reviewed in accordance with NHPA Section 106 requirements to evaluate the effects to these resources. The NPS would work with SHPO to ensure that work elements fall within the Programmatic Agreement or for “No Adverse Effect” determinations for proposed stabilization work.

It is likely, in the future, that with only basic stabilization work, some or all of the structures would eventually deteriorate to a condition where they can no longer be maintained. At that time, the NPS would allow the structures to deteriorate naturally into the earth, removing only those elements that pose a risk to employees and/or visitors. After the buildings are removed, the sites would be restored to natural conditions, but any below grade infrastructure would remain in place. The net loss of 11 structures would result in 151 structures remaining that would continue to contribute to the District. Because the structures proposed for removal are contributing structures to the Historic District, the NPS would be required to work with the CA SHPO and ACHP and other relevant parties to develop mitigation measures for the adverse effect. If the NPS, SHPO, and ACHP could not agree on measures to avoid or minimize adverse

effects and were unable to negotiate and execute an alternate memorandum of agreement in accordance with 36 CFR 800.6(b), the effects would remain adverse.

Cultural Landscape: There would be no changes to the existing cultural landscape and no adverse effect as a result of implementing this alternative.

Archeological Resources: There would be no ground disturbance and no effect to the archeological resources in the Wilsonia area as a result of implementing this alternative.

*Cumulative Effects from the No Action Alternative:* Past actions by the NPS have resulted in the removal of several structures from the Wilsonia community. The last removal of a structure by the NPS occurred prior to the area being listed on the National Register as a Historic District, therefore these actions did not result in an adverse cumulative effect to historic structures or to the Wilsonia Historic District.

There could be beneficial effects due to the review and permitting process employed by the NPS and Tulare County. All permits submitted by cabin owners are subject to review in a historic preservation context, with a goal of maintaining the overall integrity of the Historic District. Projects may also be subject to SHPO review. These reviews should result in the long term preservation of the Historic District.

*Conclusion:* There would be no adverse effect on historic structures or the cultural landscape in the short term. However, it is likely that in the future the structures would be allowed to molder, resulting in long-term adverse effects. There would be no effect on archeological resources. Mitigation would be instituted to reduce those effects, in consultation with SHPO and the ACHP. There would be no adverse effect to archeological resources. Even with the potential future loss of eleven contributing structures, 93% of the contributing structures would remain, and the overall historic integrity of the Wilsonia Historic District would remain in place as described on the National Register of Historic Places Registration Form (2011), as “a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.”

### **Alternative B- Document and Remove Structures, Restore Site**

Under this alternative, all the structures would be removed from the NPS-owned lots in Wilsonia, including the 11 structures that are contributors to the Historic District. The lots would be restored to natural conditions. The buildings could be transferred and removed, sold and removed, or demolished and removed by the NPS. If funding is not available, the NPS would allow the structures to deteriorate naturally into the earth, removing only those elements that pose a risk to employees and/or visitors. After the buildings are removed, the sites would be restored to natural conditions, but any below grade infrastructure would remain in place. The lot would be restored to appear similar to other vacant lots within the Wilsonia Historic District (including site contouring and replanting).

Historic Structures: Eleven historic structures would be removed from the Wilsonia Historic District, resulting in an adverse effect to these historic resources. Currently there are 162 historic structures listed as contributing to the Wilsonia Historic District. The net loss of 11 structures would result in 151 structures remaining that would continue to contribute to the District. Because the structures proposed for removal are contributing structures to the Historic District, the NPS would be required to work with the CA SHPO and ACHP and other relevant parties to develop mitigation measures for the adverse effect. If the NPS, SHPO, and ACHP could not agree on measures to avoid or minimize adverse effects and were unable to negotiate and execute an alternate memorandum of agreement in accordance with 36 CFR 800.6(b), the effects would remain adverse.

Cultural Landscape: The cultural landscape of the Wilsonia Historic District would be modified under this alternative. Twelve buildings would be removed, eleven of them contributing structures to the Historic District, resulting in a change in land use. The building sites would be restored to match the landscape elements of the district, including grading to match the topography, and replanting native vegetation. In the short-term, prior to full restoration, there would be an adverse effect to the cultural landscape. In the long term, as the area is naturalized, the vacant lots would look very similar to the other vacant lots within the District. Because the landscape would be altered, there would be an adverse effect on the cultural landscape of the Wilsonia Historic District. The NPS would be required to work with the CA SHPO and ACHP and other relevant parties to develop mitigation measures for the adverse effect. If the NPS, SHPO, and ACHP could not agree on measures to avoid or minimize adverse effects and were unable to negotiate and execute an alternate memorandum of agreement in accordance with 36 CFR 800.6(b), the effects would remain adverse.

Archeological Resources: Prior to any project work, the structures and lots would be surveyed for the presence of archeological resources. All below grade structures would remain in place, but excavation would occur during recontouring activities. If evidence of archeological resources is found in the area, the sites would be protected and recontouring would not occur at those sites. Therefore, there would be no adverse effect to archeological resources from alternative B.

*Cumulative Effects from Alternative B:* Past actions by the NPS have resulted in the removal of several structures from the Wilsonia community. The last removal of a structure by the NPS occurred prior to the area being listed on the National Register as a Historic District, therefore these actions did not result in an adverse cumulative effect to historic structures or to the Wilsonia Historic District.

The NPS and Tulare County authorize building permits for the Wilsonia area. Periodically, residents submit permit requests to modify their structures, install water/wastewater systems, or to build new structures. Permits are reviewed in a historic preservation context and an initial determination of how the permit would affect the Historic District is made by subject matter experts. Any permit that has the potential to result in a no adverse effect or adverse effect on a historic resource is submitted to SHPO for their review. Through this review process, it is anticipated that any new building or building modification permitted by the NPS and Tulare County would be constructed in a manner to retain the integrity of the Historic District.

*Conclusion:* Alternative B would result in an adverse effect to historic structures and cultural landscapes. Mitigation would be instituted to reduce those effects, in consultation with SHPO and the ACHP. There would be no adverse effect to archeological resources. Even with the loss of eleven contributing structures, 93% of the contributing structures would remain, and the overall historic integrity of the Wilsonia Historic District would remain in place as described on the National Register of Historic Places Registration Form (2011), as “a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.”

### **Alternative C- Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District**

Under alternative C, the 11 NPS-owned structures that are contributors to the Historic District would be mothballed, preserved, stabilized, or restored, depending on the structure. At a minimum, the exterior of all of the historic buildings would be structurally stabilized to retain its appearance.

Historic Structures: Under this alternative, there would be a long term beneficial effect on the NPS-owned structures that are contributors to the Historic District. All of the structures would be stabilized in accordance with *The Secretary of the Interior’s Standards on the Treatment of Historic Properties*. The structures would continue to contribute to the Historic District.

Cultural Landscape: The cultural landscape of the area would not change, except the appearance of the NPS-owned structures would improve as they are stabilized, resulting in beneficial effects.

Archeological Resources: There would be no below grade excavation associated with this alternative, therefore there would be no effect on archeological resources.

*Cumulative Effects from Alternative C:* The implementation of this alternative would result in beneficial effects on the historic resources of the Wilsonia Historic District. In addition, the ongoing permitting and approval process for new building permits would allow the further protection of the District, resulting in beneficial cumulative effects.

*Conclusion:* Under alternative C, there would be a beneficial effect on the historic resources and cultural landscape of the Wilsonia Historic District. The overall historic integrity of the Wilsonia Historic District would remain in place as Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.

#### **Alternative D: NPS Adaptive Re-Use**

All 12 structures would be rehabilitated by the NPS and used for either storage or administrative occupancy (offices). The use selected for each structure would depend on the condition of the structure and if the structure could be adapted to meet minimum life-health-safety requirements (as described in Chapter 2 – Alternatives) while maintaining the historic fabric and appearance.

Historic Structures: Under this alternative, there would be a long term beneficial effect on the NPS-owned structures that are contributors to the Historic District. All of the structures would be stabilized in accordance with *The Secretary of the Interior’s Standards on the Treatment of Historic Properties*. The structures would continue to contribute to the Historic District.

Cultural Landscape: The cultural landscape of the area would not change, except the appearance of the NPS-owned structures would improve as they are stabilized, resulting in beneficial effects.

Archeological Resources: Prior to any project work, the structures and lots would be surveyed for the presence of archeological resources. All below grade structures would remain in place, but excavation would occur if new water/wastewater systems are installed. If evidence of archeological resources is found in the area, the sites would be protected and project work would not occur at those sites. Therefore, there would be no adverse effect to archeological resources from alternative D.

*Cumulative Effects from Alternative D:* The implementation of this alternative would result in beneficial effects on the historic resources of the Wilsonia Historic District. In addition, the ongoing permitting and approval process for new building permits would allow the further protection of the District, resulting in beneficial cumulative effects.

*Conclusion:* The overall historic integrity of the Wilsonia Historic District would remain in place as all the structures that contribute to the Historic District would be preserved, and Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.

#### **Alternative E: Non-NPS Adaptive Re-Use (includes Partnering)**

Under this alternative, adaptive reuse of the 12 NPS-owned structures and associated infrastructure would be considered for non-NPS entities, and could include leasing, assignment through agreements, or assignment to the concessioner. Under all options, the transfer of the assignment is for the structure(s) “as

is.” The assignee would be responsible for alterations to the structure for historic preservation and for life-health-safety requirements.

Historic Structures: Under this alternative, there would be a long term beneficial effect on the NPS-owned structures that are contributors to the Historic District. All of the structures would be stabilized in accordance with *The Secretary of the Interior’s Standards on the Treatment of Historic Properties*. The structures would continue to contribute to the Historic District.

Cultural Landscape: The cultural landscape of the area would not change, except the appearance of the NPS-owned structures would improve as they are stabilized, resulting in beneficial effects.

Archeological Resources: Prior to any project work, the structures and lots would be surveyed for the presence of archeological resources. All below grade structures would remain in place, but excavation would occur if new water/wastewater systems are installed. If evidence of archeological resources is found in the area, the sites would be protected and project work would not occur at those sites. Therefore, there would be no adverse effect to archeological resources from alternative E.

*Cumulative Effects from Alternative E:* The implementation of this alternative would result in beneficial effects on the historic resources of the Wilsonia Historic District. In addition, the ongoing permitting and approval process for new building permits would allow the further protection of the District, resulting in beneficial cumulative effects.

*Conclusion:* The overall historic integrity of the Wilsonia Historic District would remain in place as Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.

### **Alternative F: Land Exchange**

The exchanges considered under this alternative would involve improved federal properties for private vacant lands within the Wilsonia subdivision. A restrictive covenant would be developed for each federal property to be exchanged in order to ensure the preservation of historic structures on the property. The restrictive covenant would 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.

Historic Structures: Under this alternative, there would be a long term beneficial effect on the NPS-owned structures that are contributors to the Historic District. Structures that are exchanged would be stabilized in accordance with *The Secretary of the Interior’s Standards on the Treatment of Historic Properties*. The structures would continue to contribute to the Historic District.

Cultural Landscape: The cultural landscape of the area would not change, except the appearance of the NPS-owned structures would improve as they are stabilized, resulting in beneficial effects.

Archeological Resources: Prior to any project work, the structures and lots would be surveyed for the presence of archeological resources. All below grade structures would remain in place, but excavation would occur if new water/wastewater systems are installed. If evidence of archeological resources is found in the area, the sites would be protected and project work would not occur at those sites. Therefore, there would be no adverse effect on archeological resources from alternative F.

*Cumulative Effects from Alternative F:* The implementation of this alternative would result in beneficial effects on the historic resources of the Wilsonia Historic District. In addition, the ongoing permitting and approval process for new building permits would allow the further protection of the District, resulting in beneficial cumulative effects.

*Conclusion:* The overall historic integrity of the Wilsonia Historic District would remain in place as Wilsonia would continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.

### **Alternative G: Management Preferred Alternative**

This alternative would implement a phased approach utilizing several components of the above disposition alternatives in the following order.

4. Seek land exchanges (title) – as described under alternative F.
5. Seek partners for non-NPS adaptive reuse – leasing and assigning (including partnering) – as described under alternative E.
6. After the options for land exchanges and non-NPS adaptive reuse have been exhausted (or after 2 years) the remaining structures would be evaluated. Three options would be considered for each remaining NPS-owned structure:
  - a. Stabilize as static elements of the Historic District – as described under alternative C.
  - b. NPS adaptive reuse of selected structures – as described under alternative D.
  - c. Remove structure and restore site – as described under alternative B.

