

**Fran Mainella, Director
National Park Service
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Dear Director Mainella,

As we approach the 40th Anniversary of the Wilderness Act, and in keeping with your Core Mission Statements concerning "Shared Stewardship," "Excellence," and "Integrity," I feel a responsibility to bring to your attention the following concerns about the state of National Park Service's wilderness stewardship program.

Brief Background: The Wilderness Act (P.L. 88-577) was enacted September 3, 1964 and is recognized as one of the world's premier pieces of environmental legislation. In addition to establishing the National Wilderness Preservation System (NWPS), the Act charged specific federal agencies with the responsibility for managing and preserving the nation's wilderness resource. In spite of numerous protests from the National Park Service that it should not be included under the authority of the Wilderness Act, the Congress specifically, and pointedly, identified the NPS as one these agencies. The Act further instructed the NPS, as well as the other agencies to: (1) inventory and recommend to the President all Department of the Interior and Department of Agriculture lands meeting the basic definitions for wilderness their suitability, or non-suitability, for inclusion within the NWPS; and (2) administer and preserve all wilderness lands in keeping with the instructions of the Wilderness Act itself. In short, the Congress intended that the Wilderness Act be applied as a specific, supplemental responsibility for the National Park Service.

Currently, the NPS administers the nation's, and in fact the world's, largest wilderness inventory. This inventory includes 45 park areas containing designated wilderness and, at least, 31 additional areas which contain lands which have been identified as "recommended," "proposed," "potential" and "suitable" wilderness resources. (This inventory is acknowledged to be incomplete in that many national park areas have never completed even the basic required assessment for potential wilderness designation.) Together these lands represent approximately 86% of National Park Service lands.

Three Fundamental Problems With the NPS Wilderness Program:

After almost 40 years, and with the major exception of the 1970's initiative which resulted in the current inventory of designated and recommended wilderness, the NPS has accomplished relatively little in implementing either the letter or spirit of the Wilderness Act. The NPS consequently remains vulnerable to growing criticism from the environmental community that: (1) the agency has failed to properly identify and protect its wilderness resources, (2) senior level managers continue to demonstrate either a lack of concern and/or an open hostility to the Service's wilderness responsibilities, and (3) park managers continuously attempt to ignore or

circumvent the instructions of the Wilderness Act and NPS wilderness policies in carrying out their other duties.

The Service's historic lack of commitment to wilderness is of obvious concern throughout the environmental community as evidenced by several recent lawsuits including the 2003 lawsuit by the Wilderness Society criticizing the Service's lack of mandated wilderness suitability studies and the lack of appropriate wilderness management planning. The need for the environmental community to constantly question the NPS wilderness program places into jeopardy the public image of the NPS as wilderness management steward and as a world class conservation agency. Other confrontations and lawsuits, similar to those challenging wilderness management decisions at Grand Canyon National and at Cumberland Island National Seashore Park, are likely to follow. In addition to being targeted for further litigation and public embarrassment, the continued opposition from the wilderness environmental community groups should serve as a warning about the quality of the NPS wilderness program.

The problems and shortcomings of the NPS wilderness management were recognized and documented by at least three internal task forces formed to address this issue. The first of these groups convened in the 1970's, the second convened in the 1980's, and the latest group met in the 1993. In 2002, the Brown Committee, comprised of eminent individuals from the academic and environmental community, provided additional recommendations on the status of the interagency national wilderness program and ways this program needed to be improved.

As applied to the NPS, all of these task forces and committees generated essentially the same conclusions; i.e., that the agency was failing to meet the requirements of the Wilderness Act and, after almost 20, 30 and 40 years, respectively, the Service needed to make significant commitments to wilderness in order to change this situation. While each of these task force reports generated recommendations to improve the NPS wilderness management program, and there has been some progress over the past five years, the majority of all of these task force recommendations have been ignored or only superficially adhered to. In 1996, due largely to 1994 commitments made by Director Kennedy at the 30th Anniversary Interagency Celebration of the Wilderness Act held in Santa Fe, New Mexico, the Service established the National Wilderness Steering Committee (NWSC) to address the problems of the NPS wilderness program. The NWSC identified three major problem areas. These were: (1) a lack of accountability for wilderness management at all administrative levels throughout the Service, (2) a lack of consistency in wilderness management throughout the Service, and (3) a lack of continuity to ensure that individual achievements within the wilderness program could survive routine staff and administration changes.

