

The Fish-Stocking Controversy North Cascades National Park Service Complex, 1968-2003

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In the late 1960s, the establishment of North Cascades National Park coincided with fundamental changes in the relationship between Americans and the natural world. For many, the natural world, such as wild places like North Cascades, held greater value as an amenity of life rather than as a commodity for the market place. In the minds of this new generation of Americans, preserving the North Cascades as an unaltered wilderness was more important than any kind of natural resource development. Vast social changes in the era after World War II underpinned this evolution of popular attitudes towards nature. People were better educated, enjoyed rising standards of living, and experienced increasing levels of income. As more middle-class Americans worried less about daily living needs, they expressed greater concern about their quality of life, something that was becoming more connected to the pursuit of the natural world beyond crowded and polluted cities. Besides seeking vacations in the nation's forests and parks, they focused their attention on preserving areas like North Cascades and passing legislation to protect the nation's air, water, wildlife, and wilderness. In short, Americans saw a greater connection between the health of the planet and their own welfare.¹

Symbolic of the new environmental movement, North Cascades National Park, together with Ross Lake and Lake Chelan national recreation areas, protected some 684,000 acres of one of the few large wild places left in the continental United States. This combination of park and

¹ For a comprehensive history of the park's establishment, see David Louter, *Contested Terrain: North Cascades National Park Service Complex, An Administrative History* (Seattle: National Park Service, 1998), 9-57. See also Samuel P. Hays, *Beauty, Health, and Permanence: Environmental Politics in the United States, 1955-1985* (New York: Cambridge University Press, 1987).

recreation areas, carved from national forest lands and known as a park complex, reflected not only the political compromises of a long and bitter park campaign, but also a new kind of preservation. The recreation areas, abutting the two park units, would provide the traditional park experiences. They would be the “wilderness thresholds,” and allow motorized access (no road would enter the national park), overnight accommodations, and other visitor amenities and uses like hunting not allowed in the park. More importantly, even though the recreation areas contained hydroelectric facilities, a state highway, and small communities of year-round and seasonal residents, they were still highly scenic. It was difficult for most visitors to tell where the recreation areas ended and the park began. In this way, North Cascades would follow a new path, one that would lead not to the automobile congestion and visitor developments associated with parks like Yosemite, but one that would allow the National Park Service to manage the park for its primary mission of wilderness.²

The Park Service’s management of North Cascades would also reflect the times in which it was created. The 1960's marked an important turning point for resource management based upon ecological principles in national parks. The Park Service shifted its management direction in response to critics and scientific studies that claimed that the agency had too long managed parks for their scenic façade. Without scientific research to inform management decisions, the Park Service had manipulated nature’s paradise—such as killing predators—often with unintended and long-term consequences to the natural systems of parks. The most influential critique of the agency’s management of nature was the so-called Leopold Report of 1963. Prepared by the Advisory Board on Wildlife Management in National Parks, and chaired by A. Starker Leopold, son of ecologist Aldo Leopold, the report recommended maintaining, and when possible restoring, “natural park environments to the greatest extent possible.” On May 2, 1963,

² *Ibid.*

Secretary of the Interior Stewart L. Udall approved the board's recommendations and directed that they become part of Park Service policy.³

Although Park Service policies and legislation would further strengthen the agency's commitment to environmental protection, the Leopold Report was its first expression and thus formed the cornerstone of the Park Service's management of North Cascades. Beginning in the late 1960s and early 1970s, the agency focused on ecological research and restoration as the primary elements of the park's resource management program. One of its major efforts was the protection and restoration of the park's fragile alpine ecosystems, but it also turned its attention to the question of fish stocking in the park's high alpine lakes. Many of the lakes had been stocked beginning in the late 19th century and intensively for much of the 20th. Initially, park managers sought to phase out stocking in the park, a trend common throughout the park system, and in doing so opened the doors on one of the park's most controversial topics. State officials and anglers contested the Park Service's decision, and in response to their criticisms, the agency modified its policy to end stocking altogether. The Park Service recognized that stocking and fishing were part of the management legacy it inherited from the U.S. Forest Service, and believed that fishing was an appropriate use in the new parkland. The agency's main concern, however, was to make sure that this, like other visitor activities, did not interfere with the park's biological processes as much as possible.