Historic Structures and Cultural Landscape: Depending on the success of each component, there could be differing effects on the historic resources and cultural landscapes of the Wilsonia Historic District. The impacts would 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 if structures are removed from the District.

Archeological Resources: Prior to any project work, the structures and lots would be surveyed for the presence of archeological resources. All below grade structures would remain in place, but excavation would occur if new water/wastewater systems are installed. If evidence of archeological resources is found in the area, the sites would be protected and project work would not occur at those sites. Therefore, there would be no adverse effect to archeological resources from alternative G.

*Cumulative Effects from Alternative G:* The implementation of this alternative would result in beneficial and adverse effects on the historic resources of the Wilsonia Historic District. In addition, the ongoing permitting and approval process for new building permits would allow the further protection of the District, resulting in beneficial cumulative effects.

*Conclusion:* This alternative would result in both beneficial and adverse effects on the historic structures and cultural landscape of the Wilsonia Historic District. Mitigation would be instituted to reduce adverse effects, in consultation with SHPO and the ACHP. There would be no adverse effect to archeological resources. It is likely under this alternative that some of the eleven contributing structures would remain in place, and some would be removed. However, even if all eleven structures were removed, 93% of the contributing structures would remain in place, and the overall historic integrity of the Wilsonia Historic District would be protected. The Historic District would remain as described on the National Register of Historic Places Registration Form (2011), as “a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS.”

## WATER RESOURCES

### **No Action: Maintain the properties to address only minimum health and safety requirements**

Five of the existing NPS-owned structures are located within or near wetlands, riparian habitat or streams/intermittent creeks. The structure at 83690 Park Road is located on a lot where the majority of the lot is a drainage / wetland area (NPS 2011; NPS 2006/2007) and the structure is next to an intermittent creek. The building at 83663 Chinquapin Lane is located on a potential wetland or in an area with a high water table. The “Postmaster’s House” at 83692 Fir Lane is located within ten feet of an unnamed creek, and the building at 83691 Fir Lane is located 15 feet from an unnamed creek. Both of these structures are likely within the floodplains of these creeks. The structure at 83736 Park Road has a culvert that seems to drain into the yard and road runoff flows into the yard also.

All of the structures would remain in place under this alternative in the foreseeable future. It is likely that the presence of the five structures within or near wetlands, riparian habitat, or streams/intermittent creeks has modified the natural conditions in the localized area. Unnatural fills and structures within or near wetlands, streams, and riparian corridors can move the system away from the natural range of variability and degrade conditions, resulting in long-term adverse effects to water resources in the localized area.

Water quality proximate to the five structures could be affected by runoff and the lack of adequate drainage. While the wastewater systems at these structures are not used, most are neither capped nor closed adequately. Therefore, runoff from these systems could be occurring, adversely affecting water quality in nearby streams and in groundwater. Under this alternative, all NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a localized area.

NPS Environmental Health Services (EHS) conducted several inspections in 2006 and 2007 of the water and wastewater systems for the NPS-owned structures within Wilsonia. The inspections found that the systems do not meet the minimum current code requirements health and safety with respect to water and wastewater systems (NPS 2006/2007). The report concluded that “these properties severely compromise the natural resources and are a threat to public health because of shallow ground water and close proximity of wells to wastewater systems and wastewater systems to natural surface water.” The report further stated that the use of the properties should be discontinued to protect the hydrologic and meadow/forest environs. Shortly after the report, all remaining occupied cabins were closed to occupancy.

*Cumulative Effects from the No Action Alternative:* While there have been no studies to evaluate the effects of the Wilsonia community on water quality in the area, it is likely that there has been degradation to water resources in the area over time. 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, all existing NPS-owned structures would remain in place. However, by appropriately closing/capping the wastewater systems, any adverse effects from these systems would be stopped, resulting in beneficial cumulative effects on water quality. However, because the structures would continue to be located near or within wetlands and streams, and

due to the size of the community and the small area affected, the cumulative effects would likely be imperceptible.

*Conclusion:* There would continue to be long term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. Under this alternative, all NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a localized area.

#### **Alternative B: Document and Remove Structures, Restore Site**

This alternative would result in the removal of all twelve of the NPS-owned structures within the Wilsonia Historic District. For the five structures located within or near wetlands, riparian areas, or streams/intermittent creeks, the removal of these structures would move the system, on a localized scale, toward the natural range of variability. It is unlikely, however, to restore connectivity on a large scale, or between systems as there still would be private structures in place preventing this.

*Cumulative Effects from Alternative B:* As described under alternative A, it is likely that past removal of structures by the NPS has improved conditions in a localized area. Removing the 12 NPS-owned structures and restoring the sites to more natural conditions would add to the past improvements, resulting in a noticeable and beneficial cumulative effect.

*Conclusion:* The effects to water resources from removing the structures and restoring site conditions would be long term and beneficial. Under this alternative, all NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a localized area.

#### **Alternative C: Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District**

This alternative has the same effects as alternative A. All of the structures would remain in place under this alternative. It is likely that the presence of the five structures within or near wetlands, riparian habitat, or streams/intermittent creeks has modified the natural conditions in the localized area. Unnatural fills and structures within or near wetlands, streams, and riparian corridors can move the system away from the natural range of variability and degrade conditions, resulting in long term minor adverse effects to water resources in the area.

As in alternative B, all water and wastewater systems would be appropriately closed/ capped to remove the risk of runoff from these systems. This would improve water quality in the localized area.

*Cumulative Effects from Alternative C:* The cumulative effects on water resources would be the same as described under alternative A.

*Conclusion:* There would continue to be long-term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. All NPS wastewater systems would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a localized area.

#### **Alternative D: NPS Adaptive Re-Use**

This alternative has the same effects as those described under alternative A. All of the structures would remain in place under this alternative. It is likely that the presence of the five structures within or near wetlands, riparian habitat, or streams/intermittent creeks has modified the natural conditions in the localized area. Unnatural fills and structures within or near wetlands, streams, and riparian corridors can move the system away from the natural range of variability and degrade conditions, resulting in long term minor adverse effects to water resources in the area.

Under alternative D, all water and wastewater systems would be evaluated to determine if they could be brought to minimum code requirements. If they cannot meet code, then the systems would be capped and/or closed appropriately to remove the risk of runoff/leakage. It is likely that traditional systems would not be appropriate or allowable for many of the structures considering the small lot sizes and other factors. Alternative systems (e.g. vault toilets and delivering non-potable water) would be considered to allow for some level of adaptive reuse.

*Cumulative Effects from Alternative D:* The cumulative effects on water resources would be the same as described under alternative A.

*Conclusion:* There would continue to be long term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, improving water quality in a localized area.

### **Alternative E: Non-NPS Adaptive Re-Use (includes Partnering)**

This alternative has the same effects as alternative D. All of the structures would remain in place under this alternative. It is likely that the presence of the five structures within or near wetlands, riparian habitat, or streams/intermittent creeks has modified the natural conditions in the localized area. Unnatural fills and structures within or near wetlands, streams, and riparian corridors can move the system away from the natural range of variability and degrade conditions, resulting in long term minor adverse effects to water resources in the area.

Under alternative E, all water and wastewater systems would be evaluated to determine if they could be brought to code. If they cannot meet code, then the systems would be capped and/or closed appropriately to remove the risk of runoff/leakage. It is likely that traditional systems would not be appropriate or allowable for many of the structures considering the small lot sizes and other factors. Alternative systems (e.g. vault toilets and delivering non-potable water) would be considered to allow for some level of adaptive reuse.

*Cumulative Effects from Alternative E:* The cumulative effects on water resources would be the same as described under alternative A.

*Conclusion:* There would continue to be long term minor adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, improving water quality in a localized area.

### **Alternative F: Land Exchange**

This alternative has the same effects as alternative D. It is likely that the presence of the five structures within or near wetlands, riparian habitat, or streams/intermittent creeks has modified the natural conditions in the localized area. Unnatural fills and structures within or near wetlands, streams, and riparian corridors can move the system away from the natural range of variability and degrade conditions, resulting in long term adverse effects to water resources in the area. If these effects could not be mitigated, then these structures would not be considered for exchange and the structures would be removed and the riparian and wetlands resources would be restored, resulting in long-term beneficial effects on water resources. Under alternative F, all water and wastewater systems would be evaluated to determine if they could be brought to code. If they cannot meet code, then the systems would be capped and/or closed appropriately to remove the risk of runoff/leakage. Alternative systems would be considered to allow for exchanges.

The private land exchanged for NPS lands could benefit the area's water resources, depending on what lands are exchanged. Site specific analysis cannot be conducted at this time.

*Cumulative Effects from Alternative E:* The cumulative effects on water resources would be the same as described under alternative A.

*Conclusion:* There would continue to be short-term adverse effects on water resources from the presence of five NPS-owned structures near or within wetlands, riparian areas, and streams, until the effects are either mitigated or the structures are removed. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, improving water quality in a localized area.

### **Alternative G: Management Preferred Alternative**

Under this alternative, it is likely that some structures would remain in place, and others would be removed. A priority order for exchanges would be developed based on a number of criteria, including the protection of natural resources, including water resources. If any of the five structures located near or within wetlands or riparian areas is removed, then the result would be improved conditions as the vacated sites are rehabilitated and move toward a natural range in variability. This would result in beneficial long-term effects at those localized areas. Structures located proximate to wetlands and riparian areas that would remain under this alternative would continue to adversely affect these areas as previously described in alternative A.

Each structure to be exchanged or adaptively reused would be evaluated to determine if water and wastewater systems could be brought to minimum code requirements. If they cannot meet code, then the systems would be capped and/or closed appropriately to remove the risk of runoff/leakage. Alternative systems would be considered to allow for exchanges or some level of adaptive reuse.

For structures that would be stabilized or completely removed, the affiliated wastewater system(s) would be abandoned in place and appropriately closed/ capped to meet minimum life-health-safety standards. This would improve water quality in a localized area by reducing opportunities for runoff or leakage.

*Cumulative Effects from Alternative E:* The cumulative effects on water resources would be the same as described under alternative A.

*Conclusion:* There would be beneficial effects on water resources from removing structures near or in wetlands and riparian areas. If any structures remain within these areas, there would continue to be long-term adverse effects on water resources. Water and wastewater systems would be upgraded or constructed to meet minimum code requirements, or capped appropriate 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.

## **PARK OPERATIONS**

### **No Action: Maintain the properties to address only minimum health and safety requirements**

Under the no action alternative, park operations would be affected periodically when repairs are needed on NPS-owned structures within Wilsonia. Crews that would normally be assigned to maintain visitor or NPS administrative facilities need to be reassigned for work within Wilsonia. The past repairs are considered "corrective maintenance" and have addressed only minimum health and safety requirements.

Based on past work, emergency stabilization of a cabin could cost approximately \$20,000. General repair work in the past (such as painting, adding interior support structures, and roof repair work) cost the NPS \$10,000 per cabin. The 50-year life cycle cost to park operations from this alternative, for annual maintenance, including the eventual demolition of the structures due to moldering, and not considering initial rehabilitation costs would be \$320,796.

*Cumulative Effects from the No Action Alternative:* Other NPS activities occur within Wilsonia, including hazard tree work, fire hazard fuel reduction, and the removal of nonnative vegetation would continue to occur under this alternative. Under this alternative, there would continue to be NPS funds expended, and personnel assigned to work within Wilsonia for these types of projects. Considering ongoing projects and the periodic maintenance of the NPS-owned structures, the cumulative effects to park operations would be noticeable, long-term and adverse.

*Conclusion:* The no action alternative would result in a long-term adverse effect on park operations because work crews normally assigned to visitor and administrative facility upkeep would be periodically reassigned to work in Wilsonia. As a result, other park priorities would not be completed or would be delayed until crews were available.

### **Alternative B: Document and Remove Structures, Restore Site**

Under this alternative, work crews would be assigned to Wilsonia to oversee the removal of the structures by non-NPS entities, or for the actual demolishing of the buildings. In addition, crews would be assigned to the area for the site restoration work. Demolition and site restoration could cost between \$12,000 and \$50,000 per cabin, depending the work involved, with a total cost of approximately \$320,796.

*Cumulative Effects from Alternative B:* As described under alternative A, ongoing work on NPS-owned properties would continue in the Wilsonia area, including hazard tree reduction, hazard fuels reduction, and nonnative vegetation removal, regardless of the presence or absence of structures. However, there would not be facility staff assigned to maintain the structures since they would be removed under this alternative. Therefore the cumulative effects on park operations would be slight and beneficial.

*Conclusion:* There would be adverse short-term effects on park operations during the removal of the structures. Long-term effects on park operations from the removal of the structures would be beneficial.

