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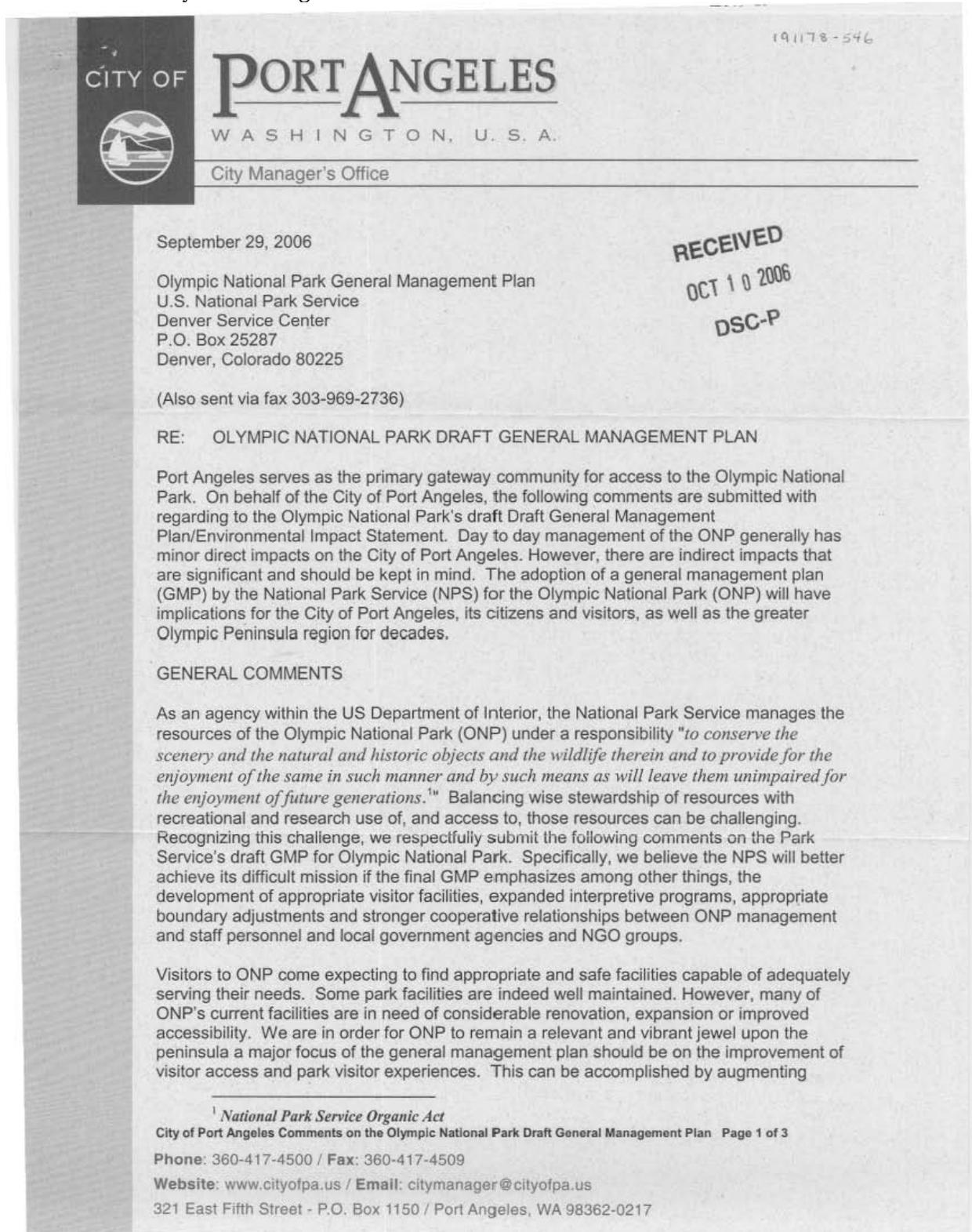
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existing infrastructure, where practical, with facilities such as additional bike paths, new trails, expansion of the lodging seasons, the development of new campground sites, developing and improving access for seniors and others people with physical limitation. Furthermore many facilities are showing significant evidence of deferred maintenance.

The City of Port Angeles therefore encourages the improvement of visitor facilities and access in the front country, especially for individuals with limited abilities to enjoy the less accessible portions of the park. The city would also support a shift in NPS policy and ONP management interpretation and implementation of such policies that Park concessions be operated more by local vendors rather than out-of-area franchise vendors. Furthermore we would like to see policies that encourage concessionaires to make more locally made products available in the concessions rather than trinkets produced off-shore.

The draft GMP outlines several proposed property acquisitions. We understand that future park boundary adjustment and land acquisition may be in keeping with sound stewardship practices. However, these adjustments and acquisitions should not come at the expense of the livelihood of community members and the existing economic foundations of the region. The NPS cannot be allowed to undertake a proposal to expand the boundaries of ONP areas when such a proposal would add additional regulatory burdens to private land owners. Emphasis on land acquisition should be placed on those landowners who approach the NPS willing to sell their property. Furthermore those acquisitions must be the result of fair and honest negotiations that do not arise from undue pressure or influence by NPS staff. Finally, boundary adjustments should not come at the expense of maintaining existing infrastructure and visitor access, or at the expense of modernizing and improving outdated and/or undersized existing visitor related facilities.

The City of Port Angeles is interested in the health of local fisheries and has witnessed a decline in both the commercial fishing industry and the sport fishing industry. In that regard, the city has worked closely with local tribes, the county and cities making up the North Olympic Lead Entity Group for salmon recovery as part of the State's Salmon Recovery Initiative. It is in the City's best interest to maintain a healthy fishery on the north Olympic Peninsula. These fish species are the Lake Ozette sockeye salmon and the Beardslee and Crescent trout found in the area of Lake Crescent.

However, the NPS data, and analysis of proposed acquisitions, associated with the economic benefit of boundary expansions does not appear to comply with the Information Quality Act and the guidance associated with said Act as provided by the Office of Management and Budget. The economic analysis appears to lack significant quality in the information provided and relied upon. In addition, the analysis appears to lack objectivity with regard to the total economic impact of specific proposed boundary expansions at Lake Ozette and in the vicinity of Crescent Lake. The City would specifically request correction of the presentation and substance of the economic analysis of both the Lake Crescent and Lake Ozette area boundary expansions. This request is based upon the a belief that the proposed expansion will create additional regulatory burdens upon private and state timber lands owners/managers resulting in additional costs associated with timber management.

Very specifically, in relation to the proposed acquisitions in the area of Lake Crescent would bring private commercially productive timber lands under the control and management of the NPS for the intended purpose of protecting riparian habitat for the Beardslee and Crescent Trout populations of Lake Crescent. However, critical area regulations for timberland

management practices provide the necessary and sufficient protections for such habitat and wildlife protection.

Much of the acreage is owned by private timber interests and removal of the large amount of area from timber production, especially as proposed in Alternative B, could have widespread economic impacts on the local timber industry. These impacts could affect the operation of existing mills, the prospects for creation of new mills, and the employment level of individuals in the forest industry generally.

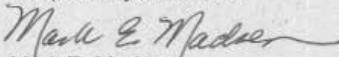
We encourage NPS must to strengthen its working relationships with surrounding communities. It is appropriate that the NPS in this draft GMP has specifically noting that the Olympic park staff must be actively engaged in the communities in and around park borders. We encourage the Park Service to implement this engagement as soon as possible and focus on increasing the communities' understanding of ONP and marketing the region to the visiting public. We also believe that the ONP staff must be actively engaged in various state-directed local planning initiatives associated with Watershed Resource Inventory Planning and salmon recovery efforts. In these particular forums, the ONP has been absent even though it is one of the largest land owners with specific federal obligations associated with salmon recovery.

We believe the implementation of these simple suggestions are in the best interests of the park, its stakeholders, gateway communities, resources and wildlife.

We recognize that the GMP is based on NPS Park management policies and principles, and is not based on financial considerations, even though it does carry financial implications. The GMP clearly stated that any alternative is contingent upon money being available and allocated through traditional funding sources. The City remains concerns that the ONP has not received funding from Congress necessary to carry out its mission. Furthermore, we are concerned that continuation of this practice will not only limit implementation of a final GMP, but will further degrade the ONP through attrition of staff, discontinuance of services and programs, and neglect of facilities.

The City recognizes and appreciates the wide range of benefits that Olympic National Park brings to the city and region in the form of environmental health, resource protection, tourist trade, research dollars, and world wide publicity. We appreciate the effort that has gone into development of the draft GMP and the opportunity to comment on the Plan.

Respectfully submitted



Mark E. Madsen  
City Manager

Comment 502-Clallam County Commissioner Mike Doherty

09/29/06 FRI 16:00 FAX 3604172493

CLALLAM COUNTY

PEPC 191020 -502  
002



**Board of Clallam  
County Commissioners**

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*From the Desk of  
COMMISSIONER MIKE DOHERTY*

File: A31.49.16.15.15

29 September 2006

Mr. Cliff Hawkes  
Olympic National Park – GMP  
National Park Service  
Denver Service Center – Planning  
P.O. Box 25287  
Denver, Colorado 80225

RE: Draft General Management Plan/EIS for Olympic National Park

Thank you for the opportunity to comment on the Draft General Management Plan/EIS (GMP) for the Olympic National Park.

For many decades, the federal government has assisted in conserving "outstanding segments of our native landscape for public inspiration and enjoyment" in our region. In 1909, with the creation of the Mount Olympus National Monument, the federal government established a permanent reserve in the center of the Olympic Peninsula. Expansion of the reserve has generally benefited the economy and the quality of life of our citizens.

When President Franklin D. Roosevelt visited the Olympic Peninsula in 1937, he stated that we must look fifty years ahead to set aside an appropriate park resource for future generations. It is long past fifty years since his visit and significant areas have been added to the Park, expanding Roosevelt's initial "Olympic National Park." The "future generations" in Roosevelt's mind have generally found the park very adequate.

At this time, we do not endorse any of the large boundary expansions proposed in the draft plan. In the area near Lake Crescent, we would appreciate much more scientific analysis prior to further consideration by the Park to include habitat protection to the Beardslee and Crescenti fish stock.

Applied to some areas of the Park, a further analysis of "River Zones" seems appropriate. Local, state, tribal, and federal government agencies and private land owners are working to restore Salmon habitat and an expansion of the "River Zone" concept may be appropriate along some rivers.

