

RESPONSES TO SUBSTANTIVE COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Pursuant to the *National Environmental Policy Act* (NEPA), its implementing regulations, and National Park Service (NPS) guidance on meeting the Service's NEPA obligations, the park must assess and consider comments submitted on the draft Environmental Impact Statement (EIS) and provide responses. This appendix outlines and describes how the NPS considered public comments and provides the necessary responses to those comments.

The Environmental Protection Agency Notice of Availability (NOA) was published on May 31, 2005. The publication of the NOA initiated an 83-day public comment period that ended August 15, 2005.

Correspondence received during the public comment period included letters, electronic mail, transcripts from public meetings, and comments on the NPS Planning, Environment and Public Comment (PEPC) website. The park received correspondence from 75 individuals, 8 correspondences from representatives of 7 recreational groups, 1 business, 2 federal government agencies, 1 state government, and 4 conservation/ preservation groups. The correspondence contained 475 comments on various topics. All correspondence received during the public comment period may be viewed at the park headquarters during regular business hours.

At the close of the public comment period, the NPS began analyzing the correspondence received on the *Draft Mountain Lakes Fishery Management Plan / Environmental Impact Statement* (Draft Plan/EIS). Content analysis consisted of a five-step process:

1. developing a coding structure
2. employing a comment database for comment management
3. reading and coding public comments
4. interpreting and analyzing the comments to identify issues and themes
5. preparing this comment summary

A coding structure was developed to help sort comments into logical groupings, or topics. The coding structure was derived from an analysis of the range of topics discussed during internal NPS scoping, past planning documents, and the comments themselves. The coding structure was designed to capture all comment content rather than to restrict or exclude any ideas. Each comment was categorized by topic using the established coding structure.

The comments were identified as substantive or nonsubstantive as they were being coded, according to criteria described in the Council on Environmental Quality regulations (40 CFR 1500). These criteria state that substantive comments raise an issue regarding law or regulation, agency procedure or performance, compliance with stated objectives, validity of impact analyses, or other matters of practical or procedural importance. Nonsubstantive comments offer opinions or provide information not directly related to the issues or impact analysis. Nonsubstantive comments were acknowledged and considered, but do not require responses from the NPS.

The majority of comments received focused on various aspects of the alternatives proposed in the Draft Plan/EIS. Of the 97 comments addressing the alternatives, 31 comments addressed the preferred alternative (alternative B). Thirty-five comments regarded alternatives that had been eliminated for consideration in the draft plan/EIS and suggestions for new alternatives or alternative elements accounted for 6 comments. Other topics that received numerous comments included the Park Legislation and Authority section in the Purpose and Need for the Plan

(71 comments) as well as comments related to impacts of the proposal and alternatives on aquatic organisms (36 comments) and wilderness minimum requirements analysis (32 comments).

Concern statements were developed by code to summarize the views expressed in the substantive comments. All together, 254 substantive comments were identified and coded. From those substantive comments 78 concern statements were developed. The NPS then developed response statements addressing each concern statement. This report provides the concern statements, the representative comments that led to the development of those concern statements, and the NPS responses to these substantive comments.

Reading, coding, and analyzing comments helps the NPS decide if substantive issues raised by the public warrant further modification and analysis of the alternatives, issues, and impacts. Comment analysis also helped the NPS identify any Draft Plan/EIS text where clarification was helpful or factual errors needed correction. If editorial clarifications or factual changes were required, the text changes are reflected in this *Final Mountain Lakes Fishery Management Plan/Environmental Impact Statement*.

The indices in this report provide commenters with various means to track the way NPS addressed their comments. Each correspondence was assigned an ID number that can be found in Index A. Next to the ID number are all of the codes that NPS assigned to each individual correspondence. All of these comments were then used to develop the concern statements and responses. In addition, Index B provides an index broken out by code to show which organizations/individuals provided comments related to each code. Index B provides the full text of all of the letters submitted by businesses, organizations, and government agencies.

COMMENT DISTRIBUTION BY CODE

(Note: Each comment may have multiple codes. As a result, the total number of comments may be different than the actual comment totals)

Code	Description	Number of Comments
AL 1100	Common to All Action Alternatives – Implementing Plan	1
AL 1300	Common to All Action Alternatives – Adaptive Management	6
AL 1400	Common to All Action Alternatives – Mechanical Methods	2
AL 1500	Common to All Action Alternatives – Chemical Methods	5
AL 1550	Common to All Action Alternatives – Oppose Chemical Methods	1
AL 1700	Proposed Lake Treatments	2
AL 3101	Alternative A – Support (nonsubstantive)	4
AL 3103	Alternative A – Oppose (nonsubstantive)	1
AL 3110	Alternative A – Current Management Framework	1
AL 3200	Alternative B – Support	2
AL 3201	Alternative B – Support (nonsubstantive)	13
AL 3210	Alternative B – Proposed Management Framework	9
AL 3230	Alternative B – Proposed Mitigation	1
AL 3260	Alternative B	6
AL 3270	Alternative D	6
AL 3301	Alternative C – Support (nonsubstantive)	1
AL 3303	Alternative C – Oppose (nonsubstantive)	1
AL 3400	Alternative D – Support	3
AL 3401	Alternative D – Support	1
AL 3401	Alternative D – Support (nonsubstantive)	19
AL 3402	Alternative D – Oppose	1
AL 3403	Alternative D – Oppose (nonsubstantive)	4
AL 3410	Alternative D – Proposed Management Framework	1



Code	Description	Number of Comments
AL 4000	Alternatives – New Alternatives or Elements	6
AO 2000	Aquatic Organisms – Methodology and Assumptions	3
AO 4000	Aquatic Organisms – Impact of Proposal and Alternatives	36
AO 4500	Aquatic Organisms – Impact of Proposal and Alternatives (nonsubstantive)	6
CC 1000	Consultation and Coordination – General Comments	1
CC 1000	Consultation and Coordination – General Comments	2
CR 2000	Cultural Resources – Methodology and Assumptions	1
CR 2500	Cultural Resources – Methodology and Assumptions (nonsubstantive)	1
CR 4000	Cultural Resources – Impact of Proposal and Alternatives	1
CU 1000	Cumulative Impacts	3
ED 1000	Editorial	5
MT 1000	Miscellaneous Topics – General Comments	1
MT 1500	Miscellaneous Topics – General Comments (nonsubstantive)	2
PN 1002	Summary and Application of Existing Research	17
PN 3000	Purpose and Need – Scope of the Analysis	5
PN 4000	Purpose and Need – Park Legislation/Authority	71
PN 6000	NPS Management Policies and Mandates	22
PO 1000	Park Operations – Guiding Policies, Regs and Laws	31
PO 6000	Congressional Legislation – Support	3
PO 6500	Congressional Legislation – Oppose	4
PO 6600	Congressional Legislation – Oppose (nonsubstantive)	3
SE 4000	Socioeconomics – Impact of Proposal and Alternatives	1
SO 4500	Social Values – Impact of Proposal and Alternatives (nonsubstantive)	7
SS 1000	Soundscapes – Impact of Proposal and Alternatives	1
TE 2000	Threatened and Endangered Species – Methodology and Assumptions	1
TE 4000	Threatened and Endangered Species – Impact of Proposal and Alternatives	4
VE 4000	Visitor Experience – Impact of Proposal and Alternatives	4
VE 4500	Visitor Experience – Impact of Proposal and Alternatives (nonsubstantive)	4
VR 2000	Vegetation and Riparian Areas – Methodology and Assumptions	3
VR 4000	Vegetation and Riparian Areas – Impact of Proposal and Alternatives	11
VU 2000	Visitor Use – Methodology and Assumptions	7
VU 3200	Visitor Use – Recreational Use – Support Fish Stocking	2
VU 3300	Visitor Use – Recreational Use – Support Fish Stocking (nonsubstantive)	28
VU 3500	Visitor Use – Recreational Use – Oppose Fish Stocking	1
VU 3600	Visitor Use – Recreational Use – Oppose Fish Stocking (nonsubstantive)	5
VU 4000	Visitor Use – Impact of Proposal and Alternatives	12
VU 4500	Visitor Use – Impact of Proposal and Alternatives (nonsubstantive)	11
WH 4000	Wildlife and Wildlife Habitat – Impact of Proposal and Alternatives	10
WH 4500	Wildlife and Wildlife Habitat – Impact of Proposal and Alternatives (nonsubstantive)	1
WH 5000	Wildlife and Wildlife Habitat – Cumulative Impacts	1
WI 1000	Wilderness – Guiding Policies, Regs, Laws	13
WI 2500	Wilderness – Minimum Requirement Analysis	32
WI 4000	Wilderness – Impact of Proposal and Alternatives	12
WI 4500	Wilderness – Impact of Proposal and Alternatives (nonsubstantive)	14

**CORRESPONDENCE
SIGNATURE COUNT BY
ORGANIZATION TYPE**

Organization Type	Number of Correspondences
Business	1
Federal Government	2
Conservation/Preservation	4
Recreational Groups	7
State Government	1
Unaffiliated Individual	75
Total	90

**CORRESPONDENCE
DISTRIBUTION BY STATE**

State	Percentage	Number of Correspondences
NJ	1.05%	1
VA	1.05%	1
IL	2.11%	2
MT	1.05%	1
CO	6.32%	1
WA	81.05%	77
OR	1.05%	1
Total		90



Comment Concern Statements and Responses

AL 1100 – Common to All Action Alternative – Implementing Plan

Concern ID: 10000
CONCERN
STATEMENT: Several comments were concerned about the goal of 100% eradication of reproducing fish. 100% eradication may not be possible by current methods in all lakes slated for removal, and the eradication effort at a few lakes may cause more harm than benefit to the wilderness.

Representative Quote(s): The Hi-Lakers submit that the only alternative in the draft [Environmental Impact Statement (EIS)] that is reasonably consistent with Wilderness Act standards is Alternative B. However, most Hi-Lakers that frequent this wilderness are concerned about the goal that appears in all alternatives for 100% eradication of reproducing fish. Note the comments of Mike Swayne and Pete Smith. Hi-Lakers support removing reproducing fish populations that harm the ecosystem where such eradication is practical. However, some of the EIS conclusions regarding huge overpopulation of fish are only assumptions made because of lack of complete data. An additional problem is that 100% eradication may not be possible by current methods in all those lakes, and the eradication effort at a few lakes may cause more harm than benefit to the wilderness. (69)

Response: “Feasibility of Fish Removal” has been revised on pages 94 and 95.
[Note: Text was changed from “9 lakes” to “10 lakes” as appropriate.]

AL 1300 – Common to All Action Alternatives – Adaptive Management

Concern ID: 10001
CONCERN
STATEMENT: One comment stated that alternative D does not provide an opportunity to adaptively manage fish stocking. It is possible that adaptive management over the long haul applied to alternative B will result in the same outcome as alternative D would.

Representative Quote(s): “Adaptive management is based on the premise that managed ecosystems are complex and unpredictable. Adaptive management is an analytical process for adjusting management and research decisions to better achieve management objectives. This process recognizes that our knowledge about natural resource systems is uncertain... The goal of such experimentation is to find a way to achieve the objectives while avoiding inadvertent mistakes that could lead to unsatisfactory results (Goodman and Sojda 2004).” (pg 183) This is an excellent description of how this critical management practice works and of its benefits. Alternative D is a poor choice as an outcome of this [National Environmental Policy Act] process for precisely the reason that it does not manage the existing situation using this excellent adaptive management process. “The adaptive management process for the 91 lakes in the study area would evaluate the effects of management actions ... on biological resources at an individual lake and identify whether the management action should be modified to meet the objectives for the lake.” (pg 83) Well said. This sentence describes well why alternative D is a poor choice since alternative D does not provide an opportunity to adaptively manage fish stocking. It is possible that adaptive management over the long haul applied to alternative B will result in the same outcome as alternative D would, but getting there via adaptive management is the safer and more conservative way to get there. (31)

Response: Please note that alternative D does provide opportunities for adaptive management, but only in the context of fish removal methods to be used, not fish stocking.

Concern ID: 10002
CONCERN STATEMENT: Several comments are concerned about the costs of implementing components of the plan, including fish removal, adaptive management, and monitoring.

Representative Quote(s): In addition, the [National Park Service (NPS)] has not demonstrated that it can implement adaptive management or any long-term management policy, and there are no managerial or fiscal assurances that it could be successful in this instance. (anonymous)

I wanted to speak a little more about B, just my own concern looking, I guess, down at the future and the adaptive management plan and some of the ideas that are contained there. My worry would be that there's enough ambiguity and wiggle room and budgetary excuses that we'll run into the same problems in the future that we have right now because of the confusions with the Memorandum of Understanding in the past, and my worry as a high laker and a high-lake fisherman is that we will remove fish from some lakes and maybe remove fish from lakes that are overstocked, which is good, but the other side of the coin to the adaptive management plan and thought to restock some of the lakes, that will not happen, and so I would encourage the Park Service to consider an informal linkage among the various components of Plan B, in other words, not necessarily a one-to-one quid pro quo, but some sort of linkage that if and before we remove stocking from certain lakes, we proceed with the -- or you proceed with the other components of the plan. If we're going to remove stocking from certain lakes by whatever means and then reconsider whether those lakes will have fish again, that some of those lakes be considered and decisions made before the fish are removed from some lakes. And if it doesn't quite happen in that order, at least have some sort of written understanding that there's a component of linkage informally between them so that 5 years from now or 10 years from now or 15 years from now when there's no budgetary money for the monitoring because it's so expensive, or for the expense of detailed adaptive management analysis we don't get the shaft of all the lakes being taken out of circulation for fish and none put back in. (47)

Response: The adaptive management framework for alternative B will govern all elements of fishery management, including fish removal and/or fish stocking. This adaptive management approach is proposed because there is some uncertainty as to how native species will respond in lakes where stocking has been discontinued and when restocking begins. In light of this uncertainty, the decision to restock some lakes cannot be made at this time. Instead, the decision must await the results of monitoring the response of native organisms after stocking is discontinued. This informed approach will help to meet the objective using the "best available science" to guide decision-making.

However, the NPS will pursue all available means to manage the fishery as proposed, such as seeking partnerships among stakeholders and with the research/scientific community. The six steps on page 83 further explain the adaptive management approach.



Concern ID: 10003

CONCERN STATEMENT: Several comments questioned if the North Cascades Complex experiences budget shortfalls, would it default to alternative A?

Representative Quote(s): There needs to be a substantial dose of reality applied here. The management and monitoring processes for adaptive management are commonly much more expensive than conventional management and have not been sustained over the period required in publicly funded efforts [15 years in this instance]. NCCC [North Cascades Conservation Council] has great concern that even the limited set of costs identified for the first round of fish removals under various scenarios Tables 33, 34, and 35 are only a small indication of the funding needed for a full adaptive approach [especially the monitoring component] as outlined in the Mountain Lakes Management Plan. [The North Cascades Conservation Council] concern is increased when these levels of funding are compared with the whole [North Cascades Complex] operational budget Table 30. What is the likelihood that the proposed fish ecosystem management program can receive adequate increment funding to do what is outlined? What is not going to get done if no new resources are available to implement the adaptive management plan? Or do we simply default to Alternative A because we cannot afford to live up to the implementation of Alternatives B and C. Alternatives B and C represent considerable improvements over Alternative A but they involve even more management difficulties than those associated with Alternative D. Perhaps the [North Cascades Conservation Council] is overestimating the task and cost of implementing these alternatives or underestimating the ability of the NPS to do this job as proposed. The [North Cascades Conservation Council] needs far greater assurance that this adaptive management approach can work as proposed and that the resources are guaranteed to ensure success than is presented in this document. (18)

Response: It is widely recognized that adaptive management can be costly. For example, a task force report to the Council of Environmental Quality entitled “Modernizing NEPA Implementation” (September 2003; <http://ceq.eh.doe.gov/ntf/report/htmltoc.html>) noted the potential additional expense associated with the monitoring necessary to successfully implement adaptive management. The task force recommended that the *National Environmental Policy Act* process should identify the additional expenses associated with the adaptive management approach to ensure that funding needs for monitoring as well as for any adaptive measures are considered and reflected in the decision documents. The NPS has fully considered these recommendations. The plan/EIS includes a detailed fish removal implementation plan (new appendix N). The plan/EIS also provides cost estimates for each alternative, including monitoring and evaluation based on the best available information and clearly stated assumptions.

The NPS will pursue all available means to manage the fishery as proposed, such as seeking partnerships among stakeholders and with the research/scientific community.

The NPS will not default to alternative A should there be budget shortfalls that limit plan implementation. Instead, the NPS will remain committed to implementing whatever alternative is selected. Management actions will be implemented in accordance with available funding and resources.

Concern ID: 10004

**CONCERN
STATEMENT:**

Several comments questioned the success of adaptive management strategies. The problem is not with the concept but with the limited abilities of public and private management institutions to produce the process and results promised.

Representative Quote(s): The active adaptive management approach laid out in this [draft plan/EIS] [Alts. B and C] has yet to be demonstrated and sustained anywhere despite its conceptual elegance and intuitive appeal. Indeed, Carl Walters, one of the fisheries scientists who developed [along with Hollings and Hilborn] the concepts for adaptive management and once a leading proponent of the use of adaptive management has become convinced that our current management institutions are incapable of supporting such an approach [Walters comments in two public discussions, first at National Center for Ecosystem Analysis and Synthesis, Santa Barbara, CA. May 2004 and second at Workshop on Ecosystem-Based Management for Archipelagic Systems, Honolulu, Hawaii May 2905]. It is hard to disagree with Walter's perspective based on empirical studies of intended adaptive management processes. (18)

I hope that I am clear in communicating [North Cascades Conservation Council] refusal to accept continued stocking. The [National Park Service] made a valiant but desperate attempt to preserve a balance between lake restoration and continued fish stocking by introducing a new wrinkle. The new wrinkle is "active adaptive ecosystem management". This is a concept very near and dear to my heart conceptually but which has a deplorable track record in terms of empirical results. The problem is not with the concept but with the limited abilities of public [and private] management institutions to produce the process and results promised. A fully adaptive management program as described by the [National Park Service] for [the North Cascades Complex] would cost, in my estimation, at least half as much as the total [North Cascades Complex] operations budget. Thus, I [on behalf of [the North Cascades Conservation Council]] respectfully challenged the ability of the [National Park Service] to produce the planned elements of the preferred Alternative or its close second, Alt. C. (18)

Response:

Adaptive management is a system of management practices based on clearly identified outcomes; monitoring to determine if management actions are meeting those outcomes; and if not, facilitating management changes that will best ensure that outcomes are achieved. Adaptive management recognizes that knowledge about natural resource systems is sometimes uncertain. An adaptive management approach was selected for this plan/EIS because Department of Interior policies (516 DM 4.16) encourage the NPS to build adaptive management practices into *National Environmental Policy Act* compliance activities. In addition, to comply fully with 40 CFR 1505.2(c), the NPS must use adaptive management when implementing mitigation activities.

The NPS is well aware of the potential costs and challenges of adaptive management. To ensure success, the plan/EIS includes a detailed monitoring component to facilitate changes in management actions should objectives not be met. The program costs have been carefully calculated and assumptions have been plainly stated.



AL 1500 – Common to All Action Alternatives – Mechanical and Chemical Methods

Concern ID: 10005

**CONCERN
STATEMENT:**

One comment suggested that less invasive eradication methods be attempted first, such as gill netting, etc, and to follow these efforts with research to determine efficacy. Such eradication efforts should be adapted in light of any findings. Then, if several attempts at eradication are not successful, it may be beneficial to move to piscicides.

Representative Quote(s): We urge the Service to try less invasive eradication methods first such as gill netting, etc, and to follow these efforts with research to determine efficacy. Such eradication efforts should be adapted in light of any findings. Then, if several attempts at eradication are not successful, it may be beneficial to move to piscicides. It should be noted that fish have been present for some time, so any remaining amphibians or other rare species are unlikely to be extirpated simply because complete eradication of fish is not achieved in the next few years. (21)

Response: The NPS considered using gill nets exclusively to remove fish, but chose to pursue a more comprehensive strategy because many case studies have demonstrated that gill netting is only effective in relatively small, shallow lakes. If gill netting fails, then antimycin may be used, but only after completing a lake-specific *National Environmental Policy Act* analysis of treatment options. Table 7 of the plan/EIS identifies lakes that would be treated with antimycin. These lakes have been chosen for antimycin treatment because case studies have demonstrated that gill netting would most likely not prove feasible or effective. The implementation plan (appendix N) specifically identifies the first seven lakes for fish removal. Two of these lakes would be treated with antimycin.

Adaptive management would govern all fish removal actions, meaning that methods may evolve in time as more is learned about treatment efficacy.

Concern ID: 10006

**CONCERN
STATEMENT:**

Several comments are concerned with the use of antimycin for fish removal.

Representative Quote(s): We understand that antimycin degrades relatively quickly, and that many management precautions will be taken in its application. However, we are concerned that amphibians and arthropods will be impacted, and possibly extirpated by antimycin as well. We urge the Service to seek more information regarding the impacts of antimycin on amphibian populations, the recolonization of amphibians, and to analyze the use of piscicides with a strategy that aims to recover specific species in trouble in specific geographic areas. (21)

We support the spirit of Alternative D, mainly because it includes no additional fish stocking. However, we are not completely supportive of the use of antimycin or other piscicides in high mountain lakes. We are troubled by the proposed use of antimycin, because the piscicides may impact rare species such as the salamander or bull trout. The [plan/EIS] states “toxicity of antimycin to aquatic invertebrates has been found to be similar to that of fish at concentrations comparable to those that would be used in the North Cascades Complex . . .” (p. 265) The [plan/EIS] goes on to claim that “Field tests of antimycin effects have shown no observable impacts on various amphibian species at typical fish-control treatment levels.” (p. 265). We do not believe the case is this clear. According to a report by the Montana Chapter of The Wildlife Society, “The nontarget effects of another piscicides, antimycin, have apparently not been formally studied, but preliminary observations seem to indicate

that antimycin is also toxic to turtles and amphibian larvae (Patla 1998).” Also, since amphibians rely on invertebrates for food, any reduction in insect numbers may have adverse impacts on amphibians. (21)

Although it degrades relatively quickly, many amphibians and arthropods may be impacted. The National Park Service (NPS) should obtain more information regarding the impacts of antimycin on amphibian populations, the recolonization of amphibians, and to analyze the use of piscicides with a strategy that aims to recover specific species in trouble in specific geographic areas. A report by the Montana Chapter of The Wildlife Society stated that preliminary observations seem to indicate that antimycin is also toxic to turtles and amphibian larvae (Patla 1998). Also, there is no discussion of the impact on invertebrates. Since amphibians rely on invertebrates for food, any reduction in insect numbers may have adverse impacts on amphibians. –This came from the initial concern statement, need to find the Corr. ID, author, etc.

Response:

The potential impacts of antimycin have been carefully considered in the impact analysis portion of the plan/EIS [page 267 of the FEIS]. To minimize impacts, the adaptive management strategy for fish removal would begin with a pair of relatively small lakes (Middle Blum and Lower Blum lakes) where removal should prove feasible. The plan/EIS includes a detailed monitoring component so that impacts can be thoroughly evaluated (appendix N). As additional knowledge is gained, fish removal procedures will be revised accordingly.

AL 3110 – Alternative A – Current Management Framework

Concern ID: 10007

**CONCERN
STATEMENT:**

One comment stated that under the section “Current Fishery Management Program,” there is no section for “Lakes with Low Densities of Non-reproducing Fish.” All other permutations of “with fish, fishless, and reproductive status” are covered except this most crucial one upon which both alternatives B and C depend.

Representative Quote(s): CURRENT FISHERY MANAGEMENT PROGRAM (pg 76-81) This overall section does a plausible job of describing the current fishery management program; however, there is one glaring omission: there is no section for “Lakes with Low Densities of Non-reproducing Fish”. All other permutations of with fish, fishless, and reproductive status are covered except this most crucial one upon which both alternatives B and C depend. I trust this was an oversight and not yet another example of possible prejudice in favor of alternative D. (31)

Response:

This section describes current fishery management practices. It is not intended to describe how management practices could change in the future under alternatives B, C, or D based upon our knowledge that fish impacts are largely related to the reproductive status and abundance of fish in a lake. Nonetheless, we agree that it would be more accurate and consistent to describe the current stocking program under the category of “Lakes with Low Densities of Non-reproducing Fish.” The plan/EIS has been revised accordingly: the header “Current Fishery Management Program” (p. 76) has been changed to “Lakes with Low Densities of Non-reproducing Fish”



AL 3200 – Alternative B – Support

Concern ID: 10008

CONCERN STATEMENT: Comments support alternative B and also think it should be the environmentally preferred alternative.

Representative Quote(s): The [Washington Department of Fish and Wildlife] supports Alternative B as the preferred alternative. Alternative B and the adaptive management of fish in park lakes satisfies the expressed purpose of this [plan/EIS] in providing recreational fishing opportunity in this historic high lake fishery while minimizing ecological impacts. The [Washington Department of Fish and Wildlife] also supports Alternative B as the environmentally preferred alternative as defined in the Department of Interior Policy (516 DM 4.10) and the national environmental policy act (NEPA) section 101 (b)), including (b) 3. “attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences” an aspect in which alternative D, the proposed environmental preferred alternative does not address. Additionally, Alternative B offers the greatest potential for partnerships between the State, the Park, and stakeholders for implementing fish removal projects on those lakes with high-density naturally reproducing populations. By continuing to provide quality high lake fishing opportunity, Alternative B also offers the benefit of continued communication and education of back country anglers, thus reducing the potential for unsanctioned introduction of fish in high lakes. (39)

Response: The NPS agrees that alternative B would provide recreational fishing opportunities and minimize ecological impacts. The NPS also agrees that alternative B would reduce the potential for unsanctioned stocking by maintaining a positive, constructive relationship with the angling community. However, the NPS respectfully disagrees that alternative B should be considered the Environmentally Preferred Alternative. The NPS has identified alternative D as the environmentally preferred alternative because it would cause the least damage to the biological and physical environment, and it best protects, preserves and enhances the natural resources of the Complex (DM 516, 4.10(A) (5)).

AL 3210 – Alternative B – Proposed Management Framework

Concern ID: 10009

CONCERN STATEMENT: Comments wanted clarification on the number of lakes that would have fishing opportunities as proposed under alternative B.

Representative Quote(s): In Table ES-2 on page xviii, Stout, lower Stout and Trapper lakes are listed as having low-density reproducing fish under the Current Condition of Lake (as represented under alternative A). Yet in Table H-1 these lakes are tagged with the estimation of 222 fish per acre (for overproducing fish populations). This is a contradiction. If one of these is in error it should be corrected.

One comment stated that the window explaining the numbers of lakes under alternative B on the margin of page xiii is confusing. The alternative B window states, “29 lakes would have fish, 49 lakes would be fishless, 13 lakes would be evaluated”. It seems that there are actually 22 lakes that would have fish (2C, 3C, 4C). Assuming that the seven additional lakes come from action 3B, it is not clear from Table ES-1 that these lakes will be planted.

Response: For alternative B, a maximum of 42 lakes may have fish and may be fishable in the future. The actual numbers of fishable lakes may be revised downward as more data are collected. In other words, a firm number cannot be provided at this time because management actions (e.g., lakes to be stocked following removal of reproducing populations of fish) could change in the future if monitoring results indicate the objectives are not being met. Because a firm number of lakes cannot be stated until additional data are collected, the boxes in the margins oversimplify the alternatives and have been removed.

Concern ID: 10010
CONCERN STATEMENT: Several comments are concerned that after chemical fish removal, the surviving fish population may rebound to high densities after a few generations.