### **Alternative C: Stabilize Contributing Structures as Static Elements of the Wilsonia Historic District**

Alternative C would require work by park staff to prepare Historic Structures Reports and determine treatment methods for each of the structures. While treatment plans are being prepared, park facility staff would conduct minimum stabilization work to prevent further deterioration of the structures. Staff time and cost depends on the treatment options selected for each structure, but it is estimated that the cost for preserving the structures as static elements of the Historic District would total approximately \$674,324, with a 50-year life cycle cost of more than \$1.1 million. As in alternative A, park employees normally assigned to other work would be reassigned to work in Wilsonia, which could result in delays to other priority projects and could result in reduced staff for park operations, affecting visitor services and the opening and closing of seasonal facilities.

*Cumulative Effects from Alternative C:* The cumulative effects from alternative C would be the same as described under alternative A.

*Conclusion:* There would be short- and long-term adverse effects on park operations from this alternative.

### **Alternative D: NPS Adaptive Re-Use**

This alternative would result in additional work by NPS employees to design buildings not only to meet *The Secretary of the Interior's Standards on the Treatment of Historic Properties*, but to also meet health-life-safety code requirements. In addition, there would be additional costs associated with upgrading the water/wastewater and utility systems. The cost to the NPS from the implementation of this alternative from the initial rehabilitation and construction costs would be \$2,472,575. This alternative would add 12 structures to the facilities inventory at SEKI, resulting in a long-term increase in maintenance costs. The 50-year life cycle cost for the upkeep of the structures is estimated to be approximately \$4 million.

As described under alternative C, park crews would be assigned to this project, or additional crews could be hired just to complete this work, depending on funding. Other priority projects are likely to be delayed until this work is completed, and could result in reduced staff for park operations, affecting visitor services and the opening and closing of seasonal facilities, resulting in short – and long-term adverse effects on park operations.

*Cumulative Effects from Alternative D:* The cumulative effects from alternative C would be the same as described under alternative A.

*Conclusion:* There would be short- and long-term adverse effects on park operations from this alternative.

### **Alternative E: Non-NPS Adaptive Re-Use (includes Partnering)**

Under this alternative, NPS staff time would be utilized to review Historic Structures Reports and treatment plans for the individual structures. In addition, staff time would be required to oversee the project to make sure the work is completed in accordance with the treatment plans. There would be less time involved in the long-term as structures are completed; future oversight would include, at a minimum, yearly inspections of the properties, and review of any proposed project work in accordance with the NHPA. Based on all structures being utilized by non-NPS partners, the 50-year life cycle costs for this alternative is estimated at \$598,299

*Cumulative Effects from Alternative E:* This alternative is similar to alternative B in terms of the cumulative effects. The structures would not be used by the NPS, but there would still be work required in terms of hazard tree and hazard fuel reduction, and nonnative vegetation removal. However, there would not be facility staff assigned to maintain the structures, but there would be periodic inspections and project review work. Overall, because the NPS would not be required to maintain the structures, the cumulative effects on park operations would be long-term and beneficial.

*Conclusion:* There would be a slight adverse effect on park operations as treatment plans are reviewed, but overall, the effects of this alternative on park operations would be long-term and beneficial.

### **Alternative F: Land Exchange**

Under this alternative, NPS staff time would be utilized to oversee land exchanges, develop covenants, and review Historic Structures Reports and treatment plans for the individual structures. In addition, staff time would be required to inspect project work to make sure the work is completed in accordance with the treatment plans. There would be less time involved in the long-term as structures are completed; future oversight would include, at a minimum, yearly inspections of the properties, and review of any proposed project work in accordance with the NHPA. Based on all of the structures being exchanged to private parties, the initial cost of this alternative to the NPS would be approximately \$105,480, and the 50-year life cycle costs for this alternative to the NPS would be approximately \$136,969.

*Cumulative Effects from Alternative E:* The cumulative effects from alternative E are similar as those described under alternative D. The NPS would exchange properties with structures for properties without structures within Wilsonia, resulting in fewer structures to maintain in the long-term. Land exchanges require an initial evaluation on all potential exchange properties, including hazardous waste, hazard tree, and hazard fuel evaluations. There may be initial work required to mitigate potential hazards, resulting in short-term adverse effects on park operations. Overall, because the NPS would not be required to maintain the structures under this alternative, the cumulative effects on park operations would be long-term and beneficial.

*Conclusion:* There would be a slight adverse effect on park operations as exchange requirements are developed and treatment plans are reviewed, but overall, the effects of this alternative on park operations would be long-term and beneficial.

### **Alternative G: Management Preferred Alternative**

This alternative would require more work by NPS managers as the options are pursued in priority order. While the NPS seeks land exchanges, then seeks partners for non-NPS adaptive reuse, there would be periodic maintenance on the 12 structures to meet minimum life-health-safety requirements. The impacts on park operations from these components are as described, respectively, under alternative F, alternative E and alternative A. Once these options are exhausted, the NPS would evaluate the remaining structures to determine if they would be stabilized, used by the NPS, or removed from the area. Impacts from these alternatives would be the same as described under alternative C, D, and B, respectively.

While this alternative would take more time at first, in the long-term, the effects on park operations would be beneficial overall, as some of the structures would likely be exchanged or used by partners (and no longer maintained by the NPS), some would remain, and some would be removed.

*Cumulative Effects from Alternative E:* Similar to the alternatives previously described, this alternative, when combined with ongoing and future planned projects in the Wilsonia area, would result in both adverse and beneficial cumulative effects on park operations, since it would involve a variety of options. In the short-term, more time would be spent implementing this alternative because of the complexities involved around land exchanges and non-NPS adaptive reuse, resulting in short-term adverse cumulative effects. In the long-term, there would still be park staff involved in the management and maintenance of NPS owned properties and structures, and staff involved in oversight of the exchanged structures, and the structures that are being utilized by park partners. There would also be staff involved in hazard tree and hazard fuel reductions, and nonnative vegetation removal/mitigations. As a result, this alternative would result in short and long-term adverse cumulative effects on park operations, with some slight beneficial cumulative effects for any exchanged structures.

*Conclusion:* This alternative would result in short-term adverse effects on park operations and long-term beneficial and adverse effects.

### **FUNDING AND IMPLEMENTATION**

Because funding for maintenance is limited, SEKI must make decisions about where to spend its dollars. The SEKI Park Asset Management Plan (NPS, 2008) directs how maintenance funds should be used in the future to maintain and improve the condition of the park's highest priority assets. The PAMP includes buildings, roads, trails, utilities, and other constructed assets. For buildings, the ranking system considers how and when the building is used (i.e. whether the building is used year round, for visitors and/or administrative functions); the priority order for funding is based on this ranking system. Assets such as visitor centers, comfort stations, and trailheads are often the first and most frequently visited places within the park and leave lasting impressions, therefore receive the highest ranking for funding. Buildings such as those located within Wilsonia, which are not used for either visitor or administrative functions, are ranked low in the PAMP; therefore alternative funding sources would be sought for the selected alternative. In addition, alternatives that include site restoration would require additional funding, estimated at \$1,000 to \$5,000 per site depending on site specific conditions.

**Table 3. Estimated Cost of Each Alternative not including site restoration**

<b>Alternatives</b>	<b>Budget Cost Estimate</b>	<b>Life Cycle Costs (50-Year)</b>
<b>Alternative A: Status Quo (No Action)</b>	<b>\$0</b>	<b>\$320,796</b>
<b>Alternative B: Removal of Structure / Site Restoration</b>	<b>\$320,796</b>	<b>\$365,484</b>
<b>Alternative C: Stabilize Structures as Static Elements</b>	<b>\$674,324</b>	<b>\$1,180,945</b>
<b>Alternative D: NPS Adaptive Re-Use</b>	<b>\$2,472,575</b>	<b>\$4,005,351</b>
<b>Alternative E: Non-NPS Adaptive Re-Use</b>	<b>\$0</b>	<b>\$598,299</b>
<b>Alternative F: Land Exchange</b>	<b>\$105,480</b>	<b>\$136,969</b>

*Page left intentionally blank.*

## CONSULTATION AND COORDINATION

### Scoping

#### Public Scoping

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 (Appendix B). 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.

The NPS received 43 separate comment letters and 3 form letters during the scoping phase for this project earlier this year. The full unedited comments (redacted) were available to the public inspection at: <http://parkplanning.nps.gov/wilsonia>. 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 (CALTRANS) and the Native American Heritage Commission. CALTRANS 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 and the Trust and Masonic Family Club had similar concerns - 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.

In addition, park staff met with the president and vice-president of the Wilsonia Trust on March 30, 2012, to review the project objectives and listen to their concerns. On July 8, 2012, park staff presented information about the planning effort to the public at a Wilsonia community meeting.

#### Consultation and Permitting Requirements

On June 15, 2012, the NPS wildlife biologist reviewed the USFWS official species list for endangered and threatened species that may be in the project area and could be affected by project activities (USFWS 2012). NPS biologists also reviewed the lists of state-listed species and species of concern, to determine which species could potentially be affected by implementation of the proposed project. The NPS has determined that there would be *no effect* on threatened or endangered species, or state-listed species from implementation of the preferred alternative.

On November 21, 2011, the NPS sent a letter to the California SHPO to seek preliminary comments on the project proposal and to seek concurrence on the Area of Potential Effect (APE). On January 9, 2012, the SHPO concurred with the APE. The NPS will consult with SHPO both on a programmatic level on the overall project goals, objectives, and selected alternative, and on a case-by-case basis as the selected alternative is implemented. The District, as noted in the original (1995) and updated (2011) versions of the National Register Nomination Form submitted to the Keeper of the Register, lists this cultural

resource as "locally significant." The NPS will use this level of significance for the full DOE for this project.

### **Permitting Requirements**

The NPS has exclusive jurisdiction over much of the area of Sequoia and Kings Canyon National Parks, including Wilsonia. The extent of jurisdiction means that the NPS has the authority to adopt and administer land use regulations for these areas including (per 36 CFR 7.8) permit approval over water supply, sewage or disposal systems, and building construction or alterations.

All building and wastewater permits requiring NPS concurrence per 36 CFR 7.8 will continue be reviewed for the protection of natural resource values and be subject to review in a historic preservation context (per 36 CFR 800). A California Department of Public Health, Drinking Water Program- Domestic Water Supply Permit and amendments would be required for a new water supply and/or change in the method of water treatment.

A U.S. Army Corps of Engineers- Section 404 Nationwide Permit would be required for work within waterways and/or wetlands, and California State Water Resources Board- Section 401 water quality certification would be required for working in waterways.

### **Agencies, Organizations, and Individuals Consulted**

Agencies and organizations contacted to assist in identifying issues and provided with an opportunity to review or comment on this EA include, but are not limited to, the following.

#### **FEDERAL AGENCIES**

U.S. Army Corps of Engineers: Lake Kaweah; Pine Flat Lake  
National Park Service: Rivers, Trails, and Conservation Program; Yosemite National Park  
U.S. Bureau of Management, Field Manager- Bakersfield  
U.S. Fish and Wildlife Service  
U.S. Geological Survey, Biological Resources Division, Western Ecological Research Center  
U.S. Forest Service: Inyo, Sequoia, and Sierra National Forests

#### **CONGRESSIONAL REPRESENTATIVES**

U.S. Senator Barbara Boxer  
U.S. Senator Dianne Feinstein  
U.S. Congressman Tom McClintock, 4<sup>th</sup> Congressional District  
U.S. Congressman Kevin McCarthy, 23<sup>rd</sup> Congressional District  
California State Governor Jerry Brown  
State Assembly Member Jim Patterson  
State Senator Jean Fuller

#### **STATE, COUNTY, AND LOCAL AGENCIES**

California State Historic Preservation Officer  
California Department of Fish and Wildlife  
California Department of Forestry and Fire Protection  
California Department of Transportation  
Chamber of Commerce: Central Sierra; Clovis; Dinuba; Exeter; Fresno; Greater Reedley; Kingsburg;

Lindsay; Lone Pine; Porterville; Sanger; Sequoia Foothills; Visalia; Central California Hispanic Chamber of Commerce; Fresno Area Hispanic Chamber of Commerce; San Joaquin Valley Black Chamber of Commerce; Tulare Kings Hispanic Chamber of Commerce

City Council of: Reedley; Woodlake

City of: Clovis; Dinuba; Exeter; Fowler; Fresno; Kingsburg; Orange Cove; Parlier; Sanger; Selma; Visalia  
City of Visalia- Visalia Shuttle

Fresno City and County Convention and Visitors Bureau

Fresno County: Board of Supervisors; Parks and Recreation; Office of Tourism; Chairperson