For decades, the Quileute Tribe has been involved in boundary disputes with the US National Park Service. We appreciate the Olympic National Park administrator for continuing to negotiate with the Tribe to try to reach mutually agreeable solutions to the boundary disputes and the need for additional lands to be incorporated within an expanded Reservation. We are hopeful that the

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Mr. Cliff Hawkes  
29 September 2006  
Page 2

negotiations will reach a meaningful conclusion soon so the Quileute Tribe can expand housing and other infrastructure outside of the tsunami zone.

The regional economy of our area is diversifying but continues to rely significantly on natural resources, particularly forest and marine resources. While industries related to both of these areas have declined in recent decades, they remain significant anchors to our economy.

In the GMP socio-economic impact analysis, more work is needed to clarify and predict impacts to the local economy. The loss of commercial forest lands, through proposed boundary adjustments, will have a significantly greater impact on our local economy than the draft GMP states. We believe that primary and secondary employment loss with the timber industry will be far greater than GMP states.

The maximum possible withdrawal from the commercial forest land base appears to be 60,000 acres. It has been estimated that this would equate to approximately the annual supply/throughout of one modern mill on the Peninsula. Private businesses, local governments, and other area economic development groups have been looking for ways to attract another mill to the Peninsula which could find a niche in the diversification and value-added evolution of the forest products industry.

An additional, local regional economic development project, involved siting energy generation facilities in this region which would use mill waste and forest residuals as a fuel source. The withdrawal of commercial forest land base will impact this economic development project; the lack of analysis of the impacts of such withdrawals would appear to conflict with both state and national public policy which encourage development of alternate energy sources.

The GMP proposes that the Washington State Department of Natural Resources (DNR) managed as a "Legacy Forest," a large block of presently privately held commercial forest. The record of the DNR's "Legacy Trust" program is yet to be developed. Only a couple of years old, this program has seen little activity and has no record of precedent. The DNR has a duty under the State Constitution to manage the majority of lands under their jurisdiction to benefit trusts. Management for preservation has not been a traditional role for the DNR. The National Park Service should consult with trust beneficiaries before further pursuing this concept.

The public comment record reflects a serious concern, stated primarily by representatives of the timber industry, that the GMP fails to acknowledge provisions of the Washington State Forest Practices Act and the Habitat Conservation Plan as adequately meeting compliance with the Endangered Species Act protective measures. The GMP process should further discuss these habitat conservation requirements and analyze their adequacy when applied to lands subject to the GMP.

We support an ecosystem management approach. A holistic management strategy is appropriate for the conservation of ecological functions. Several of the proposed boundary modifications may support the ecosystem management concept; however, more scientific analysis should be performed and presented to the public. In the future, the Park Service should provide more interpretive and education programs regarding the importance of this concept.

09/29/06 FRI 16:01 FAX 3604172493

CLALLAM COUNTY

004

Mr. Cliff Hawkes  
September 29, 2006  
Page 3

Any discussions of boundary modifications and restrictions on the use of federal lands should include consideration of federal impact funds provided to area local governments to affect the loss of property taxes, timber excise taxes, etc. Existing federal programs, including the Payments-in-Lieu-of-Taxes (PILT) program and the Secure Schools and Communities Act are inadequate at this time. Although the PILT program is regularly reauthorized, it has never been fully appropriated. And the Secure Schools and Communities program expires this year. While we continue to request an extension of the existing program and a solution to permanent funding, factually this program is not a reliable source of financial impact mitigation.

The potential loss of state revenue covered by withdrawing additional lands from the commercial forest base could be very significant to Clallam County and other local government entities. This impact should be further analyzed and mitigation proposals presented for review and comment.

Access to traditional recreational activities, valued by generations of Clallam County residents and visitors, should be maintained. For example, skiing at Hurricane Ridge and boating on Lake Ozette.

Future expansion of recreational facilities (RV parks, restaurants, lodging) should be encouraged outside of the boundaries of ONP – to preserve the current level of protection of park resources and to stimulate private involvement outside of the Park.

Support for public transportation of visitors seems very appropriate for several areas of the Park. Particularly, the route to/from Hurricane Ridge should be subject to a phase-in of a public transit shuttle.

We commend the Olympic National Park administration for the expansion of the cultural resource program in the last decade. Preserving the history of Native Americans and White settlement in the areas included into the jurisdiction of Olympic National Park remains a valued service to tribes, pioneer families, and visitors alike. Please maintain and expand cultural resource programs.

We appreciate the working relationship we have with the Olympic National Park staff related to the planning and construction of the Olympic Discovery Trail. Future generations will be grateful that the Park assisted with this project.

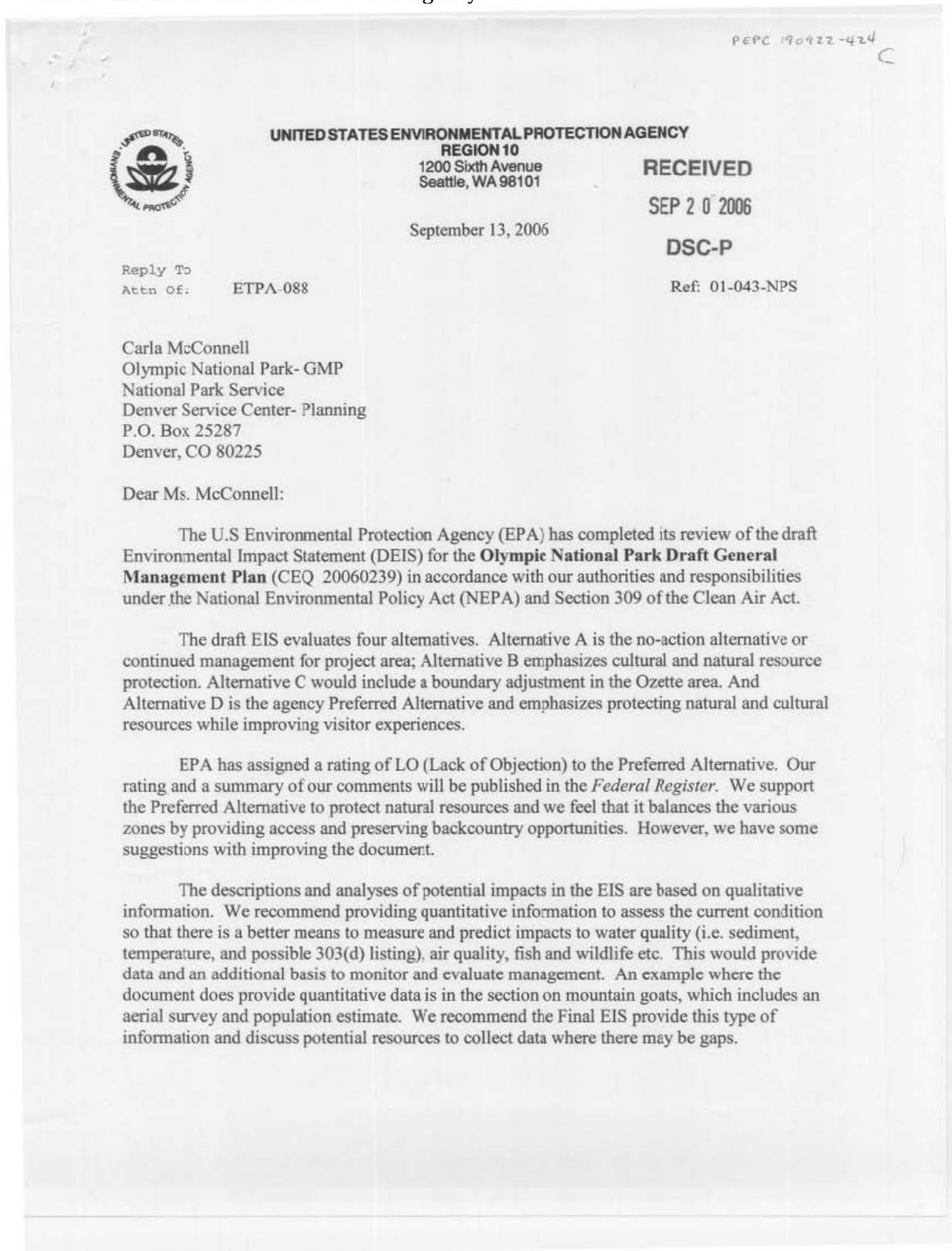
Thank you for the opportunity to submit comments on the Draft General Management Plan for the Olympic National Park.

Sincerely,



Mike Doherty

Comment 424-Environmental Protection Agency



Thank you for the opportunity to comment on the draft EIS. A copy of the rating system used in conducting our review is enclosed for your reference. Please feel free to contact Lynne McWhorter at (206) 553-0205 with any question that you have.

Sincerely,



Christine Reichgott, Manager  
NEPA Review Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 – Insufficient Information**