Representative Quote(s): “Feasibility of fish removal was assumed to be low if lake surface area exceeds 50 acres or lake volume exceeds 1,000 acre-feet. Table 7 identifies the nine lakes having characteristics that could make complete fish removal infeasible.” (Vol. 1, Pg. 93–94) Bear, Berdeen, Green, Hanging, Hozomeen, Monogram, Stout, Hidden and Trapper lakes According to Table 7, Bear, Berdeen, Green, Hanging, Hozomeen and Monogram are slated for chemical fish removal under Alternative B even though it is plainly stated it may not be successful. I believe the surviving fish population will rebound to high densities after a few generations. This management action appears to be temporary and necessitate repeated fish removal in the future. I think this decision should be reconsidered. I do not agree with planned, repeated chemical fish removal in these Wilderness lakes. I ask that these lakes be left in their current state until a method of complete fish removal is found. (81)

Response: The plan/EIS has been revised to clarify that chemical methods will not be used repeatedly or as a “stop gap” measure to limit fish abundance in lakes where complete removal is not feasible. Instead, if chemical treatment methods fail, then fish will remain in the lake until more promising methods of fish removal are identified. For some lakes, reproducing populations of fish could remain for the foreseeable future, if not forever, because complete removal may never be feasible.

The “Feasibility of Fish Removal” section (p. 95), end of last paragraph, has been amended.

Concern ID: 10011
CONCERN STATEMENT: Several comments stated that the NPS should learn much more about the removal procedures and impacts starting with the easier lakes before trying to remove fish from the more difficult lakes.

Representative Quote(s): My value system says that the Preferred Alternative B is a good balance between competing value systems. However, I'm very concerned about the potential impacts of human intervention trying to remove fish from some of the larger, deeper and pristine wilderness lakes. I advise the NPS to learn much more about the removal procedures and impacts starting with the easier lakes before trying to remove fish from the more difficult lakes. (72)

Response: The fish removal strategy is to begin with relatively small lakes to gain staff experience, monitor impacts, and refine measures for minimizing impacts to visitors and the environment before progressing to fish removal in larger, deeper lakes. The strategy also relies upon technical assistance from personnel who are experienced in fish removal procedures. Appendix N provides the Strategic Implementation Plan for Fish Removal.



AL 3230 – Alternative B – Proposed Mitigation

Concern ID: 10012

CONCERN STATEMENT: Comments stated that the text misrepresents the reproductive ability of stocked fish.

Representative Quote(s): Mitigation/Alternative B “Reproduction would be limited by inducing genetic sterility or selecting hatchery strains that cannot reproduce due to spawning habitat limitations and/or timing of spawning limitations (e.g., Mount Whitney rainbow trout).” (pg 129) The use of the underlined word “limited” is misleading. “Limited” gives the impression of reduced somewhat”. This word should be replaced with the word “eliminated” since sterile fish cannot reproduce at all. (31)

Response: In the short term, the Washington Department of Fish and Wildlife would continue to stock Mount Whitney rainbow trout, whose habitat constraints and timing of spawning should make them functionally incapable of reproducing in mountain lakes. Golden trout, coastal cutthroat trout (for westside lakes) and intermountain cutthroat trout (for eastside lakes) would be stocked in lakes with low reproductive potential (e.g., very limited spawning habitat) to diversify fishing opportunities. The Washington Department of Fish and Wildlife is also currently developing a native Upper Skagit rainbow trout brood stock for Westside lakes. The Washington Department of Fish and Wildlife is also developing genetically sterile (triploid) trout. The long-term goal would be to stock only genetically sterile fish to minimize further the risk of unwanted reproduction.

The Washington Department of Fish and Wildlife currently does not have the sole capability of stocking only sterile fish, so some lakes will continue to be stocked with reproductively viable fish provided the lake lacks sufficient habitat for spawning. Thus the possibility for reproduction remains, although though the risk would be very low because of spawning constraints.

AL 3260 – Alternative B

Concern ID: 10013

CONCERN STATEMENT: Comments are concerned that there should be no net loss in fishing opportunities in mountain lakes.

Representative Quote(s): The [King County Outdoor Sports Council] would like to go on record as supporting, with reservations, Alternative B of this [environmental impact statement]. We are somewhat worried about the wording of this alternative as it gives the impression that 42 lakes may have fish but at the same time stating that lakes where fish have been eliminated may not be restocked. We believe there should be no net loss in the number of lakes from the 40 that are now on the current [memorandum of understanding] between the [North Cascades Complex] and the [Washington Department of Fish and Wildlife]. If there is then we believe the [National Park Service] needs to mitigate this recreational loss to the people of Washington as they were promised this resource in return for supporting the creation of the [North Cascades Complex]. (45)

Response: No net loss of fishing opportunity was considered as suggested by this comment. However, this was rejected in favor of establishing science-based objectives and approaches as outlined by NPS Management Policies 2006 sections 2.3.1.4 and 4.1.1, which require planning documents to be guided by scientifically acceptable data and information. A plan based solely on no net loss of fishing opportunity would not meet NPS policy guidance.

Concern ID: 10014

**CONCERN
STATEMENT:**

Public is concerned that the National Park Service will only implement cessation of fish stocking from alternative B because of cost and ease of effort, and no other aspect of this alternative will be achieved.

Representative Quote(s): The components of Option B include removing some lakes from being stocked; removing over-reproducing fish from some lakes; and considering other lakes for stocking, especially those that been cleared of over-reproducing fish. My concern is that only the first component of Option B will be well implemented, largely because it costs nothing. The other components, critical for restoring health to aquatic ecosystems and creating quality, no-impact fishery, will take time, money and effort. The concern then is that these important parts of the Option B plan will not happen. I believe that as Option B is a complete plan, so should all components of the plan be linked in such a way that the plan advances as a whole. For example: no more than half of the lakes identified for cessation of stocking could have stocking stopped until half of the overstocked lakes destined for attention have been treated, and reviewed via the adaptive management and other policies for introduction of non-reproducing fish. This would insure that loss of fishable lakes is matched by the effort to improve lake habitats, a goal anglers support wholeheartedly. We do not want to be the only ones making sacrifices or efforts. A linkage between the Option B components would indicate and insure the good faith of the Park Service. Option B should not be a fig leaf to simply and immediately reduce the historical and valued practice of stocking in the [North Cascades Complex]. (47)

Response:

We agree with the comment that all phases of the plan need to move forward as a whole. However, for reasons of practicality, we are using an adaptive management approach to test our proposal on a limited number of lakes to determine the effects of treatment, cessation of stocking, and restocking actions. This phased approach can be found in chapter 2 and an implementation strategy has been added as appendix N.

Concern ID: 10015

**CONCERN
STATEMENT:**

Comment stated that the justification for identifying the preferred alternative was not clear.

Representative Quote(s): **Corr. ID:** 130537 **Organization:** *Not Specified*

Comment ID: 17335 **Organization Type:** Unaffiliated Individual

Representative Quote: After careful review of the [plan/EIS] I was unable to find a statement that explained why the Park Service has chosen Alternative B. The only explanation was found in the ‘Frequently Asked Questions’ insert included with the [plan/EIS]. This explanation is unsatisfactory and lacks detail or clarity. The Park Service must explain in detail why the recreational fishing opportunities of a handful of people are more important than preserving the biological integrity of our high elevation lakes. Why is fostering “a continued cooperation and collaboration in fish management between the [Washington Department of Fish and Wildlife] and the [National Park Service]” important? Why would this relationship trump the protection of biological resources? Why does the “[National Park Service] believe that cooperative management between the [National Park Service] and [Washington Department of Fish and Wildlife] is essential for the successful management of the mountain lakes fishery”, if all available science and current [National Park Service] policies concludes that fish stocking should not occur? I am honestly baffled to why the [North Cascades Complex] has chosen Alternative B, and it seems that there may be a lot more going on behind the scenes. Does the Park Service feel pressured by the [Washington Department of Fish and Wildlife]? Does the Park Service fear a lawsuit by [Washington Department of Fish and Wildlife]? Does the Park Service believe



that we need to continue to stock half of the lakes, because if we don't, renegade fisher-people will illegally stock them anyway? In order for the park service to facilitate a comprehensive understanding by the public of why the Preferred Alternative was chosen, perhaps a section should be added to the [plan/EIS] entitled 'Politics'. This is not an attempt at sarcasm; the public deserves full disclosure into why the Preferred Alternative was chosen, and I believe a discussion of this nature would help with that understanding.

Response:

As a matter of policy, the decision rationale is provided in a record of decision, but not in the draft plan/EIS (DO-12, 6.2(A)(3)) because it does not want to bias or influence public review and comment. The section entitled "How Alternatives Meet Objectives" (p. 114) describes the plan/EIS objectives and how well each of the four alternatives meets the objectives.

Alternative B, which was identified as the preferred alternative, requires Congressional clarification before it can be implemented. In the absence of Congressional clarification, Alternative D will be implemented until Congressional clarification is received.

AL 3270 – Alternative D

Concern ID:

10017

CONCERN

STATEMENT:

Several comments are concerned about people illegally stocking lakes if alternative D is implemented. The potential of illegal stocking actually may make alternative D the least environmentally friendly alternative, given the ease with which it can be done.

Representative Quote(s):

Corr. ID: 131305

Organization: Trail Blazers and Hi-Lakers

Comment ID: 17708

Organization Type: Recreational Groups

Representative Quote: Illegal fish stocking is a major issue and is not given enough exposure in this draft of the [plan/EIS]. If the park were to choose alternative D and thereby essentially eliminate the historical mountain fishery which has been there for decades (well before the creation of the park), visitors to the lands of the park who fish will certainly notice the reduction or elimination of fish from their "favorite" lake. Quite innocently, they might be tempted to "help nature along" by transporting fish fry from a stream or river in the park. This is very easy to do and one person could undo tens of thousands of dollars of work in an afternoon. This scenario ought to be taken more seriously by the [National Park Service] as they consider the implications of alternative D verses alternative B. The best way to minimize the risk of unsanctioned stocking by an uninformed public is to maintain a disciplined, well-managed fishery along with public outreach and education. (31)

Response:

Unsanctioned stocking could occur under any alternative and it is too speculative to adequately measure. However, the NPS does not believe the threat of unsanctioned stocking should be used as a basis for rejecting alternative D as the environmentally preferred alternative because it best meets the criteria found in the DM. The NPS has included "Outreach and Education" as an element common to all action alternatives. The "Outreach and Education" strategy would include exhibits at visitor centers, brochures, a web site and periodic newsletters. These various media would address the risks and consequences of unsanctioned stocking so as to raise awareness of the issue and inform stakeholders.

AL 3400 – Alternative D – Support

Concern ID: 10018

CONCERN STATEMENT: Comments requested a detailed implementation plan that illustrates specific funding and staffing commitments and actions to implement the plan.

Representative Quote(s): I favor Alternative D, the environmentally preferred alternative, in principle because it potentially restores naturally fishless lakes to their original biological integrity. However, this alternative needs a specific implementation plan to remove fish within a specific timeframe (perhaps, 20 years) with the financial and personnel assistance of the Washington Department of Fish and Wildlife and others responsible for past fish stocking. Without a specific plan and funding, reproducing populations of stocked fish could remain in these lakes for years as well as recreational fishing such as has occurred in Sequoia-Kings Canyon National Parks and other NPS areas. Without committed and diligent park management, this could easily become the No Action Alternative. (Anonymous)

The [North Cascades Conservation Council] supported Alternative D which is to cease fish stocking. The [North Cascades Conservation Council] added a request to [alternative] D [which was terribly inadequately described in the [plan/EIS]] that a strategic implementation plan be developed to state the objective as eliminating non-native fish and restoring aquatic habitats to the extent possible.

Response: A detailed Implementation Plan concerning the first phase of fish removal has been added to the final plan/EIS as appendix N.

Concern ID: 10019

CONCERN STATEMENT: Comments supported alternative D because it is most closely aligned with NPS Management Policies.

Representative Quote(s): The goal for the Environmentally Preferred Alternative (Alternative D) is that all 91 lakes would be fishless. This alternative is most closely aligned with the National Park Service (NPS) Management Policies which state that exotic species will not be introduced into parks and that the NPS is not to intervene in natural biological or physical processes, except in emergency situations to restore natural ecosystem functioning that has been disrupted by past human activities. Also, by removing the nonnative fish in these lakes, Alternative D would eliminate long-term predation and competition impacts on plankton, macroinvertebrates and amphibians in the study area. While the US [Environmental Protection Agency] acknowledges that there will be short-term minor impacts resulting from the removal of the nonnative fish, the [plan/EIS] includes an adequate monitoring and adaptive management plan to assure that these impacts are minimized. (44)

Response: Alternative D has been identified as the environmentally preferred alternative because it best promotes the national environmental policy expressed in NEPA and is the alternative that best protects and preserves the biological and physical environment by eliminating the consequences of stocked and reproducing fish populations over the long term.



AL 3402 – Alternative D – Oppose

Concern ID: 10020

CONCERN STATEMENT: Comments opposed alternative D because it does not provide adequate recreation opportunities and should be omitted.

Representative Quote(s): **Corr. ID:** 131124

Organization: State of Washington Department of Fish and Wildlife

Comment ID: 17360

Organization Type: State Government

Representative Quote: [Washington Department of Fish and Wildlife (WDFW)] believes that Alternative D is not an appropriate alternative given it is in direct opposition with the purpose of the plan/EIS and its objective to “Provide a spectrum of recreational activities including sport fishing...” in the study area, which is made up of park high lakes with a history of fish presence. The intent of Alternative D is to eliminate fish in the [North Cascades Complex] high lakes, and is in direct conflict with providing sport fishing opportunity in high mountain lakes. WDFW believes Alternative D should be dropped from consideration and omitted from the Final EIS entirely.

pg 115: “As stated in the “Purpose of and Need for Action” chapter, all action alternatives selected for analysis must meet all objectives to a large degree.” “The plan’s objectives are to: ...Provide a spectrum of recreational opportunities, including sport fishing, while minimizing impacts to the biological integrity of natural mountain lakes...” “Even alternative D would provide sport-fishing opportunities in mountain lakes for a lengthy period because it would take many years to remove all reproducing fish populations from the mountain lakes...” These two sentences from this section represent a gross distortion of the concepts otherwise usually fairly presented this draft [plan/EIS] -apparently in order to justify alternative D as being acceptable. Alternative D does not meet the “sport fishing” plan/EIS objective as claimed here. Anglers do not appreciate lakes with high densities of reproducing fish any more than conservationists, or anyone else. Such lakes not only lack biological integrity, but provide essentially no quality sport fishing opportunity. Claiming that the removal of the quality fishery via the removal of all nonreproducing low density fish population, while keeping the stunted lakes to “provide sport-fishing opportunities in mountain lakes” is tantamount to making a farce of this entire [plan/EIS] document, and is insulting to those of us who have worked in good faith with the NPS for over two years on this process. (31)

Response:

Alternative D best meets NPS policies. The purpose of this plan/EIS is to guide NPS actions in order to conserve biological integrity, provide a spectrum of recreation opportunities and visitor experiences, including sport fishing and resolve the long standing debate and conflicts over fish stocking in the naturally fishless mountain lakes in the North Cascades Complex. NPS believes that Alternative D best incorporates these different purposes and objectives into the plan/EIS. The plan/EIS assesses impacts on social values to anglers wishing to continue this activity within the North Cascades Complex. The plan/EIS recognizes that some anglers may not have the same high-quality fishing experience in the North Cascades Complex and may choose to fish outside the complex. The plan/EIS also recognizes that fishing opportunities would continue to exist in the 10 deep lakes where complete fish removal may not be feasible.

AL4000 – Alternatives – New Alternatives or Elements

Concern ID: 10021

CONCERN STATEMENT: Comments suggest a new alternative where the NPS implements actions in alternative A plus an action to address overpopulated lakes only.

Representative Quote(s): I think there is another viable alternative. I call it Alternative A Modified. The original agreement in forming the [North Cascades Complex] was that fish stocking would continue. I interpreted that to mean in lakes that already had fish. (62 lakes per the plan/EIS) However, there are lakes that need some sort of Adaptive Management plan due to over-population. So my proposal for a modified Alternative A would be to address this problem through fish removal in these lakes followed by restocking with non-reproducing fish at low densities. (3)

Response: Overpopulation of lakes is only one of several ecological risk factors that were considered in the development of the alternatives. Not taking other ecological risk factors into account when developing the alternatives would fail to meet the objectives of the plan.

Concern ID: 10022

CONCERN STATEMENT: One comment stated that fishing tackle that contains lead should be banned from the entire Park Complex.

Representative Quote(s): On a final note, fishing tackle that contains lead should be banned from the entire North Cascades National Park (including Ross Lake) as soon as possible. Steel alternatives are available. Fines could be used to help cover native restoration costs. All national parks in Canada have implemented lead-free fishing to eliminate the threat that lead poses to wildlife and the environment. All fishing tackle under 50 grams containing lead, such as leaded sinkers, lead split shot, lead weighted jigs and soft lead putty wire are not allowed. (21)

Response: Most anglers do not fish for trout using lead tackle. Nonetheless, the NPS fully supports banning lead tackle from the Complex. The Washington Department of Fish and Wildlife concurs that lead fishing tackle should be prohibited. Although beyond the scope of this plan, the NPS will work with the Washington Department of Fish and Wildlife to revise the regulations so as to prohibit lead fishing tackle throughout the Complex.

Concern ID: 10023

CONCERN STATEMENT: One comment stated that since North Cascades will be a cooperating fishery manager, they should be in line for a share of the fishing license dollars from the State of Washington.

Representative Quote(s): We also feel the [North Cascades Complex], as they will be a cooperating fishery manager, should be in line for a share of the fishing license dollars from the State of Washington. The [North Cascades Complex] could sell licenses and keep half the dollars to finance their portion of fishery management. (45)

Response: Because the NPS does not have the authority to sell fishing licenses, the state would be assisting the park in indirect methods such as in-kind donations and other types of support.



AO 2000 – Aquatic Organisms – Methodology and Assumptions

Concern ID: 10024

**CONCERN
STATEMENT:**

One comment questioned if it is possible for the over reproducing fish that were not feasible to be removed from Berdeen Lake to eventually spill into Lower Berdeen Lake recreating the problem? If so, then Lower Berdeen Lake should be treated similarly to Berdeen Lake.

Representative Quote(s): Regarding 2A lake Lower Berdeen where fish will be permanently removed: Is it possible that the over reproducing fish that may not be feasible to remove in Berdeen will eventually spill into Lower Berdeen recreating the problem? If there is any chance of this I ask that Lower Berdeen be treated similarly to Berdeen. (81)

Response: For all action alternatives, both Berdeen and Lower Berdeen would be treated similarly – they would have the high-density reproducing fish removed as the first step in the management plan. Lower Berdeen would be kept fishless under all action alternatives. Under alternative B, a decision would be made to restock Berdeen with low-density nonreproducing fish after monitoring. Under alternatives C and D, Berdeen would be kept fishless.

Concern ID: 10025

**CONCERN
STATEMENT:**

Several comments suggested there are no measurable impacts on lakes when low densities of non-reproducing fish are used as supported by the Liss and Larson study. However, other comments assert impacts do occur from non reproducing fish stocking and support taking management action.

Representative Quote(s): Table ES-4 “Impacts on aquatic organisms in lakes stocked with low densities of nonreproducing fish would be the same as alternative A, except these impacts would decline further in the future as stocking is curtailed or eliminated in lakes base upon adaptive management decisions pertaining to stocking.” It needs to be made explicit in this alternative, as well as in alternative A and C, that data show there are no measurable impacts on lakes when low densities of non-reproducing fish are used. Additionally, it makes no sense to say that impacts would decline further since there is no measurable impact in those lakes today. (31)
“In contrast, in seven lakes containing fish that were either nonreproducing stocked (2 lakes) or reproducing (5 lakes), the range was drastically lower: 0 to 8 individuals per 328 feet of shoreline surveyed.” (pg 167) I find it unbelievable that the [plan/EIS] authors seem to have so little understanding of the vital conclusion of the Liss and Larson study that one can not lump reproducing and nonreproducing fish populations in the same statistic. In the context of proper mountain lake fishery management, mixing statistics from these two different data sources (reproducing and nonreproducing fish populations) is the ultimate apples and oranges story.” (31)

ZOOPLANKTON “Lower densities of fish, more typical of stocked situations, do not have as great an effect. There is not much difference in abundance of diaptomid copepods between these stocked lakes and fishless lakes (Liss et al. 1998), possibly because the densities are not as high in stocked lakes, and the zooplankton can recover between stockings.” (pg 163) These sentences should read: “Fish stocked in low densities (for example with nonreproducing fish) have little if any measurable effect. There is not much difference in abundance of diaptomid copepods between these stocked lakes and fishless lakes (Liss et al. 1998).” The phrase “not...as great” is awkward and gives the wrong impression that the difference between high density and low density fish populations is minor when just the opposite is the case. The ending phrase starting with “possibly” is speculative and likely wrong. Measurements show that the zooplankton populations simply do not depress much at

any time in the stocking cycle. The lack of effect of zooplankton is simply a matter of there being low numbers of fish at all times; there is no evidence that zooplankton populations get depressed immediately after a stocking event and then rebound over a few years as this original wording implies. Frankly, the original wording shows a significant misunderstanding by this draft [plan/EIS] author of low density stocking with nonreproducing fish since low density populations using this management technique are not primarily the result of infrequent stockings (indeed they could occur every year) but rather the result of using very low numbers of fish per acre at every stocking event. (31)

The US [Environmental Protection Agency] supports the goals of the proposed project to conserve native biological integrity, provide a spectrum of recreational opportunities and visitor experiences, and resolve the debate and conflicts over fish stocking in North Cascades National Park Service Complex. We have concerns that the Preferred Alternative (Alternative B) would allow for continued stocking of naturally fishless lakes consequently manipulating the native ecology and introducing nonnative species. Nonnative fish species have been shown to impact local biota within the study area. In particular, it has been demonstrated that nonnative fish species have long term impacts on plankton, macroinvertebrates and amphibians. Consequently, we have assigned a rating of EC-I (Environmental Concerns - Adequate) to the draft [plan/EIS]. This rating and a summary of our comments will be published in the Federal Register. A copy of the rating system used in conducting our review is enclosed for your reference. (44)

The Preferred Alternative (Alternative B) would conserve biological integrity in lakes by eliminating or reducing (if elimination proved infeasible) reproducing fish populations. This would eliminate high densities of reproducing fish populations from lakes in the study area while allowing low densities of reproducing and nonreproducing fish populations. While this management framework would minimize risks to biological integrity, it would still result in impacts on the local environment. In particular plankton and macroinvertebrates and amphibians would continue to experience long-term adverse impacts from predation and competition in all lakes that are stocked with fish. (44)

Response:

The magnitude of impacts of stocked trout on aquatic organisms (salamander larvae and copepods) is dependent on a complex interaction of several biotic and abiotic factors. The magnitude of the impact can vary with fish density; presence of reproducing or nonreproducing fish; nutrient concentrations, especially total nitrogen expressed as Kjeldahl nitrogen (TKN); and water depths. It is an over-simplification to state that nonreproducing fish have no measurable impacts. It also is an oversimplification to state that all non-native fish have measurable impacts. The series of Liss and Larsen studies conducted in 1990–1999 improved understanding of the impacts of non-native fish on resident salamander larvae and copepods in the high-elevation lakes of the North Cascades Complex. From 1990 through 1999, 28 fishless lakes, 17 lakes with nonreproducing trout, and 18 lakes with reproducing trout were studied. Very briefly, the Liss and Larson studies found higher abundances of salamander larvae and copepods in lakes with higher concentrations of nutrients, especially total Kjeldahl nitrogen (TKN). However, they also found high variability in the salamander larvae and copepod abundance data within any given set of biotic and abiotic causative factors. The impacts of introduced fish – reproducing or nonreproducing – were most readily distinguished in lakes with high TKN concentrations. In lakes with high TKN concentrations (≥ 0.055 mg/L), abundances of salamanders were lowest in lakes with reproducing fish, next lowest in lakes with nonreproducing fish, and highest in fishless lakes (Liss et al. 1998, 2002). At lower TKN concentrations (0.045–0.055 mg/L), the abundances of salamanders were lower overall and differences could only be seen between fishless



lakes and lakes with high densities of reproducing fish. In lakes with the lowest TKN concentrations (<0.045 mg/L), no differences in salamander abundances could be seen among fishless lakes, lakes with nonreproducing trout, and lakes with reproducing trout.

In the draft plan/EIS, the authors summarized the results of the OSU/USGS studies and applied the results in the impact threshold discussions. Descriptions of the Liss and Larsen results have been reviewed and revised as needed to clarify the essential concepts learned as a result of the 1990–1999 studies.

In Table ES-4 the statement in question under “Alternative B-Aquatic Organisms” has been revised.

Corresponding text in the “Alternatives” and “Environmental Consequences” chapters has also been revised.

The Liss et al. 2002 reference cited in revised text has been added to the References section. Also, the citation currently in text, Liss et al. 2002, has been changed to read: Liss et al. 2002a throughout the document.

AO 4000 – Aquatic Organisms – Impact of Proposal and Alternatives

Concern ID: 10026

CONCERN

STATEMENT: Comments state that the impacts on metapopulations of amphibians are poorly understood and the plan/EIS lacks sufficient data to make a confident decision.

Representative Quote(s): The impacts of fish stocking on metapopulations of amphibians is poorly understood and lacks sufficient data to make a confident decision one way or the other. I believe that the Park Service should error on the side of caution and choose Alternative D, to ensure that at least one small area of the entire Cascade Mountain Range can have a metapopulation of amphibians that is intact as possible. Our National Parks are supposed to be living laboratories where researchers can study amphibians and aquatic organisms in their original and natural state; it is our responsibility to restore the balance. (22)

Response:

It must be remembered that Liss and Larson and others studied amphibian populations in high mountain lakes in the North Cascades Complex for nearly 10 years (1990–1999). A synopsis of all the research was published in Ecological Impact of Introduced Trout on Native Aquatic Communities in Mountain Lakes – Phase III Final Report by Liss et al. (2002a). The role of isolation in the recolonization of extinct populations is discussed in chapter 1 (Tyler et al. 2002) of Liss et al. (2002a). The importance of protecting metapopulations is recognized and discussed in several places in the draft plan/EIS. Population isolation and its converse, connectivity, are presented in Table 1 (page 55), discussed on page 168, and used as a component of the impact thresholds for amphibians as seen in Table 31 (page 249). Two subspecies of long-toed salamanders are discussed on page 167, and the possibility of subspecies of the northwestern salamander is discussed on page 168. Finally, the context of the draft plan/EIS and fishery management plan must be considered. The North Cascades Complex has a total of 245 mountain lakes. Of these, at least 154 have always been fishless and will remain fishless. Of the 91 lakes considered in the draft plan/EIS, 29 are currently fishless and will remain fishless, even under alternative A (no action).

The first full paragraph on page 178 has been revised to refer to Shields and Liss 2003 and Thompson et al. 2006.

Also, the Thompson et al (2006) reference has been added to the References section.

Concern ID: 10027

**CONCERN
STATEMENT:**

One comment stated that no one has demonstrated that the general distribution of native amphibians has been diminished in Washington from planting trout fry into high lakes. A well-done study in the Olympics showed that native salamanders are well-distributed across their natural range despite many decades of fish planting.

