



13245 40th Avenue, NE
Seattle, WA 98125



P.O. Box 2618
Olympia, WA 98507



P.O. Box 9175
Missoula, MT 59807

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Mr. Rick Potts
NPS Wilderness Program Manager
National Park Service
1201 Eye Street, NW
10th Floor, Room 40
Washington, DC 20005

Dear Rick:

Olympic Park Associates, Public Employees for Environmental Responsibility and Wilderness Watch write to share our concerns about the impact of the draft General Management Plan (GMP) on Wilderness at Olympic National Park (ONP). We strongly believe the recommendations in ONP's draft GMP, and the National Park Service's (NPS) continued attempt to prioritize history and culture over wilderness, will negatively impact wilderness. For that reason, we are requesting that the National Wilderness Steering Committee examine the situation at ONP by placing this issue on its agenda for its next meeting.

As you are well aware, ONP is a wilderness park with 95% of its land designated as wilderness in 1988. For nearly twenty years ONP has abrogated its responsibility to manage wilderness by refusing to generate a Wilderness Management Plan (WMP) for this park. This is a grave oversight and demonstrates a serious lack of concern about wilderness on the part of park managers. Due to the extremely wild nature of this park, the park should have begun with a WMP instead of the GMP. That way the dominant attribute of the park would have been evaluated and protected in a comprehensive fashion prior to addressing the general issues of the GMP.

Unfortunately that was not the case and instead several major wilderness issues are inadequately addressed in the draft plan and have the potential to impair wilderness. It is

clear from the draft that proper deference to the Wilderness Act is not provided in the draft GMP. To quote the court in *Olympic Park Associates v. Mainella*, (9th Cir., 2005), “a new value has been placed on the land by the creation of the Olympic Wilderness.” Apparently the park is having trouble accommodating that new value.

Historic/Cultural Structures: The draft GMP states, “Benign neglect would not be considered an appropriate management strategy. No national register-listed or eligible structure would be removed or allowed to decay naturally without prior review by park and regional cultural resource specialists.” Furthermore, in Appendices E, 29 of the structures to be retained are in wilderness. No rationale is provided as to how retaining these structures meets the minimum requirement test or furthers the goals of the Wilderness Act. Park managers have an obligation to comply with the law and cannot use the planning process to override the clear language of the Wilderness Act and rulings of the court. It is necessary for the park to determine which structures are the minimum required for protecting wilderness and which are not.

In *Wilderness Watch v. Mainella*, (11th Cir. 2004) the court stated, “We cannot agree with the Park Service that preservation of historical structures furthers the goals of the Wilderness Act. That ruling goes on to say, “Given the consistent evocation of “untrammeled” and “natural” areas, the previous pairing of “historical” with “ecological” and “geological” features, and the explicit prohibition on structures, the only reasonable reading of “historical use” in the Wilderness Act refers to *natural, rather than man-made features*.” (emphasis added.)

Please remember, in *Olympic Park Associates v. Mainella* the court stated, “A long established rule of statutory construction is that where there is a specific provision that governs an issue, it takes superiority over any general provision. Here, the Wilderness Act under which the Olympic Wilderness was designated is the specific provision, while the National Historic Preservation Act, among others earlier mentioned, is the general. This rule allows the NPS to administer the Olympic Wilderness for other purposes only insofar as to also preserve its wilderness character.” Clearly, the law would be undermined by the actions proposed in the draft plan.

Rivers: There are thirteen rivers that emanate from wilderness and deserve to be nominated for Wild and Scenic River designation but only the Elwha River is recommended for this status in the draft plan. All major rivers should be recommended, which would include at a minimum the Elwha, Greywolf, Dosewallips, Duckabush, Skokomish, Quinault, Queets, Hoh and the Sol Duc. As Lake Ozette is home to listed sockeye, the Ozette should also be nominated. The park’s inability to recommend protection of these rivers is indicative of a mentality that does not take its responsibility to fully manage for wilderness character seriously. We find this paradoxical in that the GMP recommends rock armoring and other road reconstruction that can harm spawning areas for federally threatened stocks and degrade critical habitat for other federally listed species.

Zones: The GMP arbitrarily divides wilderness into three zones with no specific rationale or justification for such a scheme. Such a major change in the status of wilderness should be determined in a comprehensive wilderness management plan that examines the proposed action in light of its impact on wilderness. How can NPS properly determine “levels-of-use zones” without first documenting in a holistic Wilderness Plan all levels and types of use and those that are consistent with preserving wilderness character and those that are not? We must remind NPS that zones cannot be adopted that allow for levels of use or development that would result in degradation of the area’s wilderness character.

We strongly recommend the National Wilderness Steering Committee discuss these wilderness issues and particularly the intersection between the Wilderness Act and historic and cultural structures at ONP. We believe it would be beneficial to evaluate recent court decisions that provided specific interpretations of the nexus of the Wilderness Act and the National Historic Preservation Act so that the National Park Service can begin to systematically comply with the terms of the Act. We look forward to the results of such an analysis.

Sincerely,

Donna Ossward
President
Olympic Park Associates

Sue Gunn
Washington State Director
Public Employees for Environmental Responsibility

George Nickus
Executive Director
Wilderness Watch

cc: Members, National Wilderness Steering Committee