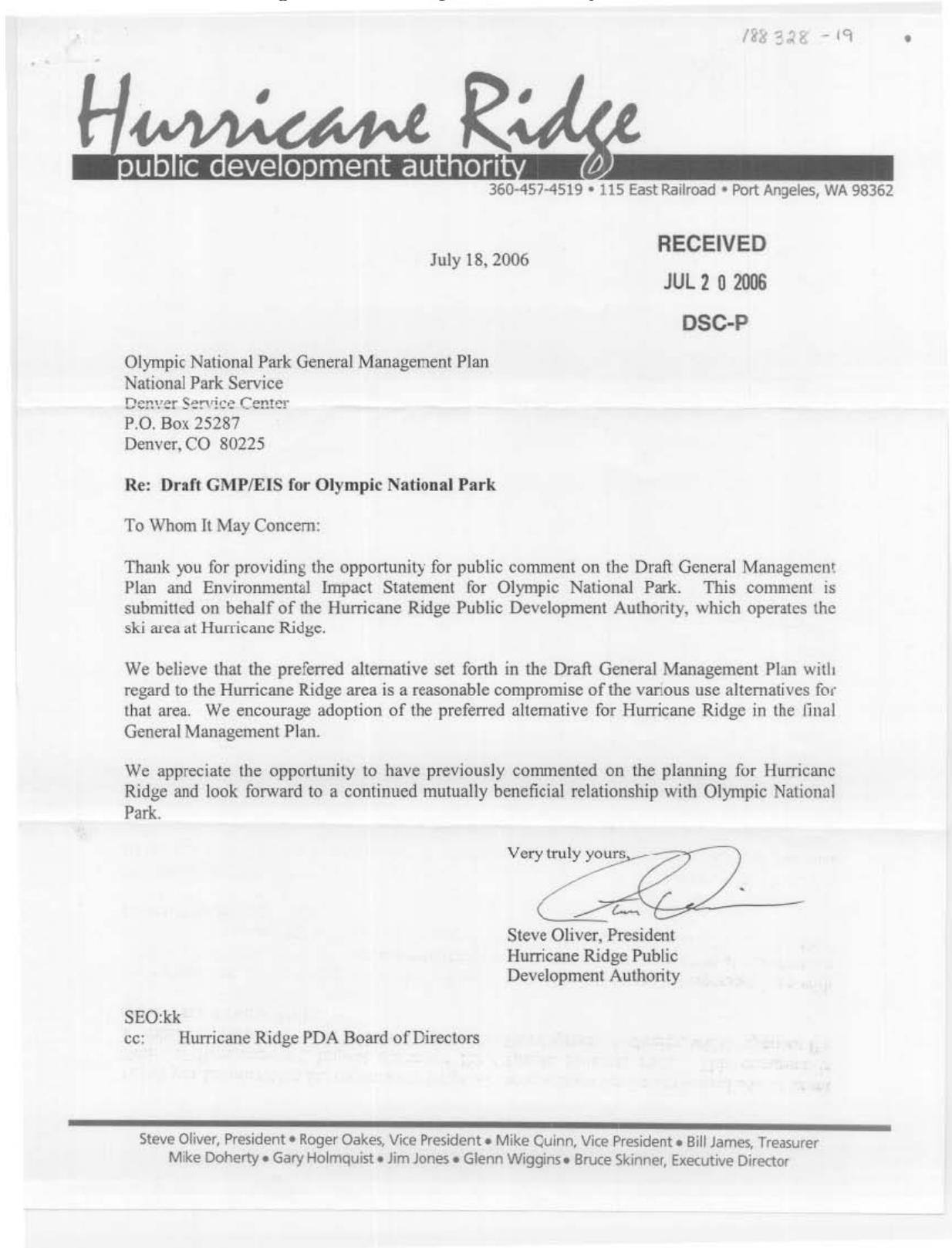
The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 – Inadequate**

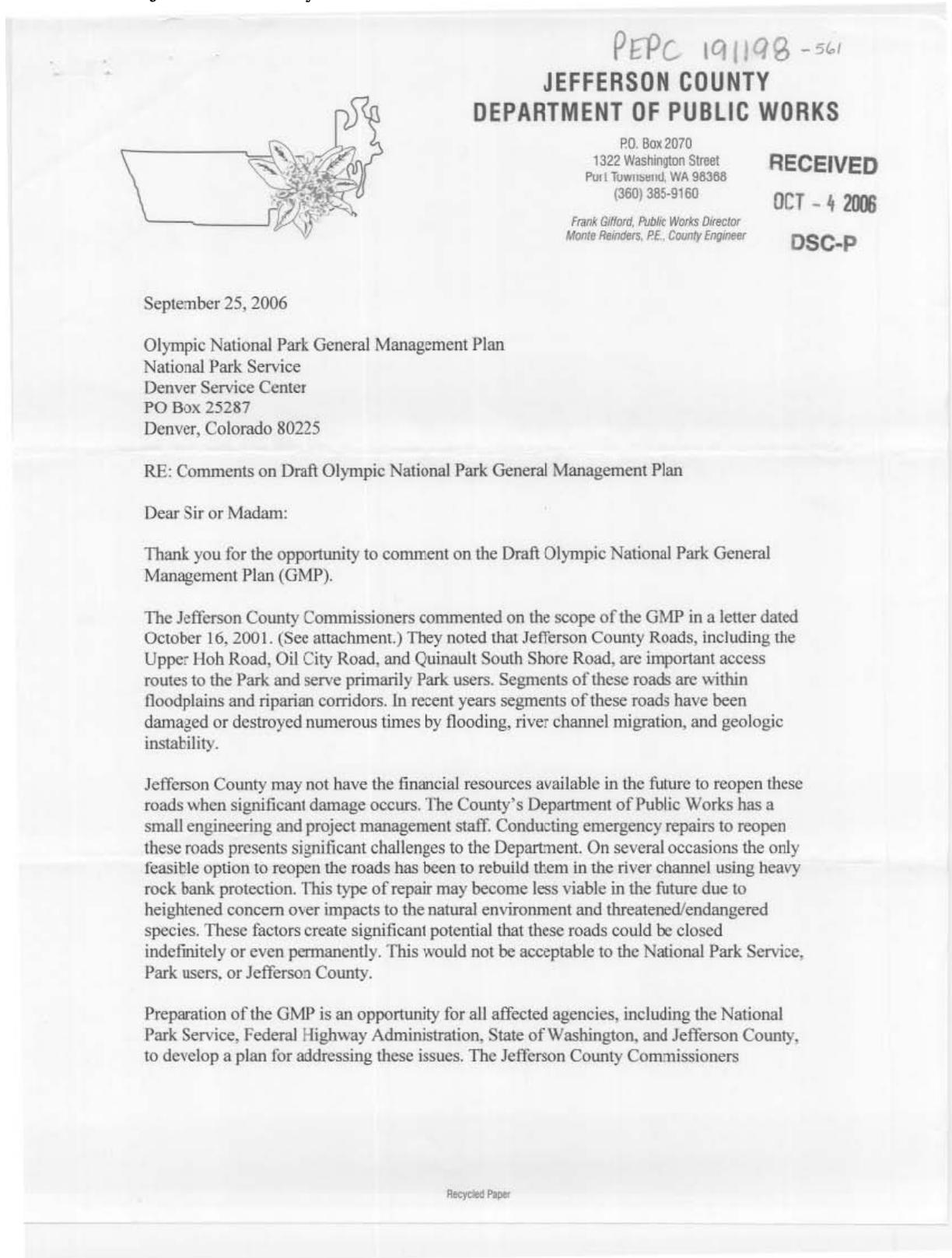
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

Comment 19-Hurricane Ridge Public Development Authority



**Comment 561-Jefferson County**



therefore requested that the GMP address the following specific issues related to Park access over County Roads:

- Assess the existing access routes and identify areas that are at risk due to flooding, river migration, geologic stability, and other factors;
- Identify appropriate alternative routes for relocating these roads;
- Identify appropriate agencies responsible for the design and construction of alternative routes and the ongoing maintenance and repair of the Park access roads; and
- Identify Federal funds for relocation, maintenance, and repair of these roads.

After review of the Draft GMP, the Public Works Department has concluded that the GMP does not address these issues.

The GMP Alternatives address the issues of Park roads and facilities in flood plains, riparian corridors, and geologically unstable areas within the Park. Preferred Alternative D states "Roads might be modified or relocated for resource protection and/or to maintain vehicular access...." (Page 68.) Alternatives C and D propose modifications to visitor access, including moving access roads out of the river meander zone. Alternatives B, C, and D consider relocating the Hoh Rain Forest Visitor Center adjacent to the Park boundary or outside of the Park, because of potential damage to the Hoh River Road within the Park. Yet these alternatives do not address impacts to Park access from damage to the Upper Hoh County Road outside of the Park. Alternatives B, C, and D propose to maintain the Quinault Lake Loop, yet they ignore the issue of maintaining the 4.1-mile Quinault South Shore County Road segment of that loop.

The GMP fails to consider that proposed actions to maintain access within the Park would be negated if County Roads providing access to the Park are damaged or destroyed and Jefferson County is unable to repair or relocate them. The GMP fails to address the need to plan for, finance, and relocate vulnerable County Roads that provide Park access.

I strongly urge the Park Service to revise the GMP to address these issues as requested by the Jefferson County Board of Commissioners in their letter of October 16, 2001.

Sincerely,



Monte Reinders, PE  
Jefferson County Engineer

Cc: Jefferson County Board of Commissioners  
John Fishbach, County Administrator  
Frank Gifford, Public Works Director



1820 Jefferson Street  
P.O. Box 1220  
Port Townsend, WA 98368

Dan Titterness, District 1    Glen Huntingford, District 2    Richard Wojt, District 3

October 16, 2001

National Park Service  
Denver Service Center  
Planning and Design Services, Cliff Hawkes  
PO Box 25287  
Denver, Colorado 80225-9901

RE: Olympic National Park General Management Plan

Dear Sir:

Thank you for the opportunity to participate in the Olympic National Park's General Management Plan.

A significant portion of the Olympic National Park is located within Jefferson County. Some of the most important Park access roads are County Roads, including the Upper Hoh Road, Oil City Road, and Quinault South Shore Road. Some segments of these roads are within the riparian corridor of these rivers. Some segments also adjoin Wilderness Areas. In recent years these roads have been closed numerous times due to flooding, migration of the river channel, and geologic instability. On several occasions the County's only feasible option to reopen the roads has been to rebuild them in the river channel using heavy rock bank protection. This type of repair may no longer be an option due to the requirements of the Endangered Species Act and concerns by Native American Tribes that these activities may impact treaty fisheries resources.

There is a significant possibility that one or more of these roads could be closed and there would not be an environmentally acceptable solution to reopen them in a timely manner. This is obviously not an acceptable situation for Jefferson County, the National Park Service, or Park users.

Repairing damage to Park access roads has significantly depleted the County's Road Fund and impacted the County's ability to fund other County Road projects. Because the County's Department of Public Works has a relatively small engineering and project management staff, conducting emergency repair work on these roads has also diverted the Department's personnel from other priority County projects.

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Phone (360)385-9100 / 1-800-831-2678    Fax (360)385-9382    jeffbocc@co.jefferson.wa.us

National Park Service Letter

October 16, 2001

Page: 2

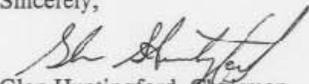
It is neither fair nor prudent for the Park Service to continue to rely on the capacity of Jefferson County to maintain these access roads. Preparation of the Park General Management Plan is the ideal opportunity for all affected agencies, including the Park Service, Federal Highway Administration, the State of Washington, and Jefferson County, to assess this situation and develop appropriate solutions.

In order to achieve this goal, the Management Plan should address the following specific issues related to Olympic National Park access over Jefferson County Roads:

- ◆ Assess the existing access road routes and identify areas that are at risk due to flooding, river migration, geologic stability, and other factors
- ◆ Identify appropriate alternative routes for relocating these roads
- ◆ Identify appropriate agencies responsible for the design and construction of alternative routes and the ongoing maintenance and repair of the Park access roads
- ◆ Identify Federal funds for relocation, maintenance, and repair of these roads

We look forward to discussing these issues with the Park Service during the development of the Management Plan.