Representative Quote(s): Much has been said and published about the impacts of trout in high lake ecosystems on native salamanders. There most definitely is a problem with some amphibian species in some areas, such as the yellow-legged frog in the Sierras of California. This is not California. A well-done study in the Olympics showed that native salamanders are well-distributed across their natural range despite many decades of fish planting. Here's my bottom line: No one has demonstrated -- I worded this very carefully. No one has demonstrated that the general distribution of native amphibians has been diminished in this state from planting trout fry into high lakes. While it is true that fish can temporarily depress salamanders or their larvae in some lakes under some conditions, this does not necessarily translate into species extinction, even as low as the meta-population level. The [plan/EIS] could be more accurate and complete if it made and emphasized this point in my opinion. Most of the assessment of salamander impacts was based on assumptions about their movements and various geographic criteria. I respectfully challenge those assumptions since so far I have seen no data from Washington that supports them. On the contrary, the data from the Olympics supports my position and opinion that native amphibians can coexist with responsible fishery management when viewed on a landscape level. (73)

“For example, surveys in Olympic National Park found few or no long-toed salamanders in lakes containing fish, but many populations in shallow ponds and lakes without fish (Bury and Adams 2000; Bury et al. 2000; Adams et al. 2000).” (pg 23) This sentence is misleading. One could easily conclude from this sentence that fish, regardless of fish density, decimate long-toed salamanders populations. If this sentence is to remain it needs to be qualified so that it eliminates at least the simple possibility that shallow ponds and lakes are the preferred habitat of the long-toed salamander. Furthermore, long-toed salamander population density may very well heavily depend on fish population density. For example, lithe research quoted above only looked at lakes with high densities of fish, it would be expected that long-toed salamander population densities would be lower, but in lakes with low density fish populations there may be little if any impact on long-toed salamander populations. These interactions are far too complex to simply state that there are no salamanders when fish are present. (31)

Response:

Adams et al. (2000) state that long-toed salamanders were most common in ponds without fish in Olympic National Park. Bury et al. (2000) conclude that while there is only limited concern about widespread losses of amphibians in the two parks studied (Olympic National Park and North Cascades), introduced fish may be the most serious threat in lakes and ponds and are being assessed in the draft plan/EIS. Text on page 23 (second to last paragraph) of the draft plan/EIS describing studies in Olympic National Park has been revised to state that researchers concluded that there is a negative correlation between long toed salamanders and abundance of introduced fish in the North Cascade Complex.



Concern ID: 10028

**CONCERN
STATEMENT:**

Several comments expressed concern regarding hybridization between various species of native and non-native fish. The plan/EIS also incorrectly states that brook trout are stocked in park waters. Brook trout have not been officially stocked in park waters for decades.

Representative Quote(s): Fish stocking includes the introduction of fish in historically fishless lakes, and stocking other lakes with non-native fish. The native ecosystems of these mountain high lakes are affected by the introduction of non-native fish populations. Specifically, populations of bull trout, a threatened species, are at risk of hybridizing with brook trout. The hybrid population further damages the native bull trout population by competing in and changing the fish's already fragile ecosystem. Westslope cutthroat trout also are at risk of hybridization with rainbow trout through non-native rainbows dispensing from mountain lakes. Chinook and Coho salmon are at risk of declining breeding and rearing habitat due to the presence of non-native trout dispersion from mountain lakes. (23)

SPECIAL STATUS SPECIES Fish: (pg 26) "The genetic integrity and ability to reproduce in bull trout may be affected if stocked brook trout escape from lakes?" Brook trout have not been officially stocked in the [North Cascades Complex] lakes for decades. This concern has no bearing on which plan/EIS alternative is finally selected as the Record of Decision since there is no intention in any of the alternatives to stock brook trout. Everyone would like to see these brook trout removed from [North Cascades Complex] complex waters. The implication found in this statement that brook trout might be stocked needs to be removed from this section. (31)

Response: The potential threat to genetic integrity of native fish species is discussed on page 26 of the Draft Plan/EIS (Special Status Species – Fish). Bull trout, Chinook salmon, and Coho salmon are specifically mentioned in the discussion.

The first sentence of the **Fish** paragraph has been revised.

Concern ID: 10029

**CONCERN
STATEMENT:**

One comment suggested that it is impossible to determine the species composition and abundance in those lakes prior to being stocked, along with what kind of complex interactions took place prior to human manipulation.

Representative Quote(s): Historically the lakes outlined in this plan have been naturally fishless; it is just in our more recent history that humans have managed to manipulate even the farthest reaching of natural systems. Most lakes that are stocked or have a history of stocking have unique characteristics that un-stocked lakes do not have. Therefore to compare a lake that has been stocked to a lake that has not been stocked in the North Cascades Complex, and based on those comparisons to then conclude that there are no major impacts, this is basically shoving the scientific evidence under the carpet. You need to support good science. It is impossible to determine the species composition and abundance in those lakes prior to being stocked, along with what kind of complex interactions took place prior to human manipulation. We simply cannot identify what has been lost in these stocked lakes. (85)

Response: NPS recognizes the limitations of the OSU/USGS research as presented in a series of reports by the principal researchers, Liss and Larson. An overall summary of the results is presented in the Phase III Final Report (Liss et al. 2002a). Despite the limitations of the OSU/USGS research, NPS believes that this work, which was conducted during the period of 1990 through 1999, is the best available science and is consistent with guidance given in NPS Management Policies section 2.1.2 which

states “Decision-makers and planners will use the best available scientific and technical information and scholarly analysis to identify appropriate management actions for protection and use of park resources” (2006) NPS believes there are enough data to move forward with the proposed management actions described in the final plan/EIS.

CC1000 – Consultation and Coordination – General Comments

Concern ID: 10030

CONCERN

STATEMENT:

One comment questioned why the complete list of Technical Advisory Committee members, including names and qualifications of each member, was not in the plan/EIS. NPS should disclose for the Public Record which sections of the plan/EIS were written by which subject experts.

Representative Quote(s): The only place in the EIS where I could find reference to who the members of the Technical Advisory Committee were was on page 458, which showed a very general list of the Agencies involved. (22)

Response: The plan/EIS has been revised to include the charter of the Technical Advisory Committee (TAC) and its members. A list of preparers and consultants is provided in the “Consultation and Coordination” chapter.

CR2000 – Cultural Resources – Methodology and Assumptions

Concern ID: 11071

CONCERN

STATEMENT:

ID NUMBER

One comment stated that there may be native fish in high mountain lakes, and therefore stocking should continue.

Representative Quote(s): The plan/EIS implies -- probably states, but I missed it -- there were or are no native fish in [the North Cascades] Complex; ipso facto, no native fish equals no authority to stock fish to some. [North Cascades Complex] staff archeologist, in a paper published March, 1997, titled, An Updated Summary Statement of the Archeology of the North Cascades National Park Service Complex, has several references to fish being in the North Cascades Complex centuries ago. Here is one quote: The lands in today's park complex were occupied by human groups for at least the last 8,400 years. That's a quotation. And continue, Most of the archeological sites in North Cascades Complex consist of below-ground remains of camps and resource areas where Indian people processed and cooked food, collected specific kinds of rocks and minerals for tools and hunted, fished and collected plants, end of quote. Could Ross Lake fish be descendants from 8,400 years ago? Could fish have come up Skagit River before the Ross Lake dam was built and moved into connecting streams and lakes? Actually, could Ravens and/or Loons have dropped fry into lakes? (26)

Response: There is strong scientific evidence that suggests there were no fish in the high mountain lakes prior to stocking, therefore the NPS stands by its assertion that fish are not native to mountain lakes. Please refer to the “Origin of Mountain Lake Biota” section in Chapter 3 for more information on how aquatic life other than fish is believed to have colonized the mountain lakes.



CR4000 – Cultural Resources – Impact of Proposal and Alternatives

Concern ID: 10031

CONCERN STATEMENT: One comment states that the cultural resources impacts section needs to be rewritten. In this section alternative B talks about impacts due to fish removal, but in alternative D where impacts are higher, no mention is made of such impacts.

Representative Quote(s): Cultural Resources- This section needs to be re-written due to similar problems that exist in the “Wildlife” section above. For example, in this section alternative B talks about impacts due to fish removal, but in alternative D where such impacts are higher, no mention is made of such impacts. Such omissions as these give the clear impression that the author has a prejudice toward favoring alternative D. (31)

Response: Impacts related to fish removal activities have been added to the discussions for alternatives C and D in the text and in tables 15 and ES-4.

MT1000 – Miscellaneous Topics – General Comments

Concern ID: 11073

CONCERN STATEMENT: Several comments stated that there are errors or typos in the plan/EIS.

Representative Quote(s): Of the lakes listed above, Hidden Thornton (Lower and Upper), and Monogram might be stocked by aircraft. --[Draft plan/EIS] Volume one P 376 That should be Middle Thornton, not Upper Thornton. Upper Thornton has no fish stocking history and will not be stocked. The middle lake is currently stocked by hand it is unlikely to be stocked by aircraft in the future. (55)

On page 114 of Volume 2 there appears to be a typo in the Species/strains historically present section. “IC” is listed as a species. (81)

Response: Page 385 has been revised to state that preference would be given to backpack stocking. Editorial changes have been made.

PN 1002 – Summary and Application of Existing Research

Concern ID: 11032

CONCERN STATEMENT: Comments believe this section should be reorganized using the concept of nonreproducing, low-density fish populations versus reproducing populations, especially those that reach high densities.

Representative Quote(s): SUMMARY OF EXISTING RESEARCH This entire section needs to be reorganized using the vital concept of nonreproducing, low density fish populations verses reproducing populations, especially those that reach high densities. This distinction is not fully appreciated in much of the research that has been done on the effects of stocked fish in high lake ecosystems. The Liss and Larson study does make this distinction and in doing so makes it clear how important it is to make this distinction when analyzing fish impact data. Since the Liss and Larson study is the best evidence we have for the [North Cascades Complex] high lake ecosystems, we should be guided by it. To mix in research results that do not make this vital distinction regarding fish densities is to mix apples and oranges invalidating any point this section could have. The organizing principle of this entire section must be to segregate scientific evidence based on nonreproducing, low density fish populations from scientific evidence based on reproducing fish populations; to do otherwise is to ignore the NPS's own funded research in the [North Cascades Complex] on the impact of fish in lakes. (31)

This summary paragraph clearly needs to be rewritten just as this entire “Summary of Existing Research” section needs to be. It is almost unbelievable that the concluding final paragraph of the science section in an EIS that depends vitally on the concept of nonreproducing, low density fish populations to differentiate among its alternatives does not even mention this vital distinction. (31)

Response:

NPS agrees that the distinction between reproducing and nonreproducing fish is a key concept that helped frame the management alternatives. It also should be remembered that in most lakes positive correlations of reproducing trout with high densities on nonreproducing trout with lower densities have been seen. The section of interest in “Summary of Existing Research” (p. 18-19) has been revised.

PN 6000 – NPS Management Policies and Mandates

Concern ID: 11033

**CONCERN
STATEMENT:**

Comments stated fish stocking is in direct violation of the original management and purpose of the National Parks and it fails to protect park resources and values and impairs the biological integrity and diversity of a native ecosystem. Alternative D is the only alternative that is not in conflict with the mandate of the NPS.

Representative Quote(s): The Organic Act of 1916 authorized the creation of National Parks, it states: “the fundamental purposes of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” The enabling legislation of the North Cascades Complex follows the spirit of Organic Act. Fishing is identified as an appropriate recreational use, and the legislation does not distinctly authorize policy variation from the norm with regard to the issue of fish stocking. To be clear: the enabling legislation does not identify fish stocking as a legal, or appropriate means of fish management. (21)

I believe that the decision should not be based on science alone, although science should inform the decision. There is a host of other things to consider, most importantly the Organic Act of 1916 and NPS Management Policies, which gives the NPS clear guidance on how to manage natural resources (4.4.3 “The Service will not stock waters that are naturally barren of harvested aquatic species.”). The scientist that worked on this project were hired in part to guide you in the decision management should support, instead of following this guidance, management instead is trying to change its enabling legislation in order to avoid following what it is directed to do. NPS Management Policies 4.1.4 states: “...the Service will develop agreements with federal, tribal, state, and local governments and organizations, and private landowners, when appropriate, to coordinate plant, animal, water, and other natural resource management activities in ways that maintain and protect, not compromise, park resources and values. If fish stocking continues, North Cascades Complex will fail to maintain and protect its resources and values. The North Cascades Complex can continue its commitment to coordination with the [Washington Department of Fish and Wildlife] by following the guidance provided by NPS Management Policies (4.4.1.1): “To meet its commitments for maintaining native species in parks, the Service will cooperate with states..., to prevent the introduction of exotic species into units of the National Park System, and remove populations of these species that have already become established in parks.” (85)

The most recent 2001 edition of National Park Service Management Policy is explicit: the Service, “will try to maintain all the components and process of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those



ecosystems.” The 2001 document is clear on the issue of fish stocking: “The Service will not stock waters that are naturally barren of harvested aquatic species.” Today, many parks have discontinued stocking, the Park Service has reaffirmed long-term policies of banning fish stocking in barren waters, and scientific evidence continues to affirm that fish stocking is detrimental to ecosystem health. It is clear that fish stocking is in direct violation of the original management and purpose of National Parks. We do not support rewriting of the North Cascades Enabling legislation, or any other federal legislation intended to perpetuate fish stocking or otherwise degrade this national treasure. (21)

Response:

NPS recognizes that fish stocking is not explicitly allowed under the enabling legislation for the North Cascades Complex and that the current NPS policies state that the NPS will not stock waters that are naturally barren of fish.

However, the impact analyses in the plan/EIS make clear that fish stocking as proposed under the preferred alternative does not threaten to impair any park resources. NPS has identified alternative D as the environmentally preferred alternative. Under alternative B, the preferred alternative, if Congress does not act to clarify that fish stocking is an appropriate activity in the North Cascades Complex, NPS would implement alternative D.

Concern ID:

10034

**CONCERN
STATEMENT:**

Several comments are concerned that NPS Management Policy 1.6 (2001) [in NPS *Management Policies 2006*, Environmental Leadership is section 1.8] Environmental Leadership is not being followed. In choosing alternative B, North Cascades is abandoning its responsibility of environmental leadership.

Representative Quote(s):

As the Superintendent you should be showing your leadership as was intended by NPS Management Policies 1.6 Environmental Leadership which states: “Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation, as well as a unique opportunity, to demonstrate leadership in environmental stewardship.” Later, it directs the Service to, “...tangibly demonstrate the highest levels of environmental ethic.” Do not abandon your responsibility of environmental leadership. As a leader within the NPS, you are directed to lead by example, make the example be to promote biodiversity and remove the fish from the historically fishless lakes. This is the only environmentally sound and ethical example that you should be following as a leader of the National Park Service. (85)

There is a host of Federal and National Park Service Management Policies and Acts, which must be followed: NPS Management Policy 1.6 (2001) Environmental Leadership states: “Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation, as well as a unique opportunity, to demonstrate leadership in environmental stewardship.” Later, it directs the Service to, “...tangibly demonstrate the highest levels of environmental ethic.” In choosing Alternative B the North Cascades Complex is abandoning its responsibility of environmental leadership. The NPS is directed to lead by example; the example the [North Cascades Complex] is creating by choosing to allow fish stocking is that of a misguided environmental ethic. Through continued fish stocking, the [North Cascades Complex] sets a precedent for neighboring land managers to perpetuate the practice of stocking exotic species into designated wilderness areas. The [North Cascades Complex] should explain to the public why it is willing to abandon this policy. (22)

Response: NPS believes it has complied with the letter and spirit of Management Policy 1.8 (2006) in the preparation of this plan/EIS. In demonstrating environmental leadership, NPS must implement the *National Environmental Policy Act* faithfully; and continually reassess its stewardship of park resources (Policy 1.8, NPS *Management Policies 2006*). Congress has given NPS the authority to determine what uses of park resources are proper and what proportion of park resources are available for uses such as recreation and conservation; however, courts have consistently interpreted the NPS *Organic Act* and its amendments to elevate resource conservation above visitor recreation. Under the preferred alternative, (alternative B) which would be implemented only if Congress clarified NPS authority, NPS would allow fish stocking to continue in select lakes while at the same time conserving the biological integrity of the resources within the North Cascades Complex. If Congress fails to provide clarification, the preferred alternative would default to alternative D, which would discontinue stocking in all of the 91 lakes in the plan/FEIS study area.

Concern ID: 10035

CONCERN STATEMENT: Several comments stated that the stocked trout species represents the introduction of a non-native invasive species to the ecosystem in North Cascades, and that the NPS has a national and local policy, including Executive Order #13112, of eradicating invasive species to the extent feasible and providing restoration of native species and habitat conditions in ecosystems that have been invaded.

Representative Quote(s): In addition, as a major directive of the Park Service, the agency has spearheaded the fight against the spread of non-native species within park boundaries. Executive Order #13112, regarding invasive species, states that park units will, “(i) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (vi) promote public education on invasive species and the means to address them.” Under the National Park Services 1999 Natural Resource Challenge, the NPS is directed to combat the spread of non-native species. NPS Director Fran Mainella states “The presence of non-native plants, animals, and other [pest] organisms pose a major and nearly universal threat to the preservation and restoration of natural habitats.” Identifying, mapping, and evaluating non-native species is critical to an effective and well targeted effort to control their negative effects. The National Park Service must aggressively target these invaders where they threaten park resources. (23)

The National Park Service’s Management Policies specifically state that a park unit is to “warrant the highest standard of protection.” The 2001 edition of National Park Service Management Policies is the most recent articulation of this mission. The Management Policies General Management Concepts section states the Service, “will try to maintain all the components and process of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems.” The National Park Service Management Policies are clear on the issue of fish stocking, they state, “The Service will not stock waters that are naturally barren of harvested aquatic species.” In an article commissioned by the Aldo Leopold Wilderness Research Institute, the authors state, “Stocking of fish in NPS wilderness must be for the purpose of preserving or restoring natural aquatic habitats and the natural abundance and distribution of native aquatic species.” (23)



Under the Environmental Alternative, the Park can continue its commitment to coordination with the [Washington Department of Fish and Wildlife] by following the guidance provided by current NPS Management Policy 4.4.1.1(2001): “To meet its commitments for maintaining native species in parks, the Service will cooperate with states to prevent the introduction of exotic species into units of the National Park System, and remove populations of these species that have already become established in parks.” (22)

[North Cascades Complex] stocking of the Mountain Lakes even under strictly modified conditions, e.g., stocking not reproducing fish, is an artificial practice and is founded on an “invasive” species mentality in its approach to management of these otherwise fish-free [“barren” areas]. Of course, these are not barren areas as they support a rich flora and fauna of high lake ecosystems and, left alone, could serve over time as ecological reference points for much of the Anthropocene. (18)

Response:

NPS recognizes that the preferred alternative would allow the introduction of non-native species to continue in select lakes within the North Cascades Complex. While the continued introduction of non-native species would be allowed, the species of fish proposed to be stocked would not be capable of reproducing and thus would not be considered invasive. Executive Order #13112 is aimed at stopping the spread of invasive species. The Order requires that agencies control invasive species, which can be accomplished by eradication, but also by management when there is a benefit to the presence of the non-native species.

Under the preferred alternative, reproducing fish populations that could be considered to be invasive would, where feasible, be removed from the high mountain lakes in the Complex, consistent with NPS *Management Policies 2006*, section 4.4.1.1. To the extent that continued fish stocking violates current NPS policies, the preferred alternative would ask Congress to clarify whether continued fish stocking in the high mountain lakes is appropriate. If Congress fails to provide clarification, the preferred alternative would default to alternative D, which would discontinue stocking in all of the 91 lakes in the plan/EIS study area.

PN3000 – Purpose and Need – Scope of the Analysis

Concern ID: 10036

CONCERN STATEMENT: Several comments stated that even though the plan/EIS claimed that the analysis occurred on a landscape scale, it actually only considers a certain subset of the park.

Representative Quote(s): The scope of the analysis: The [plan/EIS] states, (Volume 1, page 459) “The public also expressed a concern that the analysis occur on a landscape scale, so the Technical Advisory Committee took a broad look at lakes in the [North Cascades Complex] and selected a representative number of lakes to remain fishless under each alternative.” Then it goes on to say, (Volume 1, page 48) “A total of 245 mountain lakes are in the [North Cascades Complex], and at least 154 of these lakes have always been fishless and would continue to be fishless under any alternative. Because they would remain fishless and because they have never been part of the managed fishery, these 154 lakes were not analyzed in this plan/EIS.” (6)

The Draft should note in clear language that most of the 561 bodies of water in the Complex have not been surveyed and the range and density of existing habitat for sensitive species is uncertain. Also, that the geography covered by the 22 well-managed lakes with continued stocking under Alternative B is insignificant compared to the probable overall habitat for most of the amphibian, zooplankton and macroinvertebrate species in the Complex. I believe the EIS draft casually dismisses the fact that only 91 lakes out of 245 were studied. This gives a false inflated impression of the extent of impacts documented from fish densities in lakes. (81)

The public also expressed a concern that the analysis occur on a landscape scale, so the Technical Advisory Committee took a broad look at lakes in the [North Cascades Complex] and selected a representative number of lakes to remain fishless under each alternative.” –[The draft plan/EIS] Volume one P 459 This is an important statement. The [plan/EIS] should be looking at lakes on a landscape scale and the above statement would lead us to believe it does. But look at this: A total of 245 mountain lakes are in the [North Cascades Complex], and at least 154 of those lakes have always been fishless and would continue to be fishless under any alternative. Because they would remain fishless and because they have never been part of the managed fishery, these 154 lakes are not analyzed in this plan/EIS. The 91 lakes addressed in this plan/EIS. --[The draft plan/EIS] Volume one P 48 So only 91 lakes were considered in the plan/EIS. If 245 lakes are in the complex analyzing only 91 of them is not analyzing on a landscape scale. That leaves the final plan to understate the number of lakes that should be stocked in the future. By only considering the 91 lakes with a history of fish stocking and eliminating some lakes from consideration for stocking based on this subset the [Technical Advisory Committee] was forced to eliminate some lakes that shouldn't have been eliminated had the analysis truly been landscape wide. The lake by lake analysis needs to be redone before the final plan is produced and consideration needs to be given to lakes that have never been stocked if they will serve as representative undisturbed habitat that would allow more lakes with previous management history to continue to be stocked. The wishes of the public, as expressed in the scoping meetings should be fully addressed, not swept aside with disingenuous doublespeak. (55)

Response:

The 91 lakes with a history of fish stocking are scattered across the entire landscape of the park. The decision to limit management to 91 lakes with a history of fish stocking was made out of an abundance of caution and concern for avoiding impacts to lakes that have never been stocked (see Project Site Location, page 6). The Washington Department of Fish and Wildlife supported this decision. Although management actions would be limited to the 91 lake subset of all lakes in the North Cascades Complex, the entire landscape was considered when developing management alternatives (e.g., Tables 1 and 2 in the “Alternatives” chapter) and evaluating the potential impacts (e.g., “Environmental Consequences” chapter).

Concern ID:

10037

**CONCERN
STATEMENT:**

Comments question the 15-year life span of the management action is too short a time span.

Representative Quote(s):

“Upon conclusion of the plan/EIS and decision-making process, one of the four alternatives would become the “Mountain Lakes Fishery Management Plan” and guide future fishery management actions for a period of 15 years.” I think 15 years is too short a time span. 11 million dollars of research and this [plan/EIS] process is a lot of public money and effort for such a short time period. This is the lifespan of 2-3 generations of fish and not enough time to adaptively manage the lakes. I would like to see science and monitoring determine the long-term management of these lakes and not an arbitrary time period. (81)



Response: The NPS agrees that 15 years is probably too short a time span to fully implement management actions addressed in the Plan. To clarify, the 15-year timeframe was used to define the impact analysis period. This timeframe was selected because predicting impacts beyond 15 years would be too conjectural due to changing conditions.

PN4000 – Purpose and Need – Park Legislation/Authority

Concern ID: 10038

CONCERN STATEMENT: Several comments stated that it is clear in the congressional record of the North Cascades proceedings that Congress intended fish to continue to be a part of this national park experience.

Representative Quote(s): The following very telling exchange occurred between Congressman Lloyd Meeds, Congressman Morris Udall, and National Park Service Director George Hartzog during a hearing on these House bills. The exchange seems to make clear to the Committee members that fishing and fish stocking would be permitted in the proposed park. This exchange was later referred to by State of Washington officials and citizens as part of the basis for their belief that the establishment of a National Park would not interfere with the state's highly successful stocking program for the high lakes in the area. Meeds: "Mr. Campbell, this is the second time I have heard this statement today and if I may, Mr. Chairman, I would like to ask Mr. Hartzog, Director of the Parks, a question which I do not know the answer to, through Mr. Campbell. " Udall: If you are willing to run the risk of the answer, I will let you ask Mr. Hartzog." Meeds: "Mr. Hartzog, I see in this testimony a statement that the Park Service 'limits planting of fish in lakes with no native fish populations that are now planted by the Forest Service and the State game department working together.' Is that a true statement?" Hartzog: "It is not, and I do not know how on earth this information goes around, Mr. Meeds. We have an active fish-planting program in every single major park and for many years we had a Fish and Wildlife Service hatchery operated in Yellowstone National Park. Now, if the stream already has its limit of fish comparable with its food-carrying capacity, then obviously, we do not engage in put-and-take fishing program. But, we plant fish in practically every area that I can think of off the top of my head now, including all of our major national parks. Meeds: "Thank you, Mr. Chairman, I really did not know the answer. I heard that twice this morning and it was my understanding the Forest Service did allow planting of fish. I am glad to get that cleared up." (31)

The [plan/EIS] claims that congressional clarification is required to give [the North Cascades Complex] authority to continue fish stocking--because nothing is contained in the legislation authorizing fish stocking. Many management actions were NOT spelled out in 1968 enabling legislation. Is legislation needed to build a bridge on a trail? Or even to build a trail itself? Is legislation needed to repair a trail? Does the legislation authorize campfires to be allowed? Congress intended hiking and trail building to be continued once the park complex was established. In the same way, the congressional record shows that fishing, along with proper fish stocking, also was intended. The [plan/EIS] statement that fish stocking cannot continue without legislative clarification is unjustified, given the [North Cascades Complex's] history as evidenced in the congressional hearings, and by [North Cascades Complex] management actions to now. (26)

It is a -- fish stocking is the only way to continue with the recreational fishery of any sort in the national park -- North Cascades National Park. In 1967 Washington's congressional delegation was assured by the director of the NPS, Mr. Hertzog, that fish stocking would continue. We believe he convinced our delegation of that fact, or they would have insisted language be added to the enabling legislation so there would be no mistake as to their desires and recreational fishing in this park. (71)

Current members of our club were actively involved with the Washington State congressional delegation, particularly Repr. Lloyd Meeds and Senator Henry Jackson during the many discussions that were held during the creation process for the [North Cascades Complex]. We have no doubt that there was a clear understanding, reached by our congressional delegation, with the Secretary of the Interior, Stewart Udall that the WDG (WA Dept. of Game), would continue to manage these mountains lakes, including restocking of the fish upon creation of the [North Cascades Complex] in our state. (41)

Response:

NPS recognizes that many local residents believe they were promised that fish stocking would continue after the North Cascades Complex was established. While the NPS Director at the time did make statements to the effect that stocking would be allowed to continue, during the same timeframe the Director made conflicting statements that stocking would not be allowed to continue. Because of these conflicting statements, the record is unclear as to whether stocking was intended to continue. NPS policies regarding fish stocking have changed significantly since the North Cascades Complex was established. Furthermore, there are no references to fish stocking in the legislative histories of the North Cascades Complex, the *Wilderness Act*, or the Washington Parks *Wilderness Act*. The preferred alternative attempts to resolve the controversy permanently by having Congress clarify whether stocking is an appropriate activity within the North Cascades Complex.

Concern ID:

10039

**CONCERN
STATEMENT:**

Comments state that other recreational activities are not called out in enabling legislation, similar to fish stocking.