Inyo County District Supervisors

Sierra Nevada Conservancy, Bishop Office

State of California Clearinghouse

Tulare County: Board of Supervisors; Community Development; Planner

Visalia Convention Center

Visalia Visitor Center and Convention Bureau

### **AMERICAN INDIAN TRIBES, ORGANIZATIONS, AND INDIVIDUALS**

Big Pine Paiute Tribe of the Owens Valley

Big Sandy Rancheria of Mono Indians

Bishop Indian Tribal Council

California Basketweavers Association

California Native American Heritage Commission

Cold Springs Rancheria of Mono Indians

Dunlap Band of Mono Indians

Fort Independence Paiute Indians

Kern Valley Indian Community

Native American Heritage Commission

North Fork Rancheria of Mono Indians

Paiute-Shoshone of Lone Pine

Santa Rosa Rancheria

Sierra Foothill Wuksachi Tribe

Sierra Nevada Native American Coalition

Table Mountain Rancheria

Tubatulabals of Kern Valley

Tule River Indian Reservation

Wukchumni Tribal Council

Wuksachi Indian Tribe

### **NPS CONCESSIONERS**

Delaware North Companies Parks and Resorts

Sequoia and Kings Canyon Park Services Company

### **OTHER GROUPS AND ORGANIZATIONS**

Backcountry Horsemen of California

Californians for Western Wilderness

California Preservation Foundation

California Travel and Tourism Commission

Center for Biological Diversity, California and Pacific Office

Fresno Audubon Society

Friends of the Earth  
High Sierra Hiker's Association  
Mineral King District Association  
Mineral King Preservation Society  
National Audubon Society; Tulare Audubon Society  
National Parks and Conservation Association  
The Nature Conservancy, California Field Office  
Pacific Crest Trail Association  
PEER  
SCA Northwest Office  
Sequoia Natural History Association  
Sequoia Riverlands Trust  
Sequoia Parks Foundation  
Sierra Club- National Headquarters; Tehipite Chapter; Kern-Kaweah Chapter; Sacramento Field Office  
The Wilderness Society  
Wilderness Land Trust  
Wilderness Watch  
The Wildlife Society, San Joaquin Valley Chapter  
Wilsonia Historic District Trust

#### **AREA LIBRARIES AND UNIVERSITIES**

California State University: San Joaquin Sierra Unit

Fresno County Libraries

Bear Mountain Branch Library  
Central Branch Library  
Sunnyside Branch Library  
Fowler Branch Library  
Kingsburg Branch Library  
Orange Cove Branch Library  
Parlier Branch Library  
Reedley Branch Library  
Sanger Branch Library  
Selma Branch Library

San Joaquin Valley College: Hanford Extension; Visalia Campus; Fresno Campus

Tulare County Law Library

Tulare County Libraries: Exeter Branch; Lindsay Branch; Three Rivers Branch

#### **MEDIA**

Bakersfield Californian  
Fresno Bee  
Kaweah Commonwealth  
Kern Valley Sun  
Noticiero Semanal  
Porterville Recorder  
Reedley Exponent  
Sanger Herald  
San Francisco Chronicle

## UNAFFILIATED INDIVIDUALS AND BUSINESSES

List is available upon request.

### List of Preparers, Reviewers, and Contributors

All NPS employees listed below are stationed at Sequoia and Kings Canyon National Parks, unless otherwise noted.

#### Document Preparers:

Nancy Hendricks	Supervisory Environmental Protection Specialist
Chris Carpenter	Project Manager
Chanteil Walter	Environmental Protection Specialist
Dave Humphrey	Cultural Resources Program Manager

#### Technical expertise provided by:

Tom Burge	Cultural Resource Specialist, retired
Karen Folger	Geographic Information System Specialist
Athena Demetry	Ecologist (Restoration)
Sylvia Haultain	Plant Ecologist
Annie Esperanza	Natural Resource Specialist
Tom Warner	Natural Resources Program Manager (Vegetation)
Daniel Gammons	Wildlife Biologist
Erik Meyer	Biological Technician (Water Resources)
Jack Vance	Facility Manager- Buildings, Utilities, and Grounds
Jerry Torres	Facility Manager- Roads, Trails, and Auto Shop
Paul Schwarz	Public Health Sanitarian
Kirk Stiltz	Roads Foreman (Hazard Trees)
Greg Gress	Chief, Pacific Land Resources Program Center, Pacific West Regional Office
Anne Altman	Chief, Commercial Services, Pacific West Regional Office (former)

#### Reviewers:

Karen Taylor-Goodrich	Superintendent
Charisse Sydoriak	Chief of Resources Management and Science
Christine Smith	Management Assistant
Colleen Bathe	Chief of Interpretation, Education, and Partnerships
Dana Dierkes	Public Affairs Specialist
Dan Blackwell	Chief of Maintenance and Construction
Kevin Hendricks	Chief Park Ranger
Ned Kelleher	Kings Canyon District Ranger
Randall Carroll	Concessions Management Specialist
Todd Payne	Safety and Occupational Health Manager
Valerie Pillsbury	Kings Canyon District Supervisory Park Ranger (Interpretation)

*Page left intentionally blank.*

## REFERENCES

### Laws Cited or Reviewed

*Antiquities Act of 1906*. 16 USC 431–433.

*Archaeological Resources Protection Act of 1979*, as amended. 16 USC 470aa–mm; P.L. 96-95. October 1, 1979.

*Architectural Barriers Act of 1968*. 42 USC 4151 et seq. Implementing Regulation: 41 CFR Subpart 101-19.6.

*California Wilderness Act of 1984*. 16 USC 1131 et seq.; P.L. 98-425; 98 Stat. 1619. September 28, 1984.

*Clean Air Act of 1963*, as amended. 42 USC 7401 et seq.; P.L. 88-206; 77 Stat. 392.

*Clean Water Act of 1972*, as amended. 33 USC 1251 et seq.; P.L. 92-500; 86 Stat. 816. October 18, 1972.

*Council on Environmental Quality (CEQ)*. 40 CFR 1500 et seq.

*Endangered Species Act of 1973 (ESA)*, as amended. 16 USC 1531–1544; P.L. 93-205; 87 Stat. 884. December 28, 1973.

Executive Order 11988, *Floodplain Management*. 42 FR 26951. May 24, 1977.

Executive Order 11990, *Protection of Wetlands*. 42 FR 26961. May 24, 1977.

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. 59 FR 7629. February 11, 1994.

*General Authorities Act*. 16 USC 1a-8; P.L. 91-383; 84 Stat. 825. August 18, 1970.

*Historic Sites Act of 1935*, as amended. 16 USC 461–467; 49 Stat. 666. August 21, 1935.

*National Environmental Policy Act of 1969 (NEPA)*, as amended. 42 USC 4321 et seq.; P.L. 91-190, Sec. 2; 83 Stat. L. 852. Jan. 1, 1970.

*National Historic Preservation Act of 1966 (NHPA)*, as amended. 16 USC 470 et seq.; P.L. 89-665. October 15, 1966.

*National Park Service Organic Act*. 16 USC 1 et seq. August 25, 1916.

*National Register of Historic Places*. 36 CFR 60. July 1, 2004.

*Native American Graves Protection and Repatriation Act of 1990*. 25 USC 3001–3013; P.L. 101-601; 104 Stat. 3048. November 16, 1990.

*Omnibus Public Land Management Act of 2009*. H.R. 146. March 30, 2009.

*Protection of Historic Properties, Section 106 Procedures*. 36 CFR 800. July 1, 2003.

*Redwood Act*. 16 USC 1a-1; P.L. 95-250; 92 Stat. 163. March 27, 1978.

*Rehabilitation Act of 1973*, as amended, section 504. 29 USC 794; P.L. 93-112.

*Safe Drinking Water Act*. 33. USC 1251; P.L. 92-500; 86 Stat. 816. October 18, 1972. .

*Secretarial Order 3175: Identification, Conservation, and Protection of Indian Trust Assets*. November 8, 1993.

*Wilderness Act of 1964*. 16 USC 1131–1136; P.L. 88-577; 78 Stat. 890. September 3, 1964.

United States Code (16 U.S.C. 4601-22) Subchapter LXIX – Outdoor Recreation Programs, Part D - Land Transfers

36 CFR PART 800 -- PROTECTION OF HISTORIC PROPERTIES (incorporating amendments effective August 5, 2004)

## **Selected Bibliography**

Advisory Council on Historic Preservation

n.d. Protecting Historic Properties: A Citizen’s Guide to Section 106 Review. Washington, D.C.

Council on Environmental Quality, Executive Office of the President

1978. “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.” Code of Federal Regulations, part 40, section 1500-1508. Washington, D.C.

Gayton, A.H.

1948. *Yokuts and Western Mono Ethnography*. Berkeley; University of California.

Kopczynski, Susan and Chandler McCoy.

1998. *Historic Resources Study for Grant Grove Developed Area, Kings Canyon National Park, California*. June 1998.

Long, Walter

1973. *Wastewater Collection, Treatment and Disposal for General Grant Grove*. Walter Long and Associates. Contract: CX-4970B20117).

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

1986. *Draft Environmental Impact Statement for the Development Concept Plan, Grant Grove/Redwood Mountain Sequoia-Kings National Parks, California*.

1986. *Land Protection Plan. Wilsonia and Oriole Lake Areas. Sequoia and Kings Canyon National Parks*. June 1986.

1989. *Sequoia and Kings Canyon Architectural Character Guidelines*. January 1989.

1989. *Aquatic/ Water Resources Management Plan. Sequoia and Kings Canyon National Parks*,

1991. *Director's Order 77- Natural Resource Management Natural Resource Management Guidelines.*
1992. *Secretary of the Interior's Standards for the Treatment of Historic Properties.* 36 CFR Part 68 in the July 12, 1995 Federal Register (Vol. 60, No. 133).
1993. Preservation Brief 31: Mothballing Historic Buildings. September 1993. Washington, D.C.
1995. National Register of Historic Places Registration Form for Wilsonia Historic District. Form prepared on August 30, 1985. Entered in the National Register on March 15, 1996.
1998. *DO-28: Cultural Resource Management Guideline.* Washington, D.C.
2000. *Director's Order 47: Soundscape Preservation and Noise Management.* December 1, 2000.
2001. *DO-12: Conservation Planning, Environmental Impact Analysis, and Decision-making.* Washington, D.C.
2002. *Director's Order 77-1: Wetland Protection.* October 30, 2002.
2003. *Director's Order 77-2: Floodplains Management.* September 8, 2003.
2004. *Director's Order 83: Public Health.* October 21, 2004.
2006. *Management Policies.* Washington, D.C.
2006. RM-38: Leasing of NPS Real Property. Washington, D.C.
- 2006/2007. Environmental Health Survey Report for NPS owned Wilsonia Cabins. Pacific West Region. San Francisco, CA.
2007. *Final General Management Plan and Comprehensive River Management Plan / Final Environmental Impact Statement, Sequoia and Kings Canyon National Parks.*
2008. *Reference Manual 83A1: Drinking Water.* March 12, 2008.
2008. *Park Asset Management Plan.* Sequoia and Kings Canyon National Parks.
2011. National Register of Historic Places Evaluation/Return Sheet: Additional Documentation – Resubmission for the Wilsonia Historic District. Date Received April 18, 2011.
2013. A Natural Resource Condition Assessment for Sequoia and Kings Canyon National Parks. Natural Resource Report NPS/SEKI/NRR—2013/XXX. Eds. Panek, J.A. and C.A. Sydoriak. National Park Service, Fort Collins, Colorado.

*Page left intentionally blank.*

## APPENDICES

*Page left intentionally blank.*

# Sequoia and Kings Canyon National Parks

NPS  
U.S. Department of the Interior  
Sequoia and Kings Canyon  
National Parks  
California



## Wilsonia and Oriole Lake Areas

## Land Protection Plan

(for Areas with Exclusive Jurisdiction in Sequoia and Kings  
Canyon National Parks)

January 2013

---



## Summary

### ***Purpose of the Plan:***

This Land Protection Plan (LPP or Plan) is for the Wilsonia and Oriole Lake areas within Sequoia and Kings Canyon National Parks (Parks). These two areas constitute the private inholdings in the Parks under exclusive jurisdiction. The LPP is intended to ensure the protection of the resources consistent with the purposes for which the Parks were established. For private lands within Wilsonia and Oriole Lake, the plan will address acceptable and unacceptable uses, determine any fee acquisition needs, identify priority protection actions, and recommend possible methods of acquisition or alternative means of protection.

This document is an update and revision of a previous LLP (1986) for these areas, which is being updated per the direction of the Sequoia and Kings Canyon National Parks General Management Plan (GMP) (2007).