Sincerely,

  
Glen Huntingford, Chairman

cc: Senator Patty Murray  
Representative Norm Dicks

Comment 457-Olympic Coast National Marine Sanctuary

SEP-29-2006-FRI 04:31 PM Olympic Coast NMS

FAX No. 1 360 457 8496

P. 002

PEPC 190955-457



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Olympic Coast National Marine Sanctuary  
115 East Railroad Avenue, Suite 301  
Port Angeles, WA 98362-2825

September 29, 2006

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

We appreciate this opportunity to provide comments on Olympic National Park's (ONP) Draft General Management Plan/Environmental Impact Statement (DGMP/EIS). The Olympic Coast National Marine Sanctuary (OCNMS) is one of fourteen marine protected areas managed by the National Oceanic and Atmospheric Administration's National Marine Sanctuary Program. While there are differences in our enabling legislation and in our programs, the similarities are more relevant to our comments.

The Olympic Coast National Marine Sanctuary was designated, under the authority of the National Marine Sanctuary Act, in 1994. The designation document states the purpose of designation as protecting and managing the conservation, recreational, ecological, historical, research, educational, and aesthetic resources and qualities of the Olympic Coast National Marine Sanctuary. Olympic National Park was very involved in the designation process of the sanctuary, and since that time our two sites have enjoyed a very positive relationship. Olympic National Park participates on our Advisory Council, providing OCNMS with advice on management issues. This Advisory Council includes a broad representation from federal, state, local, tribal governments and constituent groups. Other areas of collaboration have included OCNMS support for coastal interpreters, shared training opportunities for resource protection and interpretive staff, cooperative efforts for oil spill response planning, OCNMS support for marine debris removal, interpretive facilities planning, and intertidal monitoring. There have been several other areas of collaboration that have been discussed, but not implemented due to limited resources. As the Park moves forward to implant their General Management Plan, we hope to continue and enhance this partnership.

There are a number of areas in the DGMP/EIS, where additional references to the marine areas adjacent to ONP may be mentioned. For instance the "Regional Context" of the document references the management of adjacent terrestrial areas, but does not mention the management of adjacent marine areas. There are a number of "Parkwide Policies and Desired Conditions" (including associated strategies) that could also be expanded to explicitly include marine areas. For instance the "Natural Soundscapes" section could



include, supporting OCNMS's overflight restrictions as a strategy. Additional policies that could be expanded to be more specific to the park's coastal strip and adjacent marine areas include; ecosystem management, water resources, native species, and exotic species.

In general terms, in the areas of direct interest to OCNMS, we support the preferred alternatives, in particular those dealing with the intertidal areas of Olympic National Park. OCNMS and ONP have shared management responsibility for the intertidal area of the park's coastal strip, specifically the sanctuary's boundary extends shoreward to the mean higher high water line where adjacent to federal lands, and the park's boundary extends to mean lower low water on the coastal strip. Since the sanctuary's designation this overlapping, or intertidal, area has been the subject of much discussion.

In response to concerns shared by ONP and OCNMS managers, a Marine Conservation Working Group (MCWG) was established by the OCNMS Advisory Council in early 2000 to evaluate the issue of marine zoning as a management tool, to make specific recommendations on the status and effectiveness of existing zoning, and to develop an intertidal zoning strategy. The study area was federally owned intertidal shoreline where OCNMS and ONP share jurisdiction, tribal reservation areas or State lands were not included. Representatives from 14 groups, including tribal, federal, state and county governments, and the commercial fishing, conservation and scientific communities, were invited to participate in the MCWG. Sixteen meetings were held between April 2000 and October 2003. Various representatives attended meetings and contributed at differing levels throughout the process. Over the course of three years, this working group listened to regional experts on oceanography, nearshore and intertidal ecology, and resource management, reviewed information on visitation and use of the marine shores, studied findings of human impacts at other shorelines from the U.S. and throughout the world, and reviewed a range of management measures implemented to control and minimize human impacts on intertidal natural resources and habitats. The recommendations developed by the MCWG agree well with the park's preferred alternative. We believe these recommendations are well founded and are the basis of wise and appropriate management for these marine shores. We recommend Olympic National Park keep the intertidal reserve zones in the final general management plan.

Language associated with the use of intertidal reserves and intertidal reserve zones should be consistent with other use of "zone" and should be edited to reduce confusion and misinterpretation, for example:

Table 1, p. 57 – to avoid confusion, there should be consistent use of the term "intertidal area" where appropriate and exclusive use of the term "zone" in the phrase "intertidal reserve zones". Part of the confusion results from common use of the phrase "intertidal zone" by ecologists/biologists. In the DGMP/EIS, the intertidal reserve zone is a zone type with several areas of designation. However, a casual review of Table 1 might lead a reader to think this zone type is recommended for all intertidal areas in the park. In the "Zone Concept" row, a suggested edit is "The park's intertidal area reserve-zone ... is an ecologically



SEP-29-2006-FRI 04:32 PM Olympic Coast NMS

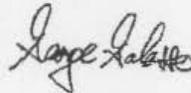
FAX No. 1 360 457 8496

P. 004

critical area that sustains diverse assemblages... Selected coastal and intertidal areas within the park would be designated as intertidal reserves zones to protect these highly diverse communities in these zones."

The Olympic National Park may also want to consider including management options for the intertidal areas surrounding the islands of the Washington Islands National Wildlife Refuge. While the upland areas are under the jurisdiction of the Washington Islands National Wildlife Refuge, it is our understanding that the park's jurisdiction includes the intertidal areas of these islands. While mentioned in Appendix C, the DGMP/EIS does not appear to include any management options for the offshore islands. Human access to refuge portions these islands is prohibited in recognition of their unique values to seabirds and marine mammals. However, the refuge's no-access buffer around the islands is a recommendation, not a regulation. It is our understanding that under current park management, the intertidal portions of the islands have management consistent with the mainland shore. Visitors could land on in intertidal area; this appears to be a loophole that the park may consider reviewing in consultation with the Refuge Manager.

Sincerely,



George Galasso, Assistant Superintendent  
Olympic Coast National Marine Sanctuary



Comment 265-Olympic Region Clean Air Agency

PEPC 190701-265

Olympic National Park  
Draft General Management Plan

National Park Service  
U.S. Department of the Interior



Summer 2006

COMMENT SHEET ONP-GMP

We welcome your comments on this project. The comment period closes on 09/15/2006. Your comments must be delivered or postmarked no later than 09/15/2006.

You may complete this form and provide it to the NPS at one of the open houses, or you may send this form and/or your letter to:

National Park Service  
Denver Service Center - Cliff Hawkes, DSC-P  
12795 West Alameda Parkway  
PO Box 25287  
Denver, CO 80225-9901

Is the practice of the NPS to make comments, including names, home addresses, home phone numbers, and email addresses of respondents, available for public review. Individual respondents may request that we withhold their names and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety

\* indicates required fields

Personal Information

First Name: \* RITA Middle Initial  
Last Name: \* CIRULIS  
Organization: OLYMPIC REGION CLEAN AIR AGENCY  
Address 1: \* 116 W. 8th ST. #113  
Address 2:  
City: \* PORT ANGELES State/ Province\* WA  
Postal Code: \* 98362  
E-mail: rita@orcaa.org

Keep my contact information private. Provide justification:

Please use below and the back of the paper for your comments. Attach extra sheets as necessary. Please print or write clearly.

NOT ONLY WOULD THE CONGESTION AT HURRICANE RIDGE  
BE REDUCED, AIR QUALITY RESOURCES COULD BE BETTER  
MANAGED IF THE PUBLIC TRANSIT /SHUTTLE OPTIONS  
ARE IMPLEMENTED

Comment 453-Port of Port Angeles



PEPC 190951 - 453

RECEIVED  
OCT - 4 2006  
DSC-P

September 21, 2006

Mr. Bill Laitner, Superintendent  
Olympic National Park  
NPS Denver Service Center – Planning  
P.O. Box 25287  
Denver, CO 80225

Re: Olympic National Park  
Draft General Management Plan  
Environmental Impact Statement

Dear Mr. Laitner:

The purpose of this letter is to place on the record the comments of the Port of Port Angeles (POPA) regarding subject Draft General Management Plan for the Olympic National Park (ONP). As background, POPA was established in 1923 to provide marine terminal facilities to support economic development on the North Olympic Peninsula. The Port has become the leading economic development agency in Clallam County.

POPA certainly comprehends the importance of resource protection for ONP, and many aspects of the Plan are visionary and commendable. However, the Port has a legislated mandate to promote economic development. In the case of our community, economic development is primarily reflected in protecting and expanding the increasingly challenged employment base in Clallam County; i.e., sustainable family wage jobs. Therein lies the conflict. The Port has serious concerns that the draft plan fails to adequately take into account the true long term direct negative impacts of changing ONP boundaries while failing to make the case that significant improvement in ecological protection will be achieved. For example, on page 372, the Draft Plan reads in part as follows:

**Proposed Additions to the Park Boundaries and Other Adjustments.**

**Under Alternative – D (Preferred Alternative) three areas totaling approximately 16,000 acres, would be added to the boundary of the Park:**

- Queets – 2,300 acres
- Lake Crescent – 1,640 acres
- Ozette – 12,000 acres

**In addition, approximately 44,000 acres of land in the Lake Ozette watershed would be acquired outside the boundaries of ONP and exchanged with the State of Washington Department of Natural Resources to be managed under the “Legacy Forest” concept.**

338 West First Street  
P.O. Box 1350  
Port Angeles, WA 98362

(360) 457-8527  
Fax: (360) 452-3959  
info@portofpa.com

**COMMISSIONERS**  
John M. Calhoun  
W. M. “Bill” Hannan  
George H. Schoenfeldt

**EXECUTIVE DIRECTOR**  
Robert E. McChesney

Mr. Bill Laitner  
09/21/06 – page 2

These proposed modifications to ONP boundaries would have the effect of removing valuable timber acreage from commercial harvest. This would have a devastating long term impact on the local timber industry and would permanently eliminate many job opportunities. Our North Olympic Peninsula Community simply cannot absorb these losses and the Port strongly opposes the suggestion.

Further, the economic impact analysis that would support many of the proposed changes appears to be insufficient. Expanding Park boundaries will be detrimental to the commercial timber industry. For example, the jobs categories illustrated in Tables – 17 and 18 (pgs. 168-169) grossly understates the true jobs impacts in both raw numbers of jobs as well as their annual earnings. We know from our own payroll sheets that many workers participating in the timber supply and logistics chain make annual salaries far in excess of the \$18,636/year shown in Table-17. Consequently, we dispute their validity.