Representative Quote(s):

ALTERNATIVE A (pg 72) IMPLEMENTING THE FISHERY MANAGEMENT PLAN THROUGH CONGRESSIONAL ACTION “The enabling legislation for the North Cascades Complex does not mention fish stocking, and the legislative record regarding fish stocking in the North Cascades Complex is not clear. Therefore, the language in the enabling legislation for the portions of the North Cascades Complex in the national recreation areas does affirm that fishing is an important recreational use, but it does not mention fish stocking as being an appropriate means of fishery management. The Washington Park Wilderness Act of 1988 (WPWA) established 93% of the North Cascades Complex as Stephen T. Mather Wilderness and directed the NPS to manage the wilderness in accordance with the Wilderness Act of 1964. At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters, and the WPWA did not include a provision for allowing stocking. (For more detail on legislation and history, please refer to the “History of Fish Management in North Cascades Mountain Lakes” section in the “Purpose of and Need for Action” chapter and Louter 2003).” (PG 73) As in other places in the draft [plan/EIS], this paragraph is misleading since it creates the impression that other activities besides fishing and fish stocking are mentioned in the [North Cascades Complex] enabling legislation and/or the WPWA. That is not the case. None of the typical visitor activities such as fishing, hiking, horse back riding, or camping are mentioned in either document; nor are NPS supporting management actions such as trail maintenance or trail bridge building mentioned. Such paragraphs as these are misleading, and actually seem to expose a prejudice against fishing and



fish stocking as an accepted activity within the NPS regardless of the historical context in which legislation was passed. (31)

Implementing The Fishery Management Plan Through Congressional Action “The Washington Park Wilderness Act of 1988 (WPWA) established 93% of the North Cascades Complex as Stephen T. Mather Wilderness and directed the NPS to manage the wilderness in accordance with the Wilderness Act of 1964. At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters, and the WPWA did not include a provision that allowed stocking.” These sentences are quite misleading since they seem to build the case with no justification that somehow these two pieces of wilderness legislation intended to prohibit fishing or fish stocking. This is absolutely not the case. As in the other instances above both of these acts are silent on fish stocking, just as they are silent on most, if not all, accepted visitor activities. (31)

Response:

NPS recognizes that recreational activities do not need to be specifically authorized in enabling legislation in order to be considered acceptable and appropriate uses in national parks. In this case, the practice of fish stocking is currently in direct violation of NPS management policies. Furthermore, all but one (Thunder Lake) of the high mountain lakes analyzed in this plan/EIS are located in a designated wilderness area. There are no references to fish stocking in the legislative histories of the North Cascades Complex, the *Wilderness Act*, or the *Washington Parks Wilderness Act*. The preferred alternative attempts to resolve the controversy permanently by having Congress clarify whether stocking is an appropriate activity within the North Cascades Complex.

Concern ID:

10041

**CONCERN
STATEMENT:**

Comments oppose alternative D as the default alternative.

Representative Quote(s):

This comment challenges the draft [plan/EIS] conclusions that fish stocking under Alternatives A, B and C require congressional clarification and that Alternative D will be implemented until clarification is received. (69)

This policy is not dependent on approval by Congress, and as such the provisions of this draft [plan EIS] that proclaim that alternative D must prevail until such congressional clarification is obtained are in contradiction to this NPS policy adopted at the highest NPS level in 1986. (31)

[The Washington Department of Fish and Wildlife] recognizes the Park's intent to gain clarification of the enabling legislation that would explicitly allow for the stocking of fish to continue within the park. However, in our view the intent of congress in the enabling legislation is clear and the continuation of active fisheries in the Park was expected. While [the Washington Department of Fish and Wildlife] supports clarification on the enabling legislation we also recognize that such action may take several years and that until that clarification is received a default position must be held. Alternative B should be adopted as the default position until clarification is received for the following reasons: 1. It is based on a fish management plan developed from the best available science, 2. It is consistent with the expressed purpose of this [plan/EIS], and 3. It addresses all aspects of the environmentally preferred alternative as defined. (39)

“Congressional action to clarify enabling legislation is an intricate process that could take several years. If the NPS does not receive clarification from Congress by the time a record of decision for this plan/EIS is issued, alternative D (91 Lakes Would Be Fishless) would be implemented until clarification is received.” There does not seem to be any basis for picking alternative D as this fallback, and presumably

temporary, course of action. If the NPS continues to feel that it needs congressional clarification before it has proper guidance to make a decision, I suggest that alternative A is a more appropriate choice. As in most legal or public actions, the expected default course when a definitive decision can not yet be made is normally to retain the status quo (i.e., alternative A). Choosing alternative D in the face of lack of clarification is tantamount to making a de facto decision not based on the evidence in the [plan/EIS], but on the political climate in Congress. Surely maintaining the status quo would be a less drastic action until the clarification from Congress can be obtained. (31)

We also find it repugnant that Alternative D will automatically be in effect, after 2 years, if congress fails to pass legislation stating that fish planting is allowed in the [North Cascades Complex]. The “then” Secretary of the Interior, Stewart Udall, and the “then” Director of the National Park Service, George Hertzog, both assured the congressional delegation of this state that fish planting would continue if a park were to be created. Under those circumstances it is no wonder that congress felt no need to insert fish stocking language into the enabling legislation for the [North Cascades Complex]. (45)

I don't see why Alternative D is the default in case of missing legal justification. An alternative would be to extend the [memorandum of understanding] until legal approval is reached if necessary. (3)

Response:

NPS recognizes that some comments disagree with the selection of alternative D as the default alternative. NPS has selected alternative D as the default alternative because it is most closely aligned with the spirit and letter of current NPS policies and legal mandates. Alternative D would be implemented unless or until Congress affirms that stocking is appropriate.

Concern ID:

10042

**CONCERN
STATEMENT:**

Several comments stated that NPS has committed to make North Cascades fish stocking decisions based upon information, not based upon law change, and that a law change is not necessary.

Representative Quote(s):

NPS has committed itself to make North Cascades fish stocking decisions based upon information (facts and science), not based upon law change. In the 1985 Memorandum of Understanding the NPS and [Washington Department of Fish and Wildlife] agreed to consult with each other regarding research and regulation and transplanting offish, and they agreed to establish Technical Study Task Forces. The 1986 NPS Memorandum directs that some of the North Cascade Park lakes be stocked with species native to the Park or ecological region for recreational purposes and directed that some be left fish free; and it encouraged a research effort to monitor impacts and determine changes over time. The intent of the research was to provide an informed basis for fish stocking management in the future. The 1988 twelve year Supplemental Agreement allowed fish stocking in 17 Park lakes and allowed self sustaining populations to continue in 23 more while the NPS conducted research. The letter and spirit of all the agreements dictate that the final decisions be based upon information, not legislation. The late date insistence upon legislation prior to scientifically conducted fish stocking violates these agreements. (69)

This comment further submits that the National Park Service (NPS) has instituted policies and executed agreements that require it to make fish stocking decisions based upon the local facts and scientific findings and not contingent upon a change in the law. (69)

“These data will help provide an informed basis for determining whether changes in our fish-stocking management actions may be needed in the future.” (pg 9) Here the



memo provides the basis of the very [National Environmental Policy Act process underway now- a part of which is this [plan/EIS]. Mott's vision does not include any statement, or even concern, that congressional clarification is required. Mr. Mott apparently felt in 1986 that as Director of the NPS he had full authority to establish a fish stocking policy for the [North Cascades Complex], and he anticipated the day when scientific research and data would bring the [North Cascades Complex] to the point of having being able to adopt a preferred alternative (alternative B) which would then implement those "changes in our fish-stocking management actions". (31)

"The agreement expired in December 2006, and any future agreements between the NPS and [Washington Department of Fish and Wildlife] concerning mountain lakes fishery management, including fish stocking in the national park, will depend on the outcome of this plan/EIS process." The underlined phrase is incorrect. This agreement has been extended to December 2006. (31)

Response: NPS is committed to making decisions based on science, and believes it is doing so through this plan/EIS process. However, NPS cannot ignore legal and regulatory mandates. In addition, Director Mott's memorandum was issued prior to the designation of much of the Complex as wilderness in 1988. The preferred alternative attempts to resolve the controversy permanently by having Congress clarify whether stocking is an appropriate activity within the North Cascades Complex.

Concern ID: 10043
CONCERN STATEMENT: One comment requested that the May 1967 quote from Director Herzog be rewritten.

Representative Quote(s): "In May 1967 he stated that within the park the NPS would not participate in a 'put and take' program, and would not concur with stocking lakes that historically did not have fish." (pg 14) This sentence needs to be re-written for clarity. Since the draft [plan/EIS] specifically excludes lakes that do not have a history of fish stocking, the wording of this sentence points to the Tong qualification. It should be recast along the lines of: "In May 1967 he stated that within the park the NPS would not participate in a 'put and take' program, and would only concur with stocking lakes that historically had fish." Additionally, please cite a reference for this statement (I have been unable to find this quote from Director Hertzog in any of the congressional hearing transcripts). (31)

Response: Pages 13 – 14 have been revised to clarify this quote.

PO 6500 – Congressional Legislation – Oppose

Concern ID: 10044
CONCERN STATEMENT: Several comments expressed opposition to changing the enabling legislation because it is unnecessary and could set a national precedent for other areas in which fish stocking is banned.

Representative Quote(s): Further, The Wilderness Society is strongly opposed to any effort to amend the enabling legislation for the North Cascades Complex to allow for continued stocking of non-native fish in Wilderness areas. We feel that such legislation is unnecessary and could set a bad precedent for other areas in which this practice has been banned. (5)

While Alternative B, the adaptive management alternative, has aspects that certainly invite support, asking Congress to grant North Cascades Complex an exception to

NPS Management policies with the “unambiguous legal authority” to stock non-native fish in fishless lakes could set a dangerous national precedent. (Anonymous)

Even though all of the Policies and Acts stated above clearly direct the Park Service to discontinue stocking and eliminate fish from our high mountain lakes, the [North Cascades Complex] has decided to attempt to circumvent them. The [North Cascades Complex] proposal to change the enabling legislation for the creation of the park, to explicitly allow for the stocking of fish should be reconsidered. As stated in the [plan/EIS], changing the enabling legislation may endanger current policy in several other National Parks where fish stocking has been eliminated. If this is true, this strategy is selfish and very risky. The Park Service must explain why it would be willing to endanger not only the biological diversity and integrity of the [North Cascades Complex] through the continuation of stocking, but other Parks as well. Changing the enabling legislation to suit the needs of a small minority of fisher-people defeats the purpose of having all of these Policies and Acts in the first place. We have the laws already; we just need to start following them. (22)

Response:

NPS has decided to ask Congress to clarify whether fish stocking is an appropriate activity in the North Cascades Complex because of the unique nature of the controversy over fish stocking. Prior to the establishment of the Complex, the NPS Director made conflicting statements as to whether stocking would be allowed to continue once the North Cascades Complex was designated. Fish stocking in the high mountain lakes took place long before the Complex was established and has never ceased. Based on the impact analyses in the plan/EIS, NPS does not agree with assertions that if stocking is allowed to continue it would endanger the biological diversity and integrity of the North Cascades Complex.

PO1000 – Park Operations: Guiding Policies, Regs and Laws

Concern ID: 10045

CONCERN STATEMENT: Comments contend that the Mott memo was misrepresented as a waiver and was really a specific policy set for North Cascades National Park.

Representative Quote(s): “While the current NPS Management Policies and practices prohibit stocking in areas designated as national parks,” (pg 14) NPS-wide policy on fish stocking does not apply on its own to the [North Cascades Complex]. The 1986 Mott memo clearly states that the NPS adopted a specific [North Cascades Complex] only policy for fish stocking given the history of the park's creation and the controversy between the NPS and the [Washington Department of Fish and Wildlife] regarding fishery management within the park. It is misleading to imply that NPS-wide policies somehow apply to the [North Cascades Complex] without reference to these [North Cascades Complex]-specific NPS policies. (31)

Before I comment on the three specific reasons for requiring “congressional clarification” I not a reliance throughout the reasons and in the draft [plan/EIS] as a whole upon the characterization of the 1986 NPS Memorandum as a “Policy Waiver.” The draft [plan/EIS] identifies this Memorandum as a “Policy Waiver” every time it is mentioned, even in the table of contents to volume two, and in Appendix A Contents page 1 and again at page 3. In fact, the 1986 NPS Memorandum is the statement of specific North Cascades Complex fish management and stocking policy, and it says nothing about waiving any policy. This Memorandum recites local history and conditions and it states: “...you requested that we provide you with a clear statement regarding National Park Service Policy for management of fisheries resources in the North Cascades Complex.” That policy has



been applied now for 19 years, and it has been implemented through agreements with [the Washington Department of Fish and Wildlife] which also has fish management jurisdiction there. (69)

“Second, policy waivers are only temporary and do not provide a permanent solution because they can be rescinded as circumstances change. The goal of this plan/EIS is to forge a lasting solution for mountain lakes fishery management in the North Cascades Complex.” There is nothing more or less permanent about this plan/EIS as compared to a policy, or a policy waiver for that matter. The [plan/EIS] itself says elsewhere that it has a 15-year planning horizon. This is a false benefit and should be removed. (31)

“In contrast to sport fishing, the practice of stocking fish is generally prohibited in park units.” (pg 290) This is incorrect. General policy does not apply to the [North Cascades Complex] because the fish stocking policy for the [North Cascades Complex] was set by Director Mott in his 1986 memo. (31)

Response:

NPS recognizes that the memorandum from then NPS Director Mott dated June 12, 1986 states its objective is to give a clear statement regarding NPS policy for management of fisheries resources in the North Cascades Complex. Because the policy laid out in the memorandum is contrary to NPS service-wide policies, it has been referred to as a policy waiver throughout the plan/EIS. While the memorandum did lay out a specific NPS policy for fishery management at the North Cascades Complex as of June, 1986, a large portion of the Complex has since been designated as wilderness and NPS policies have been revised twice since 1986. Furthermore, the 2001 management policies (since amended in 2006) both clearly state that any previous policies that are inconsistent with current management policies are to be disregarded (*NPS Management Policies 2006*, Introduction).

Concern ID:

10046

**CONCERN
STATEMENT:**

Comment requests clarifying information on which policies were in effect at the time the Washington Parks Wilderness Act was passed and ask why the conditions of *NPS Management Policies*, section 4.4.4.1 have not been met.

Representative Quote(s):

The Executive Summary at page vii states that the 1988 Wilderness Act directed NPS to manage this wilderness in accordance with the 1964 Act, and “At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters...” Which policies are those? Do they apply to stocking fish native to the drainage and ecosystem involved, if not to the lake? If such policies existed in 1986 they should be added to Appendix D. The Background summary at page 11 refers to a 1972 policy that prohibited artificial stocking of fish species exotic to a park and prohibited stocking “naturally barren waters.” The draft quotes and cites Louter 2003 for this statement rather than the policy itself. What is the complete policy, to which parks did it apply, and over what time period was it in force? Both *Management Policies 4.4.3* and *4.4.4.1* provide for stocking of native or exotic species under specific situations that can apply here, i.e. historic stocking in a recreation area or preserve, or stocking in wilderness needed to meet the desired condition of a historic resource, but only where it is prevented from being invasive. At the bottom of page 32 of Volume One the draft [plan/EIS] summarizes policy 4.4.4.1 and follows that summary with an unsupported conclusion. The conclusion is that because not all of the 4.4.4.1 conditions have been met a “policy waiver” has been required. This conclusion is plainly contrary to the language of the 1986 NPS Memorandum. How was it determined that the conditions of 4.4.4.1 were not met? This conclusion is not correct. (69)

Response: At the time the Washington Parks *Wilderness Act* was passed, the NPS management policies in effect at that time prohibited fish stocking in naturally fishless waters on NPS lands.

As part of this EIS process, NPS reviewed the exceptions listed in current NPS management policy 4.4.4.1 (NPS *Management Policies 2006*, policy 4.4.4.1 is unchanged from 2001) that would allow the introduction of exotic species into parks and determined that none of those exceptions would apply to fish stocking activities in the North Cascades Complex. Through consultation with various cultural resources experts in the NPS and discussions with the tribes, the NPS has concluded that stocking is not a historically significant activity.

Text has been added to page 32 to clarify that, as part of this EIS process, NPS has reviewed the exceptions in policy 4.4.4.1 that would allow fish stocking and has determined that none of the exceptions apply.

Concern ID: 10047

CONCERN STATEMENT: Comments questioned the validity of the agreements allowing stocking because all of this was done without adequate National Environmental Policy Act analysis and public involvement.

Representative Quote(s): The [North Cascades Conservation Council (NCCC)] would like to point out, as a matter of public record that until NCCC started raising questions about the continued fish stocking in [the North Cascades Complex] around 1984 there was no memorandum of understanding between the State of Washington and [the North Cascades Complex]. Further, the negotiation of this memorandum of understanding in 1985, lamentably, included no other parties than the State, [the North Cascades Complex] and the proponents of fish stocking. In fact, the general public was not privileged to know what lakes were being stocked because this was seen as possibly attracting unwanted fishing pressure. Please note as well, that the NPS Variance granted in 1988 was in deference the State of Washington and two fish stocking groups but there is no mention of opposition from at least one conservation group. Most unfortunate, from the perspective of NCCC is that the [North Cascades Complex] requested the variance to continue to allow grant permission stock fish in some lakes. Need it be said that a “variance” is an exception to a standard practice by the NPS nation-wide to prohibit fish stocking. All this was done without adequate environmental assessment. As [the North Cascades Complex] is aware, the extant document is a result of the challenge from North Cascade Conservation Council to the General Management Plan for [the North Cascades Complex] over continued fish stocking after the designation of [the North Cascades Complex] (Appendix D Vol. 2). At that time of challenge, NCCC argued and [the North Cascades Complex] agreed in the 1991 Settlement Agreement, that impacts of stocking of fish in lakes of [the North Cascades Complex] were not adequately analyzed. This Settlement Agreement led to some highly productive and informative scientific research although the research was performed over a period longer than anticipated. Now we have completed that environmental assessment and it clearly shows adverse impacts -- in some cases small and in some cases large. (18)

Response: NPS recognizes that the agreements made between the State of Washington and the NPS were not subjected to environmental review or public involvement. In the Need for Action section chapter 1, text has been added to the plan/EIS to reflect this fact. NPS believes that the fish management decision that results from this plan/EIS process, with its in-depth environmental analyses and public involvement opportunities will remedy such deficiencies.



Concern ID: 10048

**CONCERN
STATEMENT:**

Comments stated that the plan/EIS mischaracterizes the agreements made in 1988 between the NPS and the Washington Department of Fish and Wildlife. Commenters believe that the agreements on which lakes are to be stocked can only be changed or terminated through mutual agreement between NPS and the Washington Department of Fish and Wildlife.

Representative Quote(s): The paragraph on page 13 beginning with “The 1988 Supplemental Agreement formalized these practices in the 40 lakes inside the park for 12 years while planned research on the effects of fish management activities could be completed and assessed...”

This paragraph mischaracterizes the agreements between the NPS and the [Washington Department of Fish and Wildlife (WDFW)]. The language gives the impression that the agreements made in 1988 were intended to be temporary and that the entire issue would be looked at afresh in 12 years. That is not the case. There was extreme tension between the NPS and the WDFW in the 1986 to 1988 period. Only the intervention of William Horn, Assistant Secretary for Fish and Wildlife and Parks, in an October 29, 1987 letter to WDFW Director Jack Wayland defused the legal confrontation. An extensive letter from Jack Wayland to Charles Odegaard, Regional Director NPS, on July 29, 1987, outlines the seriousness of the situation and the WDFW's desire to reach permanent resolution. That resolution was reached in part with the 1988 Supplemental Agreement. An investigation of the history of this agreement shows that the WDFW did not intend a temporary resolution to fish stocking in the [North Cascades Complex] with the 1988 agreement waiting for a final decision at some future date, but rather that the agreement would simply be reviewed after 12 year to consider the results of the scientific research begun after the 1988 agreement was signed (the “Liss and Larson” study). The agreement states that mutual agreement between the NPS and the WDFW would be required to modify the 1988 agreement. This is most clearly demonstrated in Article V (Termination) of the 1988 Supplemental Agreement which states: “This supplemental Agreement shall remain in full force and effect unless terminated by mutual consent and the Department and the Service.” (31)

Furthermore, the last sentence of the draft [plan/EIS] statement on page 13 is misleading since it does not make explicit that the outcome of the plan/EIS is subject to mutual agreement by the WDFW as the content of the 1988 Supplemental Agreement and its history clearly demand. (31)

It also stipulated that the list of lakes could be changed only by mutual agreement between NPS and WDFW and added that research results would be considered in future decisions. This 1988 agreement also stated: This Supplemental Agreement shall remain in full force and effect unless terminated by mutual consent of the Department and The Service. The 1991 Consent Decree provides that NPS will complete its research and conduct a National Environmental Policy Act (NEPA) review of fish stocking. The 2002 Reaffirmation extends the 1988 Supplemental Agreement to December 2006. By the memorandum, agreements and Consent Decree NPS has committed itself to a process that includes scientific research, consultation with WDFW and agreement not to revise the stocking list without WDFW agreement, and ultimate review and resolution of fish stocking issues by the NEPA process. (69)

Response:

The 1988 agreement says it shall remain in effect unless terminated by mutual consent of the Department (of Wildlife) and the Service (NPS). However, the agreement also states, “this supplemental agreement shall first be subject to mutual review and evaluation by July 2000. The intent is to give this Agreement a 12-year life and that upon mutual review the Agreement may be continued or modified based on information available at the time of review.” The review date of July 2000 was intended to give the NPS enough time to conduct research on how continued stocking practices would affect native biota in mountain lakes. Subsequent to the agreement, in a 1992 Consent Decree, NPS agreed to complete its research and then conduct a NEPA review of the fish stocking of naturally fish free lakes. The research was not completed until 2002 and work on this plan/EIS was undertaken shortly thereafter. The Supplemental Agreement was extended through December 2007 or until the Record of Decision is signed, whichever comes first. NPS views this plan/EIS as part of its review it was to undertake in 2000, per the Supplemental Agreement. NPS intends to amend the supplemental agreement and seek an agreement with the Washington Department of Fish and Wildlife that reflects the outcome of this EIS process. Text has been added to page 13 to clarify this point. Furthermore, the supplemental agreement incorporated the 1985 Memorandum of Understanding, which states, “nothing contained herein shall be construed as limiting the responsibility and authority, as defined by law, of the Regional Director, National Park Service, and the Director, Washington Department of Game, in connection with the administration and protection of lands and resources under their respective administrations.” While it is the intention of NPS to seek agreement with the Washington Department of Fish and Wildlife regarding fish stocking in the North Cascades Complex, this clause gives the NPS authority, even without the consent of the Washington Department of Fish and Wildlife to take any actions NPS deems necessary in order to protect park resources.

Concern ID:

10049

**CONCERN
STATEMENT:**

One comment stated that requesting a change in the enabling legislation in order to avoid being in violation of NPS Policies and the Wilderness Act defeats the purpose of having these laws and guidelines.

Representative Quote(s):

I hold North Cascades Complex to the highest standard when managing the natural resources of [the North Cascades Complex], this is also stated in the NPS Management Policies (see 1.2 NPS Management Policies: “[park units] warrant the highest standard of protection.”). This is especially true since all but one of the 91 lakes considered in the [plan/EIS] are within a specially designated area (wilderness), which means there are additional management requirements. These requirements include keeping wilderness untrammeled, or unhindered and free from intentional modern human control or manipulation; and natural, or substantially free from the effects of modern civilization. Continued fish stocking impacts both of these qualities and wilderness character is deeply impacted as a result. [The North Cascades Complex] preferred alternative to continue stocking these historically fishless lakes is contrary to the intent of NPS Management Policies as well as the Wilderness Act. Doesn't requesting a change in the enabling legislation in order to avoid being in violation of NPS Policies and the Wilderness Act defeat the purpose of having these laws and guidelines? (85)



Response: The preferred alternative attempts to resolve the controversy permanently by having Congress clarify whether stocking is an appropriate activity within the North Cascades Complex. The superintendent, in cooperation with the Pacific West regional director, is seeking this clarification because they believe the *Wilderness Act* is ambiguous in this issue. The intent of asking Congress for a clarification regarding the appropriateness of fish stocking at the North Cascades Complex was not to avoid being in violation of NPS policies or the *Wilderness Act*.

The Director of the NPS could issue a waiver in order to allow stocking to continue. However, NPS is seeking a long-term solution; a policy waiver is only temporary and may be rescinded at any time.

SS1000 – Soundscapes – Impact of Proposal and Alternatives

Concern ID: 10050

CONCERN STATEMENT: Several comments stated that the impact analysis needs to be reworked because NPS understated the impact associated with noise due to fish removal activities.

Representative Quote(s): Helicopters hovering overhead are known to generate noise levels of about 70 to 90 decibels, compared to background levels of 20 to 40 decibels. --[The draft plan/EIS] Volume one P287 According to table 33 on page 283 helicopters generate 70 to 90 decibels at 1000 feet. For fish removal the choppers are not going to hover at 1000 feet. They are going to land. Calculating the noise level, based on 90 dbs at 1000 feet to a more realistic 31 feet I arrive at 120 decibels. That is a huge difference. 120 dbs is extremely loud. Loud enough to cause damage to human hearing. This is illustrative of how impacts of fish removal are consistently soft peddled in the draft plan/EIS while impacts of fish stocking are consistently over stated. (55)

Response: This comment identified an error in the impact analysis regarding noise-related impacts from fish removal. This error was corrected in the respective “Environmental Consequences” section of the plan/EIS. There has been no intentional manipulation of the plan to favor fish removal over fish stocking.

Concern ID: 10051

CONCERN STATEMENT: Several comments stated that aircraft are not necessary to carry out stocking activities.

Representative Quote(s): Furthermore, no mention is made of the fact that the vast majority of stocking does not require aircraft, and in fact, all aircraft activity for stocking could be eliminated under alternatives A, B, or C if the Park chose to take that action (for example, using horse packers for the larger lakes now one via fixed wing aircraft). (31)

Response: The NPS and Washington Department of Fish and Wildlife agree that in most instances aircraft stocking should not be necessary. Whenever possible, preference would be given to backpack stocking; however, the Washington Department of Fish and Wildlife wishes to retain the option of continuing to stock more inaccessible lakes via aircraft. The decision about which stocking method to use would be determined by a subsequent minimum tool analysis.

VE4000 – Visitor Experience – Impact of Proposal and Alternatives (Substantive)

Concern ID: 10052

CONCERN STATEMENT: One comment stated that the plan/EIS does not provide adequate protection of the park’s fishing heritage.

Representative Quote(s): The North Cascades Draft Fish Management [Plan/EIS], while an extensive and elaborate document, is remiss in not providing adequate protection for the fishing heritage that was very influential in the original formation of the park. Specifically, none of the alternatives provides the proper level of present and future quality fishing opportunity (QFO) so necessary in maintaining the unique characteristics of one of the finest national parks in our country. (16)

Response: Through consultation with various cultural resources experts in the NPS and discussions with the tribes, the NPS has concluded that stocking is not a historically significant activity; however, NPS does acknowledge in the plan/EIS that for some visitors, fishing in high mountain lakes has been an important experience, and that experience may be impacted.

VR2000 – Vegetation and Riparian Areas – Methodology and Assumptions

Concern ID: 10053

CONCERN STATEMENT: One comment questioned why North Cascades National Park found it necessary to conduct long term studies on aquatic organisms, amphibians and fish, but did not find it necessary to conduct any studies on the impacts to shoreline vegetation or rare plants.

