



*Crockett Blockhouse,  
Whidbey Island, ca.  
1999. NPS Photo.*

# Purpose and Need for the Plan

## Purpose of the Plan

*The purpose of this general management plan (GMP) is to protect significant resources and manage visitor use at Ebey's Landing National Historical Reserve during the next 15-20 years. Successful implementation of the GMP would result in the preservation of natural and cultural resources and an enhanced visitor experience. Where law, policy, or regulations do not provide clear guidance, management decisions will be based on the Reserve's purpose, public concerns, and analysis of social and resource impacts of alternative courses of action, including long-term operational costs. This plan is intended to be adopted by both the town of Coupeville and Island County for integration into local land use plans, policies, and ordinances. Another purpose of this plan is to provide guidance to Washington State Parks concerning how their individual park plans and activities can be well integrated into their overall park planning process.*

This general management plan will not describe how particular programs or projects will be implemented or prioritized. Those decisions will be deferred to more detailed implementation planning, which will follow the broad, comprehensive plan presented in this document.

### National Parks and Recreation Act of 1978

The National Parks and Recreation Act of 1978 (Public Law 95-625), requires the preparation and timely revision of general management plans for each unit of the National Park System. The National Park Service management policies call for each GMP to "...set forth a management concept for the park [and] establish a role for the unit within the context of regional trends and plans for conservation, recreation, transportation, economic development, and other regional issues..." Congress has also specifically directed (16 U.S.C. 1a-7[b]) the NPS to consider, as part of the planning process, the following:

General management plans for the preservation and use of each unit of the National Park System, including areas within the national capital area, shall be prepared and revised in a timely manner by the Director of the National Park Service. On January 1 of each year, the Secretary shall submit to the Congress a list indicating the status of completion or revision of general management plans for each unit of the National Park System.

General management plans for each unit shall

include, but not be limited to:

- measures for the preservation of the area's resources;
- indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;
- identification of an implementation commitment for visitor carrying capacities for all areas of the unit; and
- indications of potential modifications to the external boundaries of the unit, and the reasons therefore.

## Need for the Plan

While it is the policy of the NPS to prepare or revise a GMP for units of the National Park System every 15-20 years, the first and only Comprehensive Plan for the Reserve was published in 1980. The first need for the GMP is to comply with congressional mandates to provide a timely revision to the Reserve's GMP. The second need for the plan is to address the many issues that have changed since the previous comprehensive plan was written. Recent population growth and subsequent development on Whidbey Island has placed an added importance to protecting the character of the rural landscape within the Reserve from incompatible development. Island County's Rural Zoning District is one of the predominant zoning

districts in the Reserve and allows the subdivision of land into lots as small as five acres. This development pattern continues to have a significant impact on the visual character of the Reserve. Organizations such as The Nature Conservancy and Au Sable Institute have recently become landowners within the Reserve and have become partners on several projects. These opportunities for partnerships need to be explored.

A further discussion of these and other issues can be found in the following “Planning Issues and Concerns” section.

The proposed GMP is accompanied by an environmental impact statement (EIS), which identifies and evaluates the effects or impacts of various alternative approaches to the protection and appropriate uses of Ebey’s Landing National Historical Reserve.

## Planning Issues and Concerns

The following topics describe some of the preliminary needs or challenges the GMP must address for the Reserve to carry out its responsibilities of preserving the resources and provide for public use. These issues were developed by NPS staff, the Trust Board, and the public through the initial public participation process. They have been summarized and are listed by category. For a more detailed background of these issues, refer to “The Affected Environment” chapter of this document.



*Morning Fog on Main Street in Coupeville, Whidbey Island, ca. 2004. Photo by Randy Emmons. Coupeville Arts Center.*

## Land Protection

Recent population growth occurring in Central Whidbey Island in the last 20 years has placed an added importance to protect the character of the rural landscape within the Reserve from incompatible development. It is fully acknowledged that the Trust Board does not have authority to unilaterally implement the Reserve goals but must rely upon local government’s applicable laws and ordinances, as well as landowner cooperation.

