

April 26, 2022

Olympic National Park
Lee Taylor, Acting Superintendent Ozette Trails EA
600 East Park Avenue
Port Angeles, WA 98362-6798

sent via the internet

Dear Acting Superintendent Taylor:

These are comments from Wilderness Watch on the proposal to extensively use helicopters to replace a boardwalk in the Daniel J. Evans Wilderness. Wilderness Watch is a national nonprofit wilderness conservation organization dedicated to the protection and proper stewardship of the National Wilderness Preservation System. We strongly oppose the proposal for the reasons explained below.

Background, Structures, and Alternatives

The scoping letter assumes that this trail must be maintained in the manner described because of high visitor use. This *a priori* decision violates NEPA as well as denigrates Wilderness. This narrow-mindedness constrains options that could be adopted to meet the mandates of the Wilderness Act. Many options have been thrown out already, some for spurious reasons.

One example of the failure to objectively evaluate alternatives even before an analysis is the way the alternatives are framed. The throw-away option from the NPS perspective is no-action. This is not a true no-action alternative in the massive boardwalk and turnpike structures would be maintained by crews as has been done. However, the way this alternative is framed is biased and violates NEPA:

Continue current management of replacing small sections of boardwalk by hand-carrying new materials to the site based on the availability of work crews. The structural components of the boardwalk would continue to deteriorate faster than they can be replaced given current trail crew capacity, including the inability to bring in materials in the needed quantities. Frequent trail closures would be likely due to the inability to repair damaged sections in a timely manner due to the extent of work required.

This framing guarantees that this option will not be selected, regardless of the veracity of the statements about the agency's supposed inability to maintain it in a timely manner or the necessity of of trail closures.

Speaking of closures, when it suits the NPS dogma to institute them it does so with zeal. For example, the ROD for the mountain goat elimination project states, "There could be temporary area closures within the park during management activities," just as more frequent closures could be done to repair the boardwalk.

Rather than eliminate alternatives that would meet the Wilderness Act without analyzing them, the NPS is required to come up with alternatives to the proposed action (which is too narrowly framed) that meet the Wilderness Act. In this case, we suggest the agency needs to seriously consider other options. Examples are listed below:

- Using volunteers to carry in materials ought to be considered. While this does not solve the issue of a massive boardwalk structure in Wilderness, it does avoid the use of nearly 200 hundred helicopter trips.
- Restricting the use of the trails to the amount of boardwalk and turnpike in the most sensitive areas to what the trail crews can yearly maintain without use of motorized equipment.
- Using on-site materials for boardwalk replacement. Replacing materials without motorized equipment does not violate the prohibition on motorized use in the Wilderness Act. By contrast, the use of helicopters—nearly 200 of them—does.
- Eliminating the trails as access points to the Wilderness as causing too much damage (structures and motorized use) to be justified under the Wilderness Act.

The NPS needs to also explain the history of the original placement of the boardwalk and turnpikes on the two trails. How was it done, when was it done, and by what means? This information would have been important in in the scoping discussion, but are not provided.

Motorized Equipment

The use of nearly two hundred to over eight hundred helicopter trips in the Wilderness to replace a boardwalk and turnpike (both structures) is a violation of the Wilderness Act. Helicopter intrusions in the Wilderness are prohibited under the Wilderness Act “except as necessary to meet minimum requirements for the administration of the area” as wilderness. 16 U.S.C. § 1133(c); *see also* 36 C.F.R. § 261.18(c) In Idaho, the Idaho Federal District Court noted “Helicopters carry ‘man and his works’ and so are antithetical to a wilderness experience. It would be a rare case where machinery as intrusive as a helicopter could pass the test of being ‘necessary to meet minimum requirements for the administration of the area.’” *Wolf Recovery Foundation v. U.S. Forest Service*, 692 F. Supp. 2d 1264, 1268 (D. Idaho 2010). The impacts in this case would be in addition to helicopter use for many reasons, and in Olympic National Park, there are many times helicopters are deployed, degrading the Wilderness.¹

¹ For example, the mountain goat removal project extensively uses helicopters. Indeed, this prohibited use is becoming the rule rather than the exception in NPS administration of Wilderness in Olympic National Park.

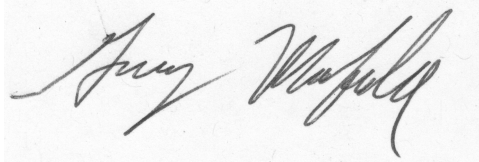
The scoping letter does not provide information about helicopter use needed for in perpetuity maintenance. We are told this is needed for a few years to replace the boardwalk. However, this new boardwalk will eventually need to be replaced necessitating, in the NPS mindset, another assault on the Wilderness. Thus, there will be a recurring assault into perpetuity on the Wilderness as per the NPS proposal.

Other

The scoping letter does not mention if the new wood material for boardwalks would be pressure treated to make it last longer. The extensive use of this material would leach toxins into the environment.

Keep us updated on this proposal and send us copies of future documents via US Mail.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Macfarlane", written in a cursive style on a light-colored background.

Gary Macfarlane
Board Member