Representative Quote(s): The Park Service states that surveys have not been completed for plant species of special concern within the project area (p.195). Although there are no known federally listed species within the [North Cascades Complex], there are numerous S-1 State listed species which could occur within these high lake habitats (Personal knowledge). S-1 populations are those which have less than five known occurrences in the State and are considered very rare. If the Park Managers are to make a decision based on the Cumulative Impacts posed by allowing the high lakes fishery to continue, how can they make this decision without knowing first if there are any rare plants found at the 91 lakes? Simply providing a list of the potential rare plants for the project area serves no purpose. The presence or absence of these species is critical to making an informed and responsible decision. No final decision should be made until comprehensive rare plant surveys are completed at all 91 lakes. Why did the Park Service decide that plant surveys were unimportant? (22)

The description of shoreline vegetation was done using aerial photos with no ground truthing. Why was no ground truthing conducted? (22)

The methods used to analyze impacts to vegetation are based on assumptions and anecdotal evidence. I feel these issues need to be clarified in order for the Park Service to make an informed and responsible decision. Why did the [North Cascades Complex] find it necessary to conduct long term studies on aquatic organisms, amphibians and fish; but did not find it necessary to conduct any studies on the impacts to shoreline vegetation or rare plants? The entire vegetation section needs to be redone using research that can be repeated and peer reviewed. No final decision should be given until these important issues are clarified and a more complete analysis of the “true” cumulative impacts can be assessed. (22)



Response: Impacts to aquatic organisms were considered to be of primary importance in order to estimate impacts from the range of alternatives likely to be considered. Therefore, it was determined that management decisions concerning possible fish removal and stocking would require studies of current conditions of aquatic organisms in North Cascades Complex lakes and ponds. Results of what has come to be known as the Liss and Larson studies verify the complexity of aquatic communities in the lakes of the North Cascades Complex. The presence of rare plants at high mountain lakes is acknowledged but is not a driving decision factor in this programmatic plan/EIS.

VR4000 – Vegetation and Riparian Areas – Impact of Proposal and Alternatives

Concern ID: 10054

CONCERN STATEMENT: Several comments questioned the conclusions that anglers cause increased damage to vegetation, since studies conducted by Hendee, Clark, and Daily found that non-anglers spent just as much time at the lakeshore as anglers.

Representative Quote(s): Evidence suggests that anglers use riparian areas more extensively than other visitors. --[The draft plan/EIS] Volume one P 338 There is no citation for this evidence. It is simply stated as supposed fact. Directly contradicting this assertion is research by Hendee, Clark, and Daily where they found that nonanglers spent just as much time at the lakeshore as anglers [Hendee, John C; Clark, Roger N; Dailey, Thomas E. 1977. Fishing and other recreation behavior at roadless high lakes: some management implications. Res. Note PNW-304. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northeast Forest and Range Experiment Station. 27p.] (55)

The research cited by Hospadarsky and Brown hypothesized “that if time spent in the riparian zone were proportionate to impacts, then anglers would have up to three times as great an impact as hikers”. Immediately after this statement the sentence “This hypothesis has yet to be tested” is inserted. Why was this sentence inserted? The writer of this section did not find it necessary to say “this hypothesis has not been tested”, after the Hendee et al. statement saying “which suggests that their use patterns may not change”. It seems to be an attempt to legitimize, the “less shoreline impact by fisher-people” statement by Hendee, and discredit, the “more shoreline impact by fisher-people” statement by Hospadarsky. (22)

Response: Data on time spent in the riparian zone of lakes by anglers versus other recreational users are limited. The two studies referenced in the draft plan/EIS (Hendee et al. 1977 and Hospodarsky and Brown 1992) reached somewhat different conclusions. However, the results of these two studies have to be considered in light of the estimated low percentage of users who are anglers – approximately 10%. Text was changed on the following pages: 200 and 340.

Concern ID: 10055

CONCERN STATEMENT: One comment stated that there is no mention of the impacts on vegetation from the ground preparation required for helicopter landing pads adjacent to lakes. These impacts were only mentioned in the cultural resources section of the document.

Representative Quote(s): Here is a bombshell: In those cases where ground preparation is required for helicopter landing... --[Draft plan/EIS] Volume one P 361 ...helicopter use (and associated landing pads adjacent to lakes) --[Draft plan/EIS] Volume one p 362 Whoa, clearing off landing pads for helicopters wasn't even considered or mentioned in other parts of the [plan/EIS]. Where are the major impacts on vegetation listed that this would cause? This sort of burying and understating of impacts of fish removal while overstating the impacts of the activity of fish stocking severely undercuts the credibility of this EIS process. (55)

Response: Only a small area near a lake being treated to remove fish would potentially be impacted by any helicopter landing. Helicopter landings would be on hard surfaces (e.g., rock) to the extent possible and would avoid sensitive vegetation. The Mechanical Methods sections of alternatives C and D in chapter 4, have been updated includes the following language:

“Helicopter landings to drop off equipment and/or crew or to pick up equipment would be on hard surfaces to the extent possible and would avoid sensitive vegetation, resulting in only negligible to minor, short-term adverse impacts. Any landing pad preparation needed would be kept to the minimum necessary to ensure crew safety.”

Concern ID: 10056

CONCERN STATEMENT: Several comments stated that the impacts on special status plants from anglers and fish stockers are overstated.

Representative Quote(s): Under the discussion of the impacts of alternative D on special status plants it says: “...there would be a widespread beneficial effect.” --[Draft plan/EIS] Volume one P 333 This appears to be overstated. Earlier in the draft plan/EIS it is contended that only 10% of visitors are fishing. If only that few are using the areas it stands to reason that the benefits to riparian plants wouldn't be all that great because the majority of use, and hence, damage, is coming from non-angling users. This theme is repeated on page 334 when activities not related to angling are said to be possibly negligible to minor even after fish are removed. So fish stockers might cause major damage while non-anglers are apparently non-abusers who leave no trace of their coming. (55)

Trampling by stock (horses, mules, llamas) and visitors would likely result in negligible to minor cumulative impacts... --[Draft plan/EIS] Volume one P 334 Wow, trampling by stock is, at worst, minor, but damage by fish stockers could be major. Outrageous and ridiculous. The ludicrousness of this whole line of thinking is brought home to roost on page 337. On that page is a photo that shows major trampling in a highly used area. But the lake in the photo is hundreds of feet below the trampled area. The photo shows excessive trampling by non-anglers. The ones who are only supposed to cause negligible to minor cumulative impacts on native plants. (55)

Response: Both sections of the Environmental Consequences chapter have been reviewed and revised to correct any inconsistencies in impact levels. The photograph on page 339 is a good example of trampling impacts to vegetation and serves to support the general discussion of vegetation impacts on pages 337-340. It does not illustrate the impacts of trampling along a lake shoreline. Text referring to impacts and conclusions has been revised to ensure consistency within each environmental resource area (special status plants and vegetation) and between the two resource areas.

Summary tables also have been revised to be consistent with the revised text.



VU2000 – Visitor Use – Methodology and Assumptions

Concern ID: 10057

CONCERN STATEMENT: Several comments questioned the data used to analyze impacts of anglers.

Representative Quote(s): If there is no data on the levels of indirect impacts anglers may have on lakeshore environments; why did the [North Cascades Complex] not conduct or contract out research to answer this question? (22)
Also, data from the 2003 season was used to estimate the percent backcountry overnight users that were engaged in fishing. However, the data utilized was not provided, nor accessible online. We hope this information can be provided in future documents. (21)

Response: The NPS believes the data from the 2003 season was adequate enough to address all potential impact topics. Data from past studies and professional judgment were used to evaluate angler impacts (DO-12, section 4.5, (G)(3)).

Where appropriate and necessary to facilitate discussion, data were provided in the document and appendices. Upon completion of the EIS process, all relevant data will be available as part of the administrative record.

Concern ID: 10058

CONCERN STATEMENT: Several comments stated that the fishing opportunities outside the boundaries of North Cascades are abundant.

Representative Quote(s): To argue that the fishing opportunities within the boundaries of [North Cascades Complex] are irreplaceable and irreproducible elsewhere is an exaggeration. There are 1793 high lake fisheries managed by the [Washington Department of Fish and Wildlife] up and down the Cascade Mountain Range. Similar opportunities exist in the immediately adjacent Pasayten, Glacier Peak and Noisy Diobsud Wilderness Areas. The terrain of these Wilderness Areas is identical in their geologic and glacial formations. To remove the opportunity to fish in 91 out of 1793 of these lakes is not unreasonable and it is not anti fisherman. Just because fish stocking has been conducted in the past in the park, does not mean that it is right to continue to stock in the future. (22)

The [plan/EIS] demonstrates that the Environmentally Preferred Alternative (Alternative D) causes the least damage to the biological and physical environment and best preserves and enhances historic, cultural and native processes. The US [Environmental Protection Agency] acknowledges that angling in the mountain lakes within The Complex would be eliminated through the implementation of Alternative D, however, we believe that the [plan/EIS] has established that opportunities for mountain lake angling exist within close proximity of The Complex. The [plan/EIS] states that within the Cascade mountain range, there are 800 stocked and 1000 fish reproducing high mountain lakes similar in character to those in the study area. Of these lakes, there are 200 stocked lakes and 200 fish reproducing lakes within 100-miles of the study area. These lakes provide opportunities for anglers to pursue high mountain sport fishing within close proximity of The Complex. (44)

Response: NPS agrees that some members of the public feel that the fishing opportunities within the boundaries of North Cascades are irreplaceable and irreproducible, while others feel as though fishing opportunities outside of the North Cascades Complex are abundant.

VU 3200 – Visitor Use – Recreational Use – Support Fish Stocking

Concern ID: 10059

CONCERN STATEMENT: One comment stated that the high lakes fishery within current park boundaries has an important historical legacy and provides a unique wilderness fishing experience.

Representative Quote(s): [The Washington Department of Fish and Wildlife (WDFW)] supports the stated purpose of the [plan/EIS] to conserve native biological integrity, provide a spectrum of recreational opportunities including sport fishing, and resolve the debate regarding fish stocking in the Park. It has always been WDFW's position that the high lakes fishery within current park boundaries has an important historical legacy and provides a unique wilderness fishing experience. For nearly two decades WDFW and the Park have renewed short-term agreements to provide those fishing opportunities in the park complex. To that end, WDFW support the Park in its endeavor to resolve this issue through the development and implementation of a scientifically based, long-term fish management plan for the park complex. (39)

Response: NPS believes that the plan/EIS has identified alternatives that implement the purposes and objectives of this action. If a management alternative is selected that allows for fish stocking, NPS will seek clarification from Congress as to whether or not stocking is appropriate.

VU4000 – Visitor Use – Impact of Proposal and Alternatives

Concern ID: 10060

CONCERN STATEMENT: Several comments questioned the magnitude of the impact determinations in parts of the “Visitor Use and Experience” section.

Representative Quote(s): **Corr. ID:** 131302 **Organization:** *Not Specified*

Comment ID: 19233 **Organization Type:** Unaffiliated Individual

Representative Quote: All stocking in the [North Cascades Complex]] would cease. Compared to alternative A, this would cause moderate to major beneficial impacts on opportunities for solitude over the long term due to the decreased use of high mountain lakes for fishing.

--[Draft plan/EIS] Volume one P 413

Again, we have to turn to the actual definition of a major impact: “...actions would have to have a readily apparent beneficial or adverse impact on opportunities for solitude throughout the wilderness area.” (P 402) In alternative A only 25% of the lakes in the park complex would have fish. Twenty five percent of lakes ignores the fact that non-anglers have all the non-lake parts of the park to avoid anglers and the other 75% of lakes where anglers can be avoided. Because such a small part of the park is impacted the benefit for solitude can't meet the definition of major.

Corr. ID: 131302 **Organization:** *Not Specified*

Comment ID: 19226 **Organization Type:** Unaffiliated Individual

Representative Quote: In the discussion of visitor use and experience: A more reasonable scenario would involve angler displacement to relatively similar terrain found on adjacent Forest Service wilderness areas...The magnitude of impact [under alternative B] would depend on individual values and expectations and would range from negligible to minor. --[Draft plan/EIS] Volume one P 380



Looking at the impact definitions it says Minor means “Other areas in the [North Cascades Complex]] would remain available...” (p 370) and under Moderate it says “...some visitors who desire this experience would be required to pursue their choice in other available local or regional areas.” (p 370-371). And under Major it says “Some visitors who desire this experience would be required to pursue their choice in other available local or regional areas. Other visitors may not be able to duplicate their desired experience elsewhere.” (p 371). By your own definition, if B is implemented some anglers would be disbursed outside the [North Cascades Complex] and this would be a moderate to major impact, not negligible to minor.

In the discussion of visitor use under alternative C where nothing would be stocked in the park and a very limited number of lakes would be stocked in the rec areas the effect on some anglers has been increased to “moderate to major for some anglers but minor to negligible for others.” (p 385) There will be 9 lakes with fish under this alternative. On page 386 it says approximately 500 anglers will be displaced outside the park. That leaves 500 anglers to fish the 9 lakes in the rec areas. That would be interesting. Concentrating those anglers into 9 lakes certainly wouldn't be a negligible to minor impact. That would be major, as would displacing the other 500 anglers to areas outside the park.

Under alternative D where there will be no lakes managed for fishing the [draft plan/EIS] says that 50% of anglers will be “displaced from fishing in the study area lakes.” Where, exactly, are the other 50% of anglers that supposedly won't be displaced going to fish under alternative D when there are no high lakes to fish?

Response:

The beneficial impacts on opportunities for solitude (a wilderness value) for alternative D have been revised to clarify that ceasing to stock would have a slightly beneficial, long-term impact on opportunities for some visitors' solitude in limited areas of the wilderness.

The cumulative impact analysis for alternative B evaluated the impact of angler displacement on visitor use and experience in adjacent areas (e.g., Glacier Peak Wilderness). The NPS stands by its assertion that “...anglers displaced from the North Cascades Complex would have a cumulative, adverse impact on visitor use and experience

in those [adjacent] areas. The magnitude of impact would depend on individual values and expectations and would range from negligible to minor.”

The “Impacts to Anglers” for alternative C concludes that “overall impacts [to anglers] would be moderate to major for some backcountry anglers but minor to negligible for others.” The NPS stands by this determination that anglers would experience a wide range of adverse impacts over loss of fishing opportunity because the magnitude of impact would depend upon individual values and expectations: some anglers would be displaced to other areas; some would continue to fish those lakes in the park or NRA's that remained fishable (through continued stocking or because fish removal is not feasible); and some anglers would not want to fish elsewhere.

Concern ID:

10061

**CONCERN
STATEMENT:**

A comment stated that the plan/EIS does not disclose how many lakes will be available for stocking or how recreational losses will be mitigated.

Representative Quote(s): The plan/EIS does not clearly state how many lakes will be available for stocking or if fish stocking will even continue. In the event fish stocking is disallowed, or less than 40 lakes end up on the stocking list, the National Park Service needs to address

how they will mitigate this recreational loss to the public. (71 testimony in public meeting)

Response:

The NPS recognizes the concern for the potential loss of recreational fishing opportunities, but believes that fishing opportunities need to be determined based upon management principles intended to conserve biological integrity.

The precise number of lakes available for fish stocking in the future cannot be determined now. This number may change as additional data are gathered and management actions are adapted based on new information.

WH4000 – Wildlife and Wildlife Habitat – Impact of Proposal and Alternatives

Concern ID: 10062

CONCERN STATEMENT: Several comments questioned the adequacy of the impact analysis as it relates to human manipulation of fish populations.

Representative Quote(s): The presence of fish has also altered and likely damaged terrestrial ecosystems. The[draft plan/EIS]states on page 282, that, “Many wildlife species that historically did not inhabit the high mountain lakes have expanded their range to include new areas where fish have become abundant.” We feel this alteration is one of the many adverse impacts that fish stocking has on the natural environment; the behaviors of river otters, birds such as kingfisher, mergansers and osprey have been altered. Alternative D will help correct this disturbance: on page 292, the Draft Management Plan states, “piscivorous wildlife inhabiting high mountain lakes are not naturally occurring in the North Cascades Complex, and removal of fish would eventually return habitat to its condition prior to human manipulation.” This latter point is correct and should be the focus of this entire section. Unfortunately it was not included in the conclusion, an oversight which resulted in this section erroneously concluding that Alternative D “would be expected to result in long-term minor adverse cumulative impacts on wildlife populations and communities in the region.” (p. 293) Please update the entire Wildlife Section to further explore the various ways in which human manipulation of fish populations is detrimental to the natural ecosystem, including its natural wildlife, and to the Wilderness and National Park experience. (21)

Impacts of fish removal using the chemical antimycin would be negligible to minor. The use of small motorized boats to apply antimycin would cause short term noise disturbances to waterfowl on the lake or other species (such as beavers or otters) around the immediate lake shore; however these disturbances would be short term and negligible for these species. --[Draft plan/EIS] Volume one P 288 The use of motors would cause negligible impacts??? ...wildlife at lakes would incur short-term negligible to minor adverse impacts from periodic fixed-wing aircraft stocking (noise disturbance)... There should at least be the appearance of balance. Such blatant under evaluating fish removal impacts while over evaluating fish stocking impacts severely undermines the credibility of the whole process. (55)

Response:

The reduction or elimination of fish stocking and removal of fish would have long-term negligible to minor adverse impacts on piscivorous wildlife that have expanded their range into the stocked lakes. However, the absence or removal of fish would restore the balance of wildlife toward the native species that are not dependent on fish as prey. Descriptions of impacts of fish removal have been revised to include discussion of the positive impacts to the native wildlife from fish removal. Text has been changed on pages 284, 287, 290, and 292.



The NPS believes that the assessment of impacts from fish stocking and fish removal is balanced. The discussion of fish stocking states that stocking would occur infrequently, and that the preferred method is backpacking. If stocking is done by aircraft, the fly-over would last less than one minute. In the conclusion, impacts from fish stocking are described as short term, negligible to minor. The discussion of fish removal also describes impacts as negligible to minor.

Concern ID: 10064

CONCERN STATEMENT: One comment stated that the impacts from aircraft on wildlife are not fully discussed under all alternatives.

Representative Quote(s): Wildlife- This entire section needs to be re-written. Some of the information is completely wrong, other information is missing. For example, alternative A states that wildlife will be disturbed because of human presence and use of aircraft, yet alternative D doesn't mention this at all, even though under alternative D fish removal impacts due to both causes is the highest of all alternatives. Furthermore, no mention is made of the fact that the vast majority of stocking does not require aircraft, and in fact, all aircraft activity for stocking could be eliminated under alternatives A, B, or C if the Park chose to take that action (for example, using horse packers for the larger lakes now done via fixed wing aircraft). Beyond that it is a bit ridiculous to assign wildlife disturbance due to human presence required for fishing activities when human presence always has, and always will, exist due to hiking and camping activities. Does the [North Cascades Complex] really believe that fish stocking has any significant impact on wildlife beyond what exists already for activities such as hiking, climbing, camping, and horse travel? (31)

Response: The discussion of fish stocking on page 284 states that stocking would occur infrequently, and that the preferred method is backpacking. If stocking were done by aircraft, the fly-over would last less than one minute. Details of stocking history and methods for each of the 91 lakes are provided in Appendix E. In the Conclusion section (page 287), impacts from fish stocking are described as short term, negligible to minor. Impacts from fish removal under alternative D (Conclusion, page 295) include the impacts from the noise from humans and aircraft used to transport equipment, and supplies.

WH5000 – Wildlife and Wildlife Habitat – Cumulative Impacts

Concern ID: 10065

CONCERN STATEMENT: One comment stated that the plan/EIS fails to consider the cumulative impacts of global climate change on mountain lake ecosystems.

Representative Quote(s): The [plan/EIS] fails to consider the cumulative impacts of global climate change on mountain lake ecosystems. These high lake ecosystems are some of the most fragile in the Complex and will be the first to experience noticeable change at this latitude. The presence of fish in naturally fish-free lakes presents a totally unnecessary and additional threat to the health and survival of mountain lake ecosystems during the onset of climate change. The Park Service needs to include a section, which addresses this important issue. (22)

Response: Various climate change projections show regional warming continuing into the next century, with an average temperature increasing of about 3°F by 2020 and 5°F by 2050. The climate models also indicate that there is uncertainty as to the changes in precipitation amounts, with some showing a small decrease of approximately 7% or 2 inches while others show an increase of about 13% or 4 inches. In models where

precipitation increases are predicted, wetter winters will dominate while the pattern of precipitation in the summer months will remain largely the same as it is now (National Assessment Synthesis Team 2001). Keeping this in mind, the ultimate effects of climate change on the North Cascades Complex are too conjectural to enable a meaningful analysis in a stand-alone impact topic. Keeping with an adaptive management approach, NPS is seeking to reduce the number of lakes with fish over a wide range of elevations and depths of lakes. As a result, some lakes are expected to remain available in both categories (with and without fish) at various elevations, even if less precipitation leads to fewer shallow lakes or ponds.

Citation:

National Assessment Synthesis Team
Climate Change Impacts on the United States:
The Potential Consequences of Climate Variability and Change,
Report for the US Global Change Research Program,
Cambridge University Press, Cambridge UK, 620pp., 2001.

Concern ID:

10063

**CONCERN
STATEMENT:**

Several comments state that removal of fish at Hozomeen lake would have a greater adverse impact on loons than was represented in the plan/EIS, and may rise to the level of impairment.

Representative Quote(s):

I disagree with the impact assessments listed for the Common Loon in Alternatives B, C, and D based on the definition of these impacts on page 297; volume one of the [draft plan/EIS]. All alternatives state that allowing Hozomeen Lake to go to a fishless condition would “incur minor to moderate impacts”. Occasional responses to disturbance by some individuals would be expected, but without interference to feeding, reproduction, or other factors affecting population levels. How is permanently eliminating a species food base not considered a measurable long-term effect on native species, their habitat, or the natural processes sustaining them”? By eliminating the loons' forage they would no longer reside or nest on Hozomeen Lake creating a clear “measurable long term effect on native species, their habitat, or the natural processes sustaining them.” It would also interfere with “feeding and reproduction”. This is not the appropriate impact assessment for the Common Loon for alternatives B, C, and D. The Definition of Moderate Impacts includes: Sufficient habitat would remain functional to maintain viability of native wildlife populations. Eliminating the loons' forage in Hozomeen Lake would eliminate one of the few lakes that provide nesting habitat in Washington State. This action would cause “sufficient habitat not to remain functional to maintain the viability of native wildlife populations.” This also is not the appropriate impact assessment for the Common Loon for alternatives B, C, and D. I believe the appropriate impact assessment should be “major” for alternative B, C, and D. The definition of “major” includes Key ecosystem processes might be disrupted permanently. Adverse responses to disturbance by some individuals would be expected, with negative impacts on feeding, reproduction, or other factors resulting in a long-term decrease in population numbers...” Clearly, proposing to permanently remove fish from Hozomeen Lake would be permanently disrupting a key ecosystem process. With such low numbers of loon nests in Washington state the loss of one nest may result in a long-term population decrease, potentially adding to an increased Washington State listing status for this species. (79)

As is stated in the [plan/EIS] the Common Loon is listed by the State of Washington as a sensitive species. Implementation of alternative B, C, or D will increase the risk of the Common Loon becoming listed as Threatened within the State of Washington due to decreasing habitat and population numbers. (79)



On page 313-314 of volume one the effects of eliminating the fish the Hozomeen Lake on the common loon are discussed. Impacts are said to be minor to moderate. But it also says they may stop nesting in the complex. If this were to occur the impact would fall under the category of Impairment. So at best the [draft plan/EIS] should state that impacts on the loon will be moderate (forced to move to a nearby lake) to impaired (eliminated from the complex). (55)

Response:

The common loons in Hozomeen are feeding on brook trout and other non-native fish that have been stocked in the past. These stocked fish are non-native, and therefore, not part of a “natural process”. The NPS intends to remove brook trout from Hozomeen, regardless of the loons, for the following reasons: (1) brook trout have the potential to hybridize with bull trout, a federally threatened species protected under the *Endangered Species Act* (16 USC 1531 et seq.), and (2) Hozomeen is the only deep, low-elevation lake in the North Cascades Complex and because of its unique physical characteristics should be returned to a fishless state. Despite the objective of removing all fish from Hozomeen, it probably is not feasible to remove all fish from the lake because of its depth and size. Therefore, the common loon will likely have fish to feed on for the foreseeable future. For the reasons described here, the impacts listed under alternatives B, C, and D in the draft plan/EIS (minor to moderate adverse impacts) are appropriate.

NPS disagrees that the effects on the loon, should they stop nesting at Hozomeen Lake, would rise to the level of impairment to park resources and values. The impact would not contribute to the deterioration of special status wildlife resources to the extent that the purpose of the North Cascades Complex would not be fulfilled as established in its enabling legislation. For NPS methodology and policy on what constitutes an impairment, please see the final EIS, “Special Status Species” section.

WI 2500 – Wilderness – Minimum Requirement Analysis

Concern ID: 10066

CONCERN STATEMENT: Several comments stated that the Minimum Requirement Analysis does not place adequate emphasis on the historic uses of wilderness.

Representative Quote(s): Left out of conclusion is the important historical use provision of The Wilderness Act Section 4(b). An important historical use of the park would be eliminated and that fact isn't even mentioned in the conclusion. During the hearings leading up to the park's formation fish stocking was specifically asked about and it was explicitly promised that fish stocking would not cease in the park. Clearly, fish stocking and fishing are important recreational and historical uses covered under 4(b). They also do not impair park resources. For some reason park managers seem to favor some historical recreation uses that clearly impair park resources such as stock use, camping, and trails but say fish shouldn't be stocked. As a wilderness user I find trails and campsites detract from my wilderness experience while fish do not. I certainly don't mean to start a battle between hikers and anglers, but it shows how specious the conclusions reached in the [Minimum Requirement Analysis] are. Were you to apply the exact same analysis to trails as you do to fish stocking you'd have to conclude trails should be removed and no longer maintained. That would, of course, conflict with the recreational and historical use provisions of Section 4(b) just as eliminating fish stocking conflicts with the recreational and historical use provisions of Section 4(b). According to the NPS research conducted to support this [plan/EIS] fish can be stocked in low densities and they do not adversely impact native biota. Thus they do not compromise wilderness values and they fall under the pantheon of acceptable use of wilderness, just like trails. (55)

Response:

Section 6.3.8 of NPS *Management Policies 2006* provides the following guidance regarding cultural resources in wilderness:

The *Wilderness Act* specifies that the designation of any area of the park system as wilderness “shall in no manner lower the standards evolved for the use and preservation of” such unit of the park system under the various laws applicable to that unit (16 USC 1133(a)(3)). Thus, the laws pertaining to historic preservation also remain applicable within wilderness but must generally be administered to preserve the area’s wilderness character.

As described in the “Cultural Resources” section of chapter 3, the NPS groups cultural resources into five categories: archeological resources, cultural landscapes, historic structures, museum objects and ethnographic resources. Through consultation with various cultural resources experts in the NPS, and discussions with the tribes, the NPS has concluded that stocking is indeed a longstanding practice, but not a historically significant activity because it does not fall into any of the five categories of cultural resources that could be considered worthy of continued protection in wilderness. This is why the MRA did not place any emphasis on stocking as a historical use of wilderness. The NPS, however, recognizes that WDFW and others disagree with the NPS and believe stocking is appropriate in wilderness for several reasons, including the assertion that stocking is an acceptable historic use. A rebuttal from WDFW on the Minimum Requirements Analysis is included in Appendix K.

Concern ID:

10067

**CONCERN
STATEMENT:**

Comments state that they believe the Minimum Requirement Analysis has been misapplied. Comments believe that the Minimum Requirement Analysis should only be applied to activities prohibited in section 4c of the wilderness act, and that fishing is not one of those prohibited activities.