Congress intended that the Reserve would remain largely under private ownership. To ensure that the land within the Reserve is protected, the NPS has been primarily purchasing less than fee interests in land called scenic easements. (Due to various terminology used in legal documents, the term “scenic easement” as used by the NPS, is synonymous with the more common term “conservation easement”.) Despite recent appropriations, a recurring need will remain for additional funds for acquisition to buy easements on key parcels within the Reserve. There is a need for a new land protection plan. There is also a need for public education about the federal government’s role in land protection and a desire by the managing partners of the Reserve for public community support for land protection strategies.

## Cultural Resources

The cultural resources within the natural setting are the features that make the Reserve unique and worthy of national status. The Reserve continues



*Acreage available for development within the Reserve, Whidbey Island, ca. 2001. NPS Photo.*

to lose cultural integrity as historic structures or landscapes are lost through demolition, neglect or inappropriate alterations, and the landscape becomes developed through incremental changes. To protect these cultural resources, there must be adequate information. Unfortunately, there is a deficiency in information such as the location of archaeological sites, knowledge of traditional cultural places, full understanding of the characteristics of a cultural landscape, protection of large contiguous agricultural fields, and development of a county demolition ordinance. There is a need for improved coordination with other federal, tribal, and state agencies and with non-governmental organizations about cultural resources. There is a growing need for cultural resource technical assistance to local property owners.

## Natural Resources

There is a growing body of baseline information about the natural resources within the Reserve. Vascular plant inventories took place in 2004, adding to work done previously by local botanists. A two-year butterfly inventory commenced in June 2004; a small mammal inventory may occur in summer of 2005; the Whidbey Audubon Society is very active keeping concise bird lists, including a Raptor Nesting Survey for the Reserve completed in 2003. The Natural Resources Conservation Service has begun fieldwork to revise the 1962 Island County soils map.

However, there are major information gaps. For example, little is known about threatened and en-

dangered species on most private lands. The Reserve has not been systematically mapped for populations of Class A, B, and C noxious weeds. Information about invertebrates, bats, and non-vascular plants is insufficient. High quality agricultural soils may not be adequately protected. In the marine environment, water quality and quantity are concerns, including aquifer recharge, salt-water intrusion, and aquifer drawdown. In Penn Cove, potential threats need to be addressed for both recreational and commercial activities. There is a need to explore a variety of technical assistance services to local property owners.

## Visitor Use

Recreational use continues to increase as the population increases, including both residents and visitors. The Reserve has an outdated Visitor Survey (last done in 1995). There is a need for creating “visitor use profiles” at popular sites within the Reserve to help manage future potential impacts from visitor use. There are conflicting recreational policies and permitted uses among federal, state, and local entities. There is a need to create additional public access for trails along public and private lands. Future carrying capacities need to be created for trails, trailheads, parking lots, and other facilities. In addition, the lack of vessel mooring capacity at Penn Cove in Coupeville needs to be explored.

## Administration

There are many staffing needs at the Reserve in-



*One of many varieties of birds located within the Reserve, Whidbey Island, ca. 2000. NPS Photo.*



*Paragliding is a popular recreation activity within the Reserve, Whidbey Island, ca. 1999. NPS Photo.*

cluding staff positions for administration, cultural resource management, interpretation, environmental education, land stewardship, maintenance, public relations, and volunteer coordination. Another issue involves the status of the staff and whether they should be employees of the NPS, the Trust Board, or local or state government.

Cooperative agreements need to be revised and updated with partners, and there is a lack of funding to offset reporting requirements from the different agencies. There is a need to improve the visibility of the Reserve Trust Board and to explain to the public how the Board operates. Reserve does not have a “friends group,” as many other national park units have, to help offset administration costs and needs and to be an advocate for the park unit when necessary. Such a group is especially needed for this type of park unit.

