



HOH INDIAN TRIBE

2484 LOWER HOH ROAD • FORKS, WASHINGTON 98331
TELEPHONE (360) 374-6582 • FAX (360) 374-6549

September 1, 2006

To: USDI Olympic National Park
William G. Laitner, Superintendent
600 East Park Avenue
Port Angeles, Washington 98362-6798

To: Olympic National Park General
Management Plan
National Park Service
Denver Service Center
P.O. Box 25287
Denver, CO 80225

Re: Hoh Tribe Consultation on the Draft Olympic National Park Management Plan

Dear Superintendent Laitner,

Thank you for meeting with the Hoh Tribe government and its representatives on the issues involved in the Olympic National Park Draft Management Plan. Enclosed is a compilation of the official comments from the Hoh Tribe government. Other comments you may receive should be considered those of individuals or private citizens not those of the Hoh Tribal government. Any questions or comments you may have on the contents should be directed to me and feel free to contact me at the number listed below.

Sincerely,

Tim Snowden
Director of Natural Resources
Hoh Indian Tribe
360-374-6735

Vivian Lee
Chair
Hoh Tribe Business Committee

TMS/tms

Choice of Alternatives.

As was stated in the meeting of August 16, 2006 the tribe does not take the position of advocating one alternative over another. Instead the tribe will address certain important issues brought up or overlooked by the draft plan. The Deciding Official may incorporate those issues into the Parks' Preferred Alternative.

Ethnographic Representation at the Hoh Rainforest and Kalaloch Visitor Centers.

Geographically, the Hoh Tribe is the most isolated tribe from major employment and population centers. In the Socio-economic section of the Draft, the Hoh Tribe has the distinction of having the highest unemployment rate and lowest per capita income of any other reservation surrounding the Park. The Park mentions at its visitor centers in a number of ways and through literature the Hoh Tribe and its members and their heritage in the area. However, to date there has been no effort by the Park to bring actual Hoh Tribe members into the public awareness at these two visitor centers. The Tribe feels that it would be of great value to the 250,000 plus visitors each year if they were able to meet and speak with a Hoh tribal member at one of these visitor centers. The Tribe feels that there should be at least one full time position at each of these centers, to provide for Native American culture and heritage as it relates to the local environment. The Tribe envisions this as a position that should be funded by the Park Service preferably or perhaps a joint grant obtained between the tribe and the Park, but the position should be a Hoh Tribal, not a Park Service employee. The position would provide long term employment for Hoh Tribal members. While it may be easier to find alternate funding for a youth position, we feel the position should instead be a mature individual that has a background in tribal culture, history, and traditions.

The Park should also work out an MOU with the Tribe on the issue of official Hoh Tribe members selling traditional crafts at the Visitor Centers. The park concessionaires already sell books, stuffed animals, clothing and other tourist items at the centers. The tribal members should be able to sell genuine crafts on a commission basis. There is a huge demand for authentic Native American crafts and this could be a welcome addition to many Hoh Tribal members' incomes. Since the Visitor Centers are in the Hoh Tribe ancestral Usual and Accustomed Area (U & A) it would be appropriate to allow the Hoh Tribe the majority of Native American merchandizing at these locations. It would also allow many of the Park's visitors to obtain genuine tribal artifacts from the resident tribe and would be a win-win situation for both visitors and tribal members.

Cultural Resource materials.

From time to time in the routine course of road, trail, and facility maintenance there are trees that are removed or cut up in the Park. The Tribe is always on the look out for a number of cultural resource natural products including red cedar logs or standing timber and bark. There are a large number of plants, roots, and berries that the tribe uses in cultural practice and would be of interest to tribal members when available.

The Tribe requests that in cases where there are trees or other vegetation that may be usable for tribal crafts and canoe logs, that the Park set up a method for their personnel to contact the tribe for preferential contact and salvage of those items if the tribe is able to.