Significant gains in ecological protection through expanding Park boundaries into commercial timber lands are questionable and speculative compared to the measurable reductions in economic activity that will occur. Washington State recently adopted Forest Practice Rules which the federal agencies recognized as providing long term protection to aquatic species. The acceptance of the State programmatic Habitat Conservation Plan under the Federal Endangered Species Act should reassure the Park that Park resources will be protected from neighboring commercial forest activities. Clearly, expanding Park boundaries are not necessary to protect sensitive resources.

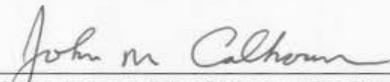
POPA appreciates the opportunity to comment on the proposed Draft General Management Plan for ONP. The Park is an important public asset. We should find ways to make it better but without putting other hard working families in worse circumstances because of it.

Sincerely,

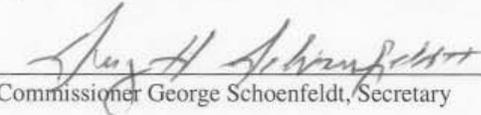
PORT OF PORT ANGELES



Commissioner Bill Hannan, President

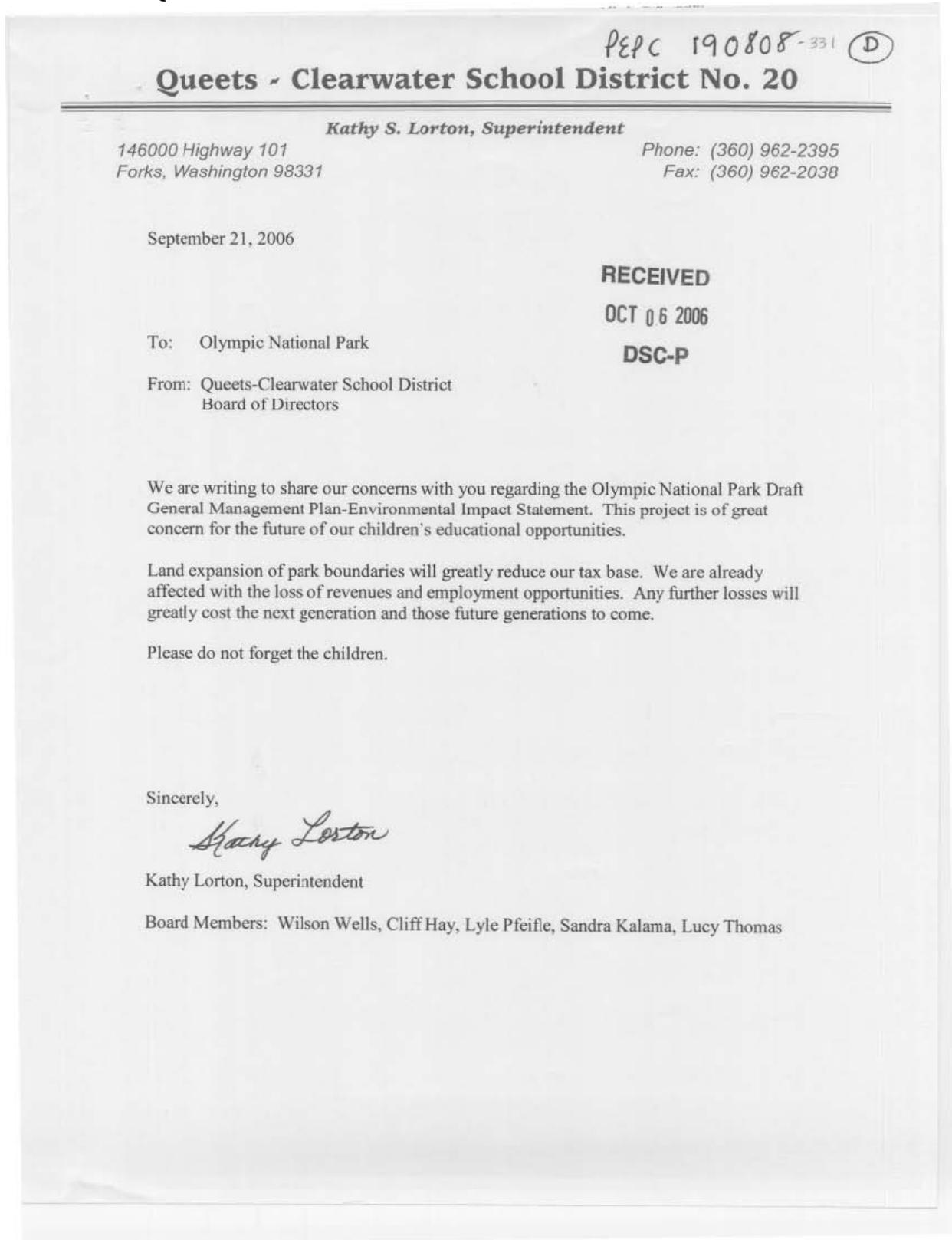


Commissioner John Calhoun, Vice President



Commissioner George Schoenfeldt, Secretary

Comment 331-Queets Clearwater School District



Comment 577-Quillayute Valley School District



RECEIVED PEPC 19/218  
OCT - 4 2006 577

**QUILLAYUTE VALLEY SCHOOLS**  
Office of Superintendent

September 27, 2006

Carla McConnell  
Olympic National Park – GMP  
National Park Service  
Denver Service Center – Planning  
PO Box 25287  
Denver, CO 80225

Dear Miss McConnell,

Schools and communities depend upon a healthy economic base, and a stable tax base. The Olympic National Park General Management Plan threatens both. The acquisition of productive land, the change in status of Trust Lands to Legacy Forest Lands, and the restriction placed on property by wild and scenic designation are not in the best interest of our communities, schools, or students.

School funding is driven by school enrollment and the passage of maintenance and operation levies and school bonds. A loss of timberlands and the restrictions put on other lands would result in the loss of local jobs. For example, alternative B calls for the removal of Kalaloch Lodge with the immediate loss of 60 paid employees and the trickle down from the lost revenue would hurt all of the local businesses.

We are a property tax poor district. Any additional cuts in private property would severely hamper the school district's ability to pass levies and bonds. The removing of lands that generate timber excise tax and taking those lands off the tax rolls would cut like a double-edged sword. The timber excise tax reduces the amount property owners pay per thousand dollars of assessed value. Taking land out of private ownership would increase the amount of taxes the remaining private land owners must pay for the district to generate the same dollar amount.

The Board of Directors of Quillayute Valley School District is against expansion of Olympic National Park, and/or additional restrictions on state or private lands other than those regulations already in place. The Board of Directors approved these comments at the regular board meeting on September 26, 2006.

Sincerely,

  
Dave Dickson  
Chairman, Board of Directors

*Quillayute Valley School District Number 402*

Post Office Box 60 • Forks, Washington 98331-0060 • Phone (360) 374-6262 • Fax (360) 374-6990

Comment 439—Representative Jim Buck

PEPC 190937-439



"Buck, Rep. Jim"  
<Buck.Jim@leg.wa.gov  
>  
Sent by: "Weeks,  
Brenda Lee"  
<Weeks.BrendaLee@le  
g.wa.gov>

To: <olym\_gmp@nps.gov>  
cc:  
Subject: Olympic National Park Draft General Management Plan

09/28/2006 03:00 PM  
MST

September 29, 2006

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

Fax: 303-969-2736  
Email: [olym\\_gmp@nps.gov](mailto:olym_gmp@nps.gov)

RE: Olympic National Park Draft General Management Plan

Dear Park Service:

We have recently become aware of the Park Service's proposal to update its General Management Plan. We appreciate public processes, and know first hand about the need to balance multiple values and viewpoints. We also appreciate locally developed plans for managing natural resource issues, and feel that agreements developed by collaboration with interested stakeholders are the best way to develop lasting solutions. We understand that the park has hosted several open houses and is now accepting public comment on its Management Plan. The purpose for our writing is to make the Park aware that preferred alternative "D" includes annexation of private forestland, and removal of a substantial amount of commercial timberland from the economic base, in order to protect public resources, without acknowledging the plans that Washington has already put into place to address these issues.

One of the things that we as Legislators are most proud of is our 1999 sponsorship, of ESHB 2091, the Forests & Fish Law. The bill, which was supported by a 2/3rds bi-partisan majority of the state Legislature, addressed protection of clean water, salmon and aquatic habitat, and resulted in a 50-year Habitat Conservation Plan (HCP), encompassing 9.3 million acres of private and state forestland. The Forests & Fish Law resulted from a science-based forest management plan developed by more than 140 individuals, including 34 federal, state, county, tribal and industry scientists who worked together for 18 months.

After a decade, the federal government approved the HCP acknowledging that forestry practices in Washington State are protective of salmon and aquatic habitat. The Park needs to be aware

that we have addressed the protection of public resource concerns here at the state level.

Washington's forestlands now have among the highest level of environmental protection in the United States. The forest products industry is the only sector in Washington that has a salmon recovery plan for protecting fish habitat and water quality, backed up by law. We also have some of the best tree growing country in the world, with our combination of rich soils and wet environment, making the practice of forestry Washington State plain common sense.

It is important that we understand that Washington State has become a leader in its ability to develop local solutions that balance environmental protection and maintain a healthy forest industry.

With this step forward in resource protection, Washington State becomes the leader not only for environmental protection, but also for its ability to find solutions that balance the protection of our precious natural resources while producing the forestry products that we all use every day.

Removing another 60,000 acres of commercial forestland from the Peninsula will affect local communities by removing about a year's worth of sustainable harvest volume from the timber basket, in an area that has already suffered economic hardship through the disruption of federal forest policies of the early.

We encourage the Park to remove the boundary expansion proposal in its preferred alternative "D" and acknowledge the accomplishments made for resource protection here at the local level.