Representative Quote(s):

[The Washington Department of Fish and Wildlife (WDFW)] continues to disagree with the application of the Minimum Requirement Analysis (MRA) with regard to fisheries management within the park. Fish stocking is not one of the ten prohibited activities as defined in section 4(c) of the Wilderness Act. The MRA should only be applied to those prohibited activities, and not be used to determine new prohibited activities. However, if the MRA is used to evaluate the need for fish stocking, WDFW has concluded that limited, biologically based stocking of non-reproducing trout is necessary for the administration of the Stephen Mather Wilderness because it is necessary for the implementation of the preferred alternative of this EIS, which would provide many unique benefits. (39)

One of the items I disagree with in particular is the use of the MRA. I believe the National Park Service misused the Minimum Requirements Analysis -- or I'll abbreviate it MRA -- methodology in Appendix K of the draft plan/EIS. The 1964 Wilderness Act, in Section 4(c), reads exactly as follows: “Section 4(c): Except as specifically provided for in this act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act, including measures required in emergencies involving the health and safety of persons within the area. There shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.” Nowhere in the aforementioned list of “prohibited uses” is fish stocking listed.



Then my next concern was over the MRA, and I think that Jeff's comments really covered pretty much mostly what I had planned to say on that very nicely. It says -- the one sentence that really says it, it says on Page 75 that "stocking is not expressly prohibited in the Act," and then it goes on to say that according to Section 4(c) of the Wilderness Act agencies may engage in management actions that may otherwise be prohibited in the wilderness provided they are necessary," and I think that sentence is incorrect. It should read "that are otherwise prohibited in the Act" because it lists the express -- it expressly lists the items that are prohibited for which an MRA is required. And those acts, of course, include helicopters and outboard motors that are proposed to be used for elimination of fish in some of these lakes, so those are the tools that the MRA needs to be applied to. (55)

The biggest misstep in the [plan/EIS] is the egregious misapplication of the Minimum Requirements Analysis (MRA). The Wilderness Act is quite clear and unambiguous about what activities are prohibited without considering minimum requirements: ...except as necessary to meet the minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area) there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area. --The Wilderness Act: Section 4 (c) Because fish stocking does not require any of the acts prohibited under section 4(c) it should not be subject to the MRA process. The absurdity of using the MRA process to cover fish stocking is made explicit in the MRA question A: Are there valid existing rights or is there a special provision in wilderness legislation ...that allows consideration of action involving Section 4(c) uses. --[Draft plan/EIS] Volume two P. 288. Fish stocking does not involve "Section 4(c) uses" therefore MRA section A should be marked not applicable. Fish removal sometimes does involve prohibited uses so the MRA should be applied to those activities. But answering a question about an "action involving 4(c) uses" when the action does not involve the prohibited uses is nonsensical. (55)

The final reason stated for requiring "congressional approval" is that the minimum requirement analysis indicates that fish stocking is not necessary to meet the minimum requirements of the area and the Wilderness Act is unclear whether stocking is allowed. The lack of Wilderness Act clarity is dealt with above. The Act provides the standards; it is NPS job to formulate local policy. The minimum requirements analysis was misapplied to fish stocking. If a MRA is required it must be based upon the policy that requires it; and if that policy is applied then low density stocking of nonreproducing fish will be determined to be appropriate or necessary to the administration of the areas. This latter issue is the subject of extensive comment in my July 27, 2005 submission, a copy of which is resubmitted herewith. (69)

Response:

NPS has undertaken its minimum requirements analysis in this case because it is required to under NPS Management Policy 6.3.5. Policy 6.3.5 states that all management actions (even those actions not explicitly prohibited in section 4(c) of the *Wilderness Act*) that affect wilderness must be consistent with the minimum requirement concept. According to the policy, the minimum requirement concept will be applied as a two step process that determines (1) whether the proposed management action is appropriate or necessary for administration of the area as wilderness; and (2) the techniques and types of equipment needed to ensure that impact to wilderness resources and character is minimized. As required by Policy 6.3.5, NPS has conducted a minimum requirement analysis for fish stocking and has completed the first step of the minimum requirements analysis for fish removal (see appendix K).

Concern ID: 10068

**CONCERN
STATEMENT:**

Comments state that fishing should be viewed as an acceptable activity, just as hiking, camping, and mountain climbing are; comments state that the Minimum Requirements Analysis cannot conclude that low density stocking is inappropriate any more than it could conclude that construction of trails are inappropriate.

Representative Quote(s): On Page 294 of Volume II, the [Minimum Requirement Analysis] asks: “Is it necessary to take action?” I believe this exercise demonstrates that the reasoning in the [Minimum Requirement Analysis] must have been manufactured to reach a predetermined conclusion. I substituted “hiking” and “trail building” for “fishing” and “fish stocking.” If the park were to do a similarly reasoned [Minimum Requirement Analysis] on the building or maintaining of trails in the park, it would presumably once again conclude that trail building or maintenance should stop in the park. “Is it necessary to take action? Trail building, no. Building trails into the high mountain lakes” -- now listen to how this perfectly makes sense -- “building trails into the high mountain lakes would continue to benefit the recreational” -- I screwed up here. “Building trails into the high mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness hikers. Trails, however, would adversely impact the wilderness experience for other wilderness users. Trail building would also adversely impact to varying degrees the scientific conservation and natural purposes of the wilderness. If trails were not built, opportunities for hiking to the high mountain lakes would be severely limited. However, various opportunities for trail hiking would remain in the low land areas, and other types of primitive and unconfined forms of recreation would still exist in the Steven Mather Wilderness. Therefore, the National Park Service believes that trail building is not required for the administration of the areas of the wilderness.” The logic has nothing to do with reaching a conclusion. You could apply the same logic to essentially any management action the Park takes and presumably reach the very same conclusion; namely, that the action ought to stop. Clearly the reasoning was written after the conclusion had already been reached. (31)

The minimum requirement analysis or [Minimum Requirement Analysis] has been misapplied. Fishing needs to be viewed as an accepted recreational activity, just as hiking and camping and mountain climbing are. The [North Cascades Complex] routinely does various management actions to provide trail building, trail maintenance, campsite construction with minimum impact. Fish stocking is an equivalent management action to provide an ecologically sound mountain lake fishery. [Minimum Requirement Analysis] cannot sensibly conclude that low-density fish stocking is inappropriate, and it could conclude that properly constructed trails are inappropriate. When the park was created, it committed to provide hiking, camping and fishing, and I will not get into the hearings. [Minimum Requirement Analysis] can no longer conclude that properly managed fishing should be eliminated, and it can't conclude that properly managed hiking should be eliminated. The [plan/EIS] claims it can press no clarification as required to give [North Cascades Complex] authority to continue fish stocking because nothing is complained in the legislation authorizing fish stocking. (26)

The idea that some how trails can be built and maintained as natural in a wilderness while regulated fish stocking and fishing are not permitted is mistaken. While trails should be permitted and maintained under most circumstances, engineered and graded trails are no more natural than rational fish stocking and fishing. That Congress is required to authorize fish stocking and fishing in the North Cascade complex before it can continue and not have to authorize trails and trail building, for it to continue is not rational. (43)



Response: The management actions in this plan/EIS that are proposed to take place in wilderness are fish stocking and fish removal, not trail building. As such, in accordance with NPS Management Policy 6.3.5, NPS has conducted a minimum requirement analysis for such activities. To assist with its minimum requirement analysis, NPS used the Minimum Requirement Decision Guide from the Carhart National Wilderness Training Center, which was developed in consultation with the Department of the Interior. The Decision Guide and its instructions can be found in appendix K of the Draft Plan/EIS. In answering the questions posed in the Decision Guide, NPS determined that fish stocking is not necessary for the administration of the area as wilderness, while removal of reproducing fish populations is necessary.

Concern ID: 10071
CONCERN STATEMENT: Comments state that the Minimum Requirement Analysis is a precedent setting programmatic example.

Representative Quote(s): In my opinion the [Minimum Requirement Analysis (MRA)] found in this draft [plan/EIS] is the most sweeping use of an MRA that has ever been done in the NPS. In none of the other three programmatic MRAs is an historic management activity disapproved across an entire park. These other three programmatic MRAs allow the management activity to continue, but simply restrict certain instances of its use where harm can be shown. Frankly, that is not unlike what preferred alternative B attempts to accomplish within the overall [National Environmental Policy Act (NEPA)] process; namely, the continuance of the use of fish stocking, but limiting it in situations where harm can be shown. There is no justification for a separate MRA procedure to usurp the overall objective of the NEPA process by pushing the use of the MRA procedure to the most extreme use it has ever been subjected to. This [North Cascades Complex] fish stocking NEPA process is filled with enough controversy without unnecessarily introducing the use of a fairly new procedure in a way that pushes its use to an extreme limit -especially just as efforts are underway within the NPS and the [National Forest Service] to evolve the MRA procedure to its next incarnation which is very likely to restrict or even eliminate "programmatic" MRAs such as the one unwisely included in this draft [plan/EIS]. (31)

Incidentally, and interestingly enough, current Forest Service policy also agrees with the Department of Fish & Wildlife view. The Forest Service, which manages far more wilderness than the Park Service does, has never done an MRA on a management action of this type. It would simply be against their policy to do so. (31)

Response: The NPS has different mandates, management policies, and legislative requirements than the Forest Service. While programmatic minimum requirements analyses have not been widely used, NPS has conducted and used programmatic minimum requirements analyses in the past. NPS believes its use of the programmatic analysis in this document is in full compliance with Policy 6.3.5, which requires a minimum requirements analysis to be completed before any management action can be taken in wilderness. Here, the action at issue is the implementation of a fish stocking program that contemplates fish stocking and fish removal from naturally fish free lakes in designated wilderness. Thus, those are the actions broadly analyzed by the minimum requirements analysis.

Concern ID: 10072
CONCERN STATEMENT: Comments state that the Minimum Requirement Analysis should be done for fish removal.

Representative Quote(s): And finally, in my opinion, the Draft [plan/EIS] errs by incorrectly applying the Minimum Requirements Analysis protocol. I suspect a more detailed critique of this will be submitted by the sport fishing groups. I believe a [Minimum Requirement Analysis] should only address those actions explicitly prohibited by the Wilderness Act, such as use of motorized vehicles or aircraft. Fish planting, per se, is not prohibited and should not be the subject of a [Minimum Requirement Analysis]. I think we all agree that backpack planting of fry is a minimum tool. On the other hand, a [Minimum Requirement Analysis] should be done for the needed fish removals in some lakes since that would involve some of the actions prohibited by the Wilderness Act, that is, aircraft use. (73)

Response: NPS has completed step 1 of the minimum requirement analysis for fish removal (see appendix K) and determined that removal of reproducing populations of fish is necessary for the administration of the designated wilderness areas in the North Cascades Complex. NPS has also taken the initial steps to complete step 2 of the minimum requirement analysis (minimum tool analysis) by describing the various fish removal methods that may be used under each alternative. NPS will complete the minimum requirements analysis prior to taking any fish removal actions in wilderness.

Concern ID: 10073
CONCERN STATEMENT: One comment stated that the Minimum Requirement Analysis misrepresents the 1985 memorandum of understanding between the NPS and the Washington Department of Fish and Wildlife and that it applies to both fish stocking and fish removal.

Representative Quote(s): [Draft plan/EIS] Volume two P 289 Under “Fish Stocking” in this section NPS policies against stocking fish are cited. But then under “Fish Removal” the 1985 [memorandum of understanding (MOU)] between the NPS and [The Washington Department of Fish and Wildlife] is cited. You can't have it both ways. The MOU also applies to fish stocking, not just fish removal. And finally, the decision: Is it necessary to take action? The [Minimum Requirement Analysis] concludes that it is necessary to remove fish but not necessary to stock fish. (55)

Response: The text has been changed to reflect that the memorandum of understanding applies to fish stocking and fish removal.

WI1000 – Wilderness – Guiding Policies, Regs, Laws

Concern ID: 10074
CONCERN STATEMENT: Comments believe fish stocking, the presence of exotic fish, and the mechanized equipment, poisons, and human traffic that accompany stocking is out of character with Wilderness designation.

Representative Quote(s): In 1988, 93% of the North Cascades Complex was designated Wilderness. The Wilderness Act prescribes that Wilderness is “an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain . . .” and “and retains its primeval character and influence without permanent improvements . . .”. Recreational activities such as hunting and fishing can be compatible with Wilderness areas, especially since Wilderness areas provide



excellent habitat. However, fish stocking and the presence of exotic fish is clearly out of character with the Wilderness designation of these areas. The fish alter the ecosystem and character of the lakes and streams, and alter the behavior of the native flora and fauna. The mechanized equipment, poisons and additional human traffic that accompany fish stocking do not fit within the character of Wilderness either. (21)

The presence of native fish and wildlife at naturally fluctuating population levels is an important component of wilderness character. However, the continued stocking of non-native fish populations into naturally fishless lakes is an action we consider incompatible with the purpose and value of designated Wilderness. We express further concern with some of the mechanical and chemical methods proposed to remove non-native reproducing fish populations under Alternatives B, C, and D. Moreover, stocking of non-native fish populations directly contradicts the Park Service's own Management Policies directing the restoration of natural systems. See Management Policies, Chapter 4. (5)

NPS Management Policy 6.4.3(2001) states "Recreational uses in NPS wilderness areas will protect and preserve natural conditions and preserve wilderness in unimpaired conditions". How does fish stocking achieve the goal of preserving wilderness in unimpaired conditions when best available science documents loss of biodiversity? (22)

Response:

NPS recognizes that there are many purposes to wilderness listed in the *Wilderness Act*, including recreation, conservation, and scientific study. In this plan/EIS, NPS recognizes that certain individuals have different perspectives on wilderness. While the *Wilderness Act* generally prohibits the building of permanent roads and structures and the use of motorized equipment, fishing is a recognized use of wilderness and fish stocking is not specifically prohibited in the Act. Furthermore, this plan/EIS shows that no NPS resources would be impaired if stocking were allowed to continue as proposed under the preferred alternative. At the same time, the *Wilderness Act* states that wilderness should be protected and managed so as to preserve its natural conditions. Therefore, in its preferred alternative, NPS would ask Congress to clarify whether fish stocking is appropriate within the North Cascades Complex. Alternative D would be implemented unless or until Congress affirms that stocking is appropriate.

Concern ID:

10075

**CONCERN
STATEMENT:**

Comments state use of airplanes to stock violates wilderness designation.

Representative Quote(s):

The airplane fish stocking in alternatives A, B, and C are a violation of Wilderness designation because Section 4(c) of the Wilderness Act provides two narrow exceptions that allow motorized or mechanized uses in wilderness for administrative purposes: 1) in emergencies involving the health and safety of persons within the area; and 2) when a motorized or mechanized action is necessary as the minimum requirement for proper protection and administration of the area as wilderness. The use of airplanes to spread exotic species does not fit either definition. (21)

Wilderness Act of 1964: The Wilderness Act requires that the Stephen Mather Wilderness be kept "untrammeled, or unhindered and free from intentional modern human control or manipulation; and natural, or substantially free from the effects of modern civilization". The continuation of stocking under Alternative B disregards all of these qualities and the Parks wilderness character is deeply impacted as a result. The Park Service needs to explain how fish stocking can be considered "free from intentional human control or manipulation". (21)

Response: The NPS agrees that aircraft stocking may violate the *Wilderness Act*. For this reason, stocking would only continue if Congress clarified, through legislation, that stocking is appropriate in the Stephen T. Mather Wilderness.

Concern ID: 10076

CONCERN STATEMENT: Comment questioned National Park Service's implementation of the Wilderness Act and the effect of state jurisdiction and responsibilities.

Representative Quote(s): In managing our wilderness, I believe we need to respect both wilderness values, the ecological integrity, and the wilderness experience, which are entitled to all park visitors, including anglers. No one wilderness value should take precedence over the other. Finally, I would like to point out in the Wilderness Act it reiterates that "Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of several states with respect to wildlife and fish in the national forests." All federal agencies, including the U.S. Forest Service, the National Parks and the Bureau of Land Management and the U.S. Fish and Wildlife Service are under this directive. (66)

Response: NPS believes the clause cited by comment applies to the US Forest Service, not the NPS. Furthermore, NPS does not believe that it is taking any action that encroaches on the State's jurisdiction over fish and wildlife in National Forests.

Concern ID: 10077

CONCERN STATEMENT: Comments point out that the Wilderness Act is silent regarding fish stocking. Some comments stated that because the Wilderness Act is silent the NPS has the authority to stock fish in wilderness, while others stated that because the Act is silent the NPS does not have authority to stock.

Representative Quote(s): "Fish Stocking: There is no provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that explicitly allows for fish stocking." (pg 289) Neither is there any provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that forbids stocking. In addition there is no provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that allows for trail building, trail maintenance, bridge building, campsite construction, or dozens of other actions the park engages in every day. This reference to these pieces of legislation is at best a red herring since such legislation is designed to leave such details to the administering agency as is proven by the total lack of such authorization for any action. Why expect these pieces of legislation to authorize fish stocking when it authorizes none of these other actions? Beyond these considerations is the fact that the Wilderness Act permits fishing, and today's science clearly shows that the only way to provide biological integrity is to stock with nonreproducing fish in low densities. (31)

NPS has the Authority and Duty to Decide Fish Stocking Issues The applicable Wilderness Acts of 1964 and 1988 set broad standards for the management and administration of the wilderness areas, and direct the Secretary and NPS to apply those standards and to make and implement local decisions. NPS is directed by statute to bring to this process "the highest quality science and information." 16 USC Sec 5932. NPS is further directed to "assure the full and proper utilization of the results of scientific studies for park management decisions." 16 USC Sec 5936. There is nothing ambiguous about the Wilderness Acts. They are not written to provide bright line decisions to specific local issues. 16 USC Sec 1133 provides:



(b) Agency responsibility for preservation and administration to preserve wilderness character; public purposes of wilderness areas. Except as otherwise provided in this act each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historic use. This responsibility is specifically acknowledged in NPS Management Policy 6.1. It is the agency's authority and duty to find the local facts and science and to weigh those in light of the public purposes specified in the Act, here they are primarily recreation, conservation and historical use. That is exactly what NPS is doing though the EIS process. NPS Management Policy 6.3.4.3 outlines the National Environmental Policy Act processes to use, including EIS. Would NPS go to Congress to approve a plan for a new trail system or an area of educational or safety signage? (69)

Fish have been a part of the lakes in the North Cascades for a very long time. Since well before it was a National Park. It is clear in the congressional record of the North Cascades National Park proceedings, that Congress INTENDED fish to continue to be a part of this national park experience. They did not think that the sight of a fish rising in an alpine lake would somehow destroy an individuals "wilderness experience." In fact, it could be argued that sighting a fish in an alpine lake would have less of an impact on a persons wilderness experience than coming upon a manmade foot bridge over a creek on a trail cut by a trail crew through the same national park land. Fish in the lakes of the North Cascades are wonderful. If they do no harm they should remain. (14)

We do not understand the need for "Congressional clarification". The enabling legislation can not be expected to list all of the activities and that will be allowed in the Park. The Wilderness Act does specifically protect some activities; that has probably been helpful to managers. We are not against Congressional clarifications but it certainly is not required to allow activities. I could list a multitude of things allowed in the Park which have never received Congressional approval. We should not stop doing historically acceptable things while Congress decides if it is OK. (42)

WI4000 – Wilderness – Impact of Proposal and Alternatives

Concern ID: 10078

CONCERN STATEMENT: Several comments stated that the presence of fish in an alpine lake does not destroy an individual's wilderness experience, and that the plan/EIS does not give appropriate weight to the recreational values available to park visitors, while others feel wilderness protection should be paramount.

Representative Quote(s): Fish have been a part of the lakes in the North Cascades for a very long time. Since well before it was a National Park. It is clear in the congressional record of the North Cascades National Park proceedings, that Congress INTENDED fish to continue to be a part of this national park experience. They did not think that the sight of a fish rising in an alpine lake would somehow destroy an individuals "wilderness experience". In fact, it could be argued that sighting a fish in an alpine lake would have less of an impact on a persons wilderness experience than coming upon a manmade foot bridge over a creek on a trail cut by a trail crew through the same national park land. Fish in the lakes of the North Cascades are wonderful. If they do no harm they should remain. (14)

Due to the cessation of stocking in national park lakes, long-term moderate beneficial cumulative impacts on wilderness values would be expected. This statement should be removed. There is no development of the connection between

“wilderness values” and lakes with nonreproducing fish in low densities in these tables. Elsewhere in the text of the draft [plan/EIS] an unconvincing case is attempted in order to “prove” that such populations of fish harm wilderness values. At best that case is a red herring. How can a few fish, mostly unseen, harm a visitor’s wilderness experience? (31)

On the other hand, some informed wilderness users would be aware of nonnative fish in the lakes due to stocking. They would also experience the indirect effects of angling, such as social trails along lakeshores, fire rings, and lost or discarded fishing tackle and equipment. The magnitude of adverse impact would vary among individuals. Those with strong biocentric views (support protection of natural processes in wilderness areas) of wilderness would experience major long-term adverse impacts from the continued fishery management practices under alternative A. --[Draft plan/EIS] Volume one P 404 (also see page 408). To meet the definition of a Major impact the “Human-caused impacts...on the natural environment would be readily apparent throughout the wilderness.” If users have to be “informed” to be aware of the fish the management action is not “readily apparent.” And, even in alternative A only 62 out of the 245 lakes in the park would have fish. That represents 25% of the lakes and that doesn’t represent an impact “throughout the wilderness.” There is no way to classify the effect on anybody as “major”. You might be able to make the case for moderate, but even that isn’t clear. (55)

The displacement of anglers to other wilderness areas would result in long-term negligible adverse cumulative impacts even if all anglers decided to fish elsewhere. - [Draft plan/EIS] Volume one P 417 Negligible? Moving anglers generates major benefits for solitude in the park, but only negligible impacts on solitude outside the park? That makes no sense. The impact has to be commensurate. (55)

Response:

The plan/EIS recognizes that different people have different perspectives on wilderness. The text was changed throughout this section from ‘major’ to ‘moderate’ impacts. With regard to the NPS conclusion regarding the displacement of anglers to other wilderness areas, NPS made the conclusion of negligible adverse cumulative impacts because of the small number of anglers that would be displaced to a large number of lakes in the region.

Concern ID:

10079

**CONCERN
STATEMENT:**

Comments state that by allowing fish stocking, NPS is setting a precedent for other land management agencies to stock exotic species in wilderness.

Representative Quote(s):

Through continued fish stocking, [North Cascades Complex] sets a precedent for neighboring land managers to perpetuate the practice of stocking exotic species into designated wilderness areas. (22)

Response:

Other federal land managers adjacent to the park have different mandates, management policies, and directives. The degree to which receiving clarification would affect lands managed by other federal agencies is too speculative to address.



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Roy Zipp
06/06/2005 02:01 PM
MDT

To: Shelley Kuz/NOCANPS
cc:
Subject: e-mail comment re: EIS

Hi Shelley,
Please log this one into the record.
Thanks!
Roy

-----Forwarded by Roy Zipp/NOCANPS on 06/06/2005 12:59PM -----

To: Roy Zipp/NOCANPS@NPS
From: Tim Manns/NOCANPS
Date: 06/06/2005 12:40PM
Subject: FW: From ParkNet - public comment on federal register of 5/3/05 vol 70 no 103 pg 30970

Roy,

This e-mail came in via the park's website.

Tim

Timothy Manns
Chief Interpreter
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284
phone 360/856-5700 ext.365
fax 360/856-1934
website www.nps.gov/noca
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This email was sent by: jeanpublic@yahoo.com

re us doi nps eis fish mgt plan - whatcom, skagit and chelan counties - noa - there are no more "native" species. they have been completely wiped out by now. let's move on. i think the following should be completely banned in this area: ban 1 hunting 2 trapping 3

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no more "native" species. they have been completely wiped out by now. let's move on. i think the following should be completely banned in this area: ban 1 hunting 2 trapping 3 new roads 4 all two stroke vehicles of any kind 5 grazing 6 mining or drilling 7 logging 8 prescribed burning which releases fine particulate matter from smoke which travels thousands of miles causing injury and death to other americans through lung cancer, heart attacks, strokes and asthma. b. sachau 15 elm st florham park nj 07932





July 25, 2005

Bill Palek, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Wooley, WA 98294-1239

Comments related to Mountain Lakes Fisheries Management Plan, or EIS

1 - The Minimum Requirement Analysis (MRA) has been misapplied. Fishing needs to be viewed as an accepted recreational activity, just as hiking and camping and mountain climbing are. NCNP routinely does various management actions to provide trail building, trail maintenance, and campsite construction with minimum impact. Fish stocking is an equivalent management action to provide an ecological sound mountain lake fishery. MRA cannot sensibly conclude that low density fish stocking is inappropriate than it could conclude that properly constructed trails are inappropriate. When the park was created, it committed to provide hiking, camping, AND fishing. MRA can no longer conclude that properly managed fishing should be eliminated than it can conclude that properly managed hiking should be eliminated.

2 - The EIS claims that congressional clarification is required to give NCNP authority to continue fish stocking--because nothing is contained in the legislation authorizing fish stocking. Many management actions were NOT spelled out in 1968 enabling legislation. Is legislation needed to build a bridge on a trail? Or even to build a trail itself? Is legislation needed to repair a trail? Does the legislation authorize campfires to be allowed? Congress intended hiking and trail building to be continued once the park complex was established. In the same way, the congressional record shows that fishing, along with proper fish stocking, also was intended. The EIS statement that fish stocking cannot continue without legislative clarification is unjustified, given NCNP's history as evidenced in the congressional hearings, and by NCNP's management actions to now.

Conclusions: the MRA in draft EIS is flawed, because if its reasoning were impartially applied to hiking, trail maintenance, and mountain climbing as it does to fishing and fish stocking, it would have to conclude that trails should be eliminated, bridges should be eliminated, campfires should be eliminated, etc. The EIS claim that congressional clarification is required is flawed for same reasons: legislation is not needed to build trails, build bridges, build campfires, etc. The Congressional Record of hearings conducted for the enabling legislation that created NCNP clearly shows that Congress understood that, and intended for historical use of fishing and fish stocking was to continue.

Angela Taylor
Virgil E. Harder

Bill Palek, Superintendent
Mountain Lakes Fishery Management Plan/EIS
NCNP Service Complex
810 State Route 20
Sedro-Wooley, WA 98294-1239

July 10, 2005

Dear Superintendent Palek:

I am a biology teacher (retired), member of the H.L.akers (fishing club), the Snohomish Sportsman's Club and the Washington Outfitters & Guides Association. My academic training in mountain biology and aquatic invertebrates has served me well in my teaching and recreational pursuits. I am also happy to see that the North Cascades National Park has an interest in science based management of our recreational opportunities in the Park and the Recreation Areas. I am looking forward to having the issues between the Park, WDFW and the various user groups being finally resolved and clarified.

As I read the EIS I could not help but feel that the authors showed a bias toward eliminating the fishery recreation that now exists. Statements such as the following imply that impacts need to be minimized: "After monitoring and evaluation, restocking.....would be allowed in certain lakes only if biological impacts could be minimized". The current practice of planting fish in low numbers and only in lakes where populations are non-reproducing has already minimized historical impacts (no minimization is needed).

The preferred alternative B seems to be filled with provisions which could lead to the loss of the fishery in many if not all lakes. We already know that a healthy fishery, where over population of fish is not a concern, can and does coexist nicely with the other biota. These fisheries provide a quality recreational opportunity in beautiful country for those of us who enjoy casting a fly (catch and release in non-reproducing waters would certainly meet with my approval). I believe that the EIS significantly under estimates the current use of the fishery by the public; you monitor and get counts in heavily used areas but never see evidence of fishing in the lakes that many of us who love solitude prefer to visit. Enabling legislation that recognized that this important recreational use should be maintained by stocking is appropriate and needed. The present management practices should be continued until such legislation is obtained.