## Operations

The Reserve has a lack of facilities at present for the following: permanent, well-located office space; a central visitor orientation space; waysides, trails, and kiosks; and storage, museum and collections space. In relationship to these facilities, entrances into the Reserve need to be identified and developed and maintenance and management requirements determined. Other issues include determining the appropriate staff and facilities at the Reserve, and whether there should be museum collections and a formal personal services program.

The numerous NPS-owned historic and non-historic structures create an increasingly urgent need for greater security and fire protection. The dairy farms present numerous hazardous situations, and lack of staffing prevents adequate protection.

Equipment needs for the Reserve include the procurement of a vehicle, office equipment, and adequate collections storage.

## Impact Topics

Impact topics were identified from those issues identified during the scoping period of the GMP/ EIS and from relevant NPS policies and regulations. The specific topics addressed in this chapter

are the following:

- Cultural Resources
  - Cultural Landscape
  - Historic Buildings and Structures
  - Archaeological Resources and Collections Management
- Natural Resources
  - Geology, Soils, and Air Resources
  - Soundscape
  - Water Resources
  - Vegetation
  - Wildlife
- Agricultural Resources
- Visitor Experience
- Recreational Resources
- Scenic Resources
- Interpretation, Education, and Outreach
- Reserve Facilities
- Reserve Management and Operations
- Socioeconomics
- Reserve Boundary and Land Protection

## Impact Topics Dismissed

Below are issues that are not problematic or would not cause an environmental impact. The following impact topics were discussed during the planning process, but were dismissed from further consideration for the following reasons:

### Floodplains

According to the Island County Watershed Coordinator (Byler 2004), there are no floodplains in the Reserve. Though numerous landforms were created by prehistoric glacial floodplain actions, there is no flowing surface water today. Therefore, the topic of floodplains was dismissed as an impact topic in this environmental impact statement.

### Hazardous Materials

There are no hazardous materials used, or disposed of, in connection with Reserve’s operations on federally owned property. Since the majority of land is in private ownership, the extent of hazardous materials on non-federal properties is not



fully known. Therefore, a separate topic of hazardous materials was not included as an impact topic in the document.

## Sacred Sites

Sites that are sacred to contemporary individuals and communities, including members of federally recognized American Indian tribes and other Native Americans, may be documented through a variety of methods. These methods include consultations with the people for whom certain places are sacred, through the collection of oral history data, and through archaeological and anthropological research. As noted in the “Affected Environment” chapter of this GMP, two places within the Reserve have the potential to be regarded as culturally significant by contemporary Native Americans who are known to have traditional associations with land within the boundaries of the Reserve. One of the two places is an obelisk on privately owned land that may have associated burials. The other is shown as a “USA Indian Cemetery” that may continue to be federally owned and held in trust for a contemporary tribe. Neither of these two places are controlled or managed by the National Park Service.

The stone obelisk is located on private land adjacent to Parker Road, above Snakelum Point. Although the obelisk does not appear to be in its original location, it was referred to in a local newspaper as a “tombstone” in 1918. At that time, there were the names of two individuals on the monument. Two more names were added at a later date, perhaps as recently as the mid-1930s or early 1940s. All four names represent members of a prominent Skagit Indian family who lived on Whidbey Island during the mid nineteenth century. It is not known whether or not human remains are still associated with the obelisk. The obelisk has the potential to be culturally significant. Further research, including consultations with Native Americans, is needed to determine whether or not contemporary individuals regard the site to be culturally significant or sacred.

The other site with the potential to be culturally significant or sacred to contemporary Native Americans is a cemetery near Long Point that is shown on Island County plat maps as a “USA In-

dian Cemetery.” Tax assessment records show that the parcel is exempt and that it is federal land that was acquired from a private owner as recently as 1959 for the use of Skagit Indians. The area is on a hillside and overgrown with vegetation; consequently, surface evidence of burials is not readily apparent (York 2004). Additional research on the status of the land, the history of its use as a cemetery, and its significance to contemporary Native Americans is needed to determine whether or not the site is culturally significant or sacred.