Sincerely,

Representative Jim Buck  
24<sup>th</sup> Legislative District

**Comment 485—Representative Lynn Kessler**

191003-485

---

September 29, 2006

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

Fax: 303-969-2736

Email: [olym\\_gmp@nps.gov](mailto:olym_gmp@nps.gov)

RE: Olympic National Park Draft General Management Plan

Dear Park Service:

We have recently become aware of the Park Service's proposal to update its General Management Plan. We appreciate public processes, and know first hand about the need to balance multiple values and viewpoints. We also appreciate locally developed plans for managing natural resource issues, and feel that agreements developed by collaboration with interested stakeholders are the best way to develop lasting solutions. We understand that the park has hosted several open houses and is now accepting public comment on its Management Plan. The purpose for our writing is to make the Park aware that preferred alternative "D" includes annexation of private forestland, and removal of a substantial amount of commercial timberland from the economic base, in order to protect public resources, without acknowledging the plans that Washington has already put into place to address these issues.

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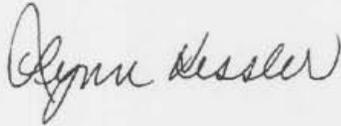
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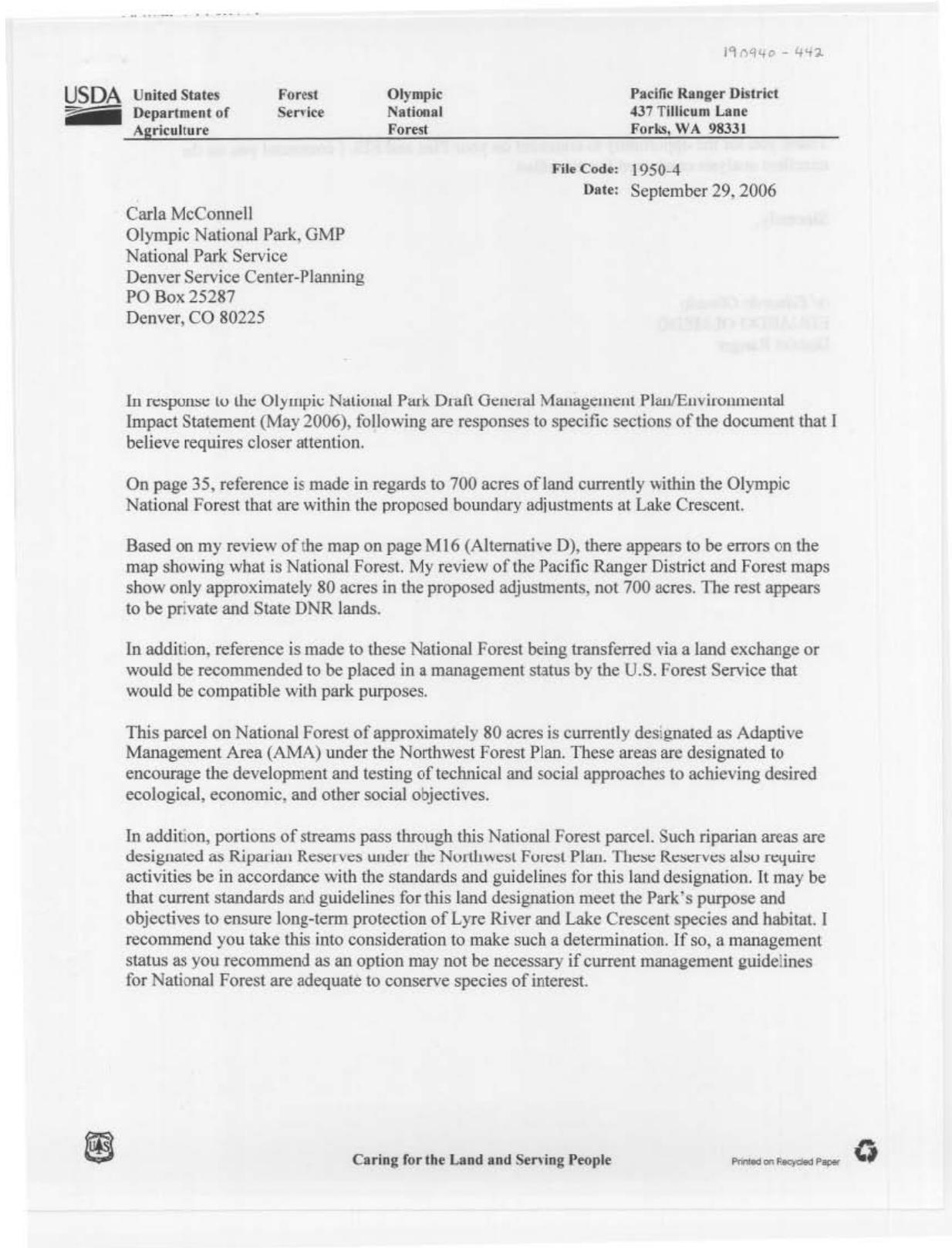
We encourage the Park to remove the boundary expansion proposal in its preferred alternative "D" and acknowledge the accomplishments made for resource protection here at the local level.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Kessler". The signature is written in dark ink and is positioned above the typed name.

Representative Lynn Kessler  
24<sup>th</sup> Legislative District

Comment 442–United States Forest Service



190940 - 442



United States  
Department of  
Agriculture

Forest  
Service

Olympic  
National  
Forest

Pacific Ranger District  
437 Tillicum Lane  
Forks, WA 98331

File Code: 1950-4

Date: September 29, 2006

Carla McConnell  
Olympic National Park, GMP  
National Park Service  
Denver Service Center-Planning  
PO Box 25287  
Denver, CO 80225

In response to the Olympic National Park Draft General Management Plan/Environmental Impact Statement (May 2006), following are responses to specific sections of the document that I believe requires closer attention.

On page 35, reference is made in regards to 700 acres of land currently within the Olympic National Forest that are within the proposed boundary adjustments at Lake Crescent.

Based on my review of the map on page M16 (Alternative D), there appears to be errors on the map showing what is National Forest. My review of the Pacific Ranger District and Forest maps show only approximately 80 acres in the proposed adjustments, not 700 acres. The rest appears to be private and State DNR lands.

In addition, reference is made to these National Forest being transferred via a land exchange or would be recommended to be placed in a management status by the U.S. Forest Service that would be compatible with park purposes.

This parcel on National Forest of approximately 80 acres is currently designated as Adaptive Management Area (AMA) under the Northwest Forest Plan. These areas are designated to encourage the development and testing of technical and social approaches to achieving desired ecological, economic, and other social objectives.

In addition, portions of streams pass through this National Forest parcel. Such riparian areas are designated as Riparian Reserves under the Northwest Forest Plan. These Reserves also require activities be in accordance with the standards and guidelines for this land designation. It may be that current standards and guidelines for this land designation meet the Park's purpose and objectives to ensure long-term protection of Lyre River and Lake Crescent species and habitat. I recommend you take this into consideration to make such a determination. If so, a management status as you recommend as an option may not be necessary if current management guidelines for National Forest are adequate to conserve species of interest.



Caring for the Land and Serving People

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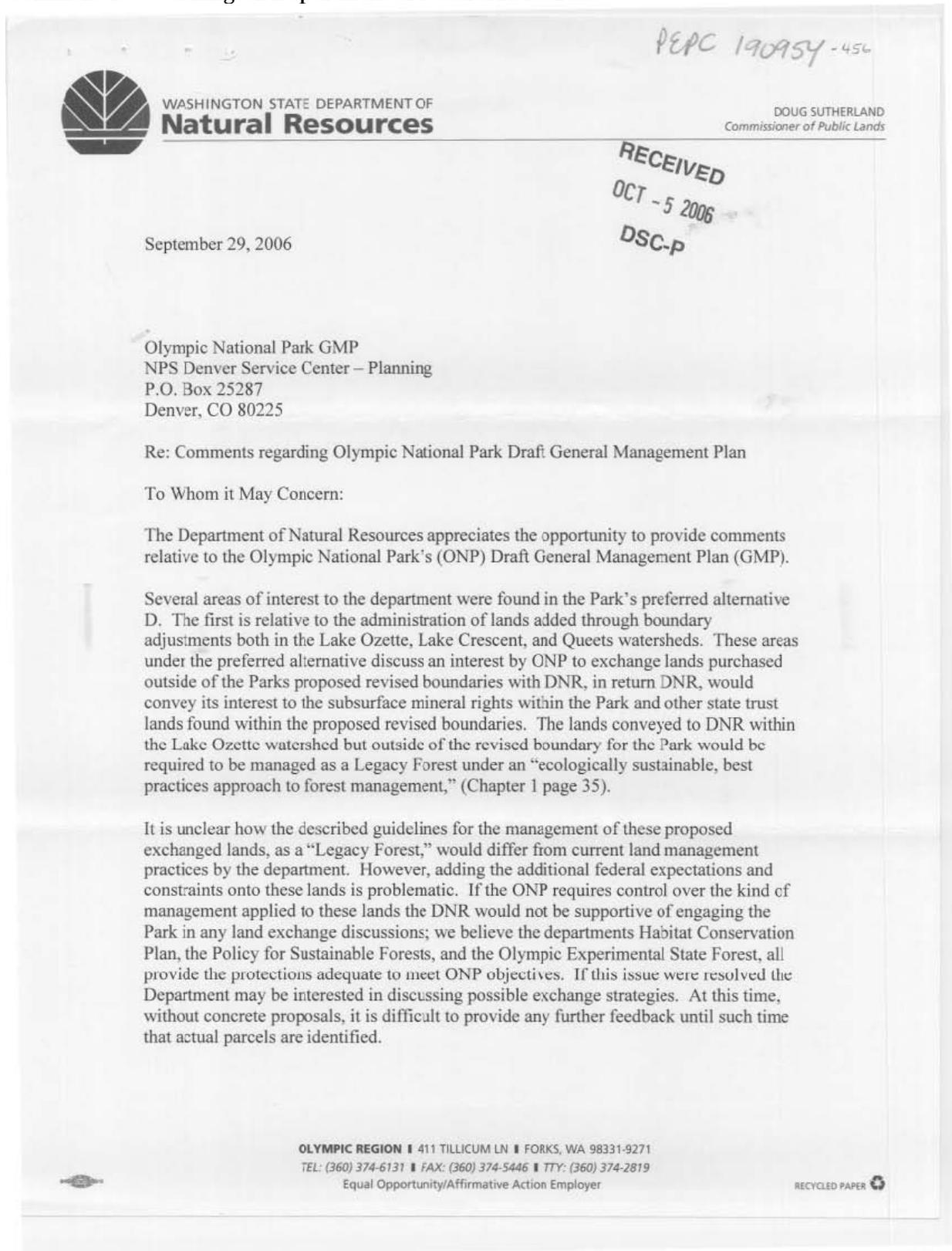


Thank you for the opportunity to comment on your Plan and EIS. I commend you on the excellent analysis conducted for this effort.