### ***Proposed Protection Methods:***

Land exchange and fee simple acquisition on a willing seller basis.

### ***Funding Status:***

Sequoia and Kings Canyon National Parks are inholding areas. There are no acquisition ceilings.

### ***Top Priorities:***

1. Undeveloped Tracts: Would prevent resource damage
2. Developed Tracts at Oriole Lake: Would permit closure of the road to vehicles, removing ease of access will reduce impacts from poaching and marijuana grow sites, and it would f it would achieve the intent of Congress by completing the progression of land from Designated Potential Wilderness Addition to Designated Wilderness.

### ***Planning Team:***

Superintendent and staff, Sequoia and Kings Canyon National Parks

### ***Status of Environmental Compliance:***

Categorically excluded for the procedural provisions of the National Environmental Policy Act (NEPA) (42 USC 4321-4370d; PL 91-190) under 43 CFR § 46.210 and 516 DM 12, Section 3.4(B)4: Land protection plans which propose no significant change to existing land or visitor use.

### ***Status of Jurisdiction:***

Exclusive

## Table of Contents

Summary .....	i
Table of Contents .....	ii
Introduction .....	1
Policy.....	1
Purpose of the Plan.....	1
The Plan as Guide .....	2
Parks Purpose and Significance.....	2
Purpose.....	2
Parks’ Significance.....	2
Significant Resources .....	3
Legislative and Administrative Directives or Constraints.....	3
Enabling Legislation .....	3
Permit Review and Approval Authority.....	4
Other Related Laws and Directives:.....	5
Oriole Lake (area specific information) .....	5
Significant Resources.....	5
Management Objectives.....	6
Land Ownership.....	6
Compatible Use.....	6
Acquisition History .....	6
Background on the Communities and Relationship with Parks .....	6
Wilsonia.....	7
Significant Resources.....	7
Management Objectives.....	8
Land Ownership.....	8
Compatible Use.....	9
Acquisition History .....	9
Background on the Communities and Relationship with Parks .....	9
Common to Wilsonia and Oriole Lake .....	10
Regulation of Development and Use on Private Lands.....	10
Acceptable Uses .....	10
Unacceptable Uses .....	11

Permit Reviews .....	11
Protection Alternatives .....	12
Land Use Regulations .....	12
Less than Fee Acquisition .....	13
Fee Acquisition .....	13
Land Exchange.....	13
Social, Cultural and Economic Impacts.....	14
Recommendations .....	14
Methods of Acquisition:.....	14
Appendix A: Map of Oriole Lake.....	16
Appendix B: Map of Wilsonia.....	17
Appendix C: Map of Sequoia and Kings Canyon National Parks .....	18

*Page left intentionally blank*

## Introduction

### Policy

On May 7, 1982, the U.S. Department of the Interior (DOI) published a policy statement in the *Federal Register* (47 FR 19784) concerning the use of the federal portion of the Land and Water Conservation Fund (Fund). The policy requires that, in carrying out its responsibility for land protection in federally administered areas, each agency using the Fund will:

- Identify what land or interests in land need to be in federal ownership to achieve management unit purposes consistent with public objectives in the unit.
- Use to the maximum extent practical cost-effective alternatives to direct federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.
- Cooperate with landowners, other federal agencies, state and local governments, and the private sector to manage land for public use or protect it for resource conservation.
- Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure the socio-cultural impacts are considered and that the most outstanding areas are adequately managed.

Subsequently, the National Park Service (NPS) issued its guidelines for the preparation of land protection plans for units of the National Park System where private land exists within the authorized boundary on May 11, 1983 (48 FR 21121- 21131).

### Purpose of the Plan

This Land Protection Plan (LPP or Plan) is for the Wilsonia and Oriole Lake areas within Sequoia and Kings Canyon National Parks (Parks). These two areas constitute the private inholdings in the Parks under exclusive jurisdiction. The LPP is intended to ensure the protection of the resources consistent with the purposes for which the Parks were established. For private lands within Wilsonia and Oriole Lake, the plan will address acceptable and unacceptable uses, determine any fee acquisition needs, identify priority protection actions, and recommend possible methods of acquisition or alternative means of protection.

This document is an update and revision of a previous LPP (1986) for these areas, which is being updated per the direction of the Sequoia and Kings Canyon National Parks General Management Plan (GMP) (2007).

The major issues to be addressed for Wilsonia and Oriole Lake are:

- whether to plan for fee acquisition of developed lands or to seek other means of protection based on the acceptability of continued private use;
- whether undeveloped lands are needed for park purposes and whether they may be protected in private ownership or through less than fee methods of acquisition;
- what actions would be appropriate if any property were subjected to uses identified as unacceptable in the LPP; and
- changes associated the listing of Wilsonia in the National Register of Historic Places.

### **The Plan as Guide**

The Plan does not constitute an offer to purchase land or interests in land. It is used to guide protective actions subject to availability of funds and other constraints. This Plan does not diminish the rights of private landowners.

### **Parks Purpose and Significance**

#### **Purpose**

As defined by park managers in the GMP, the following are the purposes of Sequoia and Kings Canyon National Parks, which incorporate the mission statement:

- Protect forever the greater Sierran ecosystem — including the sequoia groves and high Sierra regions of the park — and its natural evolution.
- Provide appropriate opportunities to present and future generations to experience and understand park resources and values.
- Protect and preserve significant cultural resources.
- Champion the values of national parks and wilderness.

#### **Parks' Significance**

As described in the GMP, Sequoia and Kings Canyon National Parks are special and unique places because they have:

- the largest giant sequoia trees and groves in the world, including the world's largest tree — the General Sherman Tree
- an extraordinary continuum of ecosystems arrayed along the greatest vertical relief (1,370 to 14,495 feet elevation) of any protected area in the lower 48 states
- the highest, most rugged portion of the high Sierra, which is part of the largest contiguous alpine environment in the lower 48 states
- magnificent, deep, glacially carved canyons, including Kings Canyon, Tehipite Valley, and Kern Canyon
- the core of the largest area of contiguous designated wilderness in California, the second largest in the lower 48 states
- the largest preserved southern Sierran foothills ecosystem
- 275 known marble caverns, many inhabited by cave wildlife that is found nowhere else
- a wide spectrum of prehistoric and historic sites documenting human adaptations in their historic settings throughout the Sierran environments\*

Sequoia and Kings Canyon National Parks have been designated as an international biosphere reserve, a program under the United Nations Educational, Scientific, and Cultural Organization that recognizes resources with worldwide importance. While this designation does not grant any form of control or ownership to the international body, it underscores the exceptional and singular qualities of the parks.

## **Significant Resources**

### ***Natural Resources***

Sequoia and Kings Canyon National Parks include the highest and most rugged portions of the Sierra Nevada range. The Parks are predominantly mountains and canyons, including a complete spectrum of life zones from foothill elevations of 1,370 feet to Mount Whitney, 14,500 feet, the highest point in the conterminous United States. The Parks encompass 865,964 acres of which 837,594 are designated or managed as wilderness.

The higher mountains contain hundreds of lakes in basins, thousands of miles of rushing mountain streams, gathering into major forks of the Kaweah, Kern, Kings, and San Joaquin rivers. High mountain meadows of all sizes, a few as large as several hundred acres, lie in the canyons and on the plateaus.

Vegetation is especially diverse: beginning as open oak savannah and chaparral on the foothill slopes; progressing upward through climatically influenced bands; through ponderosa pine forests and mixed conifer forests, including giant sequoia groves; fir forests; and to the high elevation foxtail pine and extensive lodge pole pine forests. The sequoia forests are without parallel anywhere, both as to extent of forests and size of individual specimens. The General Sherman tree is recognized as the largest known living thing on the planet and other park trees approach its bulk. The General Grant tree at Grant Grove is a near equal to the General Sherman tree.

The Parks provide native habitat for a variety of fish and wildlife, including threatened Sierra Nevada bighorn sheep; more commonly observed species of wildlife include black bear, mule deer, and squirrels.

The Parks are diverse geologically. Granite bedrock has been scoured into rugged forms and polished by glaciers. There are more than 275 caves located within these parks. Thousands of visitors take guided tours of Crystal Cave each year.

### ***Cultural Resources***

Cultural resources in Sequoia and Kings Canyon National Parks include prehistoric aboriginal sites such as Hospital Rock, structures representing pioneer settlement and the history of the utopian Kaweah Colony (Cattle Cabin, Gamlin Cabin, Squatter's Cabin), historic roads and trails, cabins built by fur trappers, stockmen and miners, and even structures of significance in the history of science such as the Smithsonian Institution Shelter on Mount Whitney. There are also equally significant early concessioner structures, representing a further variety of rustic architectural styles.

## **Legislative and Administrative Directives or Constraints**

### **Enabling Legislation**

Sequoia National Park was established as the nation's second national park on September 25, 1890. The primary purpose for establishing the park is described in the act's preamble:

*Whereas, the rapid destruction of timber and ornamental trees in various parts of the United States, some of which trees are the wonders of the world on account of their size and limited number growing, makes it a matter of importance that at least some of said forests should be preserved.*

The legislation also stipulated that Sequoia National Park is to be a place “dedicated and set apart as a public park, or pleasuring ground, for the benefit and enjoyment of the people,” and it is to be managed “for the preservation from injury of all timber, mineral deposits, natural curiosities or wonders . . . [and for] their retention in their natural condition.”

One week later, on October 1, 1890, legislation was enacted that nearly tripled the size of Sequoia National Park and established General Grant National Park. This legislation extended the same protection to the new areas.

An act of July 3, 1926, again enlarged Sequoia National Park and instructed the Secretary of the Interior to establish regulations aimed at:

*the freest use of said park for recreational purposes by the public and for the preservation from injury or spoliation of all timber, natural curiosities, or wonders within said park and their retention in their natural condition . . . and for the preservation of said park in a state of nature so far as is consistent with the purposes of this Act.*

Kings Canyon National Park was established by an act of March 4, 1940. This act abolished General Grant National Park, added its lands to Kings Canyon National Park, and provided that the new park be “dedicated and set apart as a public park . . . for the benefit and enjoyment of the people.”

An act of August 6, 1965, added Cedar Grove and Tehipite Valley to Kings Canyon National Park and instructed that these lands be managed “subject to all the laws and regulations applicable to such park.”

The National Parks and Recreation Act of November 10, 1978 (Public Law [PL] 95-625), added U.S. Forest Service (USFS) lands in the Sequoia National Game Refuge to Sequoia National Park to “assure the preservation of the outstanding natural and scenic features of the area commonly known as the Mineral King Valley and enhance the ecological values and public enjoyment of the area.”

In 2000 Public Law 106-574 authorized the addition of the Dillonwood sequoia grove to Sequoia National Park.

#### **Permit Review and Approval Authority**

Regulations found at 36 CFR § 7.8 assign a review and approval authority to the Superintendent of Sequoia and Kings Canyon National Parks (NPS).

*Privately owned lands—(1) Water supply, sewage or disposal systems, and building construction or alterations.* The provisions of this paragraph apply to the privately owned lands within Sequoia and Kings Canyon National Parks.

No person shall construct, rebuild, or alter any building, water supply or sewage disposal system without the permission of the Superintendent. The Superintendent will give such permission only after receipt of written notification from the appropriate Federal, State, or county officer that the plans for such building or system comply with State or county standards.

**Other Related Laws and Directives:**

(Note: this list is not exhaustive, rather it is representative of the regulations, laws and directives considered in the drafting of this LPP).

**National Park Service Organic Act**  
16 USC 1—4; Aug. 25, 1916, ch. 408, 39 Stat. 53511

**Wilderness Act**  
16 USC 1131—1136; PL 88-577

**National Environmental Policy Act of 1969 (NEPA)**  
42 USC 4321—4370d; PL 91-190

**National Historic Preservation Act (NHPA)**  
16 USC 470—470x-6; PL 89-665, 96-515

**Anti-Deficiency Act**  
31 USC 1341; July 12, 1870, ch. 251, 16 Stat. 251, PL 97-258

**Antiquities Act of 1906**  
16 USC 431—433; June 8, 1906, ch. 3060, 34 Stat. 225

**Archaeological Resources Protection Act of 1979 (ARPA)**  
16 USC 470aa—470mm; PL 96-95

**Endangered Species Act of 1973**  
16 USC 1531—1544; PL 93-205

**Land and Water Conservation Fund Act of 1965**  
16 USC 4601-4

**Native American Graves Protection and Repatriation Act (NAGPRA)**  
25 USC 3001—3013; PL 101-601—4601-11; PL 88-578

**American Indian Religious Freedom Act (AIRFA)**  
42 USC 1996—1996a; PL 95-341, 103-344

**NPS Management Policies 2006**

**Oriole Lake (area specific information)**

**Significant Resources**

***Natural Resources***

Oriole Lake is located on typical southern Sierra granitic intrusions, overlain with metamorphic rock, and is uplifted and tilted to the west. Soils in the area are generally sands and loamy sands developed from parent bedrock.