³ A. Starker Leopold, et al., "Wildlife Management in the National Parks," March 4, 1963, reprinted in *Administrative Policies for Natural Areas of the National Park System* (Washington, D.C.: Department of the Interior, National Park Service, 1970), 97-112. See also, Richard W. Sellars, *Preserving Nature in the National Parks: A History* (New Haven: Yale University Press, 1997).

An End to Stocking?

In the mid-1970s, early research suggested that many of the park's high mountain lakes were naturally fish free, but had been stocked with native and non-native fish for more than thirty years by the Washington State Department of Game and, with the department's permission, by private sport-fishing associations. According to local history and folklore, stocking extended back to the turn of the 20th century when the first settlers and U.S. Forest Service employees entered the range. Moreover, while sport fishing in national parks dates to the creation of Yellowstone and was "enhanced" through stocking programs, the Park Service reconsidered this policy in light of the Leopold Report. Especially important was the report's directive to return park landscapes to their "original condition," in this case by eliminating exotic species. The term "exotic," according to Park Service officials, applied to native trout, as well as other nonnative species, if they were introduced to lakes that were previously fish free.⁴

In 1975, North Cascades Superintendent Lowell White instituted a new policy for the park's high lakes. Up until this time, the Park Service had allowed planting—formal or informal—to continue and had conducted research to gain a better understanding of the issue. The new policy, however, stated that the agency would no longer stock naturally barren lakes and would not restock those lakes into which native trout had been introduced. Lakes with native trout, it was believed, could support naturally reproducing populations and provide anglers with a "reasonable catch." The new policy, though, would not affect the complex's two

⁴ See, for example, Paul Schullery, *Searching For Yellowstone: Ecology and Wonder in the Last Wilderness* (Boston: Houghton Mifflin Company, 1997), 87, 146-147, 253-255.

recreation areas and their sport fisheries. The game department continued to stock Ross, Diablo, Gorge lakes as well as Lake Chelan.⁵

Overall, the goal of this policy was to allow natural processes to take over by gradually phasing out “all stocking over the next 50 years,” park biologist Robert Wasem wrote. This would leave “only naturally reproducing trout as inhabitants of the naturally fish free high lakes of the North Cascades.” Scientifically, the policy represented a compromise, for it recognized that in cases where lakes had been planted with trout—namely rainbow and cutthroat—these fish would be considered “natural” or “wild” so long as they reproduced on their own. At the same time, the policy recognized that the agency had the responsibility of preserving the integrity of the park’s “remaining aquatic ecosystems” (or fish free lakes) not only from fish stocking but also from over use and its associated damage to their fragile shorelines and plant life.⁶

The decision to halt fish stocking outraged sport fishing groups, namely the Washington State Hi-Lakers and Trailblazers, as well as the state game department. The fishing groups had been stocking trout in the lakes of the North Cascades since the mid-1930s, and considered the stocking program as “theirs.” They bristled at any interference. In their view, the Park Service was backing out on its commitment to fish management. Both the congressional hearings on the park’s establishment and the park’s enabling legislation, the groups claimed, mandated the agency to cooperate with the game department in fish and wildlife management. The legislation, after all, gave the state the authority to issue hunting and fishing licenses in the park complex. For these reasons, they argued, the state and not the Park Service had jurisdiction over the new

⁵ For a sense of the agency’s early approach to fish stocking, see Roger J. Contor to Files, August 12, 1969, administrative files, file N1423, North Cascades National Park (hereafter cited as NOCA). For a summary of White’s policy, see Lowell White to Albert L. Odmark, June 6, 1975, administrative files, file N1423, NOCA.

