alpine

The Newsletter of the Alpine Lakes Protection Society (ALPS) 2016 Issue No. 1

Karl Forsgaard

Snow Lakes and Enchantments from Wedge Mountain.

Dam projects begin environmental scoping

by Karl Forsgaard

The Alpine Lakes Wilderness area above Leavenworth is at risk of future water development. The proposal should be changed to meet water needs through conservation, not by harming the Wilderness. Public comments on the proposal are ***due on May 11, 2016***. Wilderness lovers: please take action to protect one of Washington's most treasured Wilderness areas.

Two government agencies (State Department of Ecology and Chelan County) are now evaluating whether to build dams, manipulate water levels, and issue water rights from seven lakes in the Alpine Lakes Wilderness. One of their goals is to extract more water for "new home construction" (a.k.a. suburban development) in the City of Leavenworth and elsewhere in the Wenatchee Valley. They also claim to solve instream flow problems in Icicle Creek near the Leavenworth National Fish Hatchery to protect tribal fishing rights and improve irrigation reliability. The agencies are conducting a public comment period for scoping under the State Environmental Policy Act (SEPA).

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Dam projects

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This is serious business. The proposed plan would cost an estimated $65 million, and the State Legislature has allocated $3 million for preliminary analysis.

The Alpine Lakes Wilderness is a wild area many people use and care about. However, the project proponents in the Icicle Work Group (IWG) often appear oblivious to the presence of wilderness issues, and even proposed to rename the Alpine Lakes as "Reservoirs" (see juxtaposition of IWG maps on pages 4-5). While that gaffe was hastily withdrawn, it shows that the project proponents bear close watching.

As previously reported in the *Alpine* (2014 issue No.1; 2015 issue No.1), the State and the County propose to increase water diversions from seven lakes in the Alpine Lakes Wilderness that flow into Icicle Creek: Colchuck, Eightmile, Upper and Lower Snow, Nada, Lower Klonaqua and Square Lakes.

At least for the time being, they have dropped their proposal to drain an eighth lake, Upper Klonaqua, by installing a siphon or pump or blasting a tunnel between Upper and Lower Klonaqua Lake (this was detailed in an Aspect Consulting appraisal report). Yes, inside the Wilderness. Although that outrageous proposal has been withdrawn (at least for the time being), the project proponents' actions should still be monitored. Remember that the IWG members who voted for IWG to fund that Klonaqua tunnel appraisal report are still voting on everything else IWG does about these projects.

We appreciate the irrigators' need for water to irrigate their orchards and keep them productive. As ALPS wrote in letters to IWG in 2014 and 2015, we do not object to the exercise of valid, existing water rights of the Icicle-Peshastin Irrigation District, but we question an assertion of water rights that have been relinquished or are otherwise invalid. We asked IWG to not treat Eightmile Lake as a consensus project, given the legal and factual questions surrounding the District's rights to that water. We questioned why Alpine Lakes had been targeted for automation and modification, and the objectionable nature of proposals for expansion of easements, encroachment on wilderness lands, new construction, and increased water diversions in the Alpine Lakes Wilderness. While we appreciate the goal to improve instream flows in Icicle Creek, it is contradictory to exploit one natural area under the guise of enhancing another, particularly when other options are available.

The Alpine Lakes Wilderness is managed by the U.S. Forest Service, which must also prepare an environmental analysis to ensure protection of wilderness values. Although this federal process has not started, we anticipate that the Forest Service will monitor public input at the Ecology/Chelan County public meetings, and will initiate project-level NEPA analysis when triggered.

The existing diversions of water are familiar to wilderness visitors, as described in *100 Hikes in Washington's Alpine Lakes* by Ira Spring, Vicky Spring and Harvey Manning (Mountaineers Books, 3rd Ed. 2000):

"Like a bathtub, water is drained through a hole in the bottom of the upper lake (which thus has a fluctuating shoreline) and is used to guarantee a pure intake for the Leavenworth Fish Hatchery; probably few people imagined, when the fishy business was perpetrated back in the 1930s, that Snow Lakes and unmolested pristinity of wilderness would become so treasured by so many as they are."

During the 2015 drought, irrigators maximized their water withdrawals by draining as much water as possible from lakes in the Alpine Lakes Wilderness, i.e., in drought years the water is not available for municipal use or instream flows for fish habitat. And bad years will become "the new normal" with climate change.

IWG process problems

To implement City of Leavenworth litigation settlement efforts, Ecology and Chelan County formed a "collaborative" Icicle Work Group (IWG) in 2012 to address Icicle Creek water quantity issues. The City of Leavenworth's lawsuit against Ecology (now on hold) is about quantification of the City's water rights. In 2013, Ecology granted $885,000 to Chelan County to staff the IWG with employees of Ecology, WA Department of Fish and Wildlife, and Chelan County, as well as paid consultants from Aspect Consulting, Dally Services, Cascadia Law and the Icicle Irrigation District. In June 2015, the State Legislature provided an additional $2 million to IWG in the capital budget.

IWG meetings are open to the public, but much of the decision-making occurs outside the public eye, in meetings of IWG's "steering committee."

IWG is a "quid pro quo" process. IWG spent a year developing operating procedures based on consensus decision-making, along with substantive goals that focused on environmental improvements and developing new water supply while adhering to state and federal laws. When objections to threats to wilderness lakes were raised publicly, Ecology changed the IWG internal process from consensus to majority rule and issued a gag order on IWG

participants, including a rule that members must screen their opinions with the IWG before publicly airing them. The Center for Environmental Law and Policy resigned from the IWG when these amended procedures were adopted in July 2015.