Oriole Lake is a rare lake in the foothills environment. There are a couple of small perennial creeks at Oriole Lake and some seeps and springs. It is also a mixed conifer area with Jeffrey pine, white fir, sugar pine, incense cedar, and some oak, with an understory of manzanita, ceanothus, and mountain mahogany.

Wildlife commonly seen in the area includes mule deer, an occasional black bear, coyote, squirrels, chipmunks, and a variety of small birds.

***Cultural Resources***

Oriole Lake was homesteaded prior to the establishment of Sequoia National Park in 1890. This privately owned quarter section (160 acres) has been used for ranching, orchards, logging, and at one time there were plans for a lodge and tourist destination. Issues with road conditions and difficulties in funding construction prevented the growth of the area, and today there remains just five cabins that are used sporadically as mountain retreats.

The properties in Oriole Lake were considered not historically significant in the 1986 LPP. It is recommended that this assumption be verified on a case by case basis, if lands with existing structures are purchased in the future by the parks or building permits are submitted for review and approval. Most of the privately owned structures in Oriole Lake are not actively occupied or maintained by their owners.

#### **Management Objectives**

The management objective for the Oriole Lake area remains unchanged from the 1986 LPP, which is to restore the area to natural conditions and add it to the designated wilderness of these Parks. Elimination of the residential uses of the area will readily allow natural regeneration of native vegetation and wildlife and allow for reintroduction of fire. This was also the direction provided in the Parks' 2007 GMP, "acquire from willing sellers, restore, provide trail access, remove facilities, designate as wilderness."

#### **Land Ownership**

##### ***External Conditions***

Located in a remote area at the end of a rough road Oriole Lake is a rare lake in the foothills environment in a remote area of Sequoia National Park; the area is surrounded by designated wilderness. Some day hiking occurs in this area, mostly by local park visitors.

##### ***Internal Conditions***

Originally, Oriole Lake was a quarter section (160 acres) of privately owned property; currently there are seven privately owned tracts with five cabins on 9.3 acres. Access is by way of a primitive narrow dirt road that is gated, restricting public access. The Park Service has negotiated with landowners to provide public pedestrian access to Oriole Lake. At one time there was a small airplane runway, which has been removed and the area returned to more natural conditions. The Park Service provides minimal services. The condition of water and sewer facilities is unknown.

As the inholdings are classified as Designated Potential Wilderness Additions and can achieve full wilderness designation upon cessation of "non-conforming" uses and follow-up administrative action, after acquisition and the removal of development, the area could be designated wilderness.

#### **Compatible Use**

Oriole Lake is a very small enclave of private holdings in an otherwise remote and undeveloped area. The access is by a very rough dirt road, which is generally impassable between January and March. Summer cabin development in the area is incompatible with the values of the designated wilderness on surrounding park lands.

#### **Acquisition History**

Originally, Oriole Lake was a quarter section (160 acres) of privately owned property; currently there are seven privately owned tracts with five cabins on 9.3 acres. Land was first acquired in the early 1970s, and to date the Parks have purchased 150.7 acres- the majority of which came as a single 146 acre undeveloped tract (1970-75).

#### **Background on the Communities and Relationship with Parks**

Social ties and activities at Oriole Lake continue to be almost non-existent at this time (from 1986-2012). The few remaining cabin owners spend less time in the area than in past years. Although the few remaining cabin owners have strong historical ties to the area, present activity and interest are not as high.

The 1986 LLP discouraged development in Wilsonia and Oriole Lake. The cost of maintaining, operating, and using an extra home may also have contributed to the willingness of some property owners to sell to the NPS.

## **Wilsonia**

### **Significant Resources**

#### *Natural Resources*

Wilsonia is located on typical southern Sierra granitic intrusions, overlain with metamorphic rock, and is uplifted and tilted to the west. Soils in the area are generally sands and loamy sands developed from parent bedrock.

There are a very few small springs and seeps in Wilsonia. Much of the culinary water is obtained from wells. The area is vegetated primarily by a mixed conifer forest dominated by ponderosa pine, Jeffrey pine, sugarpine, white fir, and incense cedar, with some understory brush, including manzanita and ceanothus. Giant sequoias are not found in Wilsonia, but are located nearby.

Wildlife commonly seen in the area includes mule deer, an occasional black bear, coyote, squirrels, chipmunks, and a variety of small birds.

#### *Cultural Resources*

Wilsonia is a primarily seasonal (summer) community which consists of private in-holdings and NPS-owned properties in Kings Canyon National Park (KICA), southeast of the Grant Grove Village area. This community was established as a homestead on 160 acres, prior to the park's designation in 1890. In 1918, the homestead was subdivided and the area was named "Wilsonia" after the President Woodrow Wilson. The subdivided property was then sold for summer cabin development. Most of the cabins in Wilsonia were built between 1919 and 1945.

In March 1996, the Wilsonia community was listed as a Historic District on the National Register of Historic Places. The following is the statement of significance from the 1996 National Register of Historic Places Registration Form:

"The Wilsonia Historic District is eligible to the National Register under Criterion A as a representative recreational mountain community developed between 1918 and 1945, the peak years in the broader context; of recreational mountain communities developed in California between 1850 and 1950. While its development patterns and architecture are typical of the period, Wilsonia is unique in two major ways. First, its land ownership as a privately-owned tract since its subdivision is distinct from that of the majority of recreational mountain communities in California which were built on federally-owned land. Second, Wilsonia's setting wholly surrounded by a National Park is uncommon. The combination of built and natural elements, the land ownership pattern, and the setting as an inholding within a National Park makes the Wilsonia Historic District a cultural and historic resource unusual within the context of recreational mountain communities in the State of California."

In 2011, the Wilsonia Historic District (District) successfully amended the original 1996 listing. The amendment expanded the period of significance in the recreational cabin district up through the mid-20th

century, ending with the introduction of newer, contemporary building forms during the 1960s and 1970s. The amendment identified the entire District as one contributing site and noted that the compatibility of the recreational community infrastructure with the character-defining aspects of the mountain setting, (e.g. natural vegetation, meadows, boulders, rock outcroppings, intermittent streams, and hilly terrain) provides the District with its unique historic character and sets this place apart from other recreational resources. This acknowledgement of a contributing site recognized that the character defining features of the community extend beyond just the built cabins.

### **Management Objectives**

In the 1986 LPP, the management objective for Wilsonia was to eliminate residential development so that the area could be restored to its natural condition and enjoyed by all of the public rather than just a relatively few private land owners. This LPP redefines the Parks management objectives for Wilsonia.

The NPS mission as defined by the Organic Act of 1916 is "...to conserve the scenery and the natural and historic objects and the wild life therein." This mission statement puts equal value on natural and cultural resources; accordingly the management objectives for this plan will reflect conservation for all resources.

The NPS management objectives in this LPP reflect the District's nominations (1996 and 2011), to include consideration for natural and cultural features. Wilsonia will continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and "natural or wild" tracts (without structures) held and administered by the NPS.

The levels of residential use will be managed to minimize the effects on the natural environment including: soil disturbance; removal of vegetation (including hazard trees); waste water disposal; introduction of invasive plants; diversion of surface water flows; and displacement and/or unnatural concentrations of wildlife.

The levels of residential use will also be managed to minimize the effects on the cultural environment including: construction of buildings; camping; color of paint choices; architectural features; protection of archeological resources as may result from ground disturbing activities etc.

All building and waste water permits require NPS concurrence, per 36 CFR 7.8, will be reviewed for the protection of natural resource values and be subject to review in a historic preservation context (per the regulations in 36 CFR 800).

### **Land Ownership**

#### ***External Conditions***

Wilsonia is within the Grant Grove section of Kings Canyon National Park, which is surrounded by the Giant Sequoia National Monument of Sequoia National Forest (Forest). The Forest is managed for some uses that are consumptive, such as grazing and timber, and for some non consumptive recreation uses. There are numerous tracts of private land holdings on the Forest. Some of these are used for mountain cabins and there are resorts such as Hume Lake, Sequoia Lake, and Pinehurst. West of Wilsonia in the mountain areas around Pinehurst, Miramonte, Badger, and Hartland, there are many mountain cabins, some used seasonally and some used as permanent residences. There are also some small ranches mixed in among several larger ranches. These areas are at lower elevations, not as heavily timbered as Wilsonia, and not as cool in the summer.

### ***Internal Conditions***

There are 200 private tracts remaining in Wilsonia, amounting to 58 acres. Most tracts are small, individually owned cabin sites, although two tracts totaling 19 acres are owned by the Masonic Family Club and used as a private resort for members of the organization. There are 205 separate structures of more than shed size, 166 of them being used as family dwellings for at least part of the year. A few of the homes are used as year-round residences. Most homes are on one-tenth acre. There is potentially room for about 150 more cabins to be built on the remaining undeveloped private land.

As indicated on the tract maps, a number of parcels in Wilsonia inholdings have been acquired by the NPS.

Wilsonia has been basically a summer cabin area for several decades. Many of the present owners spent much of their "growing up" summers at Wilsonia. In this sense there are strong family "roots" in Wilsonia.

### **Compatible Use**

Wilsonia will continue to be a mosaic of privately held residential tracts of land (with culturally sensitive structures) and "natural or wild" tracts (without structures) held and administered by the NPS. Existing cabins on NPS acquired lands should be removed to meet long-term objectives, but continuation of current residential uses on privately held land is considered to be acceptable.

New construction or changes in the current use, condition, or size of structures will be evaluated, on a case-by-case basis, with consideration given to their impacts on natural resources and cultural resources. This review process would involve multiple parties: property owner; NPS; SHPO; Tribes; Tulare County. (36 CFR 7.8 and 36 CFR 800). [HTTP://WWW.ACHP.GOV/REGS-REV04.PDF](http://www.achp.gov/regs-rev04.pdf).

### **Acquisition History**

Since 1931, the NPS has spent approximately \$2.5 million to acquire private land in Wilsonia. Federally-owned tracts are now interspersed with private lands.

The NPS first acquired private land in Wilsonia in 1931. A few additional acquisitions occurred through the 1950s, and acquisition increased from the 1960s until the early 1980s. The last acquisition occurred in 1983. Most of the federally-owned lots acquired during that period are now vacant as the NPS removed most of the cabins from the lots; however 12 NPS-owned structures remain in place, interspersed through the private land.

### **Background on the Communities and Relationship with Parks**

Prior to the establishment of General Grant National Park in 1890, a homestead on 160 acres was filed. The homestead changed ownership several times, ultimately being subdivided in about 1918 and named Wilsonia, after then President Woodrow Wilson. The subdivided property was soon sold for summer cabin development. Many existing cabins date back to the 1920s-1940s.

Wilsonia residents generally have strong family ties to the area. Many of the cabins have been owned by the same family for two or three generations and some were built by the same family that owns them now. Many cabin owners spent significant portions of their youth at Wilsonia and have fond memories of experiences there.

Wilsonia is primarily a summer cabin area. Originally, mountain cabins were built as a place to escape from the valley summer heat for periods of a few days to a few weeks, and in some cases, an entire summer. Few cabins are used as year-round residences.

The Wilsonia Cabin Owners Association (Association) was organized in the 1930s, partly as a group for community social gatherings and functions, and partly to achieve common goals of improving roads, utilities, and services to Wilsonia. The Association has generally taken a strong stand against NPS acquisition of cabins and property.

In 1996, the Wilsonia Historic District was listed in the National Register of Historic Places. The Wilsonia Historic District Trust (Trust) provided the impetus to secure this listing. The Trust has generally taken a strong stand against NPS acquisition of cabins and removal of cabins.

## **Common to Wilsonia and Oriole Lake**

### **Regulation of Development and Use on Private Lands**

The NPS has exclusive jurisdiction over much of the area of Sequoia and Kings Canyon National Parks, including the Wilsonia and Oriole Lake areas. The extent of jurisdiction means that the Park Service has the authority to adopt and administer land use regulations for these areas including (per 36 CFR 7.8) permit approval over water supply, sewage or disposal systems, and building construction or alterations.

