

# Rayonier

PEPC 191199

*Northwest Forest Resources*

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September 27, 2006

Ms. Carla McConnell  
Olympic National Park - GMP  
National Park Service  
Denver Service Center - Planning  
P.O. Box 25287  
Denver, CO 80225

**Re: Olympic National Park  
Draft General Management Plan/EIS**

Dear Ms. McConnell:

These comments are submitted on behalf of Rayonier Inc., which learned through the media, to its considerable consternation, that the Draft General Management Plan ("Plan") for Olympic National Park contemplates the inclusion of some 16,000 acres of managed commercial forest land within expanded boundaries of the Park, and the acquisition of another 44,000 acres of managed commercial forest land for exchange with DNR under circumstances that will limit future commercial harvest. The proposed boundary expansion includes approximately 5,230 acres of Rayonier's timberlands in the Lake Ozette and Queets areas. The proposed acquisition outside the boundary of the Park could include another 7,100 acres of Rayonier's managed commercial timberlands.

Rayonier is surprised to only now, through the media, be learning of the plan to expand the Park boundaries to include its property. 16 U.S.C. § 1a-13 requires that in proposing any boundary change the Secretary shall consult with affected landowners. In this case, consultation with the affected landowners would have provided critical information, the lack of which Rayonier believes causes the Plan to expand the boundaries of the Park and to take other land out of commercial timber production to be fundamentally flawed.

Rayonier believes the plan to expand the boundaries of the Park and to restrict commercial timber production on another 44,000 acres of land is based on at least the following fundamental errors of fact and faulty assumptions.

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- **Park control of the expansion area will not enhance aquatic resources when compared to continued private commercial timber management and could have adverse consequences.** The stated reason for expanding the Park boundaries in the Lake Ozette and Queets area is the unfounded assumption that commercial timber harvest will put the fisheries in Lake Ozette and the Queets River at risk, while park management will preserve the fisheries (Plan at 208, 320-21, 370, maps M24, M40). That assumption may once have been true, but has not been true since at least the 2001 adoption of Washington's "Forest and Fish" forest practices rules. See, WAC Chapter 222. The drafters of the Plan and EIS appear to have been completely unaware of the collaborative "Forest and Fish" process between the U.S. Environmental Protection Agency, the National Marine Fisheries Service, the U.S. Fish & Wildlife Service, the Washington Department of Ecology, the Washington Forest Practices Board, affected tribes, and the forest industry. They appear to be unaware of EPA's written assurances that compliance with the Forest and Fish rules will lead to compliance with the Clean Water Act, and the U.S. Fish & Wildlife Service's and NMFS' issuance of incidental take permits under the Endangered Species Act covering forest practices that comply with the Forest & Fish rules. All three agencies have concluded that compliance with the Forest & Fish rules will be protective of threatened or endangered aquatic species and lead to compliance with the Clean Water Act.<sup>1</sup> In light of those facts, it is untenable today to simply assume that Park ownership of the property or taking it out of commercial forestry will provide better protection of the riparian resources than continued commercial forestry.

To the contrary, the lands in question require investment in order to avoid adverse aquatic impacts. The Forest & Fish rules require all major landowners to develop and implement a Road Maintenance and Abandonment Plan (RMAP) for all roads within their ownership. WAC 222-24-050, -052. Rayonier has done so. The Rayonier property within the proposed boundary expansion area contains 46 miles of roads, and the Rayonier property within the exchange area contains 72 miles of roads. If the property remains under Rayonier's commercial management, Rayonier will be responsible for bringing those roads up to current standards for aquatic protection and regularly maintaining them. If they are within the Park, correcting problems with the roads and maintaining them will be the Park's responsibility. Unless the Park can be assured that Congress will appropriate funds to manage these lands on a long-term basis, it may well be the case that taking them out of active commercial management and putting them in

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<sup>1</sup> They say "lead to compliance" because in areas which currently fail to comply with water quality standards because of temperature, compliance may not occur until the riparian forests have grown large enough to provide adequate shade. That will in some instances obviously take some years to occur. But, the trees will not grow faster if within the boundaries of the Park or withdrawn from commercial timber management. Indeed, the Forest & Fish rules permit certain kinds of riparian harvest to replace less desirable deciduous forests with softwood forests and thereby enhance riparian function and accelerate Clean Water Act compliance. Presumably little or none of that riparian restoration will occur if the lands are within the Park boundaries.

the hands of an entity with too many priorities and not enough resources will result in less protection for aquatic resources, not more.