⁶ Robert Wasem to Lowell White, November 3, 1975, administrative files, file N1423, NOCA.

parkland's fish and wildlife, and therefore the Park Service should continue to honor the past practices of stocking high mountain lakes.⁷

Superintendent White tried to convince these special interest groups that restoring and maintaining the natural conditions of the park's high lakes were valid management goals. He noted that sport fishing was "an approved type of visitor activity in natural areas and recreation areas" administered by the National Park Service. Yet based upon the Leopold Report, the agency would only encourage sport fishing in natural areas as long as it did not interfere with the "restoration and perpetuation" of aquatic ecosystems. In this respect, he stated, trout were "not native to the high mountain lakes of the North Cascades." There were too many physical barriers to upstream fish migration and thus their presence was the result of artificial introduction. Therefore, park policy would no longer allow fish stocking. Leaders of the sports fishing organizations were unmoved, calling White's explanation an unsubstantiated, vague reason for betraying the public and its right to fish in the North Cascades.⁸

The Washington Department of Game expressed similar views. The North Cascades Act made special provision for the management of fish and wildlife. Department officials noted that the legislation did more than give it the authority to issue hunting and fishing licenses. Hunting and fishing had been critical issues in the designation of Lake Chelan National Recreation Area (NRA). In earlier versions of the North Cascade Act, Lake Chelan had been included in the national park. But lobbying from hunters, who did not wish to see some prime areas closed off to them, convinced Congress to place the region within a recreation area. Congress also

⁷ See, for example, Albert L. Odmark to Lowell White, June 26, 1975, administrative files, file N1423, NOCA. Robert Wasem learned that trout had been introduced into the park's lakes by groups like the Hi-Lakers and Trailblazers as well as by various unaffiliated groups and individuals including the Concrete football team and the occasional state fish hatchery manager without his superior's knowledge. It should be noted that hunting was not allowed in the park. See David Louter, *Contested Terrain*, 51-52.

⁸ White to Odmark, June 6, 1975; Odmark to White, June 26, 1976.

responded to concerns about the state's fishery management program for Lake Chelan with the creation of the recreation area, for it specifically accommodated the fish hatchery programs in the Stehekin River drainage at the headwaters of the lake. The department further believed that because the act granted it licensing authority for hunting and fishing, it recognized and thus approved of its past management practices in the new park. In short, it authorized the state game department to carry on with its fish stocking program. The legislation confirmed this interpretation by instructing the Park Service and the state game department to enter into a cooperative agreement for the management of the park's fish and wildlife.⁹

Thus, department officials interpreted the new fish policy as a serious infringement on their fish management program in what was now North Cascades National Park. Besides contradicting the park's legislation and the intent of Congress, they asserted, the policy was unacceptable because it meant that only 59 of the park complex's 240 lakes (reservoirs, lakes, and ponds) were in the stocking program. Most of these lakes were in the recreation areas, and not one was in the high country. Moreover, like the fishing groups, the department did not agree with the Park Service's policy of managing the lakes for their natural conditions. Its biologists contended that there was not enough evidence to determine which lakes were fish free before the arrival of whites (a rule of thumb of the Leopold Report). The department also noted that the policy unfairly singled out anglers (who were not necessarily responsible for damage to the high lakes environments), and that the no-stocking policy was inconsistent with practices in other parks. As department biologist Douglas Fletcher wrote, "Our administration feels strongly that we have an important stake in the high lakes of the North Cascades Complex and it was certainly not our understanding" when the park was established "that we have given up any authority" to manage fish populations in North Cascades. Giving up the management of the high lakes

⁹ Louter, 51-52.

fisheries would be “a severe blow” to our program in this part of Washington and “to the high lake anglers who use them. The intent of the legislation is clear, and fishing is certainly a recreational value.”¹⁰

A Policy Variance

Mounting political pressure from special interest groups and the game department brought the issue to the attention of Senator Henry M. Jackson, principal figure in the park’s establishment. In response to Jackson’s inquiry, the Park Service reconsidered its position. Superintendent White proposed a “policy variance” for the North Cascades. Instead of eliminating stocking altogether, White proposed that stocking could take place on a “lake-by-lake basis and not include lakes containing a self-sustaining population or that are presently naturally barren of fish life.”¹¹ White reasoned that the Park Service should still take a hard stance against stocking, but he also realized that it was likely that some disgruntled fishermen might stock exotic species of fish illegally in the high lakes. If they did, the no-stocking policy would accomplish nothing.¹²