## Indian Trust Resources

In general, Indian trust resources are related to federal land that is held in trust for a federally recognized tribe. In those situations, the federal government, represented by the Bureau of Indian Affairs (BIA) in the Department of the Interior, has an obligation to protect resources such as oil, gas and timber or the income derived from selling or leasing such resources on behalf of a tribe. The Reserve is not within the boundaries of land that is held in trust on behalf of any federally recognized Indian tribe, but there are two specific matters that may be related to trust land in one case and trust resources in another. First, there is a .39 acre parcel of land within the Reserve that is, according to Island County Assessors Office records, owned by the United States of America and held in trust for the Skagit Tribe of Indians as a perpetual cemetery. Second, it is possible that a tribe or tribes may have legal access to shellfish in intertidal zones of the Reserve that are regarded to be “usual and accustomed” tribal fishing sites for one or more federally recognized tribes. As a result of the Boldt Decision on treaty rights (Federal Supplement, 1974 and 1980) and a series of more recent cases, both fish and shellfish are regarded to be “trust assets.”

The NPS has consulted the Puget Sound Agency and the Portland Area Office of the Bureau of Indian Affairs respectively on the ownership status of the cemetery within the Reserve and the issue of usual and accustomed tribal fishing sites in the vicinity of the Reserve. Although the intent of an officially recorded July 2, 1959 warranty deed was to transfer ownership of a .39 acre parcel of land from a private owner to the USA on behalf of the

Skagit Tribe, the Puget Sound Agency has no record of the parcel being placed into trust on behalf of any contemporary federally recognized tribe. The NPS has shared this information with the Swinomish Indian Tribal Community because of their status as successors of interest for the historic Skagit Indian Tribe. With reference to whether or not the inter-tidal zone or any specific locations in the vicinity of the Reserve have been designated as “usual and accustomed” fisheries, personnel in the Portland Area Office would not provide that information. However, it is unlikely that trust resources would be impacted by the proposed action relative to either tribal fishing rights or the parcel of land set aside as a perpetual cemetery.

## **Pertinent Laws, Policies, and Procedures**

This section summarizes the laws, executive orders, NPS policies, and operational procedures related to the preparation of park planning documents. The following section highlights those that are most pertinent to the planning for the future protection, use, and management of Ebey’s Landing National Historical Reserve.

### **The National Park Service Organic Act**

The NPS Organic Act of August 25, 1916 (16 USC 1) established the National Park Service. “The service thus established shall promote and regulate the use of the Federal areas known as national parks, ...by such means and measures as conform to the fundamental purpose of said parks, ...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”

### **National Parks and Recreation Act of 1978**

Public Law 95-625, the National Parks and Recreation Act of 1978, requires the preparation and timely revision of general management plans for each unit of the National Park System. The NPS *Management Policies* (U.S. Department of the Inte-

rior 2001) calls for each GMP to “...set forth a management concept for the park [and] establish a role for the unit within the context of regional trends and plans for conservation, recreation, transportation, economic development, and other regional issues....” Congress has also specifically directed (16 USC 1a-7[b][4]) the NPS to consider, as part of the planning process, what modifications of external boundaries might be necessary to carry out park purposes.

### **General Authorities Act of 1970**

This act defines the National Park System as including “...any area of land and water now or hereafter administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes...” (16 USC 1c[a]). It states “...each area within the national park system shall be administered in accordance with the provisions of any statute made specifically applicable to that area...” (16 USC 1c[b]) and in addition with the various authorities relating generally to NPS areas, as long as the general legislation does not conflict with specific provisions.

### **Redwood Act of 1978**

The Redwood Act (16 USC 1a-1) in 1978 further states “...that these areas, though distinct in character, are united through their interrelated purposes and resources into one national park system as cumulative expressions of a single national heritage... The authorization of activities shall be construed and the protection, management, and administration of the 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, except as they have been or shall be directly and specifically provided by Congress.”