This process also raises fundamental questions about agency participation in "collaborative" groups. With consensus, all parties have veto. But IWG rules now require participants to support the metrics and "Base Package" project list. Agency commitment to outcomes in advance of public and environmental review is troubling, especially for regulatory agencies such as Ecology, Washington Department of Fish & Wildlife, and federal agencies. Can state and federal laws such as the Clean Water Act and Endangered Species Act (ESA) be superseded by a stakeholder-based "collaborative" process? Should the required ESA Section 7 Consultation with NOAA (for steelhead) and USFWS (for bull trout) and resulting Terms and Conditions be completed before IWG prepares a PEIS under SEPA? If not, are they risking the need to reopen SEPA to account for new information or new requirements arising from the ESA Section 7 Consultation?

Despite the fact that the IWG is premised on giving advice and guidance to four federal agencies (U.S. Forest Service, USFWS, NOAA, and BuRec), the IWG is not chartered under the Federal Advisory Committee Act (FACA). FACA ensures that federal advisory committees are accountable to the public by maximizing public access to committee deliberations and minimizing the influence of special interests. If FACA applies to IWG, a whole range of public notice and participation requirements also apply: their meetings must be open to the public; they must make transcripts of their meetings available to the public; and their membership must be fairly balanced in terms of the points of view represented.

Chelan County, the City of Leavenworth, and the Leavenworth National Fish Hatchery have given only minimal consideration to a water conservation alternative, and have focused on new water supply instead. At its March 30 public meeting in Seattle, we asked IWG to consider adopting conservation measures (such as restrictions on watering lawns) that have been implemented in the Seattle area, where water consumption actually declined while the population increased.

Although IWG was asked to create a Wilderness Advisory Group to solicit immediate input on these proposals, that idea was eliminated without discussion at IWG's December 2014 meeting. In addition, IWG has often failed to acknowledge wilderness issues or even include the Alpine Lakes Wilderness boundaries in its presentations and documents. For example, the two-page SEPA Determination of Significance fails to even mention the word "wilderness."

The SEPA Process

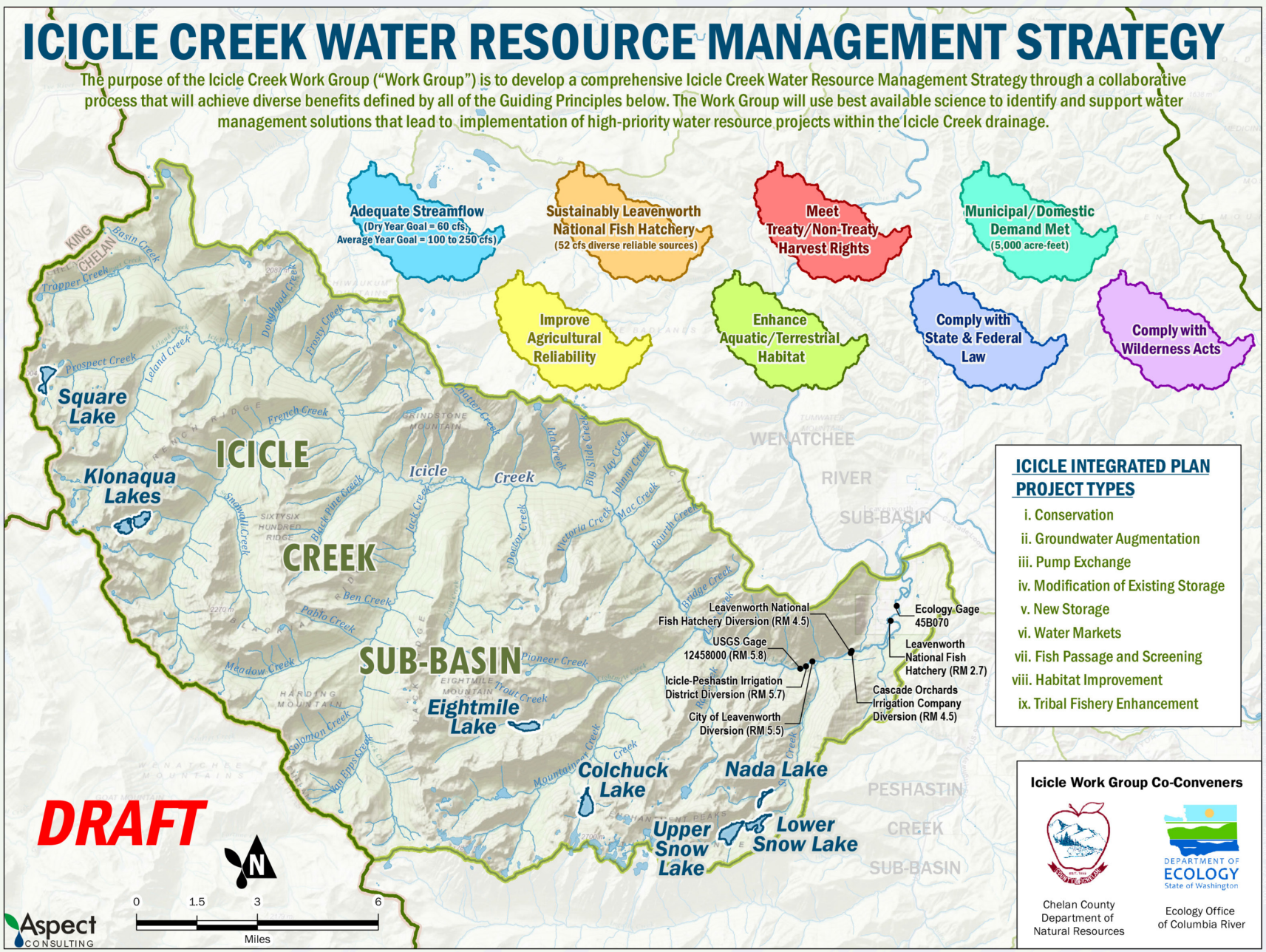
Issued on February 9, 2016, the SEPA Determination of Significance states that the two lead agencies (Ecology and the County) have determined that the proposal may have probable significant environmental impacts, so a Programmatic Environmental Impact Statement (PEIS) is required. They invite public comments on the scope of the PEIS. The associated SEPA scoping documents describe a "Base Package" of projects, including two that were previously reported in the *Alpine*: Eightmile Lake "Restoration" (i.e. replacing the nonfunctional dam) and Alpine Lakes "Optimization, Modernization and Automation." Again, although these lakes are all inside Alpine Lakes Wilderness, the SEPA Determination of Significance does not mention the Alpine Lakes Wilderness, and does not even use the word "wilderness," even while detailing five "areas for discussion in the EIS."