White also recognized that a policy variance might appease the game department and lead to a more formal agreement between the two agencies on fish management. An informal agreement had existed between the game department and the Park Service since 1968, when the park’s first superintendent, Roger Contor, and the game department’s director, John Biggs, drafted a memorandum of understanding between their two agencies. The document was informal, it seems, because while the Park Service approved it, the game department apparently

¹⁰ Douglas H. Fletcher to Robert Wasem, May 9, 1974, administrative files, file N1423, NOCA.

¹¹ Lowell White to Regional Director, November 3, 1974, administrative files, file N1423, NOCA.

¹² Park Biologist Robert Wasem wrote the policy variance for Superintendent White in the spring of 1975.

never acted on it. Nevertheless, relations between the two agencies appeared good on coordinating the management of the park complex's wildlife but not its fish.¹³

Although the Park Service's Washington office denied the proposal for a policy variance in December 1975, Pacific Northwest Regional Director Russell Dickenson urged the directorship to reconsider. He believed that critics of the no-stocking policy had a case, based on past practices and statements made by former Park Service Director George Hartzog during the congressional hearings for the park's establishment. Even though Hartzog did not specifically say that his agency would continue to plant fish in the North Cascades, his reference to the Park Service's fish-stocking practices led sport-fishing groups to believe that stocking would continue. In their minds, current agency policies did not apply. The regional director advised that the agency be flexible in this case because it could potentially affect recent attempts to halt fish stocking in several national parks in California. He maintained that there was *some* legislative history referring to the practice in North Cascades. To be sure, the circumstances surrounding the creation of Lake Chelan NRA reflected the need to accommodate fish stocking and hunting in the new parkland, but there was no specific language in the park's enabling legislation that allowed fish stocking. Rather, as the agency's critics observed, it was largely implied, both in the reference to cooperative management and more importantly, perhaps, in the various compromises that shaped the final legislation—all of which sought to ease the change the new park would bring. By allowing fish stocking to continue in selected high lakes, Dickenson concluded, the Park Service would achieve its goal, for fish planting “would phase itself out in a few years.”¹⁴

¹³ Personal interview with Lowell White.

¹⁴ Russell E. Dickenson to Associate Director, January 15, 1976, administrative files, file N1423, NOCA.

In July 1976, Dickenson felt strongly enough about the issue that he decided, apparently without the formal blessing of the agency's directorship, "to affirm our commitment to fish stocking" in North Cascades under the policy variance. Department of game officials, however, viewed the variance much in the same way they had the no-stocking policy. They blasted the policy variance as more of the same unwarranted restrictions proposed in the earlier guidelines. At one point, the game department notified Superintendent White that it would go forward with its stocking program without his permission. As one state official noted, the department would carry out its mission to "maintain what is left of the sports fishery which we and interested sportsmen have worked so diligently to develop and frankly protect by the formation of the North Cascades Park and wilderness area."¹⁵

Although the issue was about the politics of resource management, it was, as these comments suggest, one about jurisdiction too. The game department felt strongly about its right to stock, but as the Department of the Interior's regional solicitor determined in 1976, that would have been illegal. The national park was on land owned by the federal government and under the jurisdiction of the National Park Service. Therefore, the game department could only manage the fish and wildlife within the park in accordance with Park Service policy. Both sides eventually agreed to revisit the issue in an attempt to develop a memorandum of understanding for fish management in the park.¹⁶

In 1979, the Park Service and the department of game signed the agreement, which contained provisions for a modified variance. The revised policy variance differed from its original version because it stated that the Washington Department of Game could continue to

¹⁵ See, for example, Douglas H. Fletcher to Robert Wasem, August 25, 1976; Douglas H. Fletcher to Lowell White, August 16, 1976, administrative files, file N1423, NOCA. Apparently, Washington approved the policy variance by telephone and never by written notice.