### **National Historic Preservation Act of 1966**

The National Historical Preservation Act of 1966 (NHPA), as amended, expresses a policy of supporting and encouraging the preservation of prehistoric and historic resources for present and

future generations by directing Federal agencies to assume responsibility by considering historic resources in their activities. The statute ensures the accomplishment of its policies and mandates by the following: expanding and maintaining a National Register of Historic Places; approving state preservation programs; authorizing a grant program to states and to individuals; establishing the Advisory Council on Historic Preservation to advise the President, Congress, and federal agencies on historic preservation matters, conduct training and educational programs, encourage public interest in preservation, and implement Section 106 of the act; establishing procedures that federal agencies must follow in managing federally owned or controlled property and requires that agencies conduct necessary planning and action to minimize harm to the landmark prior to the approval of any federal undertaking that may directly and adversely affect any National Historic Landmark and must obtain comments of the Council; and by establishing a National Historic Preservation Fund.

## **NHPA Section 106**

The National Historic Preservation Act of 1966 (as amended) requires that proposals and alternatives relating to actions that could affect cultural resources both directly and indirectly, and the potential effects of those actions, be provided for review and comment by the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), and the Advisory Council on Historic Preservation. The GMP will be submitted to the appropriate offices for review and comment according to the procedures in 36 CFR Part 800 and delineated in the 1995 Programmatic Agreement signed by NPS, the National Conference of State Historic Preservation Officers, and the Advisory Council.

Section 106 states that any federal agency having jurisdiction over a proposed federal undertaking, and any federal department or independent agency having authority to license an undertaking must take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. This must be done prior to

the approval of spending federal money. In addition, the agency must allow the Advisory Council on Historic Preservation (established under Title II of this Act) a reasonable opportunity to comment on this undertaking.

Section 110 of the National Historic Preservation Act gives federal agencies positive responsibility for preserving historic properties in their ownership or control. Agencies are directed to establish preservation programs to identify, evaluate, protect, and nominate to the National Register historic properties, whether they are of significance at the local, state, or national level. It calls for them to use such properties, where feasible and compatible with their preservation, in preference to acquiring, constructing, or leasing others. The law emphasizes cooperation with SHPOs in establishing such programs.

Section 111 states that federal agencies, after consultation with the Advisory Council for Historic Preservation, will establish and implement alternatives for historic properties that are not needed for current or projected agency purposes. Federal agencies may lease historic properties owned by the agency to any person or organization, or exchange any property owned by the agency with comparable historic property, if the agency determines that the lease or exchange will adequately ensure the preservation of the historic property.

Section 112 provides that each federal agency having responsibility for the protection of historic resources, including archaeological resources, will ensure that all actions taken by employees or contractors will meet professional standards. These standards will be guided by regulations developed by the Secretary of the Interior in consultation with the Advisory Council for Historic Preservation, other affected agencies, and appropriate professional societies of the disciplines involved. Agency employees or contractors will also meet qualification standards established by the Office of Personnel Management in consultation with the Secretary of the Interior and appropriate professional societies. Section 112 also provides that records and data are permanently maintained in appropriate databases and made available to potential users.



## **Ebey's Landing National Historical Reserve Legislation**

On November 10, 1978, an act (Public Law 95-625 [92 Stat. 3508]) established Ebey's Landing National Historical Reserve, "in order to preserve and protect a rural community which provides an unbroken historical record from nineteenth century exploration and settlement in Puget Sound to the present time..." and to commemorate the first thorough exploration of the Puget Sound area, the first permanent settlers to Whidbey Island, early active settlement during the years of the Donation Land Claim Law, and the growth of the historic town of Coupeville.

The Reserve is managed by a unit of local government, the Trust Board of The Reserve, as called for in the enabling legislation. This board was created by an early planning coalition consisting of the NPS, local government and the community, working together to complete the Reserve's first comprehensive plan in 1980. The Reserve includes the area of approximately 8,000 acres identified as the Central Whidbey Island Historic District.