Although some of the beneficial projects are things that must be done anyway under state and federal laws, we question the support already provided to the entire "Base Package" of projects by government agencies – commitments they made prior to the completion of environmental analysis. Furthermore, IWG members have stated publicly that their goal in doing a Programmatic EIS is to not do project-level SEPA analysis later.

The SEPA Determination of Significance referenced the availability of other SEPA-related documents available at the IWG website (see address below), including the 23-page SEPA Environmental Checklist. It also announced a public open house, to be held in Leavenworth on April 20. At our request, IWG conducted another open house in Seattle on March 30, attended by about 50 interested citizens who asked penetrating questions. At this meeting, Chelan County agreed to remove the word "Reservoir" that it had added to the names of the Alpine Lakes on its maps. IWG intends to review the public comments (due May 11), then publish a Draft PEIS by the summer of 2017, receive public comments on it, and publish a Final EIS later.

The 23-page SEPA Checklist refers repeatedly to impacts of constructing changes in the Wilderness, as well as impacts of "new home construction that will result from improved domestic water supply." As for

Icicle Work Group (IWG) wants to rename the Alpine Lakes as "Reservoirs."
Note the Lake names on the IWG draft version of its brochure map, December 2015.



Compare the final version published February 2016 at
http://www.co.chelan.wa.us/files/natural-resources/documents/Planning/icicle_work_group/Outreach/Final-IcicleStrategy-Brochure.pdf

identification of plant and animal species that may be impacted, the SEPA Checklist says they will be identified later, in the PEIS. The Checklist acknowledges that the Alpine Lakes projects "have the potential to affect recreational aesthetics by altering lake levels," while also asserting that the proposal "is expected to improve views of Icicle Creek, Eightmile Lake, and the Alpine Lakes." It states "A limited number of helicopter trips may be utilized for the transport of personnel and equipment to and from the Alpine Lakes."

The SEPA Checklist concludes with a "Programmatic SEPA Map" that labels the entire Icicle Creek watershed (including the Alpine Lakes Wilderness portion) as the "Primary Project Development Area," while labeling the Wenatchee River valley from Leavenworth to the Columbia River as the "Downstream Project Benefits and Secondary Project Development Area."

What You Can Do:

The Alpine Lakes Wilderness needs you! Show your support for Wilderness values, and say No to dam building and new water rights in the Alpine Lakes.

There is a **public comment deadline of May 11, 2016**. Comments can be emailed to *mike.kaputa@co.chelan.wa.us* or you can send them by regular mail to:

Chelan County Natural Resources Department
Attention: Mike Kaputa, Director
411 Washington Street, Suite 201
Wenatchee, WA 98801

More information, including environmental documents, can be found on the agency websites:

- http://www.co.chelan.wa.us/natural-resources/pages/icicle-work-group
- http://www.ecy.wa.gov/programs/wr/cwp/icicle.html

For critical analysis, see the NAIADS blog: https://naiads.wordpress.com/

Points to include in your comments:

- Please tell the agencies that the Alpine Lakes Wilderness is a shared natural resource that must be respected and protected.
- The EIS should include a "Wilderness Protection" alternative. This alternative should promote Wilderness values by not seeking any increase in the amount of water removed from the Alpine Lakes Wilderness; not expanding easements; not encroaching on wilderness lands; not using mechanical transport; and not building any structure or installation in the Wilderness. Under the Wilderness Protection alternative, any new water supplies should be obtained from sources outside the Wilderness, and use non-Wilderness options for improving instream flows (for example, the IPID change in diversion point discussed below). The Wilderness Protection alternative should comply with all provisions in the Forest Service's administrative Alpine Lakes Wilderness Management Plan, including: "Except as provided for in Section 4(d)(4) of the Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge."
- The Wilderness Protection alternative should evaluate public purchase (buy-back) of private water rights in the Alpine Lakes, which would allow removal of dams and other structures from the lakes to restore the Wilderness area to its true natural character.
- The EIS should include a "Water Right Relinquishment" alternative. This alternative should analyze existing water rights to the Alpine Lakes and acknowledge those rights that have been relinquished or abandoned.
- The EIS should include an alternative that recognizes IWG members' water rights are limited to the purposes for which they were initially granted (for example, irrigation) and cannot be redirected to other purposes (such as suburban development).
- The EIS should include a "Water Conservation" alternative that emphasizes aggressive water conservation measures by the City of Leavenworth, Icicle-Peshastin Irrigation District, the Leavenworth Fish Hatchery and other water users. This alternative should evaluate water markets that facilitate selling and trading of water rights.
- The Water Conservation alternative should evaluate a transfer of water rights from IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties. This alternative should analyze how appropriate reductions in water usage (that is, not using agricultural water quantities for lawn irrigation) would save water that would then be available for other Leavenworth needs.
- The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals. This alternative should evaluate how this 19th century irrigation practice (which

Military to reconsider helicopter training sites

After a huge outcry from conservationists and recreationists, commanders at Joint Base Lewis McChord (JBLM) have announced they will reconsider their choices for helicopter training "mountain warfare" landing sites in the Cascades.