Sincerely,

*/s/ Eduardo Olmedo*  
EDUARDO OLMEDO  
District Ranger

**Comment 456–Washington Department of Natural Resources**



Olympic National Park GMP  
September 29, 2006  
Page 2 of 3

We also have some concerns regarding the proposed exchange of subsurface mineral rights for surface rights. The state has statutory limitations on the disposition of these mineral rights, and historically has only executed exchanges of mineral rights when it has been for similar or equal mineral rights. In addition, each parcel of state trust land is designed and managed for a particular trust, with various provisions and exclusions relating to the sale, transfer or exchange of certain trust lands. The exchange of mineral rights as well as surface lands managed for specific trusts, and establishment of a new Legacy Trust, would very likely require legislative action.

A second area of interest is found in Alternative D relative to the proposed relocation of the portions of Highway 101 in the Kalaloch area. The proposal recommends the relocation of Highway 101 “out of the park to address threats from coastal erosion and to enhance visitor experience.” DNR trust lands abut much of ONP lands in this area and potentially would be significantly impacted by this proposal. The department needs to be engaged in any proposals that affect state trust lands very early in any planning stages relative to the relocation of Highway 101.

Thirdly, the preferred alternative D calls for including several thousand acres of what is now commercial forestland within the boundary of the Park. It is not clear how the enforcement of the states Forest Practice Act on those lands would be regulated prior to actual purchase by the Park. Forest Practice activities within the park boundary would fall under a Class 4-Special application requiring additional review under the State Environmental Policy Act (SEPA). There currently are provisions for the Park Service to administer similar activities, which occur on private in holdings near Lake Crescent and Lake Quinault. DNR would like clarification as to the parks future plans for forest practice administration in these areas.

We would also like to point out an inconsistency in the discussion of rare plant species in the Park. On page 108, under the discussion of Special Status Species, reference is made to a complete list of federal and state special status species in Appendix G. However, no plants are included in this appendix. Also, the short list of USFWS Species of Concern is incorrectly labeled as “Species of Special Concern,” and the list of Washington Natural Heritage Program – Listed Threatened Species includes two species that are currently on our Review List 2, one sensitive species, and one scientific name that is no longer recognized (*Astragalus australis* var. *olympicus* was previously named *A. cottonii*, but this name is no longer considered valid). These errors are most likely due to referring to the 1997 Natural Heritage list, which has subsequently been revised. The best source of current status and nomenclature for these species can be found on the Natural Heritage Program webpage at [www.dnr.wa.gov/nhp](http://www.dnr.wa.gov/nhp).

A potentially more important omission is that plants with special status in the state are present in the Park, could be impacted by Park activities, but are not included in this

Olympic National Park GMP  
September 29, 2006  
Page 3 of 3

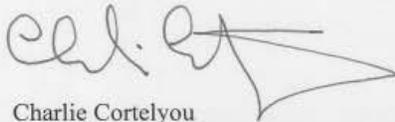
analysis. We recommend that the analysis of effects include all species that are assigned special status by the Natural Heritage Program.

Lands identified in alternatives B-D at the south end of Lake Ozette include the proposed Bite Hill Natural Area Preserve (NAP). The Washington Natural Heritage Advisory Council recommended and the Commissioner of Public Lands approved the proposed Bite Hill NAP in 1992. The proposed area includes both state trust land (Common School trust) and private land.

The department is additionally exploring ways to protect lands within the South Lake Ozette watershed securing a connection between the current National Park coastal strip and the Bite Hill NAP.

Thank you again for the opportunity to provide comment to the parks plan. The department respects the efforts of the ONP to protect the environmental values and to provide for enhanced opportunities for public enjoyment of these special lands on the Olympic Peninsula. These efforts can be compatible with the department's mission of providing sustainable economic, environmental, and social benefits to the citizens of Washington State.

Sincerely,



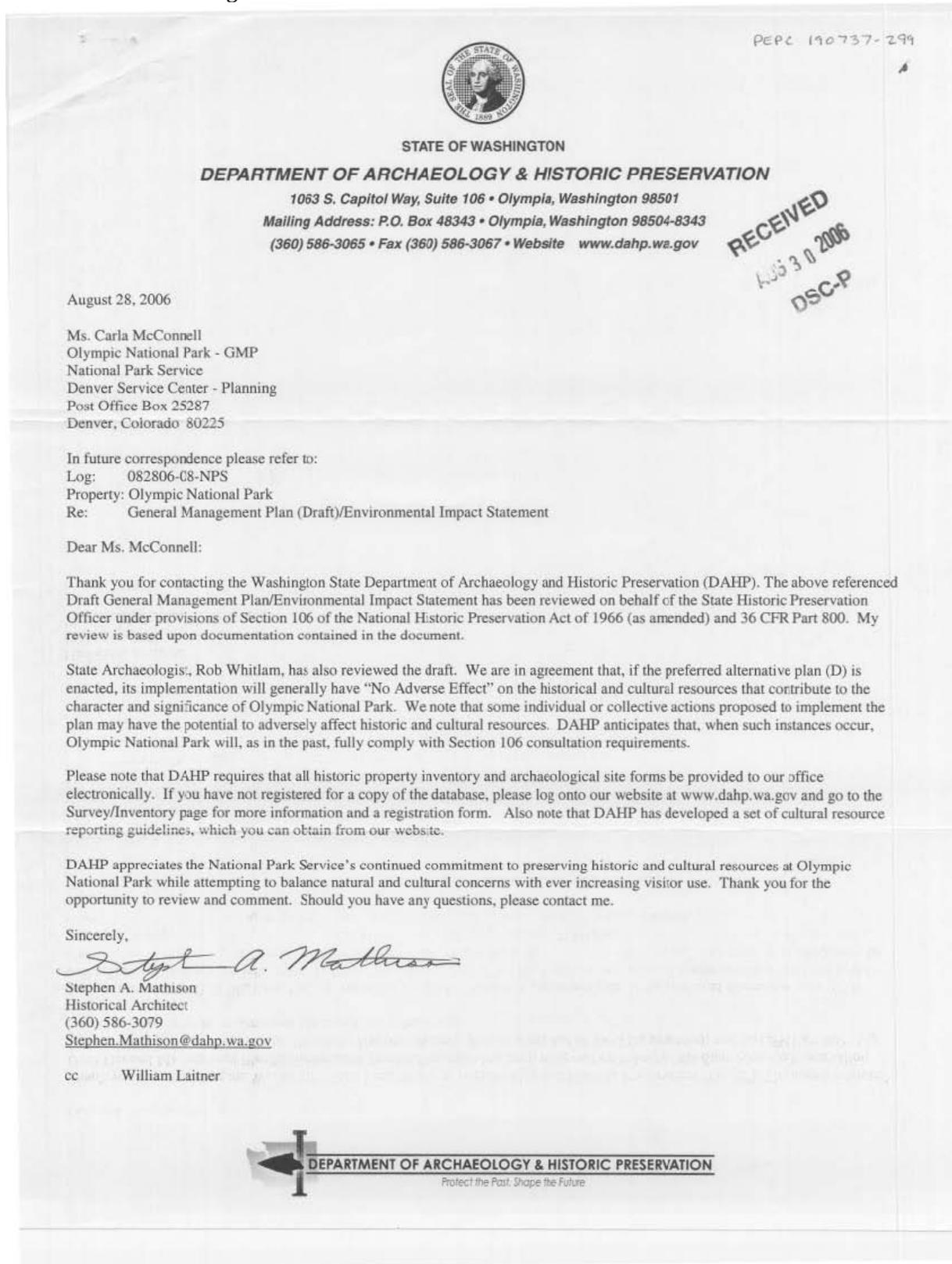
Charlie Cortelyou  
Olympic Region Manager  
Washington State Department of Natural Resources

cc: Doug Sutherland, Commissioner of Public Lands  
Bruce Mackey, Lands Steward  
Bonnie Bunning, Executive Director of Policy & Administration  
Kit Metlen, Division Manager, Asset Management & Protection Division  
Gretchen Nicholas, Division Manager, Land Management Division  
Jed Herman, Division Manager, Product Sales & Leasing Division

Comment 17-Washington Department of Transportation



Comment 299–Washington State Historic Preservation Office



Comment 455-Washington State Historic Preservation Office



PEPC 190953-455  
190953-455

RECEIVED  
09/29/2006

STATE OF WASHINGTON  
**DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION**

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501  
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343  
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

September 29, 2006

Mr. William Laitner  
Superintendent  
Olympic National Park  
600 East Park Avenue  
Port Angeles, Washington 98362-6798

In future correspondence please refer to:

Log: 082806-08-NPS

Re: Olympic National Park: General Management Plan (Draft)/Environmental Impact Statement

Dear Mr. Laitner:

On behalf of the Washington State Department of Archaeology and Historic Preservation (DAHP), I want to take this opportunity to follow-up on our letter of August 28, 2006 regarding the Draft Olympic National Park (ONP) General Management Plan & Draft Environmental Impact Statement (DEIS). As stated in our August letter, we concur that Alternative D, the preferred alternative, will have "no adverse effect" on significant cultural resources within the park. Our concurrence is based upon the stated "focus on balancing the protection of natural and cultural resources with improving the visitor experience."

As the ONP implements plans and policies in the GMP, DAHP looks forward to consultation from the National Park Service (NPS) when implementation of a project has potential to affect cultural resources listed in, or eligible for listing in, the National Register of Historic Places. As you know, this consultation is mandated of all federal agencies as a result of Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations as found in 36 CFR Part 800.

We are aware there is concern and confusion as the relationship of the Wilderness Act of 1964 and the National Historic Preservation Act of 1966 (as amended). We wish to note the following.

Section 110 (2) of the National Historic Preservation Act states that:

Each federal agency shall establish (unless exempted pursuant to Section 214) of this Act, in consultation with the Secretary, a preservation program for the identification, evaluation, and nomination to the National Register of Historic Places, and protection of historic properties.

Further the Act requires that:

...such properties under the jurisdiction or control of the agency as are listed or may be eligible for the National Register are managed and maintained in a way that considers the preservation of



their historic, archaeological, architectural and cultural values in compliance with Section 106 of this Act....

As you will note, there is no exemption in this Act that allows Wilderness Areas to take precedence over the preservation of historic properties. Certainly this is evident in Section 4(3) which states:

Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916....