### **Executive Orders 11988 and 11990**

The objectives of Executive Orders 11988 (Floodplains Management) and 11990 (Protection of Wetlands) are to avoid, to the extent possible, the long and short-term adverse impacts associated with the occupancy and modification of floodplains and wetlands. Application of the final NPS procedures for implementing those executive orders will occur if a NPS proposal affects the 100-year floodplain (500-year for critical actions), coastal high hazard zone, flash flood area, or wetland. If a proposed action involved adverse impacts to a floodplain or wetland areas, a Statement of Findings (SOF) will be prepared that documents the rationale for determining that there will be no practicable alternative to locating in or impacting these areas. The SOF will be prepared for concurrence signature by the Chief, NPS Water Resources Division (WRD), and approval by the NPS Regional Director, Pacific West Region.

### **Executive Order 13006**

This executive order pertains to locating Federal facilities on historic properties within cities. The

federal government has undertaken efforts to revive central cities which historically served as centers for growth and commerce. The order seeks to strengthen cities by encouraging the location of Federal facilities within cities. The order reaffirms commitments set forth in the National Historic Preservation Act to provide leadership in the preservation of historic resources and in the Public Buildings Cooperative Use Act of 1976 to acquire and utilize space in suitable buildings of historic, architectural, or cultural significance.

In addition, Section 2 of this order states that Federal agencies will give first consideration to historic properties within historic districts. If no property is suitable, then agencies will consider other developed or undeveloped sites within historic districts. If none exists, then agencies will consider historic properties outside of historic districts. Any rehabilitation or construction that is undertaken pursuant to this order must be architecturally compatible with the character of the surrounding historic district or properties.

### **Executive Order 13112**

The objectives of this executive order are to restrict the introduction of exotic species into the natural ecosystems on federal lands and to encourage states, local governments, and private citizens to prevent the introduction of exotic species into natural ecosystems of the United States. This order provides a legal basis for NPS to conduct vegetation management activities to restrict the introduction of those exotic species, which do not naturally occur within the Reserve, and provides the basis for the Reserve to work with others to restrict the introduction of exotic species.

This order does not pertain to plantings that are historically appropriate for the period or event commemorated. National Park Service management policies (4.4.2.5 Maintenance of Altered Plant Communities) state that where necessary to preserve and protect the desired condition of specific cultural resources and landscapes, plants and plant communities generally will be managed to reflect the character of the landscape that prevailed during the historic period. Efforts may be made to extend the lives of specimen trees dating from the historic period being commemorated. An

individual tree or shrub known to be of historic value that is diseased beyond recovery and has become hazardous will be removed and may be replaced. While specimen trees or shrubs that need to be perpetuated are still healthy, their own progeny will be propagated from seed or through vegetative reproduction, such as cuttings (National Park Service 2001: p.36).

### **Executive Order 12898**

Executive Order 12898 requires an analysis of impacts on low-income populations and communities, as appropriate. The Department of the Interior's policy on environmental justice (No. ECM95-3) is based on this Executive Order. It requires the NPS, in all environmental documents, to "...specifically analyze and evaluate the impacts of any proposed projects, actions, or decisions on minority and low income populations and communities, as well as the equity of the distribution of the benefits and risks of those decisions." If significant or no impacts are predicted on minority or low-income populations, then this should be stated and the reasons provided.

### **National Environmental Policy Act of 1969**

The National Environmental Policy Act of 1969 (NEPA) requires the preparation of either an environmental assessment or environmental impact statement for all federal proposals that may have significant environmental, sociological impacts, or both, on park resources or adjacent areas.