Some months ago, the military suddenly announced they would be moving part or all of their high altitude helicopter training from Colorado to the Cascades. Many of the sites chosen were in popular, much used recreational areas. More than one was actually located directly on top of Forest Service trails. Some were located near the Lake Chelan – Sawtooth Wilderness. One site in particular was opposed by ALPS, atop Icicle Ridge near Leavenworth, just within the Alpine Lakes Wilderness.

No one in the conservation or recreation communities had been consulted by the military about their choice of sites. The number of flights would be substantial, and they would occur night and day throughout the year. It is not clear just why the decision to relocate the training area from Colorado to the Cascades was made. Almost all mountains in Colorado are many thousands of feet higher than those in the Cascades. It would seem that the much higher mountains of Colorado would be better for assessing and learning how to deal with the effects of high altitudes on both people and machinery. Many summits in the Cascades are not even as high as valley bottoms in Colorado.

Whatever the reasons behind the move, the choice of sites and the projected intensity of use quickly generated widespread opposition. Washington Wild, with whom ALPS has worked closely on the Wild Sky and recent Alpine Lakes Wilderness efforts, wrote a letter asking the military to reconsider its choice of sites. The letter was quickly and eagerly signed on to by almost every conservation and mountain recreation organization in the state, including ALPS. Senator Patty Murray stepped in to call for an extended comment period. Many other comments poured in, almost all opposed to the plan as presented.

Military commanders at JBLM appear to have gotten the message. Hopefully their next proposal will take better account of the many conservation, wildlife and recreation values of the Cascades.

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was required to ensure water made it to the furthermost customers) could be replaced with modern pumping and piping technologies. The EIS should consider the resulting reduction in water demand as an alternative water supply.

- The EIS should include a "Water Right Change" alternative. This alternative would evaluate improving Icicle Creek flows by moving IPID's point of diversion downstream (to the Wenatchee River). This measure, which would add 100 cfs of water to Icicle Creek every year, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). This alternative should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.
- The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.
- The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and any proposed changes. The analysis should include a review of scientific literature on the impacts of water removals upon wildlife, vegetation, soil and wilderness values.
- The EIS should provide a detailed operations, maintenance and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use.
- The EIS should fully explain the purpose and need for the water these projects would provide.
- The EIS should fully explain what human activities caused the degraded conditions (such as low instream flows in Icicle Creek) that the projects seek to improve. We should not be repeating the mistakes of the past.
- The EIS should analyze adequacy of proposed instream flows to support spawning, rearing and migration of steelhead and bull trout.

ALPS members and Wilderness supporters should submit comments to the Icicle Work Group **by May 11, 2016**. By actively participating in this process, we can protect and preserve the exceptional beauty and values of the Alpine Lakes Wilderness. ■

Yakima Plan update

ALPS and other conservation groups are continuing their active opposition to the most destructive parts of the 2012 "Yakima Basin Integrated Plan."

Senator Maria Cantwell's bill to authorize early phases of the 2012 Yakima Plan (S.1694) moved out of committee in November 2015 and has been proposed for inclusion in the unrelated omnibus energy bill. In February 2016, ALPS and allies wrote to Senators urging them to reject the amendment to the omnibus. In March, a similar bill (H.R. 4686) was introduced in the House by Reps. Dan Newhouse and Dave Reichert. Independent of the new bills, the President's proposed budget provides $15.8 million of ongoing funding under existing authorizations.

In December 2015, a smaller version of the Kachess Pumping Plant (called KETFPP for Kachess Emergency Temporary Floating Pumping Plant) was cancelled by the Bureau of Reclamation after the private irrigators (farm owners) decided they did not want to pay for it. This disproved the assertion by Plan proponents that irrigators will pay for the full-size Kachess Pump project plus K-to-K Pipeline. In other words, taxpayers are still expected to pay for these projects. Also in December, an article about opposition to the Plan, entitled *"Critics of Yakima Basin Integrated Plan say officials don't listen,"* was published in the *Yakima Herald-Republic* and reprinted in the *Seattle Times*. ■

Senator Murray receives recognition

Senator Patty Murray is presented with an Alpine Lakes Wilderness sign at her Seattle office on February 10, 2016, in recognition of her efforts to add the Pratt River valley and nearby areas to the Wilderness. The current, and two former ALPS presidents are in attendance. From left to right, Katherine Hollis, Conservation Director for The Mountaineers; Don Parks, ALPS board member and former ALPS president; Senator Patty Murray; Tom Uniack (in back), executive director of Washington Wild, who managed much of the Wilderness campaign; Rick McGuire, former ALPS president and current board member; Andrea Imler, Washington Trails Association; Karl Forsgaard, current ALPS president; and Ben Greuel, The Wilderness Society.