stock lakes that already supported introduced trout populations—but only those lakes “where natural reproduction” was “inadequate to support a reasonable harvest.” The policy also permitted periodic trout stocking in naturally fishless lakes if habitat conditions were suitable and the lake had been stocked prior to October 2, 1968 (the date of the park’s establishment.) In all other instances, the directive forbade the department from stocking lakes naturally and presently “barren of fish life.” The long-range goal continued to be the gradual phasing out of stocking over a fifty-year period. However, this language was left out of the policy variance because the state objected to the elimination of fish planting. Although both agencies agreed to develop a recreational fisheries management program, they could not overcome this issue. The state wanted an aggressive stocking program for sport fishing, and the Park Service eventually wanted to rely on natural conditions to sustain fish populations in the high lakes.¹⁷

National Policy and North Cascades

The agreement seems to have accomplished little in the way of resolving the differences between the new agencies, and by 1985 the Park Service decided that North Cascades needed a stronger fish management policy. The Park Service wanted the national park to comply with the agency’s policy against fish stocking in all national parks. (The policy for the recreation areas was considered adequate at the time.) Like the Leopold Report of the 1960s, agency’s interest in bringing North Cascades into line with national policy reflected the Park Service’s evolving commitment to preserving nature. That commitment could be seen in two pieces of legislation that amended the law establishing the Park Service, the Organic Act of 1916. In the first of

¹⁶ C. Richard Neely to Regional Director, August 27, 1976; W.C. Quick to Bruce H. Ransom, Jr., June 22, 1977, administrative files, file N1423, NOCA.

these, known as the General Authorities Act of 1970, Congress declared that the Park Service was to treat equally all of the areas under its charge, especially in the protection of their natural values. Up until this time, the Park Service had different policies for areas it categorized by their primary purpose: natural, recreational, or historical. More importantly for fish stocking, in the second amendment, known as the Redwoods Expansion Act of 1978, Congress proclaimed that the Park Service should manage parks for the “non-derogation” of their biological systems. In other words, protecting ecosystems from internal or external threats was the primary responsibility of the agency. Ecosystem restoration was an integral part of this legislation, especially in the case of Redwoods National Park, which faced problems from erosion outside its boundaries.¹⁸

Besides Congress, the Park Service’s drive to improve its protection of biological resources came from within the agency itself. The State of the Parks report in 1980, commissioned by the Park Service, concluded that the agency had not established a comprehensive and coordinated scientific management program. It underscored the variety and magnitude of threats to park resources and the agency’s inability to document the pace of change to those resources because it did not possess an adequate knowledge of them. Out of the report, and its follow up in 1981, came the most significant boost to science in park management since the Leopold Report. Their recommendations included conducting comprehensive inventorying of natural resources, the development of monitoring programs to detect even incremental change,

¹⁷ John A. Rutter to Associate Director, National Park Service, November 18, 1975, administrative files, file N1423, NOCA. The variance was granted on September 13, 1979. See William J. Briggles to Director, National Park Service, November 5, 1985, *ibid*.

¹⁸ Richard W. Sellars, *Preserving Nature in the National Parks*, 245-246.

the production of resource management plans, and an increase in staffing and training in science and natural resource management.¹⁹

In light of these changes, Superintendent John Reynolds believed, like his predecessors, that fish stocking in North Cascades needed to be phased out, or at the very least modified so that natural processes prevailed. In addition to understanding, protecting and restoring park ecosystems, Reynolds worried about the precedent the current program was setting for other parks. Fish stocking in the park was increasing rather than decreasing, and there were no long-range goals for ending it. Meanwhile, Yosemite, Sequoia, and Lassen national parks, which had been phasing out fish planting since the 1970s, had been approached by the California Department of Fish and Wildlife about adopting a variance similar to the one at North Cascades. What happened at North Cascades, it seemed, could have repercussions throughout the park system.²⁰

Bringing North Cascades into line with national policy, however, proved to be just as contentious as the policy variance. Washington Department of Game officials again disagreed with the Park Service's proposals. The state recited a now familiar theme: the new goals slighted its role in the "co-management" of the alpine lakes and vowed to continue operating under the variance. Interestingly, both the game department and the Park Service signed a new memorandum of understanding, approved August 15, 1985, that nullified all previous agreements—including the one for the stocking program. Then began the long road to finding a compromise policy, for both agencies expressed different views. The state claimed the variance

¹⁹ Sellars, 262-265.