The tribe traditionally gathered in areas now occupied by the Park and should be at the top of the list for salvage of materials cut or removed. This would include any hazard tree removal as mentioned in the Cumulative Effects section on page 318.

Wilderness Designation Adjacent to Reservation Boundaries.

The Park land that borders southern and southeastern edges of the Hoh reservation should not be designated wilderness. There should be a buffer zone of low use or front country designation next to the reservation. The reasoning behind this is that the reservation is soon to reach build-out in not too many years. In other words all the available land to build housing on will be built on. That includes the southern and southeastern portions of the reservation. As the land status is now, the reservation will have housing units directly along the border of Park Service Wilderness designated land. This portion of Park will probably receive considerable foot traffic from new housing developments planned on its edge. For ease of future management, a buffer zone of land that is managed for higher human impact and visitation would be more appropriate.

Boundary Adjustments.

The Tribe is very apprehensive of any land acquisition or boundary adjustments to existing Park borders. The Tribe would want to be consulted on a case-by-case basis for any changes in boundaries. There are a number of effects that boundary changes would have on tribal members and the environment that were not mentioned in the potential negative effects portion of the analysis. For instance:

- A change in status of land to the Park from another entity such as state land may effectively change the status of the land from an area that is hunted by tribal members to one that is not. This would effectively be considered a taking from the tribe's treaty rights. The proposed boundary adjustment near the South Fork of the Hoh River in Alternative B is in this category and is opposed by the Tribe.
- The Park would have to detail the impacts of any such activity on the tribe's present transportation system. This includes road closures on non-tribal land that would affect hunting, fishing, or gathering, culvert elimination/replacement, timeframes for the changes so, etc.
- As part of an urgent need to relocate portions of the Hoh Tribe Village due to flood and tsunami danger the tribe has a long term need to acquire more land in proximity to its existing reservation. The acquisitions are fueled by population growth of the tribe, the extreme need for economic development, and the potential for human loss of life and property. Additional Park acquisitions may negatively affect the tribe's ability to acquire land outside its present boundaries.

Relocation of the Upper Hoh Road.

Roads are a major source of water quality problems within the Hoh Tribes U&A, especially those located within channel migration zones and wetlands and on unstable slopes. The ONP needs to make it a high priority to relocate its portion of the Upper Hoh Road to outside of the channel migration zone. The status quo is unacceptable. One needs to quit wasting precious funding on environmentally destructive measures.

Our primary concerns regarding the current draft Plan relate back to previous resource issues and management agreements between the Hoh Tribe and the ONP. Previous mitigation agreements have not been honored by the Park that dealt mainly with fish passage (Boundary Pond, Taft Pond and outlet channel, E. and W. Twin Creek culvert replacements) and replacement and maintenance of the primary access (Upper Hoh Road in the vicinity of Boundary Pond) into the Hoh Rain Forest segment of ONP. These unmet agreements have had serious impacts on the fisheries resource within and downstream of the ONP boundaries, impeding access for juvenile and adult salmonids into valuable off channel rearing habitat (Boundary Pond) and potential spawning reaches.

Re-establishment and protection of flood damaged access (Upper Hoh Road) within the Hoh River's active channel migration zone (CMZ) without incorporating fish passable culverts or large woody debris (LWD) bank protection structures into the re-construction design has been totally unacceptable and showed blatant disregard for the native salmon and steelhead stocks that are vital to the economic and cultural survival of the Hoh Tribe as well as a lack of respect for the hydrology and power of the Hoh River. Extensive bank armoring (rip-rap) along the high velocity main stem Hoh River channel adjacent to the re-built road segment has high potential to accelerate channel down cutting and bank erosion both above and below the armored section. Rock armoring creates a relatively frictionless channel surface and minimal energy dissipation, causing extensive bed and bank scour. It is not a long term structural solution for river side roadway protection, i.e. WSDOT 2004 Engineered Logjam Project. From a river ecology/hydrology perspective, rip-rap is one step better than a cement aqueduct.....not a good option.