A policy memorandum dated February 22, 1991 from the NPS Associate Director for Planning and Development specified that EISs are to be prepared in conjunction with general management plans. That position reinforces the policies and procedures of the Departmental Manual, which state that EISs will be the normal rule in preparing GMPs rather than the exception. This EIS describes potential impacts that might result from implementation of any of the alternatives discussed. Following public and agency review of the draft and final EIS, the Superintendent (or in this case, the Trust Board), Deputy Regional Director, and the Regional Director of the NPS Pacific West Region, will sign a Record of Decision indicating

the proposed action and the rationale for its selection. The GMP may then be implemented.

### **Endangered Species Act**

The Endangered Species Act of 1973 (ESA), as amended, directs federal agencies to ensure that any action it authorizes, funds, or implements is not likely to jeopardize the existence of any listed species or destroy or adversely modify critical habitat (50 CFR 400). When a project or proposal by a federal agency has the potential to impact a known endangered, threatened, or candidate plant or animal species, Section 7 of the Endangered Species Act requires that agency to enter into formal consultation with the U.S. Fish and Wildlife Service (USFWS). The NPS management policies (4.4.3.4 Management of Threatened or Endangered Plants and Animals) direct the NPS to give the same level of protection to state-listed species, as is given to federally listed species. Prior to implementing any development proposals at the Reserve, the NPS will consult with the USFWS to obtain species listings, and to ascertain the need to prepare a biological assessment of the proposed actions. Similar contact will be made with the appropriate state agencies. (NPS 2001: p.35)

### **Washington Coastal Zone Management Program**

Congress passed the federal Coastal Zone Management Act in 1972 to encourage the appropriate development and protection of the nation's coastal and shoreline resources. The Coastal Zone Management Act gives states the primary role in managing these areas. To assume this role, the state prepares a Coastal Zone Management Program (CZMP) document that describes the state's coastal resources and how these resources are managed. Washington was the first state to receive federal approval of a CZM Program in 1976. The Department of Ecology's Shorelands and Environmental Assistance Program is responsible for implementing Washington's Program.

Under Washington's Program, federal activities that affect any land use, water use or natural resource of the coastal zone must comply with the enforceable policies within the six laws identified in the program document. The six laws are the

Shoreline Management Act (including local government shoreline master programs), the State Environmental Policy Act (SEPA), the Clean Water Act, the Clean Air Act, the Energy Facility Site Evaluation Council (EFSEC), and the Ocean Resource Management Act (ORMA). Activities and development affecting coastal resources, which involve the federal government, are evaluated through a process call “federal consistency”. This process allows the public, local governments, tribes, and state agencies an opportunity to review federal actions likely to affect Washington’s coastal resources or uses. Three categories of activities trigger a federal consistency review: activities undertaken by a federal agency, activities that require federal approval or that use federal funding.

### **Native American Graves Protection and Repatriation Act**

The Native American Graves Protection and Repatriation Act (NAGPRA) provides protection to native gravesites on tribal and federal lands. The intent of NAGPRA is to “provide for a process whereby Indian tribes...have an opportunity to intervene in development activity on federal or tribal lands in order to safeguard Native American human remains, funerary objects, or objects of cultural patrimony... [and to afford] Indian tribes...30 days in which to make a determination as to appropriate disposition for these human remains and objects.” Under certain conditions, culturally affiliated Indian tribes or lineal descendants will have ownership and control over human remains and cultural items, which are located on federal lands.

A permit must be obtained from the managing land agency where the burial site is located to excavate a burial site. If the site is located on federal lands, the site may be excavated only after consultation with the appropriate tribe. If buried cultural items are discovered during other activities, such as construction, all activities must stop and the responsible federal agency notified, who in turn, notifies the appropriate tribe. This act will apply to any federally managed land within the Reserve.

### **National Park Service Management Policies**

The NPS has detailed written guidance to help managers make day-to-day decisions. The primary source of service-wide policy is contained in the publication *Management Policies*, revised and published in 2001 by the National Park Service. These policies state that all parks are complex mixtures of values and resources, each with its own unique qualities and purposes, each requiring specific treatment in the development and implementation of management strategies and operational plans. However, the managers of all parks are required to apply policies in a consistent and professional manner to achieve the congressional mandate for management of the National Park System.