²⁰ John J. Reynolds to Regional Director, June 28, 1985; Daniel J. Tobin, Jr., to Jacks S. Wayland, July 18, 1985, administrative files, file N1423, NOCA. Personal interview with John J. Reynolds, October 21, 1996.

was still in effect, even though the agreement was not. The Park Service, failing to convince the state otherwise, declared that it had the legal right to phase out fish stocking.²¹

The two agencies were not as far apart as they appeared. Even though Jack Wayland, the game department director, vowed to plant fish in the North Cascades “forever,” he noted that what his department wanted was to realize the goal of the variance as he saw it: “classifying the lakes in the park with fishery potential.”²² On the other hand, the Park Service was not proposing to eliminate fish stocking entirely but rather to limit it in order to preserve as many lakes as possible in their natural state. Both sides, though, could not agree on the proper balance between preservation and recreation. Once more, anglers and the department of game mounted a campaign against the new policy and forced the Park Service to work toward an acceptable solution.

Director Mott’s Resolution

In June 1986, Park Service Director William Penn Mott, Jr., responded to the controversy by issuing a new fish management policy for North Cascades. Mott’s policy recognized that fishing was an acceptable recreational pursuit in the national park, but it asserted that fishing should not harm lakes in their natural state. In this regard, the policy assigned the park’s lakes to three categories: “natural fish-free waters, self-sustaining fish population waters, and continue to stock waters.” The lakes would be managed so that those without fish would not be stocked “with any kind of fish.” The policy also stated that natural conditions would prevail, for the most part, at those lakes with fish populations that were the result of stocking. Finally, the policy stated that only those waters within the park that were selected specifically to be managed as “enhanced recreational fishery waters...may be stocked now or in the future.” The three classes

²¹ David A. Watts to Director, National Park Service, December 13, 1985, administrative files, file N1423, NOCA.

²² Jack S. Wayland to Ray Duff, et al., May 20, 1986, administrative files, file N1423, NOCA.

of lakes, the policy concluded, “will provide for an enhanced recreational fishing experience in the park while at the same time assuring that we provide the opportunity for aquatic research under natural conditions.”²³

Echoing twenty years of Park Service practice, Mott also called for research-informed policy. The director ordered the agency to develop and implement a research program that addressed three things: 1) establish “current fish and aquatic habitat baseline conditions in park waters,” 2) monitor “the impacts of this fish-stocking guidance on fish and other wildlife,” and 3) determine “changes over time referenced against current baseline conditions or undisturbed natural conditions where they are known.” The data, Mott concluded, would help the agency make an informed management decision about the future of “our fish-stocking program.”²⁴

The newest Park Service policy kept in force the basic goals the agency had advanced all along as well as the moratorium against stocking in fish-free waters. Needless to say, it elicited familiar responses from the department of game. Jack Wayland informed Mott that his agency could not accept this latest policy, because it would exclude the state and other interested parties from the recreational fish management program in the park. In an attempt to work out a compromise, Park Service officials agreed to provide forty lakes within the park for recreational fishing, bringing the total to sixty-one lakes in the park complex. The Park Service also agreed that it would not make any changes in fish management until completion of the fishery research project. The three-year project, supported by both agencies, was scheduled to begin in 1989. The research, above all, would satisfy the Park Service’s responsibilities under the National

²³ William Penn Mott, Jr., to Acting Regional Director, Pacific Northwest Region, June 12, 1986, administrative files, file N1423, NOCA.

²⁴ William Penn Mott, Jr., to Acting Regional Director, June 12, 1986.