Considering the almost total lack of successfully implemented salmon habitat enhancement projects within the Hoh Rain Forest segment of ONP even though certain projects were agreed to as mitigation for invasive infrastructure protection/re-construction activities directly impacting the Hoh River, its tributaries, its riparian condition and its valuable and unique fish stocks; the Hoh Tribe should have little to no confidence in any resource management, especially fisheries-related, delineated by ONP in its most recent draft plan.

Increased Visitor Opportunities.

The Olympic National Park has and must continue to play a key role in the stewardship of our lands. Continued improvement in their interpretive and educational programs needs to be a vital part of any future management strategy. Safe guarding the welfare of the park visitors while teaching them how to minimize their footprint on the environment are both paramount to the overall good. The Olympic National Park must lead by example by first correcting existing environmental issues within its present boundaries. They must be proactive by providing additional environmentally sensitive facilities in the front-country and wilderness areas to accommodate the increased demand. Any reduction in visitation facilities would undoubtedly lead to additional camping taking place at unmanaged locations. Invariably, the risk of wildfire, disturbance to plants and animals and pollution/littering problems would all increase. Having personally assisted miss-guided and often ill-prepared tourists, ONP employees should refrain or at least

greater discretion before directing park visitors to primitive camping locations outside of the park when park facilities are filled to capacity.

Pg. 16, Ecosystem Management, Desired Future Conditions.

The Park thus far has not had a very good record in making and keeping cooperative partnerships and agreements with the tribe. The tribe is very interested in working with other resource co-managers in the tribe's U & A.

Pg. 21, Marine Resources, Strategies.

The tribe is very interested in acquiring data that the Park is using to determine baseline conditions and the Park should consult with the Tribe on the suitability of data used for such purposes in all environments, not just the marine environment.

Pg. 28, Archeological Resources, Strategies.

Add; work with the Tribe in identifying and protecting archeological sites within the Tribe's U&A.

Provide Hoh Tribe member staff to educate visitors to the Park on archeological and cultural sites in the area.

Pg. 30, Cultural Landscapes, Desired Future Conditions.

What are the Park's management plans for the Oil City in holdings? Are these going to be acquired by the Park?

Is cultural resource staff available for assistance to tribal personnel for joint cultural projects?

Pg. 31, Ethnographic Resources, Strategies.

Strategies, provide for a Hoh Tribe staff member to provide visitor cultural information at the Kalaloch and Hoh Rainforest Visitor Centers.

Pg. 41, Tribal Relations

Add,

3. How can the Park work to improve tribal member opportunities in the Park?

4. How can the Park work to ensure treaty rights for tribal members?

Pg. 47, Impact Topics Dismissed From Further Consideration - Environmental Justice.

The Tribe disagrees with the Park's dismissal of Environmental Justice requirements. The proposed changes of land status may have a disproportionate effect on members of the Hoh Tribe who are minorities and of a low income community. The Park should consider the effects of land changes to tribal member treaty rights and economic ability. The Park should also take this into account in the omission of hiring any Hoh Tribe members to staff the visitor centers at Kalaloch and Hoh Rainforest. There are a number of proposed actions which may impact the tribe and the Park should consider and analyze those impacts in regards to the effects on tribal members and the community.

Pg. 76, Wetlands

The Park should partner with the tribes to obtain funding for wetland regeneration and protection in lands outside the Park. These areas between the upper sections of the Park and the Coastal sections are still important, especially regeneration wetlands that may feed the water table to Park lands below.

Pg. 76, Vegetation

The Park should also partner with the Tribe on noxious weed control in the drainage since the Park may have infestations on either side of lands that the Tribe is doing control operations on.

Pg. 77, Fish and Wildlife

Consultation on projects in essential fish habitat need to be with the tribe as well as NOAA.

Pg. M30, Alternative B Map

Item 5. The transit system does not mention what would be the protocol for tribal members in accessing the area. Would they be allowed to access areas by vehicle that tourists would not?