Clearly, it is important to manage the populations in lakes where the fish are stunted and putting pressure on the invertebrates and perhaps the amphibians.

Recreation for the public is important. Not everyone enjoys Disney land. Some choose to back pack on their own, hike with guides and go on outfitted trips with professional outfitters. We should find ways to maintain recreation; not to mention living up to the promises made when the Park was first being planned and established.

Respectfully Submitted,

Dale Wick

Dale Wick



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Dr. Virgil E. Harder

July 28, 2005

Bill Palek, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Wooley, WA 99294-1239

Comments related to Mountain Lakes Fisheries Management Plan, or EIS

1 - "Wilderness" is in EIS volume I 333 times. It is in the EIS Appendix volume II 199 times." The EIS leans rather strongly toward blaming fishers for damaging the "wilderness value" of lakes. Are only fishers at lakes?

Which is more likely to detract from a wilderness experience or wilderness values? Fish in lakes? Or books/brochures/websites/etc. that list lakes and describing how to get to them? I could cite a litany of lakes that have ruined the "wilderness experience" because they appeared in "Hikes" books. For the EIS to meld fishers into number of visitors at various NCNP Complex locations/areas generates fictitious, inaccurate numbers for fishers-at lakes. Besides, most fishers go to lakes with no trails to them, and the fishers' credo is "leave no trace." In other words, for the EIS single out fishing and claim that fishing detracts from wilderness values is preposterous. Why should it ban fish? Fishing ADDS to wilderness values just like hiking, mountain climbing, and camping do. Ban "hike" books; then people will indulge in wilderness experiences. Whether they, as a consequence, will ENJOY their wilderness experience, however, is an unknown factor.

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Bill Palek

July 28, 2005

2 - The EIS implies--probably states, and I missed it--there were or are no NATIVE fish in NCNP Complex; ipso facto, no native fish equals no authority to stock fish. NCNP staff archaeologist, in a paper published in March 1997, titled "AN UPDATED SUMMARY STATEMENT OF THE ARCHEOLOGY OF THE NORTH CASCADES NATIONAL PARK SERVICE COMPLEX," has several references to fish being in NOCA centuries ago. Here's one quote: "The lands in today's park complex were occupied by human groups for at least the last 8,400 years...Most of the archeological sites in NOCA consist of below-ground remains of camps and resource areas where Indian people processed and cooked food, collected specific kinds of rocks and minerals for tools, and hunted, fished, and collected plants." Could Ross Lake fish be descendants from 8,400 years ago? Could fish have come up Skagit River before the Ross Lake dam was built, and moved into connecting streams and lakes? Could Ravens and/or Loons have dropped fry into lakes?

The EIS needs to quit its bias and be objective. It needs to use science, not domineering or unsupportable declarations.

Virgil E. Harder



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energy. We have watched a pair of loons at Ferry Lake in Ferry County attempt to raise chicks this way, and without intervention they are unsuccessful!

I am an advocate of letting ecological processes dominate the landscape and am not in favor of feeding wildlife. However, the management decisions we have made over time have affected our wildlife populations. In the case of loons, human disturbance has probably displaced nesting pairs on most of their historical territories in the western states. People have also put fish into lakes that are naturally fishless. That the loons have had some success on stocked lakes has essentially kept Washington's population from being decimated. That the Park Service has managed Hozomeen Lake for loons is recognition of the importance of keeping the population extant. The EIS states that losing one loon pair would cause only minor to moderate adverse impacts on the state's common loon population. Perhaps, though with such low numbers of chicks fledged annually, I'm not sure how that conclusion is justified. However, I cannot agree that the pair of loons nesting at Hozomeen would sustain only minor to moderate adverse impacts. The loons occupying this territory are unlikely to be successful again.

Though I am writing this letter as an individual, as part of my work for the USDA Forest Service I have developed an educational program on the common loon, and have delivered it to children's camps on lakes where loons nest for the last ten years. The program emphasizes that the decisions kids make as members of society have an affect on wildlife and wildlife habitat. I urge you as professionals to include Hozomeen Lake in the list of lakes that will continue to have fish in the North Cascades National Park, and if possible, choose Willow or Ridley Lake to become fishless.

Sincerely,



Patti Baumgardner

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Bill Paleck, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

Dear Mr. Paleck,

Thank you for the opportunity to comment on the North Cascades National Park Service Complex Draft Mountain Lakes Fishery Management Plan Environmental Impact Statement (EIS). In general, I applaud your efforts to return the North Cascades Park and environs to a more natural state by increasing the number of fishless lakes in the complex. This move is likely to have a beneficial affect on your indicator species and presumably will move the area towards a more ecologically intact state. However, I am concerned about the affects of the proposed action alternative (alternative B) on the common loon.

As stated in the EIS, a nesting pair of common loons has occupied Hozomeen Lake since 1971. According to your document, this is only one of 20 lakes in Washington where loons have been known to nest from that time to the present. The Park Service has actively managed Hozomeen to protect the loons by closing the lake to visitors during the nesting season, and records show the pair has successfully produced chicks. Not mentioned in your document is that in recent years, only six to twelve loon chicks have been known to fledge annually in the entire state.

The EIS states that adequate fish sources for the loons occur in nearby Ross, Ridley, and Willow Lakes. It is unclear whether this statement presumes that the loons will move their nesting territory, or use these lakes for their food source. Either way, the chances of the loons being successful will be greatly reduced. In the first instance, it takes more than an adequate supply of fish to induce a pair of loons to nest. Efforts throughout the state to attract loons to nest on lakes where they historically reproduced have largely failed. Given what we have learned about loons returning to their neonatal territories to establish nesting sites, I assume that if the habitats on the three nearby lakes mentioned in the EIS were suitable, they would be occupied with loons that had been hatched on Hozomeen Lake. Once a pair does establish a territory, it generally remains faithful, even after repeated nest failures (as on Blue Lake in Okanogan County). I also assume that it will not be easy to dislodge the Hozomeen pair from a nesting territory that has been occupied for so many years. In the second instance, loons do fly to other lakes to feed, and even bring small fish back to nourish chicks. This however takes an enormous amount of



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June 28, 2005

North Cascades National Park Service Complex
810 State Route 20 98284
Sedro Woolley, WA
Arlin William F. Paleck, superintendent

Subject: Draft Mountain Lakes Fishery Management Plan/EIS

Ref: Public Comments by 8-22-2005

Dear Mr. William Paleck:

The Borderline Bassin Contenders is a hunting & fishing club that was founded over 30yrs ago. We are very active in our local area and have been successful in our efforts to protect and enhance our local fisheries. We have a long history of successful fishing and hunting in our high mountain lakes. We feel that the backcountry experience has been enhanced by the ability to fish in these high mountain streams & lakes. We also feel that the fish management in these lakes and streams for over the past 50yrs has many benefits to those habitats. Ponds seem to be cleaner and less stagnant, animals such as osprey, hawks, & eagles will set up nesting in those areas because of increased fish food available to them. Raccoons, kingfishers, puddle ducks, blue herons, weasel, bobcat, black bear, etc benefit from this available resource. Other benefits are the mosquito and knott populations are kept in check, especially with the threat of west Nile disease spreading & transmitting rapidly across the United States. Also plant life does well because the fish provide o2 / o2 exchange, and the fish waste is a good fertilizer for these shoreline & wetland plants.

Fishing & hunting has provided many economical benefits toward our resources through license fees, etc. and the high mountain fishing experience promotes this very well. In fact, our Governor has stated many times that the outdoor experiences such as fishing, hunting, hiking, etc. needs to be promoted more, not less, if we want more tourism in our state.

Please consider these comments as part of your EIS and SEPA documents, and thank you for your dedication towards our outdoor resources.

Sincerely,



cc: cdb pres, bd of dirs,
DWF



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State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N • Olympia, WA 98501-1091 • (360) 902-2674 • TDD: (360) 902-3207
Main Office Location: Natural Resources Building • 11111 Washington Street SE • Olympia, WA

August 16, 2005

Mr. William F. Paleck Superintendent
North Cascades National Park Service Complex
National Park Service
810 State Route 20
Sedro Woolley, Washington 98284

Reference: Comments on North Cascade National Park Complex Mountain Lakes Fisheries Management Plan/EIS

Dear Mr. Paleck:

The Washington Department of Fish and Wildlife (WDFW) would like to thank you for the opportunity to work with the North Cascades National Park (the Park) as a cooperating agency in the development of the draft Environmental Impact Statement (EIS) for the Mountain Lakes Fishery Management Plan in North Cascades National Park. This experience has benefited WDFW in refining our own high lakes management approach with regard to the conservation of biological integrity of alpine lake ecosystems. Overall we are satisfied with the technical content of the EIS, as well as your response to our technical comments and resultant revisions.

WDFW supports the stated purpose of the EIS to conserve native biological integrity, provide a spectrum of recreational opportunities including sport fishing, and resolve the debate regarding fish stocking in the Park. It has always been WDFW's position that the high lakes fishery within current park boundaries has an important historical legacy and provides a unique wilderness fishing experience. For nearly two decades WDFW and the Park have renewed short-term agreements to provide those fishing opportunities in the park complex. To that end, WDFW supports the Park in its endeavor to resolve this issue through the development and implementation of a scientifically based, long-term fish management plan for the park complex.

WDFW supports Alternative B as the preferred alternative. Alternative B and the adaptive management of fish in park lakes satisfies the expressed purpose of this EIS in providing recreational fishing opportunity in this historic high lake fishery while minimizing ecological impacts. WDFW also supports Alternative B as the environmentally preferred alternative as defined in the Department of Interior Policy (516 DM 4.10) and the national environmental policy (NEPA section 101 (b)), including (b) 3, "attain the widest range of beneficial uses of the

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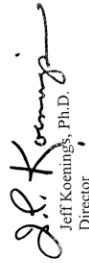
Mr. Paleck
August 16, 2005
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where fish stocking and wilderness angling are longstanding historical practices. This alternative has been determined by the analyses documented in the EIS to conserve biological integrity of park lakes and their biota, leaving no permanent evidence of human presence and allowing natural processes to prevail. We do not believe legislative action is necessary for you to adopt this alternative.

WDFW would like to compliment the North Cascade National Park staff for their fine effort in the development of the Mountain Lakes Fishery Management Plan and this EIS. It is a well-written and professional piece of work. This document in conjunction with our recommendations above will result in an outcome that will best serve the citizens of Washington State and all visitors to the North Cascade National Park.

Please let me know how we can be of further assistance in this matter.

Sincerely,


Jeff Koenigs, Ph.D.
Director

cc: Senator Maria Cantwell
Congressman Norm Dicks
Congressman Rick Larsen
Congressman Doc Hastings
Bob Everitt
Lew Atkins
Jo Wadsworth
Tom Davis
Trailblazers
The Washington State Hi-Lakers

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Mr. Paleck
August 16, 2005
Page 2

environment without degradation, risk to health or safety, or other undesirable and unintended consequences an aspect in which alternative D, the proposed environmental preferred alternative does not address. Additionally, Alternative B offers the greatest potential for partnerships between the State, the Park, and stakeholders for implementing fish removal projects on those lakes with high-density naturally reproducing populations. By continuing to provide quality high lake fishing opportunity Alternative B also offers the benefit of continued communication and education of backcountry anglers, thus reducing the potential for unsanctioned introduction of fish in high lakes.

WDFW believes that Alternative D is not an appropriate alternative given it is in direct opposition with the purpose of the plan/EIS and its objective to "Provide a spectrum of recreational activities including sport fishing..." in the study area, which is made up of park high lakes with a history of fish presence. The intent of Alternative D is to eliminate fish in the Park's high lakes, and is in direct conflict with providing sport fishing opportunity in high mountain lakes. WDFW believes Alternative D should be dropped from consideration and omitted from the Final EIS entirely.

WDFW recognizes the Park's intent to gain clarification of the enabling legislation that would explicitly allow for the stocking of fish to continue within the park. However, in our view the intent of congress in the enabling legislation is clear and the continuation of active fisheries in the Park was expected. While WDFW supports clarification on the enabling legislation we also recognize that such action may take several years and that until that clarification is received a default position must be held. Alternative B should be adopted as the default position until clarification is received for the following reasons:

1. It is based on a fish management plan developed from the best available science,
2. It is consistent with the expressed purpose of this EIS, and
3. It addresses all aspects of the environmentally preferred alternative as defined.

WDFW continues to disagree with the application of the Minimum Requirement Analysis (MRA) with regard to fisheries management within the park. Fish stocking is **not** one of the ten prohibited activities as defined in section 4(c) of the Wilderness Act. The MRA should only be applied to those prohibited activities, and not be used to determine new prohibited activities. However, if the MRA is used to evaluate the need for fish stocking, WDFW has concluded that limited, biologically based stocking of non-reproducing trout is necessary for the administration of the Stephen Mather Wilderness because it is necessary for the implementation of the preferred alternative of this EIS, which would provide many unique benefits.

In summary, WDFW strongly recommends that the Park Service adopt alternative B, the preferred alternative. It is a fishery management program that is biologically based on limited stocking of non-reproducing trout to provide high lakes recreational angling in park waters



Thank you for all the effort you and the NPS staff have put into the development of this EIS. It is without a doubt the most comprehensive study of a high lake fishery ever done. Although some of my comments at first might not be considered substantive because they describe feelings or desires, it is the deeply felt feelings that drive my desire to maintain a mountain lake fishery. While a deeply felt armchair philosophy about wilderness values is important in helping preserve those values through contributions to organizations that promote those values through science, education and legal action, I believe people who have actually spent a lot of time on the ground in the wilderness should be listened to very carefully. Also, the armchair wilderness philosopher and the wilderness user who fishes, and eats the berries and mushrooms have a lot more in common than either of them may realize. Because it is through the very acts of walking and climbing and catching and picking and eating and drinking and breathing and seeing and listening and feeling and smelling and sleeping on the land that many wilderness advocates are made.

Aug 17, 2005
To: Bill Paleck
From: Mike Swayne
Subject: Comments on Mountain Lakes Fishery Management Plan/EIS

I was born and raised in the North end of Seattle. I have been a member of the Trail Blazers since 1958. I have a PhD in environmental science and engineering from the University of Washington and worked on many large environmental data management projects. But most important regarding this EIS, I am a lover of our North Cascade mountains and lakes. Therefore, I spent a lot of time becoming familiar with the data that went into the EIS, reviewed the EIS analysis and recommendations, and submit the following written comments on the Draft Mountain Lakes Fishery management Plan/EIS. I am submitting the comments as MS WORD DOC and PDF files on CD with the intention of facilitating EIS staff review.

Please consider my comments part of an overall Trail Blazers response. Due to limited time, the Trail Blazers were not able to compile all member comments into one document. My comments are organized according to the EIS Table of Contents and are inserted into the EIS Table of Comments using a red color font.

I would like to lead off by saying that the oral statement I made in Bellevue summarizes what has driven me to go on so many high lake stocking and survey trips, develop a database of high lake fish stocking and surveying, and work with the Washington Dept of Fish and Wildlife and NPS on data collection and management. The mountain lake fishery is not only important to me personally and culturally but led me to a lifetime of work on environmental issues and problems. I have come to believe that better information is the key not only to better environmental management but also in minimizing or eliminating problems to begin with. I have seen this not only in working with industrial plant managers but with high lake fishers as well. Many people join the Trail Blazers wanting to know where to go to catch fish. After a few years, they begin to understand the high lakes typically do not support very many fish and the habitat is sensitive, so they become much more careful about how they fish and camp and travel. They do not take very many fish, they do not build big camps or cut trees or boughs, they do not leave garbage, they do not trample the shoreline and many do not even like to leave footprints. What causes this change in behavior? It is the information they receive from the Trail Blazers and working with the land management and fish and wildlife agencies.

I believe the most important part of the whole NPS Mountain Lakes Fishery Management Plan/EIS effort in the future will be seen to be the cultural connection many people have to the high lakes and the information and knowledge that was gained. I encourage the NPS to view the information developed for this EIS to be not only useful for making one tactical decision on fish stocking but as part of an important baseline of information to be built on in perpetuity. For how can managers manage and how can scientists do science without knowing the history of the physical, biological, chemical and social conditions? Future generations of a better-educated public will also get much more enjoyment out of their visits to the mountain lakes by knowing more about them. How were the mountains and lakes formed? How did plants and animals colonize the mountain lakes after the ice age? How did the lake environments come to have introduced plants, animals, and fish? Many people think they have always been there. Some people think that stocked fish are interfering with "native" fish, not knowing that all the fish were introduced. How human use of the lakes has changed with our social development. So many things will be of interest to managers, scientists and the public in the future.

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David A. Berger

August 19, 2005

This letter is follow-up to oral testimony given on July 26 in Bellevue, WA, regarding fish stocking in the NCNP.

It concerns Option B, and to a much lesser extent C. Option B contains several component items. These components are geared toward improving the health of the ecosystem and preserving some fish stocking. Please note that per the finding of the Lis & Larson scientific report, these are not exclusive goals. Indeed, careful fish stocking has no measurable effect on the health of the ecosystem, according to that exhaustive report.

The components of Option B include removing some lakes from being stocked; removing over-reproducing fish from some lakes; and considering other lakes for stocking, especially those that been cleared of over-reproducing fish.

My concern is that only the first component of Option B will be well implemented, largely because it costs nothing. The other components, critical for restoring health to aquatic ecosystems and creating quality, no-impact fishery, will take time, money and effort. The concern then is that these important parts of the Option B plan will not happen.

I believe that as Option B is a complete plan, so should all components of the plan be linked in such a way that the plan advances as a whole.

For example: no more than half of the lakes identified for cessation of stocking could have stocking stopped until half of the overstocked lakes destined for attention have been treated, and reviewed via the adaptive management and other policies for introduction of non-reproducing fish.

This would insure that loss of fishable lakes is matched by the effort to improve lake habitats, a goal anglers support wholeheartedly. We do not want to be the only ones making sacrifices or efforts. A linkage between the Option B components would indicate and insure the good faith of the Park Service. Option B should not be a fig leaf to simply and immediately reduce the historical and valued practice of stocking in the NCNP.

Yours,
David Berger

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Steelhead Trout Club of Washington

Russ Simonson, President

Dan Miller, Vice President



Ed Cowan, Treasurer

August 22, 2005

Bill Peacock, Superintendent
North Cascades National Park
810 State Route 20
Sedro-Woolley, WA 98284-1230

Subject: NCNP - MOUNTAIN LAKES FISHERY MANAGEMENT PLAN

The Steelhead Trout Club of Washington is in agreement with the WDFW (WA Dept. of Fish and Wildlife) and supports Alternative B for the subject, NCNP's DEIS. We firmly believe that the fish stocking of the fallheen mountain lakes in the NCNP, enhances the public's wilderness experience while visiting these mountain lakes.

Current members of our club were actively involved with the Washington, State congressional delegation, particularly Rep. Lloyd Meeds and Senator Henry Jackson during the many discussions that were held during the creation process for the NCNP (North Cascades Park). We have no doubt that there was a strong understanding, reached by our congressional delegation, that the fishery management plan for the NCNP, as proposed by the WDFW (WA Dept. of Fish and Wildlife), would continue to manage these mountain lakes, including restocking of the fish upon creation of the NCNP in our state.

A major issue raised by the NCNP in recent years, was whether the fish stocking of the mountain lakes impacted the lakes ecosystem. This question was answered by the NCNP's funded study, of 15 years duration, that was carried out by "Lee and Larson". The scientific conclusion reached in the study was that no measurable impact on these mountain lakes ecological systems would result from fish management using, low-density, non-reproducing fish. Alternative B, in the DEIS, satisfies this criterion.

The current DEIS states that clarification is required by the congress to give the NCNP the authority to continue the current program of fish stocking these mountain lakes. We find this regrettable that this NCNP's DEIS is again raising this issue, when the Secretary for the Dept. of the Interior, Stewart Udall, was in agreement with our congressional delegation that the WDO would continue to restock fish in these mountain lakes.

The Steelhead Trout Club of Washington urges adoption of Alternative B for the subject, NCNP - DEIS. The current recreational fishing in the NCNP is a very enjoyable wilderness experience for the public.

Sincerely,

Russ Simonson
President, Steelhead Trout Club of Washington

SINCE 1928





Bill Palecek, Superintendent
Fishery Management EIS
North Cascades National Park
810 State Route 20
Sedro Woolley, WA 98284

Dear Superintendent Palecek & Staff:

We are concerned about the Park's apparent lack of commitment to maintain the recreational values that were promised to our citizens and visitors when the Park was established.

1. **Continuation of historical fish stocking** is assured to us in the Wilderness Act and was also promised when the Park was established. There are no studies that show that stocking of fish have an impact "scientifically significant" on other fauna or flora. We support continued stocking in lakes with low or no reproduction and management of those lakes with highly reproducing populations to reduce the impact they seem to have on amphibians and invertebrates.
2. **The Wilderness Act and the Park establishing legislation provides for recreational uses.** It seems to us that the EIS does not give appropriate weight to the recreational values available to Park visitors. Some preservationist groups seem to want to "renegotiate" (ignore) the Wilderness Act by eliminating the historical recreational values that are preserved for future generations. The EIS seems to interpret "wilderness values" as some concept that prevents people from recreating at and fishing our beautiful lakes.
3. **We do not understand the need for "Congressional clarification".** The enabling legislation can not be expected to list all of the activities and that will be allowed in the Park. The Wilderness Act does specifically protect some activities; that has probably been helpful to managers. We are not against Congressional clarifications but it certainly is not required to allow activities. I could list a multitude of things allowed in the Park which have never received Congressional approval. We should not stop doing historically acceptable things while Congress decides if it is OK.
4. **Fishing, along with hiking and camping are compatible with wilderness values.** We see no evidence in the EIS's scientific research to cause the Park to have a concern about stocking of fish. Obviously, those fish stockings should use species and be in lakes where reproduction will not cause a high fish density.

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Bruce & Sandy Wick -

5. I know that the **MRA is focused on fishing** but if those same standards were applied to other valuable forms of visitor activities you may conclude that we should lock the Park gates and keep everyone out. Hopefully you will take another look at how the Minimum Requirement Analysis is being used in Appendix K.

6. **Recreation and biologically appropriate preservation.** Managers should continue to support the intent of the Park's enabling legislation's. We were promised that the Park would open the North Cascades to the public and provide a wonderful area to recreate. Fishing is an important part of that recreation. It either is the reason or is an important adjunct to the reason for visitors to hike the trails and visit the area. Unless strong scientific evidence comes to light to require a discontinuation of fish planting, fishing opportunities should continue to be available as it has for many decades before the Park was created.

Thanks you for considering our comments. We look forward to having this process completed and the right to continue fishing the North Cascades secured for many generations.

Sincerely,

Bruce Wick

Bruce & Sandy Wick



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Comment on the Draft Mountain Lakes Fishery Management Plan /
Environmental Impact Statement, North Cascades National Park Service Complex

August 21, 2005

Martin Messing

Of the four alternates, A, B, C, and D, I support Alternate B, despite its short comings as the best for the park and the people enjoying it. I base my opinion on the following reasons.

1. US Senator Jackson Committee held hearings in Seattle, on Interior and Insular Affairs north Cascades - Olympic Park. Hearings on the study team report of recreational opportunities in the State of Washington. (February 11 and 12, 1966, 89 th cong. 2d Sess. 1966 pp 26.) In hearings to establish the park during negotiations with the Washington state congressmen and state officials, representatives of the Interior Department repeatedly assured, them, that fishing and fish stocking would not be forbidden. A quote from Stewart Udall Secretary of the Interior is as follows; " Fishing of course will be permitted use in both the national recreational area and the national park." (Hearings # 2 pp 12.) Numerous other assurances could be quoted from the same hearings.
2. The idea that some how trails can be built and maintained as natural in a wilderness while regulated fish stocking and fishing are not permitted is mistaken. While trails should be permitted and maintained under most circumstances, engineered and graded trails are no more natural than rational fish stocking and fishing. That congress is required to authorize fish stocking and fishing in the North Cascade complex before it can continue and not have to authorize trails and trail building, for it to continue is not rational.
3. The North Cascade Park funded and sponsored study by " Liss and Larson " of the North Cascade lakes, found that lakes with low numbers of non reproducing trout have minimal impact or damage on the ecology of these lakes. Depending on the size and condition of North Cascade lakes, limited numbers of non reproducing trout should be permitted.
4. Most climbers and hikers generally seek out lakes and ponds to camp and in some cases as a destination. It shouldn't be assumed that fisherman are the most likely to cause most camping and shoreline impact.
5. Parks should be for people to enjoy and get in touch with nature, climbing, hiking, camping and fishing are part of that. The citizens of Washington state have a tradition of doing those things in the North Cascades before the Park was established, they should be allowed to continue with the least possible restrictions.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10
1200 Sixth Avenue
Seattle, WA 98101



AUG 24 2005

Reply To
Attn Of: EITPA-088

Ref: 03-004-NPS

Bill Paleck, Superintendent
North Cascades National Parks Service Complex
810 State Route 20
Sedro-Wooley, WA 98284-1239

Dear Mr. Paleck:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the **Mountain Lakes Fishery Management Plan** (CEQ No. 20050203), in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309, independent of NEPA, specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions and the document's adequacy in meeting NEPA requirements.

The draft EIS evaluates a range of alternatives and management actions for 91 mountain lakes in the North Cascades National Park Complex (The Complex) in Washington. These lakes under natural conditions would be fishless, and currently have, or at one time had, fish presence as a result of fish stocking activities. The EIS assesses impacts that could result from the continuation of the current management framework (No Action Alternative) and three proposed action alternatives. The Action alternatives range from eliminating high densities of reproducing fish populations from lakes while allowing low densities of reproducing and non-reproducing fish populations in select lakes (Preferred Alternative - 42 lakes may have fish) to the elimination of all fish from the mountain lakes in the study area (Environmentally Preferred Alternative - all 91 lakes would be fishless).

We support the goals of the proposed project to conserve native biological integrity, provide a spectrum of recreational opportunities and visitor experiences, and resolve the debate and conflicts over fish stocking in North Cascades National Park Service Complex. We have concerns that the Preferred Alternative (Alternative B) would allow for continued stocking of naturally fishless lakes consequently manipulating the native ecology and introducing nonnative species. Nonnative fish species have been shown to impact local biota within the study area. In particular, it has been demonstrated that nonnative fish species have long term impacts on plankton, macroinvertebrates and amphibians. Consequently, we have assigned a rating of EC-1 (Environmental Concerns - Adequate) to the draft EIS. This rating and a summary of our comments will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference.



The Preferred Alternative (Alternative B) would conserve biological integrity in lakes by eliminating or reducing (if elimination proved infeasible) reproducing fish populations. This would eliminate high densities of reproducing fish populations from lakes in the study area while allowing low densities of reproducing and nonreproducing fish populations. While this management framework would minimize risks to biological integrity, it would still result in impacts on the local environment. In particular plankton and macroinvertebrates and amphibians would continue to experience long-term adverse impacts from predation and competition in all lakes that are stocked with fish.

The goal for the Environmentally Preferred Alternative (Alternative D) is that all 91 lakes would be fishless. This alternative is most closely aligned with the Nation Park Service (NPS) Management Policies which state that exotic species will not be introduced into parks and that the NPS is not to intervene in natural biological or physical processes, except in emergency situations to restore natural ecosystem functioning that has been disrupted by past human activities. Also, by removing the nonnative fish in these lakes, Alternative D would eliminate long-term predation and competition impacts on plankton, macroinvertebrates and amphibians in the study area. While we acknowledge that there will be short-term minor impacts resulting from the removal of the nonnative fish, the EIS includes an adequate monitoring and adaptive management plan to assure that these impacts are minimized.