Environmental Policy Act of 1969 to assess the consequences of introducing fish into naturally fish-free lakes.²⁵

In 1987, despite finding some common ground, the two agencies were farther apart than ever. In the fall of that year, the Washington State Department of Fish and Wildlife (formerly the department of game) threatened to “bomb” twelve park lakes with trout by helicopter “unless,” as Director Wayland wrote, “I am assured that we have reached a satisfactory long-term resolution that allows continued planting of lakes in the Park.” The Park Service responded that it would seek legal action to prevent the threatened planting. “We are not backing off,” noted Associate Regional Director Michael Tollefson. He maintained that the agency’s position was “valid and reasonable,” and besides legal action, the Park Service would consider killing any planted fish through “accepted chemical means.”²⁶

Toward A New Resolution: The 1988 Fisheries Management Agreement

Before matters exploded into a full-scale interagency battle, the Assistant Secretary of the Interior for Fish, Wildlife and Parks, William P. Horn, intervened. Horn became involved, in part, because the Park Service needed his permission to block the state’s activities on federal land. But Horn was also served as a neutral party at the department rather than agency level. A truce followed while the agencies presented their positions to the assistant secretary. In the spring of 1988, he notified the agencies of his review. Horn found that the Park Service and state agreed on a number of critical matters—which lakes had been stocked in the past, which were presumed to be fish free, and which were thought to have the least reproduction of fish. Beyond

²⁵ Jack S. Wayland to William Penn Mott, Jr., July 15, 1986, administrative files, file N1423, NOCA.

that, he acknowledged that the Park Service's policies regarding fish planting had grown more conservative recently. Thus, the Park Service's study would be a valuable source for deciding what role "fish-stocking would have in the management of recreational fishing in the park." Over the next several years, Horn recommended that the current program continue while the Park Service designed and implemented the research program. Afterwards, he suggested that the two agencies use that research to develop a viable recreational fishing program, one subject to public review.²⁷

For these reasons, both the state and the Park Service signed a supplemental agreement to the earlier memorandum of understanding on July 12, 1988. (The state was also more open to the agreement because the department of fish and wildlife's new director learned that there was legal precedent for the Park Service's position in a case known as *Kleppe v. New Mexico*.) In the new agreement, known as the Fisheries Management Agreement, the department of fish and wildlife could continue stocking forty lakes in the park for twelve years (twice as many lakes as under the variance). The two agencies would consult on the number and species of fish, specific lakes, and the planting schedule for the lakes to be stocked. By all indications, park officials would limit the fish-stocking program. And that year with the creation of the Stephen Mather Wilderness in North Cascades, park managers would certainly give fishing and fish stocking more scrutiny, especially as they related to any human-caused resource damage. The Park Service noted that Horn's review and agency policies supported this management approach, but it also intended to use the research and monitoring program to "review and modify its decisions and the agreement as necessary." Still another reason for revisiting the stocking program once

²⁶ Charles H. Odegaard to Director, National Park Service, December 15, 1987, administrative files, file N1423, NOCA. "Flying' Fish to Start Fur Flying Between Agencies," *Seattle Times*, October 27, 1987; National Park Service Issue Brief, October 23, 1987, administrative files, file N1423, NOCA.

²⁷ William P. Horn to Jerry Neal, April 28, 1988, administrative files, file N1619, NOCA.

the research was completed was the 1991 consent decree, the result of a lawsuit brought against the Park Service's general management plan for Lake Chelan NRA. The consent decree required that the agency review the fish stocking program through an environmental impact statement.²⁸

The research program, carried out by Oregon State University, lasted for twelve years instead of three, and only recently concluded in July 2002. The research concluded that zooplankton, insects and amphibian in lakes with high densities of reproducing fish have undergone statistically significant changes in abundance and species composition. In contrast, the research was unable to demonstrate any statistically significant effects to native biota in lakes with low densities of non-reproducing fish. These results underscore an important conclusion for management: any future management actions should focus on lakes with reproducing populations. Another conclusion was that human damage to "fragile lakeshore environments" appeared to be more "pronounced where fish are stocked." In other words, anglers attracted to lakes planted with fish in turn harmed these sensitive areas.²⁹

The Issue at the Turn of the 21st Century

For thirty-five years, fish stocking at North Cascades National Park Service Complex has been a long and contentious issue. Like many of the management issues at the park, it reflected the complicated history of the park's creation. The establishment of the park placed it squarely within the postwar environmental movement and made it one of the movement's leading accomplishments. The park symbolized the postwar generation's efforts to preserve wilderness for its intrinsic values as well as its values for people's quality of life. But as the history of the

²⁸ *Statement for Management: North Cascades National Park Service Complex* (May 1989), 35-36; Louter, 283-284.