Item 6. As stated elsewhere, the boundary adjustment as drawn in the alternative would be highly contentious and the tribe would vigorously oppose the idea.

Pg. M32, Alternative D Map

Item 2. Any modifications to the river need direct consultations with the tribe. As a rule, the tribe discourages additional impacts on the habitat for the tribe's fishery resource. The tribe favors removing long term impacts to the fishery resource and potential impacts, such as roadways, out of the river channel migration zone to protect the resource long term.

Pg. M36, Kalaloch Alternative D Map

Item 2. The Hoh Tribal members need to have vehicle access to the clam beaches for subsistence gathering year round.

Items 4 and 5. As mentioned previously, any cedar logs or other cultural use materials generated by new campground, roadway or structure relocation should be offered to the Hoh Tribe for salvage before they are put to other uses.

One must seriously question the desire of the ONP to have Highway 101 re-routed to the east of Kalaloch. Especially since members from several tribes will still need to a vehicle access to the trails leading to the various beaches. There are presently fish passage problems related to Highway 101 in the immediate vicinity of Kalaloch that need to be addressed. These problems might be considered insignificant to what might take place if Highway 101 was moved to the east. The by-pass would most likely have to be built through the upper watersheds of Sand, Cedar, Steamboat, Kalaloch and a number of other smaller streams. Portions of the road would have to be constructed on unstable slopes and through wetlands and riparian areas. There would also have to be countless stream crossing. Re-locating Highway 101 to the east of Kalaloch could be viewed as a classic

example of two wrongs not making a right and the end result would be a net loss in habitat within the Hoh Tribes U&A.

PP. 87-91 Table 4 Summary of Effects., Chapter 4, Environmental Consequences

The effects on the Hoh Tribe of implementing Alternative C's overall mission of increasing visitation were not adequately reviewed. The Tribe may be impacted in a number of ways including more congestion on roadways, increased competition for natural areas, potential increased disturbance in hunting/gathering areas, and competition for future economic development among others. How will movement of or relocation of Hwy. 101 in the Kalaloch area effect tribal clamming and gathering? How will it affect transportation to major population or business centers?

The Hoh Tribe has a long term desire to acquire more land in the vicinity and create a tribal managed campground and/or RV park. Will the Park's increase in campgrounds directly compete with the Tribe?

Pg. 111

Language specific to "jurisdiction over shellfish harvest" should specify that Olympic National Park has no jurisdiction over beach access or resource harvest by members of treaty tribes. Nor does Olympic National Park have jurisdiction over setting annual harvest goals or allocations which are determined by the state of Washington and the treaty tribes as co-managers.

Pg. 114

Request for citation that states clear evidence of a decline in Bull Trout populations within specific areas of Olympic National Park; specifically in western Olympic peninsula coastal streams and rivers. The Hoh Tribe is unaware of any indication that Bull Trout populations have declined in the Hoh River and other Olympic peninsula rivers.

Pg. 179 CUMULATIVE IMPACTS, ONP Plans and Actions

The Park plan is undoubtedly written to be somewhat general in its scope and direction. According to discussions held during the government to government consultation meeting on August 16, 2006 many of the goals outlined in the plan have not been investigated or researched in great detail and have not been funded. There is also no specific timeline for many of the actions. The fore mentioned section of the plan provides some of the most specific priority actions within the park's management plan. The listing of specific projects and actions within a typically broad framework implies that these actions are priority.

No plans or actions addressed restoration or mitigation projects in the Hoh River valley. Recognizing that not all habitat loss mitigation projects could be listed in the plan, the Hoh Tribe identified three projects that should be included as priority. These projects should be prioritized separately from any road maintenance issues that may arise in the near future that would require consultation with the tribe and may warrant modification

to mitigation priorities. The projects to be added to the *ONP Plans and Actions* section are as follows:

Fish access into “Boundary Pond” on the Upper Hoh Road. Conduct an assessment of alternatives including an alternative that links the adjacent wall-based channel to the east into Boundary Pond and provides an appropriately sized outlet from the east end of Boundary pond to an existing channel south of the road that provides access from the river to the Pond. This alternative should include a log jam component that would provide protection to the pond outlet and the road from future river meander.