We also note that some parties have referenced *Wilderness Watch v. Mainella*, 375 F.3d 1085 (11th Cir. 2004), as supporting Wilderness Areas over historic preservation. *Wilderness Watch* did not address the general relationship between the Wilderness Act and the National Historic Preservation Act, and it did not conclude that one Act superseded the other. The issue was whether the National Park Service's use of a fifteen-passenger van to transport visitors through a Wilderness Area to a historic site was "necessary to meet minimum requirements for the administration" of the historic area under the Wilderness Act. The court concluded the Wilderness Act unambiguously prohibited the Park Service from offering motorized transportation to park visitors through a Wilderness Area. Because the issue involved motorized vehicles rather than historic preservation, the court had no occasion to apply the National Historic Preservation Act. Interestingly, however, the court did note that

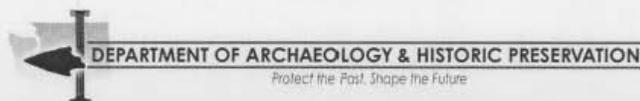
Congress may separately provide for the preservation of an existing historic structure within a wilderness area, as it has done through the NHPA.

The decision in *Olympic Park Associates v. Mainella*, 2005 WL 1871114 (W.D. Wash. 2005), is another in which the court was not faced with a conflict between the Wilderness Act and the National Historic Preservation Act. This office determined that two historic shelters in a Wilderness Area were eligible for listing under the NHPA, notwithstanding the fact they had collapsed in a snowstorm three years earlier. The Park Service proposed to replace them with new shelters constructed elsewhere and flown in. The eligibility for listing was determined based on the perspective of the shelters' original construction and historical use, but held that perspective changed once the Olympic Wilderness was designated. The court held the replacement of the collapsed shelters with new structures violated the Wilderness Act, and it found nothing in the NHPA that authorized the new structures:

[T]he NHPA's goal of preserving historic structures allows for "rehabilitation, restoration, stabilization, maintenance," (16 U.S.C. § 470w(8)), among other things, but it does not require reconstruction. Thus, where the former shelters have been destroyed by natural forces, NHPA does not require reconstruction.

The court did reference the procedural character of the NHPA, noting that it does not forbid the destruction of historic sites nor by command their preservation, but simply orders the government to take into account the effect any federal undertaking might have on them.

It may be significant that the court characterized the Wilderness Act as the specific provision governing the issue, and the National Historic Preservation Act as the general provision. The general rule applied by the courts is that specific provisions prevail over conflicting general provisions, which likely signals that



any conflict between the NHPA and the Wilderness Act would be resolved in favor of the Wilderness Act in any case brought in the federal courts in the Western District of Washington.

I note with concern that a recent decision from California, which relies on both of the cases mentioned above, appears to hold that the Wilderness Act supersedes the NHPA. In *High Sierra Hikers Ass'n v. U.S. Forest Service*, 436 F. Supp. 2d 1117 (E.D. Calif. 2006), the Forest Service sought to repair or rebuild a number of "dam structures" located in a designated Wilderness Area. Several of the structures qualified as historic properties under the NHPA and were eligible for listing on the National Register. The court held that the proposed actions were "clearly and unambiguously contrary to" the provision in the Wilderness Act that prohibits "structures or installations" in Wilderness Areas. After reviewing the decisions in both *Wilderness Watch* and *Olympic Park Associates*, the court concluded:

Absent a declaration by Congress of the need to restore and preserve the dam structures in recognition of their historic significance, there is nothing the court can point to that would authorize such an action where the maintenance of the dams would otherwise come into conflict with the Wilderness Act.

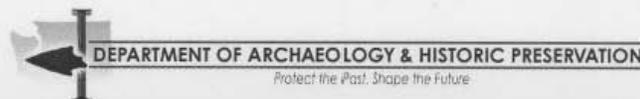
... Here, as in *Olympic Park*, the object of the activity is to perpetuate the existence of structures in a wilderness area....

Here, there is no logical necessity in maintaining, repairing, or operating the dams in order to administer the area for purposes of the Wilderness Act. The area manifested its wilderness characteristics before the dams were in place and would lose nothing in the way of wilderness values were the dams not present. What would be lost is some enhancement of a particular use of the area (fishing), but that use, while perhaps popular, is not an integral part of the wilderness nature of that area.

... The Wilderness Act's prohibition against structures is categorical so far as the court can determine, allowing only those exceptions that are specifically set forth in the Act or in Congress' designation of a particular wilderness area, neither of which apply here.

As you know, the Wilderness Act itself includes a partial exception for units of the National Park System, 16 U.S.C. § 1133(a)(3), under which laws pertaining to historic preservation, including the NHPA, continue to apply in Wilderness Areas so long as they are administered to preserve the area's wilderness character. In our view, this fact distinguishes your proposal from all three of the court decisions references above, because none of those decisions addressed the effect of § 1133(a)(3). Your Draft General Management Plan/Environmental Impact Statement is thoroughly cognizant of the tension between historic and archaeological preservation laws and the Wilderness Act and, in our view, addresses that tension in a way that complies with the Wilderness Act while providing important protection for cultural and archaeological resources in the Park.

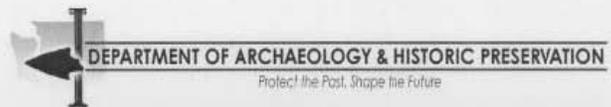
Finally, the concept of a Wilderness as a place without people completely ignores the profound significance of Native American history and culture. We know from Native American testimony, archaeological evidence, and historic documents that people have lived, used and altered the landscapes of all of Washington for the last 12,000 years.





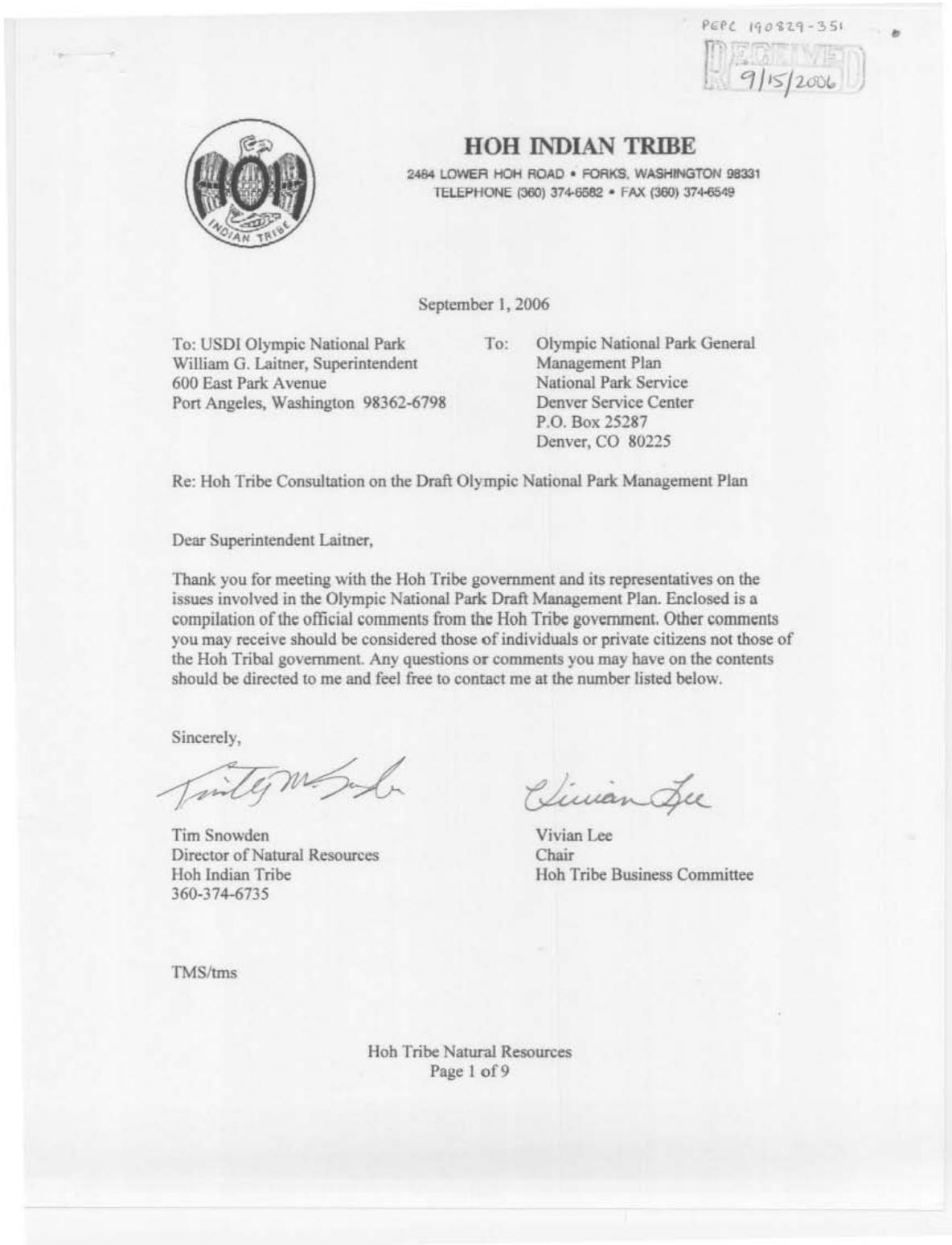
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cc: Stephanie Toothman



Tribal Governments

Comment 351-Hoh Indian Tribe



## Hoh Tribe Consultation on Olympic National Park Draft Management Plan

### **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.

### Hoh Tribe Consultation on Olympic National Park Draft Management Plan

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.

## Hoh Tribe Consultation on Olympic National Park Draft Management Plan

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

Hoh Tribe Consultation on Olympic National Park Draft Management Plan

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.

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**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

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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

### Hoh Tribe Consultation on Olympic National Park Draft Management Plan

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.

Hoh Tribe Consultation on Olympic National Park Draft Management Plan

- 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.



"Timothy M. Snowden"  
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09/15/2006 01:27 PM  
MST

To: olym\_gmp@nps.gov  
cc: Bill\_Laitner@nps.gov, Nancy\_Hendricks@nps.gov,  
Jacilee\_Wray@nps.gov  
Subject: Correction

Please make the following correction to the consultation letter sent out yesterday for the Hoh Indian Tribe. On page 2, paragraph two replace "lowest per capita income" with "highest percentage of people living in poverty."

The sentence should read, "In the Socio-economic section of the Draft, the Hoh Tribe has the distinction of having the highest unemployment rate and highest poverty rate of any other reservation surrounding the Park."

Thanks,

Tim

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