²⁹ North Cascades National park Service Complex, *State of the Stephen Mather Wilderness, 1994* (Sedro Woolley: National Park Service, 1994), 4-6. See also <http://www.nps.gov/noca/highlakes.htm>.

controversy reveals, the creation of North Cascades was only part of the task. Managing the park complex for wilderness preservation and recreation, symbolized by the “complex” of park and recreation areas, proved equally—if not more—challenging.

The fish stocking controversy revolved around several issues. One of these was the role of the state in the fish management program at the new parkland. While the North Cascades Act allowed the state a role in fish management, specifically through cooperation with the National Park Service, it and the accompanying congressional hearings did not grant the state jurisdiction over the planting program. Instead, the act gave the state authority over issuing licenses for hunting and fishing in the park complex. As legal rulings made clear, the Park Service had jurisdiction over the new parkland, and the state had to work within the guidelines established by Park Service policy.

Another and perhaps more problematic issue was that the legislation and hearings were not as specific about what fish stocking meant within the context of the management mission of the Park Service. The state and sport fishing groups interpreted the provision for cooperative management in the park’s legislation to mean, it seems, that the fish-planting program would carry on much as it always had when the region was under Forest Service control. They also believed that it would follow the pattern of planting carried out in other, older national parks like Yellowstone. But as the history of the controversy suggests, policies and laws are dynamic. They change over time and in response to changing social concerns. The trend in the late 20th century was towards protecting the last wild places in an age marked by the use of the atomic bomb, overpopulation, urban sprawl, and pollution. Thus, the establishment of North Cascades and its management were the product of this trend.

Even so, at the turn of the 21st century, fish stocking at North Cascades still revolved around one overarching issue—the relationship between preservation and recreation. Many of the concerns sports fishers and the state expressed centered on recreational fishing in North Cascades National Park, not the two recreation areas. Ideally, the park complex’s recreation areas were to buffer the park from uses that might detract from its wilderness mission, especially the mission of protecting and restoring natural processes. The state and fishing groups perhaps failed to appreciate the Park Service’s preservation philosophy, having had a long relationship with the Forest Service and its multiple-use management mission. And the Park Service perhaps failed to appreciate the state and anglers’ unique relationship to the mountain lakes of the North Cascades. But what seems certain is that throughout the entire controversy the Park Service acknowledged that recreational fishing was a legitimate use in North Cascades National Park and the recreation areas. Fishing, like many activities in the range, had a long history. The agency wanted to ensure, however, that fishing was part of a larger management objective—that as much as possible nature supported it.

Epilogue: The Mountain Lakes Fishery Management Plan/Environmental Impact Statement

Over the past decade, the relationship between the Park Service and the state has improved significantly. This warming of relations has been accomplished in large measure by agreeing to put aside agency differences and instead focusing on the use of ecological research to guide fisheries management. Using the process set forth in the National Environmental Policy Act, the NPS in cooperation with the state will soon be drafting an Environmental Impact Statement (EIS). The EIS will serve as the basis of a comprehensive Mountain Lakes Fishery

Management Plan. A Technical Committee of subject matter experts from the NPS, the state, academia and private consulting firms with subject matter expertise has been established to apply the best available science for the environmental impact analysis portion of the EIS. Open lines of communication, including data and information sharing, have been established with various key interest groups arrayed on both sides of the fish stocking controversy. If this unprecedented spirit of cooperation and collaboration continues, the future may soon hold in store a lasting resolution to the fish stocking controversy.