Accountability. The problem of "accountability" addresses the lack of wilderness program oversight within the NPS organization beginning at the level of the Directorate and descending into central office and park organizations. The lack of

an effective wilderness accountability system is reflected in a number of ways throughout the Service including:

- 1. While wilderness resources represent approximately 86% of the NPS, until very recently the wilderness management program was represented by only three permanent, full-time wilderness managers; one person at the Washington Office, one person assigned to the Intermountain Regional Office, and one other person at Rocky Mountain National Park. Due to the recent death of the WASO Wilderness Coordinator, and the forced retirement of the IMR Wilderness Coordinator, only the GS-11 position at Rocky Mountain National Park remains. The responsibility for wilderness management is otherwise assigned as a collateral duty in a wide variety of park and central office organizations.**
- 2. With few exceptions, the superintendents and other critical management positions responsible for wilderness management throughout the Service are being filled without wilderness stewardship being factored into the selection process for the candidates for these positions. This assessment is based upon a broad sampling of wilderness park job announcements over the past several years. The result is that, in most cases, positions having wilderness resource responsibilities are filled by persons who have either no knowledge of NPS wilderness responsibilities and/or by persons ambivalent about these responsibilities. The net effect is that, in many cases, NPS wilderness policies are not being effectively integrated into day-to-day and long-term plans and operations in wilderness parks.**
- 3. The August 25, 2000 NPS report entitled: "Status of NPS Wilderness and Designation Process" represents a comprehensive listing for the backlog of NPS wilderness inventory responsibilities (as required by the Wilderness Act) and how far in arrears the agency has allowed itself to become. This inventory lists parks which need to complete wilderness suitability studies, parks which need to forward completed studies (to Congress), parks with potential wilderness areas (to be converted to designated), parks which need to complete public hearings and recommendations, parks which need to complete legal descriptions, maps, adjustments, etc., and parks in which wilderness recommendations are pending in Congress.**

The degree of the NPS wilderness “accountability” problem is reflected two examples. Example 1: In 1999, it was discovered during a legislative search, that one national park area, Devils Postpile National Monument, had been established as a Congressionally designated wilderness area in a 1984 piece of legislation. From 1984 until the time the staff was notified/reminded about its wilderness status in 1999, this area was apparently managed without consideration, and apparently the knowledge, that it was in fact an NPS Congressionally designated wilderness area.

Example 2: In 2003, Sequoia-Kings Canyon National Park issued a set of programmatic minimum requirement documents which will essentially allow the routine use of helicopters and motorized equipment (both of which are specifically

prohibited within wilderness) with no public involvement and in spite of the fact that the park has no wilderness management plan. These documents, and the process in which they were implemented, currently violate the Wilderness Act, NPS wilderness management policies and director's orders, the National Environmental Policy Act, and Director's Order #12, Conservation Planning, Environmental Impact Analysis, and Decision Making.

In an attempt to partially address the lack of NPS wilderness accountability, the NPS National Wilderness Steering Committee (NWSC) drafted an "accountability" memorandum which was approved and issued by Director Kennedy in 1997 and re-issued by Director Stanton in 1998. These memos instructed the NPS regional offices and wilderness parks to: (1) insure that wilderness was integrated in annual performance plans for park superintendents, (2) insure that wilderness was integrated into the position descriptions for critical management positions, (3) insure that wilderness was included within the KSA's for job announcements, and (4) insure that wilderness was integrated into the individual park GPRA strategy plans.

An attempt by the NWSC to monitor whether or not these instructions had been implemented in late 1998 indicated that approximately 1/4 of the parks had complied with the integration of wilderness into superintendents performance plans, few positions descriptions had been changed to include the wilderness element (although most parks responding indicated that they intended to comply at some future date), and very few job announcements released between then and now contain a reference to wilderness either in the announcement itself or in the selection criteria. Parks are still attempting to integrate wilderness goals into their strategy plans as these become due.

Consistency. The "consistency" problem references the lack of standardization and coordination of wilderness management programs from park-to-park and from region-to- region. Currently, the NPS wilderness program appears to be driven largely by the force of individual personalities at various management levels. Consequently, while one park may conduct an appropriate "minimum requirement" analysis in determining whether or not helicopter use, or motorized equipment, (both of which are specifically prohibited within wilderness unless it is formally determined to be the minimum requirement) can or should be used within the wilderness, an adjoining park may ignore the required analysis process and simply decide to use this prohibited equipment because an individual feels that it "easier and faster" to do so. Most often these decisions are made with no documentation and no consideration of possible alternatives, both of which violate NPS wilderness policy requirements.

The net effect is that, while some parks may make an honest, professional effort to determine the minimum requirement tool, the majority of parks ignore the fact of wilderness, or provide only a token assessment of alternatives, and continue to use whatever equipment it has traditionally used; a clear violation of the Wilderness Act

and NPS policies. The lack of consistency within the Service's wilderness program applies to day-to-day and long-term operations throughout the Service including planning, natural and cultural resource management, research programs, environmental compliance, maintenance programs, fire management, and search and rescue operations.

In an attempt to address the problem of "consistency," one of first tasks the National Wilderness Steering Committee assumed was the updating and completion of NPS wilderness management policies and the development of a set of wilderness director's orders. (NPS Management Policies, Chapter 6: Wilderness Preservation and Management and Director's Order # 41: Wilderness Preservation and Management, respectively.) After extensive in-Service and public review, these documents were approved by Director Stanton in August, 1999.

The NWSC also initiated a major effort to increase the availability of wilderness training for NPS staff. This effort included support for the NPS representative at the Arthur Carhart National Wilderness Training Center as well as paying (tuition fees and, in many cases, travel costs) for park staff to attend the national and regional wilderness stewardship courses offered by this training center. The WASO Wilderness Office also sponsored individual training sessions within parks and offered scholarships for the long-distance wilderness education courses offered by the University of Montana. The two wilderness program managers routinely presented instruction and talks at conferences, meetings, park workshops, and other appropriate venues.