Friends of the Enchantments

by Kathi Rivers Shannon

In response to significant resource damage in the Enchantments, a new group, Friends of the Enchantments, has formed to help protect this beloved landscape in the Alpine Lakes Wilderness.

The Enchantment Lakes Area urgently needs our protection for the same reasons Congress passed the Alpine Lakes Management Act more than forty years ago and overnight permits were required thirty years ago: fragility and popularity.

Overuse, primarily by a rising number of through day hikers, is causing significant new damage to the trails and surrounding vegetation in this high-elevation alpine setting. The abuse from even a year ago is stunning. Widened trails. Steep cuts across switchback corners. New side trails off and along the main through-trail, sometimes three paths side-by-side and at least one sandy swath dozens of feet wide between two lakes.

And, because of warmer temperatures and less snowfall in recent years, more overnight users have camped before and after the permit season, creating more campsites and tramping of vegetation, especially at Colchuck Lake. The Forest Service recently addressed part of the problem with lengthening the permit season by six weeks, but we believe the increased wear and tear on fragile vegetation can't be stabilized without also addressing the huge spike in day use, which is not limited.

Recent media attention on a record number of overnight permit applications and the extension of the overnight permit season doesn't mention the increasing number of day users. Articles and blogs have been published promoting the Enchantment Lakes traverse. In a USFS news release last January, the FS said "increasing the length of the limited entry overnight permit season will ensure protection of the natural resources of the Enchantments for the entirety of the current and projected high-use season" without mentioning day use. We believe that now that the USFS has extended the permit season, the increasing number of day users and resulting resource damage in the core Enchantments should be of primary concern.

My husband Greg and I have backpacked to the Enchantments Lakes Basin in the Alpine Lakes Wilderness for more than 30 years, Greg as a wilderness ranger during a third of those. Last October, we particularly remember three runners between Sprite Pond and Lake Leprechaun. They came up fast and passed us off the trail before we even knew they were behind us, crushing huckleberry stems and smashing partridge foot and other plants. We tried to tell the three runners the importance of staying on the trail, but only the last one glanced back briefly at our distress. He didn't break stride.

The three men were only a few of the hundreds of people hiking or running through the Enchantment Lakes area from the Stuart/Colchuck trailhead to the Snow Lakes trailhead that Sunday, eighteen or so miles through country so fragile that Congress gave the area special attention when passing a preservation act for the Alpine Lakes Wilderness in 1976. Public Law 94-357, Section 5, specifically notes to take into management consideration "its especially fragile beauty, its ease of accessibility, its unusual attractiveness, and its resultant heavy recreational usage."

In 1987, the United States Forest Service required overnight campers to have a permit, with the goal of limiting the number of people to 60 a day in the Enchantment core area. (This year, overnight permit applications spiked a record 7,000 from 12,000 in 2015 to 19,000 this year. Such interest in the Enchantments is likely to carry over in the number of unlimited day hikers.)

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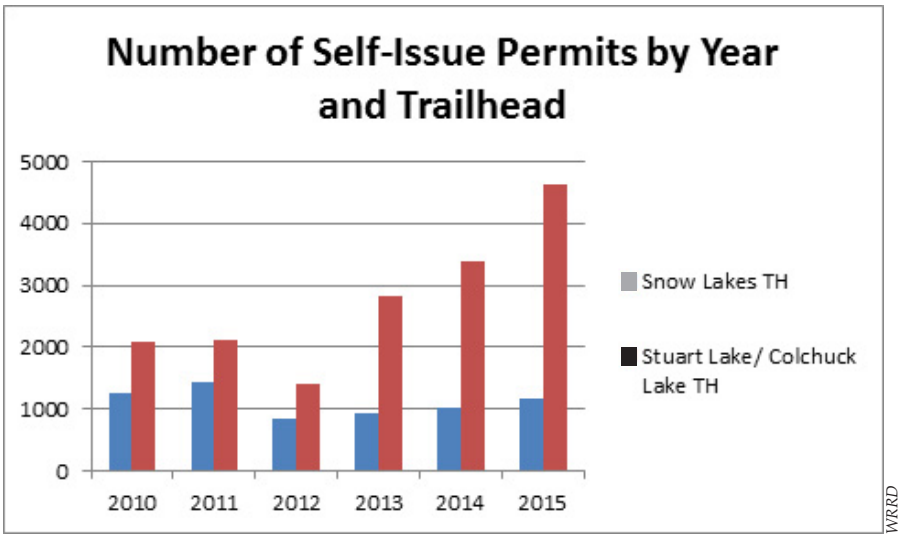

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Enchantments

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When the overnight permit requirement started, it was rare to meet a day hiker going through the Enchantments from trailhead to trailhead. In 1992, mandatory permit data showed about 100 day hikers going through the core Enchantments during the entire season. This year, we met a backpacker who recorded 240 runners before he quit counting on his way up from the Snow Lakes trailhead.

A chart created by the United States Forest Service shows an alarming increase in self-issue permits at the Stuart Lake trailhead over the last three years, an increase of 100 percent. We are assuming most of these permits are the unlimited day use permits, since overnight permits, issued by lottery from June 15 to October 15 until this year, have essentially remained the same number since 1987. Some of the increase may be because of overnight visitors before and after the overnight permit system with warmer weather.

Is the increase in the self-issue day use permits related mostly to users hiking to Colchuck Lake and through the Enchantments from trailhead to trailhead, a distance of about 18 miles? We believe this is the case. (We are waiting for the numbers from the Forest Service.)