The management policies further state that the NPS will conduct planning activities for the following: to evaluate possible additions to the National Park System; to identify how park resources will be preserved and how parks will be used and developed to provide for public enjoyment; to facilitate coordination with other agencies and interests; and to involve the public in decision-making about park resources, activities, and facilities. The NPS plans will represent the agency’s commitment to the public and to Congress on how parks will be managed.

### **Director’s Order—2**

Included and tiering from these policies are Director’s Orders (DO) issued periodically by the Director of the National Park Service. Detailed planning guidelines, called DO-2 Park Planning, have been issued to guide the development of park plans, including general management plans.

### **Director’s Order—28**

Authority for cultural resource management derives from a variety of laws, including the 1916 NPS Organic Act. Also fundamental are the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation. The Directors Order-28 states basic principles governing the management of cultural resources in the National Park System, consistent with law and the Secretary’s Standards and Guidelines for Archaeology and Historic Preservation. This DO directs the NPS to follow the cultural resources management guidelines relative to policy standards.

## Director's Order—77

The NPS Natural Resources Management Guideline, DO- 77, is a comprehensive guideline on natural resource management, combining existing guidance with documentation of unwritten practices and procedures of NPS natural resource management. It guides the actions of park managers so that activities planned and initiated in the parks comply with federal law, regulations, and the Department of the Interior and NPS policies.

## National Park Service Strategic Plan

The 1997 NPS publication, the *National Park Service Strategic Plan* includes the NPS mission statement and mission goals. It gives five-year long-term goals to help the agency measure performance and guide the allocation of available human and financial resources. The *National Park Service Strategic Plan* incorporates the requirements of the Government Performance and Results Act (GPRA).

In addition to NPS strategic planning, staffs at individual NPS units are required to produce mission goals and a five-year strategic plan for their unit. In planning for parks, both strategic planning and general management planning share the need to articulate the purpose and significance of the park unit and to define park mission goals in relationship to overall service-wide goals. In strategic planning, parks must translate mission goals into five-year long-term goals and allocate human and financial resources accordingly. For planning, managers must ensure that proposed actions in the plan are harmonious with park mission goals and help implement their various provisions by articulating actions and strategies that are utilized by park managers to guide the long-term preservation and public use of each national park unit.

## Island County Comprehensive Plan and Zoning Ordinance

(See discussion of plans in the “Affected Environment” chapter, “Socioeconomic Factors” section.)

## Shoreline Master Programs

Both Island County and the Town of Coupeville have adopted Shoreline Master Programs which

implement the Shoreline Management Act (Chapter 90.58, Revised Code of Washington). The Programs provide goals, policies and regulations which are additional to all other ordinances in the County and Town. The plans promote orderly development of the shoreline, public access, and protection of natural and cultural resources in the shoreline area.

## Coupeville Comprehensive Plan

(See discussion of plan in the “Affected Environment” chapter, “Socioeconomic Factors” section.)

## Open Space Tax Program

Island County participates in Open Space Tax Programs authorized by Chapter 84.34, Revised Code of Washington. The programs allow a reduction in local property taxes for qualifying agricultural, forest, and open space lands. Additionally, Island County has adopted a Public Benefit Rating System to provide property tax relief as an incentive to protect open space, habitat, and historic and archeological resources.

## Scenic Byways

(See discussion of byways in the “Affected Environment” chapter, “Socioeconomic Factors” section.)

## Special Valuation Tax Program

In accordance with Chapter 84.26 Revised Code of Washington, both Island County and the Town of Coupeville have adopted Special Tax Valuation programs for the rehabilitation of historic properties. These tax programs provide owners of locally designated historic properties with a reduction in property taxes by excluding the value of rehabilitation work from property valuations for up to 10 years.

This voluntary program provides that approved improvements made on historic structures will not be taxed, provided the owner agrees to not modify the character defining features of the building during the agreement period.