Fix two fish barrier culverts on East and West Twin Creek where they cross the Upper Hoh Road within Olympic National Park. Any analysis of alternatives should utilize the Development Advisory Board (DAB) and include all feasible alternatives, including temporary road closures and single lane bridges.

Addition of LWD to the rip-rap barb located at the mouth of the Taft Pond outlet near the Hoh visitor center.

Pg. 320 Fish and Wildlife

It seems that the long term effects of relocating the Hoh access road would be substantial to fish habitat and the river ecosystem would be very beneficial, not minor as stated in paragraph 3.

Page 326 Alternative D, Ethnographic Resources

In recent memory the Park has not promoted or encouraged tribal participation in visitor information aspects of the Park’s management of the Hoh U & A areas. As stated in sections above, the Hoh Tribe should have representation at the Hoh Rainforest and Kalaloch Visitor Centers. The Tribe would welcome Park overtures to receive direction from the tribe as to preparation of interpretive programs, exhibits, and literature.

Pg. 334, Kalaloch

As mentioned previously the Park should actively pursue funding to provide for at least one Hoh Tribe employee to staff the Visitor Center full time. The Center should offer Hoh Tribe members a means to consign tribal crafts and articles for visitors to purchase. The Tribe should be consulted about items that are archived by the Park Service and other museum entities for items to exhibit at the Centers.

Pg. 355, Consultation

The one consultation meeting prior to the one in August 16, 2006 that generated this comment letter, occurred in November of 2004. The only mention of tribal comments in the Draft was that there were comments that treaty rights should continue to be protected. The tribe’s version of that meeting is much more detailed. One of the over arching issues that the tribe does have with the Park is that of the rights of tribal members to hunt, gather, and fish in the land of their forefathers. Some of those rights have been issues that are addressed in the above comments in the form of:

- More land acquisition or boundary changes by the Park potentially negatively affecting the tribes’ effective rights.

- Increased tourism's effects on the tribe and individual members.
- What will be the changes in transportation systems' effects on tribal members hunting, fishing, and gathering abilities?
- The lack of availability of cedar logs of suitable size has forced tribe to be unable to build traditional dugout canoes for twenty years. The traditional skills that are handed down generation to generation may be lost soon. The Park has a multitude of suitable sized trees and should make one available for the use of the tribe.
- The Tribe is being forced to acquire more land to compensate for reservation population growth, loss of land to river channel migration and tsunami danger, and economic development. The Tribe has the smallest reservation, the highest unemployment rate, and the lowest per capita income of any other tribe in the region. Therefore any competition for land in the form of demand by the Park will have a negative effect on the Tribe and needs to be consulted on a case by case basis.

Pg. 371, Appendix B, Hoh Corridor

The boundary adjustment analysis does not mention any of the negative effects on tribal members' access to the area, or effects on hunting, gathering, and fishing.

Roads are also a part of the legacy of timber harvest. The ONP would encounter many road related problems should they choose to acquire the industrial forestlands of the lower South Fork of the Hoh and Owl Mountain. This area has an extensive history of road related landslides. Engineers from the Washington State Department of Natural Resources are reluctant to decommission many of the roads in this area for fear of having to reconstruct roads to address problems that may occur in the future. They feel that continued road maintenance is the best course of action at this point in time. Would the ONP be willing to dedicate the necessary funding to properly address the environmental issues associated with newly acquired land within the Hoh Tribes U&A? Would ONP be willing to have the maintenance staff and equipment to respond immediately when corrective actions are needed? One need not look any further than the Upper Hoh Road.

The Hoh Tribe looks forward to working with the Olympic National Park in addressing these and other issues that are of mutual interest.