If the number of hikers continues to increase in the range of 35 percent a year, as it did from 2014 to 2015, even more day users are likely this year. How much more resource damage is going to be allowed by not limiting day use?

In meeting with the Forest Service, we were told that in order to limit day use, a National Environmental Protection Act (NEPA) analysis would be required, but there is no plan to start the process. Unfortunately, even with some mitigation and education by the USFS, this will allow for even more damage to accrue until and while the Forest Service takes on this study.

Friends of the Enchantments

This part of the Enchantments trail has been widened by hikers who did not use the stone steps.

Many day hikers and backpackers aren't taking the time to look for rock cairns that mark the route, creating new trails. At the outlet of one lake one afternoon, we watched three parties in a row go the wrong way because of the confusing paths. These scars to the land are not likely to fade.

In the mid-1990s, Greg assisted wilderness rangers with revegetation projects of battered campsites at various lake locations. They collected seed from sedge and partridge foot for high school

science students to sprout in the school's greenhouse. The tiny plants were then transported into Lake Mary, Caroline Lake, and the Enchantments and tucked into the bare ground. The wilderness crew roped off the areas, staked revegetation signs telling people to stay out, and covered the plantings with coconut matting.

A few years later in the Enchantments, Forest Service employee Joy Juelson also experimented with directly seeding native plants using different soil treatments for her master's thesis, according to Lisa Therrell, who served as wilderness manager at the time and is now retired. With weekly hand watering, the seedlings survived for two years. But then, with just one week of not watering, all the seedlings died, due to the low-organic soils drying out too quickly.

Therrell noted the Enchantment Basin has substantially less precipitation, especially in the dry summer months, because it is so far east. In addition, the soils' sandy, decomposed granodiorite won't hold water, she said.

Twenty years later, healthy plants grow in the revegetation sites at Caroline Lake and Lake Mary. But in the Enchantments, the plant plugs and seedling efforts all failed within two years.

The Enchantments are just too fragile for the current level of use.

Others agree, prompting the creation of the Friends of the Enchantments, formed during the fortieth anniversary year of the Alpine Lakes Management Act.

We are a group dedicated to the protection of the Enchantment Lakes. Our steering committee has met with Forest Service staff members, who also expressed concern about the significantly increasing resource damage. We've met with Gabrielle Snider, the Wenatchee River District's wilderness manager, about educational and other volunteer projects to help address the resource damage.

Opportunities to help the Enchantments include volunteering time as trailhead naturalists, wilderness stewards, and wilderness rangers. The Okanogan-Wenatchee National Forest website posts information on how to volunteer. Click on "Volunteer Opportunities." Training will be provided.

As Friends of the Enchantments, we may also form our own groups of volunteer trail workers and trailhead educators. In addition, assistance with web page building, participating in meetings with the Forest Service, and other ways to help the Enchantments would be greatly appreciated.

If interested in supporting the Friends' efforts to protect this fragile landscape, including how to join as a member, please contact enchantmentfriends@gmail.com. At this time, there is no membership cost. As a member, you will be added to a mailing list for Enchantment updates and opportunities to help protect this precious landscape. Check out our Facebook page at www.facebook.com/enchantmentlakes. ■

Karyl Winn steps down from ALPS Board

After a decade of service, Karyl Winn has had to resign as an ALPS trustee for personal reasons. Karyl was always willing to volunteer for tasks, especially ones that no one else stepped forward to do. She assisted with development of an ALPS display for public events and outreach. Her extensive knowledge of the central Cascades, and her good judgment, made her a key part of the organization.

One of Karyl's many contributions to the conservation movement was her role as an archivist at the University of Washington. Karyl preserved and archived much of the history of the public lands conservation movement in Washington state, sifting through thousands of pages of records and personal papers to preserve many of the most important documents. Her work there has proven itself very valuable to historians of the conservation movement, and will only grow in value in years ahead.

Karyl also served as treasurer for The Alpine Lakes Foundation. She was responsible for filings for the tax exempt status of this organization, and participated actively in its programs since its inception.

Karyl's presence on the ALPS board will be sorely missed. ALPS, and the entire conservation movement in Washington state owe her a great debt of gratitude for all she has done, and we wish her all the best. ■

Mark Boyar

Big challenges ahead for Middle Fork Snoqualmie Valley

by Rick McGuire

Regular readers of the *Alpine* will likely be familiar with much of the history of the Middle Fork Snoqualmie River valley. The Middle Fork is the closest Cascade valley to Seattle and most of Puget Sound's population, and the easiest to get to.

For many years, the Middle Fork was mostly bypassed by serious hikers and recreationists because of its well deserved reputation as a place plagued with vandalism, garbage dumping, squatting, and wild shooting. Any hike in the Middle Fork was always accompanied by a little bit of fear in the back of your mind as to whether your vehicle would be shot full of holes when you returned.

ALPS involvement in the Middle Fork greatly increased when the Forest Service proposed a giant timber sale in the Pratt River valley, largest tributary of the Middle Fork, around 1987. The story of how the Forest Service was forced to back down from that misconceived idea has been related in previous issues of *The Alpine*. The battle to save the Pratt led directly to the realization that it was not just the Pratt, but the entire Middle Fork that was the real prize. (The Pratt valley was finally added to the Alpine Lakes Wilderness in 2014.)

ALPS, along with many others formed the Middle Fork Outdoor Recreation Coalition ("MidFORC,") and began the multi-decade campaign to "take

Looking up the Middle Fork Snoqualmie River toward the Pratt River valley and Preacher Mountain.

back" the valley from the state of lawlessness into which it had fallen. Public ownership was consolidated, spur roads (where most of the problems occurred,) were closed, money was obtained to construct the first new National Forest campground in over twenty years, and money was found to improve and pave the Middle Fork road up to Taylor River.