The Plan also assumes that timber harvesting would risk sedimentation, which would be harmful for aquatic resources. (Plan at 370) Prior to the Forest & Fish Rules there may have been instances in which logging contributed excess sediment to streams, thereby damaging aquatic resources. But, the Forest & Fish rules radically increased the size of riparian management zones, WAC 222-30-021, included protection for forested wetlands and their buffers, WAC 222-30-020(7), took steps to maintain stream bank integrity, WAC 222-30-030, created additional limitations on yarding methods, WAC 222-30-050, -060 and -070, and required expert review of harvests on potentially unstable landforms, WAC 222-16-050(1)(d). The combination of those restrictions should reduce the sediment delivery to streams to close to, if not background levels.

Finally, it is important to note that the Forest & Fish rules include a rigorous adaptive management process, in which the rules will be amended as research determines amendments are necessary or appropriate. WAC 222-12-045. Research is proceeding under CMER at this time to better answer questions for which there was not a scientific answer at the time the Forest & Fish rules were adopted. The federal resource agencies (the EPA, NMFS and the US Fish & Wildlife Service) have regular input into the adaptive management process through TFW. Thus it can be assumed that if research determines that the current rules are inadequate for aquatic resource protection, they will be amended accordingly in the future.

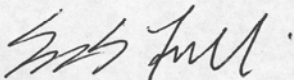
- **Taking 60,000 acres of commercial timberland out of production on the Olympic peninsula will have significant adverse socioeconomic impacts.** The Plan completely ignores the adverse socioeconomic impacts of taking 60,000 acres of land out of commercial timber production on the Olympic peninsula. The Plan and EIS documents the fact that personal income of residents on the Olympic peninsula lags behind that of the rest of Washington State. (Plan at 166) It also documents the region's heavy dependence upon services, government and retail jobs. (Plan at 167). As harvests have been restricted for environmental and aesthetic reasons, communities in once timber-reliant areas have faced a continuing loss of family-wage manufacturing jobs, to be replaced, if at all, by low-wage service and retail jobs. The average wage in the forest industry on the Olympic peninsula is roughly \$30,000 – significantly higher than the average for the region. Taking 60,000 acres of commercial timber land out of production will cost not only the jobs of the people required to manage, plant, thin and harvest that land, but also the mill workers who would have processed those trees into finished lumber. Although other aspects of the Plan may result in additional service and retail jobs being created on the peninsula, there will be no jobs created by expanding the Park boundaries to compensate for the loss of family-wage jobs in the forest products industry. The EIS must recognize that significant adverse impact on the wage base of the Olympic peninsula.

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We want to close with a recommendation for another alternative that is based on fairness. While Rayonier disagrees that taking 60,000 acres of managed commercial forest land out of production and putting it into the Park or a "legacy forest" status will provide any significant environmental benefits, it also understands the political attraction of expanding a National Park. We understand that there are interest groups who view park expansion as an end in itself. Rayonier recognizes that if the plan to expand the Park is not based on science, it may well nonetheless meet approval in the court of public opinion. If Congress decides to expand the Park and appropriates the money to do so, then the Park will be expanded. What would be untenable, however, is to attempt to achieve the goal of taking the land out of commercial production without Congress appropriating the money to acquire the rights it wants for the land's fair market value. Current forest practice rules make commercial management of lands within the boundaries of a national park economically unfeasible. WAC 222-16-050(1)(c). Thus no expansion of the boundaries should occur unless and until the Park Service consults with individual landowners to identify areas of ecological significance worthy of inclusion in the National Park, and Congress appropriates the money to acquire the land for just compensation. No additional constraints should be placed on the land in the park expansion area. Rayonier, like all commercial forest companies in the Northwest, has been asked over the last twenty years to restrict its harvest and the productivity of its land to meet a variety of environmental concerns. But, if the land is wanted for a park, then that is a public use. Land can always be taken for a public use, but when it is, just compensation is required.

Thank you for considering these comments. We would be happy to provide further information as to any of the issues we have discussed.

Sincerely,



Eric Fanelli  
Director, Pacific Forest Resources

cc: The Honorable Norm Dicks  
The Honorable Patty Murray  
The Honorable Maria Cantwell  
The Honorable Senator James Hargrove  
The Honorable Representative Jim Buck  
The Honorable Representative Lynn Kessler