Since 1996, with the Trust's listing of the Wilsonia Historic District in the National Register of Historic Places, the NPS must also review Wilsonia permits in a historic preservation context (as per the regulations found at 36 CFR 800). In particular, the NPS's review constitutes an "undertaking" as defined by the regulations and, thus, the provisions of Section 106 of the National Historic Preservation Act apply.

Review of Oriole Lake permits will evaluate, on a case by case basis, the need for historic structure considerations.

Guidelines (acceptable and unacceptable uses) for development and use of private lands were, however, outlined in the Land Acquisition Plan developed in 1979 and revised in 1981, 1986 and are updated here as outlined below.

### **Acceptable Uses**

1. Private family dwelling.
2. Improvements, changes, reconstruction, maintenance, or alterations to existing structures on privately owned lands that will not adversely affect a property, as defined by the nationwide programmatic agreement streamline review process between the NPS (as a federal agency) and the National Council of State Historic Preservation Officers are (2008) are acceptable.  
[HTTP://WWW.NPS.GOV/HISTORY/HOWTO/PAToolKIT/PROCESS.HTM#STREAMLINED](http://www.nps.gov/history/howto/patoolkit/process.htm#streamlined).
3. New construction or changes in the current use, condition, or size of structures can be evaluated, on a case by case basis, with consideration given to their impacts on natural resources and cultural resources. This review process can involve multiple parties: property owner; NPS; the California State Historic Preservation Officer (SHPO); Tribes; Tulare County and take an extended period of time. (See 36 CFR 800:  
[HTTP://WWW.ACHP.GOV/REGS-REV04.PDF](http://www.achp.gov/regs-rev04.pdf)). NOTE: This is a change from the 1986 LPP.

With the listing of the Wilsonia Historic District all adverse affects to the District need to be evaluated, i.e., the NPS will no longer automatically approve changing the size of a structure (regardless of percentage), removing a structure or automatically disapprove the addition of a structure.

4. Recreation vehicles, or recreation trailers may be used by the landowner or immediate family for a period not to exceed one month in any calendar year, as long as the existing sanitary facilities will accommodate the increased use.

#### **Unacceptable Uses**

1. Construction or reconstruction of buildings that are substantially different in size, location, or purpose from those removed or destroyed.
2. Intensification of use on developed or undeveloped land such as the introduction of: establishing a commercial business; grazing; harvest of timber; mining; long term occupancy by recreation vehicles, tents, house trailers or motor homes.
3. Subdivision, lot splits, or selling-off a portion of the land. Owners having an undivided or divided interest in the land are acceptable, i.e., owners can have a percent interest in the total tract but the land itself cannot be divided so that each owns a portion.
4. Any action that results in damage, as determined by Park subject matter experts, to natural or cultural resources or wildlife or scenery. These actions might include cutting timber, leveling the land, reroute a drainage that would cause silting of a stream, remodeling or destroying a structure, etc.
5. Creation of hazards that endanger Park visitors or other members of the public.
6. Adverse effects to contributing resources within any National Register listed historic district or changes that would adversely affect the integrity of a National Register listed historic district-without appropriate consultation (NHPA).

#### **Permit Reviews**

##### ***Old Process***

Prior to the 1996 listing of Wilsonia as a historic district landowner proposals for additions, modifications, reconstruction, etc., were reviewed under a long-standing cooperative arrangement with Tulare County (County). Under this system, landowners applied to the County for a building permit, which was then reviewed by the County for technical code compliance and by the NPS for compliance with guidelines as provided for in the 1986 LPP for development and use. If the guidelines were met, the Park notified the landowner that the project was acceptable and a building permit was issued by the county.

##### ***New Process***

Since 1996, with the listing of the Wilsonia Historic District in the National Register of Historic Places, the NPS must review permits in a historic preservation context (per 36 CFR 800) as well as for impacts to natural resources. In particular, the NPS's review constitutes an "undertaking" as defined by the regulations and, thus, the provisions of Section 106 of the National Historic Preservation Act apply.

Section 106 review will follow one of two paths:

- 1) A permit request proposes work that will not adversely affect a property within the National Register district, and/or, that falls within an already existing streamlined review process that can be used by the NPS to expedite preservation maintenance and repairs. This streamlined process is part of a nationwide programmatic agreement that was negotiated between the NPS as a federal agency and the National Council of State Historic Preservation Officers. *Programmatic Agreement Among the National Park Service (U.S. Department of the Interior), the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers for Compliance with Section 106 of the National Historic Preservation Act (Programmatic Agreement) (2008)*

NOTE: If the Permit proposes work that will not adversely affect a property, and/or, that falls within the streamlined review process then, the NPS's review of a permit can be accomplished relatively quickly.

See website for details:

[HTTP://WWW.NPS.GOV/HISTORY/HOWTO/PAToolKIT/PROCESS.HTM#STREAMLINED.](http://www.nps.gov/history/howto/patoolkit/process.htm#streamlined)

- 2) A permit request is proposing work that will adversely affect a property or the character of the historic district, then, the full Section 106 consultation process for the undertaking must be followed (See 36 CFR 800: <http://www.achp.gov/regs-rev04.pdf>). NOTE: This process involves active consultation with the State Historic Preservation Office (SHPO) and can take a substantial amount of time.

After the proposed permit is reviewed by the NPS under these criteria the NPS will provide conceptual approval of the project via written authorization; the property owner will then submit their plans to Tulare County for review and approval for all code and other regulation compliance. If the plans are approved by the County without any changes, the permit can be issued and work can begin.

### **Protection Alternatives**

A number of land protection measures have been considered in arriving at the recommended plan. Factors influencing the methods considered and selection of the recommended plan include cost effectiveness, long-term goals, compatibility of private ownership, exclusive jurisdiction and consideration for long-time owners.

The preferred alternative for land protection must ultimately be in compliance with the mandate to preserve park resources and provide for their enjoyment by the people.

### **Land Use Regulations**

The long-term objective for Wilsonia is to maintain a mosaic of privately held residential tracts of land (with culturally-sensitive structures) and "natural or wild" tracts (without structures) held and administered by the NPS.

The long-term objective for Oriole Lake is the elimination of the residential uses of the area, restoration of the area to natural conditions, and administrative conversion to designated wilderness.

The levels of residential use will be managed to minimize the effects on the natural environment including: soil disturbance; removal of vegetation (including hazard trees); waste water disposal; introduction of invasive plants; diversion of surface water flows; and displacement and/or unnatural concentrations of wildlife.

The levels of residential use will also be managed to minimize the effects on the cultural environment including: construction of buildings; color of paint choices; architectural features; etc.

As an interim land protection method for the already developed tracts within the two areas, land use regulation based on the acceptable and unacceptable uses listed above will be used, with the noted caveat that, land use regulation is not a permanent solution but is appropriate as a protection measure for developed tracts.

Land use regulation is not an appropriate interim protection method for undeveloped tracts intended for retention in their natural state.

#### **Less than Fee Acquisition**

Less-than-fee acquisition involves acquiring a portion of the rights of land ownership. For example, scenic easements may be acquired to protect certain landscape values or rights-of-way may be acquired to permit public access for trail use.

The primary value of less-than-fee applications in park situations is where some degree of private economic activity, e.g., farming, ranching, etc., is consistent with park objectives. In some NPS administered areas, where preservation of a pastoral historic scene is a primary management objective, scenic easements represent a highly desirable form of protection method, permitting continuation of agricultural land uses which contribute to the purposes of the unit. However, in the case of Wilsonia and Oriole Lake, less-than-fee instruments are not appropriate and do not meet the long term goals of the NPS.

#### **Fee Acquisition**

Fee simple acquisition is the acquisition of the full "bundle of ownership rights" in private tracts as they are offered for sale. This approach will permit the realization of the long-term parks objectives over an extended period of time, and represents a realistic view of budget possibilities.

#### **Land Exchange**

The exchanges considered under this LPP would involve improved federal properties for privately owned vacant lands within the Wilsonia subdivision. The estates to be exchanged would be the fee simple. The federal properties would be conveyed by quitclaim deed subject to certain use restrictions outlined below and valid third-party rights of record (if any). The private lands would be conveyed by warranty deed to the United States subject only to valid third-party rights of record and encumbrances acceptable to the Dept. of Justice. (See 16 U.S.C. 4601-22(b) for other specific exchange requirements.)

A restrictive covenant would be developed for each federal property to be exchanged in order to ensure the preservation of historic structures on the property. The restrictive covenant would 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 would be responsible for preparing Historic Structure Reports (HSRs) and treatment plans consistent with the *Secretary of the Interior's Standards for Treatment of Historic Properties*. The federal grantor (NPS) would retain the right to review and approve all proposed construction, alteration, repair, maintenance or reconstruction for the building(s) or grounds, including construction, alteration, repair, maintenance or reconstruction due to casualty damage of the building or premises. This review would be coordinated with SHPO and the Advisory Council for Historic Preservation. Failure to adequately adhere to the terms of the restrictive covenant could result in reversion of the property to the United States.

### **Social, Cultural and Economic Impacts**

The policy of acquiring fee interests from willing sellers could result in changes to the composition of Wilsonia over an extended period of time. Because the long-term objective for Wilsonia is a maintain a mosaic of privately held residential tracts of land (with culturally sensitive structures) and “natural or wild” tracts (without structures) held and administered by the NPS, the overall impacts to Wilsonia will be minimal.

The impacts occurring to the Oriole Lake area would be relatively minor given the limited number of dwelling units and the limited amount of use that most receive.

### **Recommendations**

Fee acquisition is recommended as the preferred land protection method for all tracts in Wilsonia and Oriole Lake. However, it is recommended that acquisition be limited to willing sellers.

Because acquisition and restoration of the many developed properties is many years away, it is recommended that federal land use regulations continue to be promulgated and administered as an interim land protection approach. Land use regulations will provide both for maintenance of the historic rustic character of residential areas and prevent adverse impacts on park resources.

As a counterpart to the regulations, it is recommended that the cooperative building permit process with Tulare County that has been successful for many years be continued and memorialized in a formal agreement.

First priority for acquisition or exchange will be accorded to undeveloped tracts either offered for sale or proposed for development. Among the remaining tracts offered by willing sellers, acquisition priorities will favor those tracts whose acquisition will alleviate existing adverse environmental effects, and those tracts whose acquisition will permit road closures, removal of structures, or other actions to reduce maintenance requirements.

**Methods of Acquisition:** When acquiring land, federal agencies must follow the procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), which requires them to offer to purchase land at not less than its appraised fair market value.

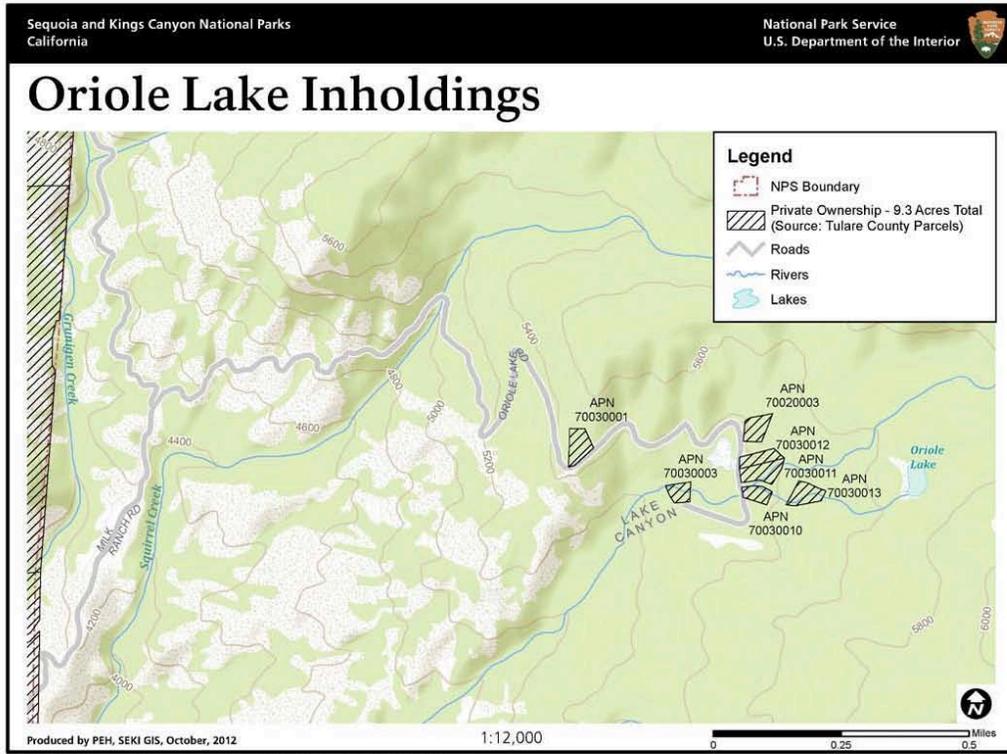
At the same time, however, the Government may receive donations of the full or partial value of the land. Donation may provide the landowner with tax benefits. A qualified tax advisor should be consulted for details. The bargain sale of land to the NPS at less than its fair market value results in part sale and part

charitable contribution or donation from the landowner. The tax consequences of the donation are based on the difference between the fair market value of the property and the actual sale price.