Now the Middle Fork is facing problems of success. Visitation levels have soared to levels never imagined when most of the plans were made in the 1990s, and now look set to continue multiplying exponentially. With traffic on I-5 getting worse practically by the day, destinations which were once easily reached now seem very far away. So people are coming more and more to the relatively few places that are still accessible, with the Middle Fork topping the list.

When the Federal Highway Administration ("FHWA") first started designing a new Middle Fork road, it was planned as a real highway in every sense of the term. A huge swath was to be cut up the valley, with a temporary "pilot road" constructed next to the main highway in order to avoid any closures. It would have been a 70 mph road, similar to what they had built up the CleElum valley and many other places.

The MidFORC coalition was appalled by the idea of a wide, high speed road being punched up their valley, along with the hugely wide clear zone that would have entailed. MidFORC fought back, and was successful in getting FHWA to adopt a much slower speed "National Park" road standard, and without the massive clear zones.

The new Middle Fork road will have nine foot wide travel lanes and one foot paved shoulders. Trees will still be able to arch together overhead, keeping the Middle Fork rainforest feel. There is simply no way to provide enough parking spots for everyone who will want to drive there, especially on peak use days. This has led to fears that people will park right on the travelway of the road, blocking access. Should this happen to even a small extent, it will gridlock traffic on the Middle Fork road, degrading everyone's experience.

The valley just can't be paved over to the extent required to provide parking spots for everyone who wants to drive there on peak days. As with Yosemite Valley, Zion National Park, and many other places, restrictions on the number of vehicles will have to be put in place. A shuttle service will be needed to bring people in and out. Efforts have already begun to lay the groundwork for this. It will likely become profitable to operate once the road reaches its capacity, which from current trends looks set to happen as soon as it opens.

Even without being able to drive one's own car wherever one wants, the Middle Fork will still be just as enjoyable a place to visit as ever, probably even more so. Another need will be strong enforcement of the "day use only" rules at riverside facilities and other areas. When people camp illegally on such sites, and set up tents, barbecues, and have dogs running around, they effectively "own" the place and keep others from enjoying it. That can't be allowed to happen in the Middle Fork. "Day Use" means more use by more people.

The sheer numbers of people mean that the Middle Fork will need to be treated more like a city park than the uncrowded mountain valley it once was. A dedicated law enforcement presence is urgently needed. At present there is almost no law enforcement presence in the valley, and reports of shooting, and illegal motorcycle and ATV use, even in Wilderness, are starting to climb. Should these continue to increase, things could get quickly out of hand, with all the gains of the past 25 years put in jeopardy. Observers on the lower road often report seeing multiple trailer loads of dirt bikes and ATVs heading up the Middle Fork road, a troubling sight, considering that there is no place to legally ride such machines anywhere in the Middle Fork valley.

Great gains have been made in the Middle Fork over the past decades but they are now slipping away. Forest Service lands are almost completely unpoliced. That part of the valley seems to be heading back toward what it was years ago, with no controls on anything, and new, illegal campsites being carved out along the river in multiple places. Clearly, new thinking is needed, and new solutions need to be found, since present management is not working. ■

ALPS responds to Talapus Lake Trail Project

by Thom Peters

The Forest Service is proposing to reroute a portion of the Talapus Lake Trail within the Alpine Lakes Wilderness in the Snoqualmie Ranger District. Our main concerns with this project are the proposed use of helicopters and other motorized equipment, installation of a steel bridge and use of non-native materials for puncheon. In addition, the Forest Service intends to do this under a Categorical Exclusion (CE) from analysis of environmental impacts.

The proposed trail reconstruction includes actions prohibited by the Wilderness Act. In particular, helicopter flights would haul chemically treated lumber and crushed rock for trail reconstruction and bridge materials for the 30-foot Talapus Lake outlet. The proposal also includes use of a motorized rock drill. Furthermore, the structures themselves—hundreds of feet of turnpikes, chemically treated wood and crushed rock—may indeed be more than the minimum necessary for management of the area as Wilderness. The use of helicopters, a rock drill and possible overbuilding of structures in no way "honors the Wilderness character of the area."

As Wilderness Watch stated in its response to this proposal: "Approving a prohibited action in Wilderness with a CE violates the National Environmental Policy Act (NEPA) and the agency's own CE regulations. NEPA regulations allow agencies to categorically exclude actions from environmental review only if they "do not individually or cumulatively have a significant impact on the human environment and [if they] have been found to have no such effect in procedures adopted by a Federal agency in implementation of those regulations." The phrase "human environment" is "interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment."

The Forest Service's own management direction does not allow for Categorical Exclusions of actions in wilderness – particularly where the action authorizes multiple prohibited uses.

ALPS is asking the Forest Service to comply with the Alpine Lakes Area Land Management Plan (ALALMP). Applicable sections of ALALMP include:

- "Motorized equipment use for administrative purposes must be approved by the Regional Forester. Approval will be on a one-time, case-by-case basis. Requests for approval will include an Environmental Analysis (EA) and Report …"
- Trails and Travel: Management Objective "…to minimize physical and visual impacts upon the land…."
- "Constructed bridges will be provided only when no other route or crossing is reasonably available (during the primary use period) for essential user safety or to prevent resource damage. Such construction will require an environmental assessment and approval by the Regional Forester."
- Recreation: Management Direction: "Improvements must be necessary for the protection of the Wilderness resource and not for the convenience of users. Authorized improvements will be designed and constructed of natural materials and designed to harmonize with the environment"

Based on these provisions, the Forest Service should not use a Categorical Exclusion, but rather should prepare an Environmental Assessment (or revise the project).