NPS wilderness managers consequently have relatively easy access to a variety of wilderness management courses coordinated by the Arthur Carhart National Wilderness Training Center. These included at least 6 interagency courses, the long-distance education curriculum, and at least 6 in-park wilderness training sessions per year. The net effect is that there is very little excuse for a wilderness park manager to say that they weren't familiar with wilderness protocols because they haven't had the opportunity to attend training.

Currently the NPS has no requirement, similar to that of the U.S. Fish and Wildlife Service's Director's Order No. 116, requiring managers to attend an Arthur Carhart National Wilderness Training Center stewardship course as a prerequisite to their being able to approve minimum requirement decisions. (I am unclear if the current administration has maintained this Director's Order) Continuity. The problem of "continuity" refers to the fact that there currently is no system in place to ensure that progress and accomplishments within the wilderness management program, be it at the park or central office level, are implemented by new staff resulting from routine transfers, retirements, reassignments, etc. As a result, a park which has an active wilderness program under one manager, may have the program abandoned, or diluted, by a subsequent manager who may not have the same commitment to wilderness.

In an attempt to address the problem of the lack of continuity, the National Wilderness Steering Committee initiated three projects: (1) the completion of an updated NPS policy statement and Director's Order #41, (2) the implementation of the above wilderness training program, and (3) the development of a wilderness management plan template.

Although the majority of NPS staff seem to enjoy wilderness training courses, there is unfortunately little evidence available to quantify how the wilderness resource is actually being better preserved as a result of this training. In spite of all the people the Service has sent to wilderness training over the past several years, very few national parks have approved wilderness management plans, even fewer parks have an approved procedure for determining minimum requirement, and, in many cases, the requirement for providing legal descriptions of designated park wilderness remain unfulfilled. Of equal concern is that once the "trained" managers transfers, and since there are few approved management plans to provide continuity of the park's wilderness program, the new superintendent/chief ranger/resource manager etc., will need to be "trained" all over again. This is largely due to the lack of an appropriate accountability system which would ensure that the wilderness protocols are being effectively applied to NPS programs and operations which directly impact wilderness resources and values.

The relative lack of approved wilderness management plans throughout the Service is a symptom that parks have failed to implement internal programs which identifies the wilderness resource and clearly describes the long-term strategies for managing and preserving this resource. NPS management policies require that all parks containing wilderness resources have an approved wilderness plan which describes where the wilderness boundary is located, how minimum requirement protocols will be applied to all park operations impacting wilderness, and describes exactly how the wilderness will be administered and protected. The wilderness management plan is also supposed to serve as a comprehensive statement, both for the park staff and the public, as to how wilderness will be protected and provides a vehicle by which a parks wilderness program is perpetuated through normal staff attrition. Wilderness management plans also provide a vehicle by which the park can allow the public an opportunity to review and provide input to management efforts.

The problem is that the NPS has a poor record for completing wilderness management plans even though this has been a policy requirement for nearly two decades. Of the 75 park areas containing wilderness, less than 20% (14 parks) currently have a wilderness management plan. Of these, approximately half are badly outdated and do not meet the basic requirements for a wilderness plan as required by current NPS policies.

There is no Service-wide initiative for wilderness parks to complete their required plans. As a result, after nearly 40 years, less than one fifth of the NPS wilderness parks have a plan which explains to managers, and the public, exactly how the

wilderness is supposed to be managed and preserved. The Service needs to ensure that adequate wilderness management plans are in place to help ensure that its wilderness stewardship program is not just personality driven and/or subject to the whims of individual managers.

In Summary: After 40 years, the National Park Service has done relatively little to demonstrate that it has taken its wilderness management responsibilities seriously nor has it implemented a management program which reasonably provides for the day-to-day and long-term preservation of this resource. The lack of evidence that the Service has met even its most basic responsibilities as required by the Wilderness Act, and its own policies, after this amount of time has generated a growing distrust of the agency by the public, and especially within the environmental community. This distrust is exacerbated by the growing number of incidents throughout the Service wherein NPS staff violate the letter and spirit of the Wilderness Act, and NPS wilderness management directives, with little or no consequences.

The Service's current wilderness program as a whole falls far short of what should be expected from the United States National Park Service. The real measure of the Service's success in preserving wilderness is not going to be found in memos and directives, training classes, brochures, annual reports, conferences and meetings, but what is actually taking place on the ground. While I recognize that some slow progress has been made, primarily through the efforts of the National Wilderness Steering Committee and other dedicated individuals, the reality is that unless the NPS Directorate is willing to provide a better system of accountability for the management of wilderness, these types of products will continue to serve as little more than a facade for an inherently weak program. Continuing at the current level of management will undoubtedly expose the NPS to further litigation and further dilute the Service's fading image as a steward of the nation's natural resources.

I encourage your leadership in the long overdue improvement of this situation.

Respectfully

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