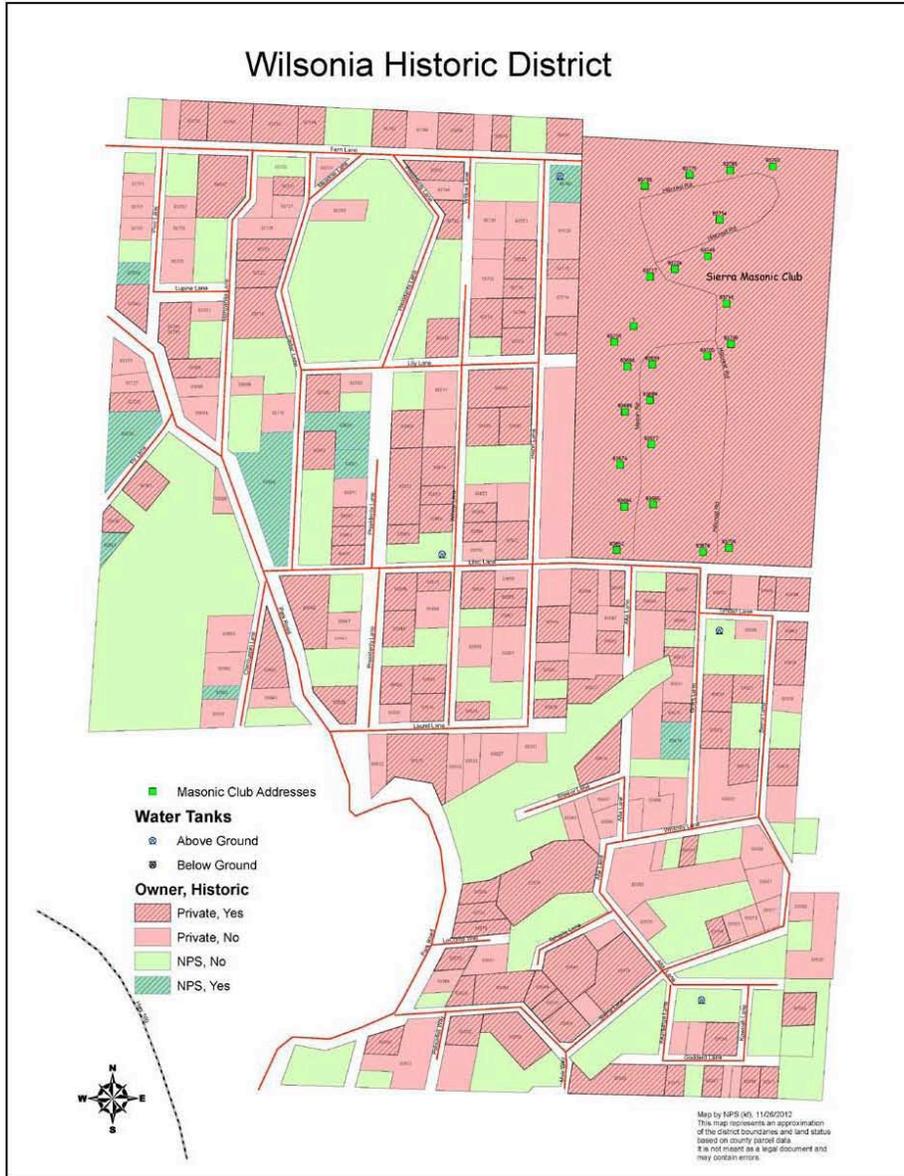
The NPS may acquire lands or interest in lands by trading available land or interest already under federal jurisdiction. Exchange provides an opportunity to consolidate or acquire needed interests in land minimizing the need for the use of appropriated funds. The exchanges considered under this alternative would involve improved federal properties for private vacant lands within the Wilsonia subdivision. The estates to be exchanged would be the fee simple. The federal properties would be conveyed by quitclaim deed subject to certain use restrictions protecting cultural and natural resources, and valid third-party rights of record (if any). The private lands would be conveyed by warranty deed to the United States subject only to valid third-party rights of record and encumbrances acceptable to the Department of Justice.

The preferred methods of acquisition are by donation, purchase, or exchange.

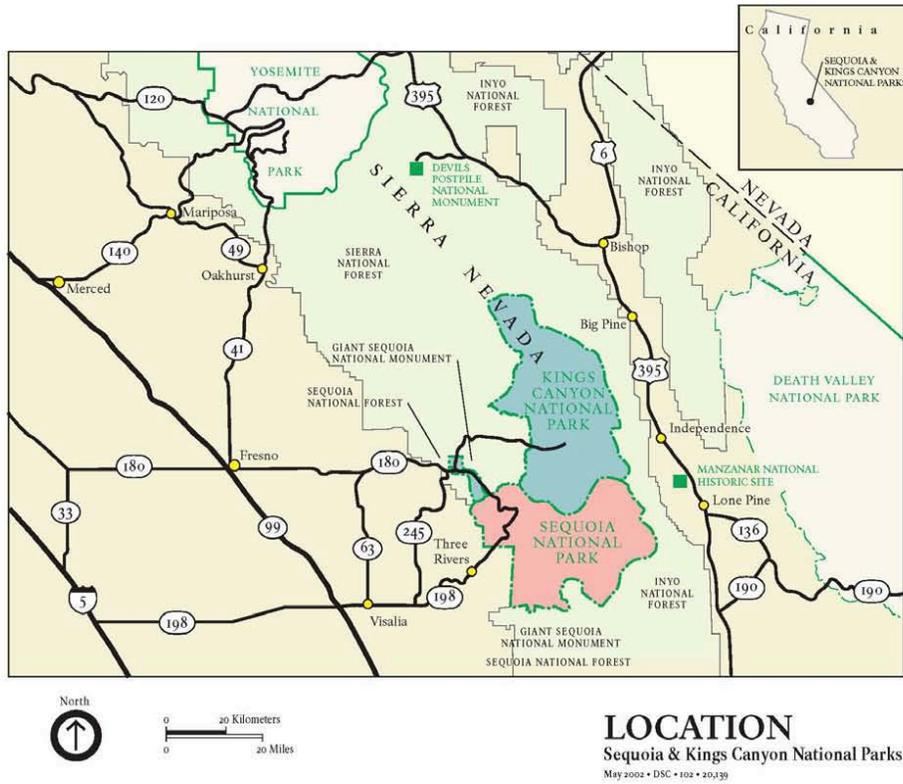
## Appendix A: Map of Oriole Lake



**Appendix B: Map of Wilsonia**



## Appendix C: Map of Sequoia and Kings Canyon National Parks



**APPENDIX B – PUBLIC SCOPING NEWS RELEASES**

*Page left intentionally blank.*



National Park Service  
U.S. Department of the Interior

Sequoia and Kings Canyon  
National Parks

47050 Generals Hwy.  
Three Rivers, CA 93271

559 565-3341 phone  
559 565-3730 fax

---

## Sequoia and Kings Canyon National Parks News Release

For Immediate Release: November 21, 2011

Contact: Dana M. Dierkes

Phone Number: (559) 565-3131 (desk) or (559) 679-2866 (cell)

### National Park Service (NPS) Seeks Public Comments to Help Determine Management Options for 12 NPS-owned Buildings in Wilsonia within Kings Canyon National Park

Three Rivers, CA – The National Park Service (NPS) seeks public comments in determining the disposition of 12 NPS-owned buildings located within the Wilsonia area of Kings Canyon National Park. The buildings are located within the “Wilsonia Historic District” (District), which was listed in the National Register of Historic Places in 1996 and was subsequently expanded in 2011. For additional information about the project, including photos of each building, visit <http://parkplanning.nps.gov/seki>.

*All written comments about this project must be transmitted, postmarked, or hand-delivered by December 22, 2011.* To respond electronically, submit your comments at <http://parkplanning.nps.gov/seki> via the NPS Planning, Environment and Public Comment website. To submit written comments by letter, you may send them by U.S. Postal Service or other mail delivery service, or hand-deliver your comments to Superintendent, Sequoia and Kings Canyon National Parks, Attn: Wilsonia Building Disposition Project, 47050 Generals Highway, Three Rivers, CA 93271. In addition, faxed comments will be accepted at (559) 565-4202. *NOTE:* Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment - including your personal identifying information - may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The NPS recently completed several studies for the NPS-owned buildings, including an Environmental Health Services inspection (2006/2007); comprehensive condition assessments (2007 and 2011); and a defensible space study for fire safety (2009). These studies will provide information to help the park develop alternatives throughout the planning process. The project will include a range of alternatives, including, but not limited to: rehabilitation for occupancy; structure rehabilitation and/or stabilization; and structure removal and restoration of the building site to natural conditions. As part of this planning process, Sequoia and Kings Canyon National Parks will prepare a Determination of Effect for the Wilsonia Historic District in accordance with the National Historic Preservation Act and complete compliance in accordance with the National Environmental Policy Act.

To learn more about Sequoia and Kings Canyon National Parks, visit [www.nps.gov/seki](http://www.nps.gov/seki) or call (559) 565-3341.

---

#### EXPERIENCE YOUR AMERICA

The National Park Service cares for special places saved by the American people so that all may experience our heritage.



National Park Service  
U.S. Department of the Interior

Sequoia and Kings Canyon  
National Parks

47050 Generals Hwy.  
Three Rivers, CA 93271

559 565-3341 phone  
559 565-3730 fax

---

## Sequoia and Kings Canyon National Parks News Release

For Immediate Release: December 16, 2011

Contact: Dana M. Dierkes

Phone Number: (559) 565-3131 (desk) or (559) 679-2866 (cell)

### National Park Service Extends Public Comment Period to Help Determine Management Options for 12 NPS-owned Buildings in Wilsonia within Kings Canyon National Park

*Three Rivers, CA* – The National Park Service (NPS) has extended the public comment period for input in determining the disposition of 12 NPS-owned buildings located within the Wilsonia area of Kings Canyon National Park. **All comments must now be received by January 21, 2012.** The buildings are located within the “Wilsonia Historic District” (District), which was listed in the National Register of Historic Places in 1996 and was subsequently expanded in 2011. For additional information about the project, including photos of each building, visit [www.parkplanning.nps.gov/seki](http://www.parkplanning.nps.gov/seki).

**All written comments about this project must be transmitted, postmarked, or hand-delivered by January 21, 2012.** To respond electronically, submit your comments at [www.parkplanning.nps.gov/seki](http://www.parkplanning.nps.gov/seki) via the NPS Planning, Environment and Public Comment website. To submit written comments by letter, you may send them by U.S. Postal Service or other mail delivery service, or hand-deliver your comments to Superintendent, Sequoia and Kings Canyon National Parks, *Attn: Wilsonia Building Disposition Project*, 47050 Generals Highway, Three Rivers, CA 93271. In addition, faxed comments will be accepted at (559) 565-4202. **NOTE:** Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment - including your personal identifying information - may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The NPS recently completed several studies for the NPS-owned buildings, including an Environmental Health Services inspection (2006/2007), comprehensive condition assessments (2007 and 2011), and a defensible space study for fire safety (2009). These studies will provide information to help the park develop alternatives throughout

-more-

---

EXPERIENCE YOUR AMERICA

The National Park Service cares for special places saved by the American people so that all may experience our heritage.



-continued from Page 1-

the planning process. The project will include a range of alternatives, including, but not limited to: rehabilitation for occupancy, structure rehabilitation and/or stabilization, and structure removal and restoration of the building site to natural conditions. As part of this planning process, Sequoia and Kings Canyon National Parks will prepare a Determination of Effect for the Wilsonia Historic District in accordance with the National Historic Preservation Act and complete compliance in accordance with the National Environmental Policy Act.

To learn more about Sequoia and Kings Canyon National Parks, visit [www.nps.gov/seki](http://www.nps.gov/seki) or call (559) 565-3341.

-NPS-

---

**EXPERIENCE YOUR AMERICA**

The National Park Service cares for special places saved by the American people so that all may experience our heritage.



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering wise use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historic places, and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people. The department also promotes the goals of the Take Pride in America campaign by encouraging stewardship and citizen responsibility for the public lands and promoting citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

NPS SEKI (March 2013)