As Wilderness Watch stated, "Simply put, the use of motorized equipment, including helicopters, and even the construction of new trail structures has a negative impact on the Wilderness. If the trail were to be maintained or reconstructed with traditional skills appropriate for Wilderness and the infrastructure similar to what currently exists, then a CE might be appropriate. In this case Wilderness is one of the extraordinary circumstances that triggers a more detailed analysis under NEPA precisely because prohibited methods and activities are proposed."

Lastly, the Forest Service scoping letter states this trail has "exceptionally high use" and relocation will "allow for the level of use that is occurring." However, in fulfilling its stewardship role, the Forest Service must keep trails and their use from causing unacceptable wilderness degradation, physically as well as socially. This includes the trail destinations of Talapus and Olallie Lakes, which are way out of compliance with the ALALMP. It is not appropriate to conduct piecemeal projects on a wilderness trail, without any consideration of the potential cumulative impacts on the trail's destination and its surrounding areas. ■

ALPS settles lawsuit closing ATV routes on National Forest roads

by Karl Forsgaard

A coalition of conservation and recreation groups achieved a favorable settlement of their lawsuit to halt the Forest Service opening of 350 miles of roads across the Okanogan-Wenatchee National Forest to wheeled all-terrain vehicles (WATVs). The Forest Service opened the six new WATV routes on June 26, 2015, and the lawsuit was filed June 30, 2015 in federal court in Seattle. The plaintiff coalition consists of ALPS, Kittitas Audubon and Sierra Club. The settlement agreement was part of a stipulated order of dismissal entered by the court on March 8, 2016.

The settlement agreement accomplishes the goals of the litigation while securing the recourse of judicial review should the Forest Service fail to comply with the settlement terms. The six WATV Routes were closed in September 2015, and the Forest Service agreed it will not open any roads to WATV use without first complying with the National Environmental Policy Act (NEPA) and specified sections of the Travel Management Rule (36 CFR 212.51-212.57). The Forest Service will pay plaintiffs' attorney fees and costs. The court will retain jurisdiction until 90 days after Okanogan-Wenatchee National Forest issues its Travel Management decision for the whole Forest.

Plaintiffs are represented by attorney Dave Bahr of Bahr Law Offices, P.C., in Eugene ,Ore., and attorney Paul Kampmeier of Kampmeier & Knutsen PLLC, in Seattle, Wash. ALPS is grateful to Dave and Paul for their excellent work on this lawsuit and settlement.

As previously reported in *The Alpine* (2015 issue No. 1), the lawsuit charged that opening the WATV Routes in June 2015 violated both NEPA and the Travel Management Rule. Travel Management designates which roads (and trails) are open to what classes of motor vehicles, including off-road vehicles (ORVs) such as motorcycles, 4x4s (jeeps), and all-terrain vehicles (ATVs), which include WATVs. Okanogan-Wenatchee National Forest has not yet completed its decade-long Travel Management process, begun in November 2005. ALPS has actively participated throughout the Travel Management process, and we are pleased that the Forest won't exempt these WATV routes from the public process.

Prior to the lawsuit, the Forest Service said it could not commit any additional funding or personnel for monitoring, enforcement, or restoration of damaged areas if riders travel off-road. ALPS is concerned about agency capacity to deal with illegal and harmful off-road riding. We need law enforcement's presence out on the land, but the Forest Service is already stretched thin.

Fifty years ago, too many hiker-horse trails were taken over by machines without any environmental analysis being done, and the Travel Management Rule is designed to fix that. Some of those trails need to be de-motorized and returned to hiker-horse use. The Forest Service needs to take a hard look at the machines' impacts in the backcountry, degradation of habitat quality and impairment of other recreational users' experiences. We look forward to seeing their analysis.

When it closed the WATV Routes in September 2015, the Forest Service removed at least some of the new WATV route signage and kiosk postings, but it is also agreeing to re-survey the routes by the end of May 2016 to remove all WATV route signage, regardless of whether it was placed by the Forest Service or third parties.

ATVs, including WATVs, are designed for off-road use. ORVs have significant, negative impacts on the natural environment. ORVs degrade air and water quality; impair others' ability to enjoy natural sights, sounds and smells; and create safety hazards. Most natural areas sustain damage due to the impacts of ORVs, including damage to soils and vegetation; harm to wildlife and wildlife habitat; degraded water quality and riparian health; spread of invasive weeds; starting wildfires; and harm to cultural resources.

As of late March 2016, the Forest Service was reportedly planning to release its draft Travel Management plan and environmental analysis this spring (including analysis of these ATV route proposals), with a final decision by this fall. ■

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Washington State Public Lands Commissioner Peter Goldmark visits a giant, 18-foot diameter cedar tree in the Middle Fork Snoqualmie Natural Resource Conservation Area, in 2013. Goldmark signed the order preserving most of the lower Middle Fork valley as NRCA in 2011. Sadly, the tree has now fallen, after seeming to defy physics by growing and hanging on to a precariously steep clay slope for probably 700 to 1000 years.

Mark Boyar

alpine

The newsletter of the Alpine Lakes Protection Society (ALPS). ALPS is dedicated to protection of the Alpine Lakes area in Washington's Cascades.

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