The EIS demonstrates that the Environmentally Preferred Alternative (Alternative D) causes the least damage to the biological and physical environment and best preserves and enhances historic, cultural and native processes. We acknowledge that angling in the mountain lakes within The Complex would be eliminated through the implementation of Alternative D, however, we believe that the EIS has established that opportunities for mountain lake angling exist within close proximity of The Complex. The EIS states that within the Cascade mountain range, there are 800 stocked and 1000 fish reproducing high mountain lakes similar in character to those in the study area. Of these lakes, there are 200 stocked lakes and 200 fish reproducing lakes within 100-miles of the study area. These lakes provide opportunities for anglers to pursue high mountain sport fishing within close proximity of The Complex.

Due to the long term biological impacts that would result from Alternative B, and the availability of high mountain sport fishing opportunities within close proximity of The Complex, EPA recommends that the NPS select Alternative D for the Mountain Lakes Fishery Management Plan.

Thank you for the opportunity to review this draft EIS. If you would like to discuss these comments in detail, please contact Mike Letourneau at (206) 553-6382 or myself at (206) 553-1601.

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

10 - - Lack of Objections

The 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

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

EO - - Environmental Objections

The 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

The 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. The reviewer has identified information that is missing, 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. The reviewer has identified information that is missing, or the 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 information should be included in the final EIS. 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.

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EIS. Would NPS go to Congress to approve a plan for a new trail system or an area of educational or safety signage?

Congress does not act upon all issues referred to it. Congress has broader, more important decisions demanding its attention. Specific local decisions were delegated to NPS for a reason. HI-I akers have no objection to an amendment to the law specifically authorizing scientifically controlled fish stocking in the North Cascades Complex; the organization supports that effort. We do object to the plan's conclusion that lack of congressional action means the best solution is barred.

Before I comment on the three specific reasons for requiring "congressional clarification" I note a reliance throughout the reasons and in the draft EIS as a whole upon the characterization of the 1986 NPS Memorandum as a "Policy Waiver." The draft EIS identifies this Memorandum as a "Policy Waiver" every time it is mentioned, even in the table of contents to volume two, and in Appendix A Contents page 1 and again at page 3. In fact, the 1986 NPS Memorandum is the statement of specific North Cascades Complex fish management and stocking policy, and it says nothing about waiving any policy. This Memorandum recites local history and conditions and it states:

"...you requested that we provide you with a clear statement regarding National Park Service Policy for management of fisheries resources in the North Cascades Complex."

That policy has been applied now for 19 years, and it has been implemented through agreements with WDFW which also has fish management jurisdiction there.

The Executive Summary at page vii states that the 1988 Wilderness Act directed NPS to manage this wilderness in accordance with the 1964 Act, and "At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters..." Which policies are those? Do they apply to stocking fish native to the drainage and ecosystem involved, if not to the lake? If such policies existed in 1986 they should be added to Appendix D. The Background summary at page 11 refers to a 1972 policy that prohibited artificial stocking of fish species exotic to a park and prohibited stocking "naturally barren waters." The draft quotes and cites Louter 2003 for this statement rather than the policy itself. What is the complete policy, to which parks did it apply, and over what time period was it in force? Both Management Policies 4.4.3 and 4.4.1 provide for stocking of native or exotic species under specific situations that can apply here, i.e. historic stocking in a recreation area or preserve, or stocking in wilderness needed to meet the desired condition of a historic resource, but only where it is prevented from being invasive. At the bottom of page 32 of Volume One the draft EIS summarizes policy 4.4.4.1 and follows that summary with an unsupported conclusion. The conclusion is that because not all of the 4.4.1 conditions have been met a "policy waiver" has been required. This conclusion is plainly contrary to the language of the 1986 NPS Memorandum. How was it determined that the conditions of 4.4.1 were not met? This conclusion is not correct.

However, let us assume for analysis purposes that the Executive Summary statement is literally correct; "At the time the WPWA was passed, NPS policies prohibited fish

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necessary to the administration of the areas. This latter issue is the subject of extensive comment in my July 27, 2005 submission, a copy of which is resubmitted herewith.

B. NPS has committed itself to make North Cascades fish stocking decisions based upon information (facts and science), not based upon law change.

In the 1985 Memorandum of Understanding the NPS and WDFW agreed to consult with each other regarding research and regulation and transplanting of fish, and they agreed to establish Technical Study Task Forces. The 1986 NPS Memorandum directs that some of the North Cascade Park lakes be stocked with species native to the Park or ecological region for recreational purposes and directed that some be left fish free; and it encouraged a research effort to monitor impacts and determine changes over time. The intent of the research was to provide an informed basis for fish stocking management in the future. The 1988 twelve year Supplemental Agreement allowed fish stocking in 17 Park lakes and allowed self sustaining populations to continue in 23 more while the NPS conducted research. It also stipulated that the list of lakes could be changed only by mutual agreement between NPS and WDFW and added that research results would be considered in future decisions. This 1988 agreement also stated:

This Supplemental Agreement shall remain in full force and effect unless terminated by mutual consent of the Department and The Service.

The 1991 Consent Decree provides that NPS will complete its research and conduct a NEPA review of fish stocking. The 2002 Reaffirmation extends the 1988 Supplemental Agreement to December 2004.

By the memorandum, agreements and Consent Decree NPS has committed itself to a process that includes scientific research, consultation with WDFW and agreement not to revise the stocking list without WDFW agreement, and ultimate review and resolution of fish stocking issues by the NEPA process. The letter and spirit of all the agreements dictate that the final decisions be based upon information, not legislation. The late date insistence upon legislation prior to scientifically conducted fish stocking violates these agreements.

Conclusion

The draft EIS is a mostly objective document of considerable depth. The whole of the document is tarnished by imposing upon it a web of strained facts and logic in order to support a conclusion the no fish stocking will be allowed without "congressional clarification." We request that this conclusion and its supporting arguments be removed from the draft EIS along with the characterizations of the 1986 NPS Memorandum as a "policy waiver" throughout.

Submitted:

Dale Riveland
Dale Riveland, HI-Laker
20028 18th Ave NW
Shoreline, WA 98177
drmo@cmc.net



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SUBSTANTIVE NORTH CASCADES EIS COMMENT
DALE RIVELAND, HI-LAKER
July 27, 2005

Issue Discussed

This comment questions the application in Appendix K of the Minimum Requirements Decision Guide (MRDG) to the fish stocking decisions. The Step 1 of the MRDG provides: "Is it necessary to take action?" This is not a proper question regarding fish stocking. The MRDG questions were designed for decisions to overcome one of the ten statutory prohibitions, not for general management decisions. The result of answering a misleading question is that the minimum requirements analysis provides a misleading answer.

Comment

The Washington Department of Fish and Wildlife (WDFW) Comments on the Minimum Requirements Analysis (Appendix K, p.299-300) are correct in concluding that no MRA is required for continuation of century old fish stocking in limited lakes selected by biologists in order to maintain biological integrity. If it is determined that an MRA is required, then the correct standards are those specified in National Park Service (NPS) management policy 6.3.5. Apparently when the WDFW comments were authored the WDFW did not have before it the language of NPS management policy 6.3.5. I submit these comments as my supplement to those of the WDFW.

The MRGD states that it is derived from Section 4(c) of the Wilderness Act. Instructions-p.1. If an MRA is required at all for fish stocking, it is not because fish stocking is one of the ten prohibited activities in Section 4(c), but because NPS has issued policy 6.3.5 which provides:

All management decisions affecting wilderness must be consistent with the minimum requirement concept.

Policy 6.3.5 describes a two step process that is significantly different than the MRGD process. The two step process under this policy is:

Whether the proposed management action is appropriate or necessary for administration of the area as wilderness and does not pose a significant impact to wilderness resources and character; and the techniques and types of equipment needed to ensure that impact to wilderness resources and character is minimized. Emphasis supplied.

In accordance with this policy, superintendents will apply the minimum requirement concept to the context of wilderness management planning, as well as to all other administrative practices, proposed special uses, scientific activities, and equipment use in wilderness. When determining minimum requirement, the potential disruption of wilderness character and resources will be considered before, and given significantly more weight than, economic efficiency and convenience. If a compromise of wilderness resources or character is unavoidable,

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necessary to the administration of the areas. This latter issue is the subject of extensive comment in my July 27, 2005 submission, a copy of which is resubmitted herewith.

B. NPS has committed itself to make North Cascades fish stocking decisions based upon information (facts and science), not based upon law change.

In the 1985 Memorandum of Understanding the NPS and WDFW agreed to consult with each other regarding research and regulation and transplanting of fish, and they agreed to establish Technical Study Task Forces. The 1986 NPS Memorandum directs that some of the North Cascade Park lakes be stocked with species native to the Park or ecological region for recreational purposes and directed that some be left fish free; and it encouraged a research effort to monitor impacts and determine changes over time. The intent of the research was to provide an informed basis for fish stocking management in the future. The 1988 twelve year Supplemental Agreement allowed fish stocking in 17 Park lakes and allowed self sustaining populations to continue in 23 more while the NPS conducted research. It also stipulated that the list of lakes could be changed only by mutual agreement between NPS and WDFW and added that research results would be considered in future decisions. This 1988 agreement also stated:

This Supplemental Agreement shall remain in full force and effect unless terminated by mutual consent of the Department and The Service.

The 1991 Consent Decree provides that NPS will complete its research and conduct a NEPA review of fish stocking. The 2002 Reaffirmation extends the 1988 Supplemental Agreement to December 2004.

By the memorandum, agreements and Consent Decree NPS has committed itself to a process that includes scientific research, consultation with WDFW and agreement not to revise the stocking list without WDFW agreement, and ultimate review and resolution of fish stocking issues by the NEPA process. The letter and spirit of all the agreements dictate that the final decisions be based upon information, not legislation. The late date insistence upon legislation prior to scientifically conducted fish stocking violates these agreements.

Conclusion

The draft EIS is a mostly objective document of considerable depth. The whole of the document is tarnished by imposing upon it a web of strained facts and logic in order to support a conclusion the no fish stocking will be allowed without "congressional clarification." We request that this conclusion and its supporting arguments be removed from the draft EIS along with the characterizations of the 1986 NPS Memorandum as a "policy waiver" throughout.

Submitted:

Dale Riveland, HI-Laker



only those actions that preserve wilderness character and/or have localized, short-term adverse impacts will be acceptable.

It is indeed logical that a lesser standard be applied in the general decision process affecting wilderness than in decisions to overcome statutory prohibitions. There is no logic in using a strict "necessity" standard when deciding whether to go left or right in general management decisions. For the fish stocking issue the proper Step 1 is:

Is the proposed management action "appropriate or necessary for administration of the area as wilderness," and does it "not pose a significant impact the wilderness resources and character?"

That is the language of the policy. This corrected question elicits a different answer that already appears in the MRA. The correct answer is the paragraph that appears immediately before the Step 1 question as follows:

Following removal of reproducing, self-sustaining populations of trout, restocking of some lakes with nonreproducing populations of trout, as proposed in two alternatives, would support recreational and historical use purposes of the wilderness area while minimizing impacts to biological integrity. (Appendix K, p.293).

It would be violation of NPS policy to apply a decision standard far more stringent than the policy requires.

The minimal tool for fish stocking is hand stocking by backpack access.

KING COUNTY OUTDOOR SPORTS COUNCIL

August 24, 2005

Bill Paleck, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Wooley, WA 98284-1239

Dear Superintendent Paleck:


The KCOSC would like to go on record as supporting, with reservations, Alternative B of this EIS. We are somewhat worried about the wording of this alternative as it gives the impression that 42 lakes may have fish but at the same time stating that lakes where fish have been eliminated may not be restocked. We believe there should be no net loss in the number of lakes from the 40 that are now on the current MOU between the NCNP and the WDFW. If there is then we believe the NPS needs to mitigate this recreational loss to the people of Washington as they were promised this resource in return for supporting the creation of the NCNP.

We would also like to comment on the use of two preferred alternatives. You only obfuscate the issue rather than focusing on the issue as laid out in the Consent Decree. The merits of fish stocking were supposed to be determined on the science gathered by Liss & Larson rather than environmental emotion. And, the science from that report clearly shows that low density fish stocking, using non-reproducing fish, have not created a biological problem.

We also find it repugnant that Alternative D will automatically be in effect, after 2 years, if congress fails to pass legislation stating that fish planting is allowed in the NCNP. The "then" Secretary of the Interior, Stewart Udall, and the "then" Director of the National Park Service, George Herzog, both assured the congressional delegation of this state that fish planting would continue if a park were to be created. Under those circumstances it is no wonder that congress felt no need to insert fish stocking language into the enabling legislation for the NCNP.

We also feel the NCNP, as they will be a cooperating fishery manager, should be in line for a share of the fishing license dollars from the State of Washington. The NCNP could sell licenses and keep half the dollars to finance their portion of fishery management.

The King County Outdoor Sports Council is an umbrella sports organization, formed in 1933, and represents 12 sports clubs with over 10,000 members.

Sincerely,

J. Ray Leebetter, President



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These 91 lakes that the EIS refers to should be allowed to return to their natural and native status, thereby allowing the native flora and fauna to restore itself. Thus, we support Alternative D and ask you to please make the appropriate choice for our Park.
Thank you for the opportunity to comment.

Sincerely,

Mandene & Jarlan Renwyck

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August 23, 2005

Bill Paleck, Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

Re: Mountain Lakes Fishery Management Plan/EIS

Dear Mr. Paleck,

Please accept these comments on the Mountain Lakes Fishery Management Plan/EIS on behalf of my family who regularly visit and recreate in North Cascades National Park. Having spent numerous years living in Bellingham, Washington, we are very familiar with the Park and though we no longer live in the area, we greatly value the North Cascades and enjoy coming back to spend time there.

The North Cascades stand out as an extremely unique and valuable Park because it is largely undeveloped; especially when compared to our other parks, such as Yellowstone, which we now live near. The North Cascades is an incredibly important ecosystem and harbors a great amount of diversity that has otherwise been lost in most of the northwest. This diversity includes mountain lake flora, amphibians and insects which have been notably affected by the introduction of fish species.

As a family who fishes, we feel strongly that fish should not be introduced or maintained in areas where they naturally and historically did not occur. It is disturbing and negatively affects our 'wilderness experience' to hike into a high elevation lake to find fish present. The damage to the ecosystem is unacceptable and difficult to measure and or remediate. National Parks are the pinnacle of our most cherished and protected lands, including the diversity of flora and fauna within. We should strive to protect this diversity and preserve it to all extents, including undoing the mistakes of our past.

Here, where we live now, Yellowstone National Park is fighting to rid themselves of non-native fisheries within the Park in order to save native fish populations from demise. Private landowners and the National Forest Service in and around our area poison creeks in order to rid them of non-native fisheries. Please don't continue this unacceptable practice by choosing to continue to stock these mountain lakes. Furthermore, you tread on dangerous ground by setting a precedent that it is not only acceptable, but legal to alter our National Parks in such a manner.



Phil Leatherman

or, fax comments to 360-856-1934

☐ I would like to receive a CD of the final plan/EIS

☒ I would like to receive a paper copy of the final plan/EIS

☐ I would like to receive only the Executive Summary of the final plan/EIS

☐ I will download the final plan/EIS from the NPS website

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August 11, 2005
Dear Sir: I have been helping
plant lakes in Iron Point
since 1948. It gives
before a lot of that work
in the Pronghorn Park
Bundones enjoyed the area
and would like to contribute
to help with your
fish stocking. The pressure
is no doubt increasing every
year. I hope we can
pull together on a good plan
for the future.
Sincerely Yours
George B. J. J. J.

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Superintendent Bill Paleck
Mountain Lakes Fishery Management Plan
North Cascades National Park Complex
810 State Route 20
Sedro Wooley, WA 98284-1239

Dear Superintendent Paleck:

First of all, I wish to thank the National Park Service for the thorough scientific job they have done in preparing the two volumes of the EIS/mountain lakes management plan. The individuals that did the preparation have done a most worthy job. It will be a most useful document far beyond what the scope of this EIS decision.

I approve of the fact if the Plan D EIS was or was not to be adopted and if Congress takes no further action, then Plan D would automatically be the management plan. Plan D is the proposal which I personally support. If Plan D is adopted I feel that it would have far reaching precedents for all other parks in the National Park system. Leaving lakes un-stocked and in their natural states would be the right direction for the National Parks and fit with the high ideals the people have set for their National Parks.

The lakes are a natural linkage of aquatic and semi-aquatic animals, and fish appear to be non-native within these lakes. By stocking these lakes we have been dramatically changing the ecosystem with devastation of the natural food web: the major loss of plankton (phytoplankton and zooplankton), amphibians, crustaceans, amphipods, other micro invertebrates, and the three toed salamander (the top natural predator for the lakes). The streams of the North Cascades Complex have numerous species of fish none of which seem to have impacted the lakes.

The lakes of the North Cascades National Park Complex present nature with a delicate ecosystem. We can see that the stocking of lakes changes this ecosystem. This should not be allowed.

It is enlightening to see that the North Cascades National Park Complex is undertaking a Forest Carnivore Inventory. A management plan here should seek ways in restoring the Pacific fisher to the park. The Grizzly bear, too, was once a native species to the park and should be considered within the carnivore management plan. Non-confirmed reports indicate the possibility it is here now. The park has many excellent habitat conditions that would help many bird and animal species thrive.

With appreciation for the fine effort,
Philip A. Zalesky
Philip Zalesky



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September 1, 2005

Bill Paleck
Fishery Management EIS
North Cascades National Park
810 State Route 20
Sedro-Woolley, WA 98284-1239

Dear Bill:

The Trail Blazers wish to congratulate the team that put this impressive draft EIS (DEIS) together. It is well thought out, organized, and thorough. On the other hand, the Trail Blazers have a number of disagreements with both the content and the tone of the DEIS. Individual Trail Blazers and Hi-Lakers have submitted oral and written comments on the DEIS. The Trail Blazers, as an organization, adopts and submits these comments on the members of both organization as the Trail Blazers' response to the DEIS. The Trail Blazers organization specifically adopts the written comments of the following persons:

Brian Curtis
Sandy McKean
Dale Riveland
Mike Swayne

In general, our combined comments revolve around, but are not limited to:

- The appearance of bias in many of the DEIS sections where the cessation of fish stocking seems to be given favorable treatment as opposed to the continuation of fish stocking (as judged by scientific and historical fact). This may only be a reflection of a few of the several authors that contributed to the DEIS, but in any case, such bias ought to be removed.
- Insufficient emphasis on the central role the concept of fish stocking with non-reproducing fish in low densities must play in the development of an effective and balanced adaptive management plan for fish stocking in the NCNP.
- Our strong objection to the premise that having fish in lakes at low densities is destructive, in some ethereal sense, to a park visitor's "wilderness experience".

"BETTER ALPINE FISHING"



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(Note that fish might well be in Cascade lakes naturally if stream gradients were not so steep.)

- Our disagreement that congressional clarification is required for preferred alternative B to become the Record of Decision in this NEPA process. We would certainly welcome a clarification from Congress that it intended for fish stocking to continue after the Park's formation as was mentioned in the hearings in 1967, but we do not agree with the DEIS that alternative D must prevail until such time as congressional clarification is forth coming.
- We are convinced that the MRA analysis as presented in the DEIS is heavily flawed.

Overall the Trail Blazers support the adaptive management approach as presented in alternative B.

Sincerely,

Mick Scott
President

"BETTER ALPINE FISHING"

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Sandy McKean

September 9, 2005

Comments from Sandy McKean are shown in red. In most cases the EIS language is quoted first (in black font) and my response follows (in red font).

Note that I have not made an attempt to comment on every single instance in the Executive Summary or the main body of the EIS where that comment might apply. Rather I have made the comment once, and I leave in the capable hands of the NPS professionals who will create the final EIS to find all the areas where accepted comments need be applied again in order to make the final document consistent.

Volume One

Executive Summary

"...the 1968 enabling legislation for the North Cascades Complex does not define the fishing and fish-stocking activities that would be allowed within its boundaries"

This phrase is misleading. It implies that if Congress intended for fishing and fish stocking to be allowed within its boundaries that the enabling legislation would have explicitly stated that intention. In fact the enabling legislation doesn't mention any of the visitor activities or park maintenance actions required to support such activity. For example, the enabling legislation does not mention hiking or trail maintenance either; nor does it mention camping. If the EIS is to make the statement it does, then it should indicate that Congress gave no guidance for most, if not all, accepted visitor activities, and that the NPS has taken the authority over the years to make decisions regarding such activities (be it fishing, hiking, snowmobile use, or any other visitor use) without relying on congressional direction.

"Because of the differences in policies and missions between the WDFW and the NPS....."

This should say:

"Because of the differences in policies, missions, and interpretation of historical events since the park's creation between the WDFW and the NPS....."

BACKGROUND

HISTORY OF FISH MANAGEMENT IN THE NORTH CASCADES MOUNTAIN LAKES

This history section needs an additional paragraph (or more) to describe the history of the congressional hearings in 1966 and 1967 that lead to the establishment of the park. Much of the disagreement between the NPS and the WDFW stems from differing interpretations of congressional intent as expressed in these hearings. Louter does not cover this issue well enough to be the sole source. I recommend to you the "Historical Case for Fish Stocking the High Lakes in the North Cascades" that I wrote (Sandy McKean). This document has previously been submitted to the NPS and can be found on the NPS website devoted to this NEPA process (<http://www.nps.gov/noca/highlakes.htm>)

Sandy McKean Comments on NCNP DEIS Comments

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September 9, 2005

Bill Paleck
Fishery Management EIS
North Cascades National Park
810 State Route 20
Sedro-Woolley, WA 98284-1239

Dear Bill:

Attached are my comments on the Draft EIS regarding fish stocking in the NCNP.

I think you will agree that I have put significant effort into thoroughly reading and understanding the DEIS. I have been equally diligent in giving thoughtful consideration to the material presented in the DEIS, and in presenting to you well considered, substantive comments. I have attempted to be as factual as I can and as fair as I can. I know you will consider my comments seriously.

You may react a bit to the number of times I have suggested that there is a bias to some of the concepts and language in this DEIS. I assure you I have only made such comments where I believe they are warranted. I believe this bias resulted from a pre-existing mind set of only some of the authors that worked on this DEIS. Overall, I consider the DEIS an excellent piece of work.

I sincerely believe that the many changes I suggest in these comments will improve the EIS such that it will provide a superior basis for the decisions you must make regarding fish stocking in the NCNP. If the DEIS can be edited to be more neutral, to be less speculative about the relationship between properly managed fish stocking and "wilderness values", and to more strongly emphasize the vital concept of fish stocking with non-reproducing fish in low densities, the resulting final version of the EIS will be an important document not only for the development of an adaptive management plan for fish stocking in the NCNP, but also for anyone interested in truly understanding the relationship between recreational fishing and the preservation of the wilderness.

Finally I'd like to compliment the complete professionalism displayed by you and Roy Zipp throughout this NEPA process. We have not always agreed, but the consideration, openness, and willingness to allow us citizens to participate, the two of you have shown has quite simply been the finest example of high integrity public service in my experience.

Sincerely,

Sandy McKean



"Fish stocking in the mountain lakes took place for many years prior to the establishment of the North Cascades Complex in 1968; however, the enabling legislation for this newly formed unit of the national park system did not define the fishing and fish-stocking activities..."

The underlined phrase is misleading. It should also indicate that congress gave no guidance for most, if not all, accepted visitor activities.

"The agreement expired in December 2004, and any future agreements between the NPS and WDFW concerning mountain lakes fishery management, including fish stocking in the national park, will depend on the outcome of this plan/EIS process."

The underlined phrase is incorrect. This agreement has been extended to December 2006.

IMPLEMENTING THE FISHERY MANAGEMENT PLAN THROUGH CONGRESSIONAL ACTION

"The Washington Park Wilderness Act of 1988 (WPWA) established 93% of the North Cascades Complex as Stephen T. Mather Wilderness and directed the NPS to manage the wilderness in accordance with the Wilderness Act of 1964. At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters, and the WPWA did not include a provision that allowed stocking."

These sentences are quite misleading since they seem to build the case with no justification that somehow these two pieces of wilderness legislation intended to prohibit fishing or fish stocking. This is absolutely not the case. As in the other instances above both of these acts are silent on fish stocking, just as they are silent on most, if not all, accepted visitor activities. NPS policies may have prohibited fish stocking when the WPWA was passed, but neither piece of wilderness legislation did. These acts and the NPS policies should not be commingled into these sentences. The draft language makes it far too easy for the reader to be confused as to whether the legislation or the policies restrict fish stocking. Not only that, but NPS policies do allow fish stocking in some cases (see written response from Dale Riveland for details).

"However, some disagree with these views and maintain that if nonnative fish were stocked appropriately, there would be no unacceptable adverse impacts on wilderness values because biological integrity would be conserved."

This sentence is incomplete since it leaves out a vital piece of information. It is true that "some disagree", but more importantly the NCNP's own research study (Liss & Larson study), widely referenced in this EIS, also disagrees. One of that study's major conclusions is that the stocking of non-reproducing fish in low densities also causes "no unacceptable adverse impacts on wilderness values because biological integrity would be conserved". Such an important finding can not be simply swept away with the simple phrase "some disagree".

"Fish stocking has been allowed to continue in the North Cascades Complex under a 1986 policy waiver."

The Trail Blazers, Hi-Lakers, and perhaps the WDFW do not agree with the characterization of 20 years of fish stocking as having occurred under a waiver of policy. On the contrary, in a 1986 NPS memo from NPS Director Mott (reproduced in Appendix A), it is quite clear that the NPS set policy specific to the NCNP that allows fish stocking under a mutual agreement with the WDFW. That policy and the subsequent 1988 Supplemental Agreement (also in Appendix A) requires mutual agreement between the NPS and the WDFW to change. The WDFW would never have agreed in 1986 to a simple policy waiver. Mott's memo was clearly intended to settle the dispute, not simply postpone it. That intent is clear, given that the 1988 Supplemental Agreement clearly specifies the need for mutual agreement to change the policy. (For more detail and a legal perspective on the subject of "policy waiver", see the written response of Dale Riveland.)

"Should a management alternative that allows for continued stocking be selected through this plan/EIS decision-making process, a new policy waiver may not be granted for several reasons. First, various national parks (Sequoia-Kings Canyon National Park, Yosemite National Park, Glacier National Park, Rocky Mountain National Park, and Yellowstone National Park) have discontinued stocking."

This NEPA process is about the NCNP, not a NPS-wide analysis. I fail to see what actions in other parks that have different histories and different requirements have to do with this decision in the NCNP. Beyond that as

stated above, it appears that the NPS has already made a separate policy on fish stocking for the NCNP in 1986. References such as these to other parks should be removed.

"If this plan/EIS process resulted in the selection of an alternative that allowed for continued stocking, issuance of a policy waiver to the North Cascades Complex could encourage other state fish and wildlife agencies to revisit the issue of stocking in NPS units where stocking has been discontinued."

Once again, what does this have to do with a NEPA process for the NCNP? Furthermore, policy for fish stocking in the NCNP was set in 1986, so no waiver is required to continue the practice.

"Second, policy waivers are only temporary and do not provide a permanent solution because they can be rescinded as circumstances change. The goal of this plan/EIS is to forge a lasting solution for mountain lakes fishery management in the North Cascades Complex."

There is nothing more or less permanent about this plan/EIS as compared to a policy, or a policy waiver for that matter. The EIS itself says elsewhere that it has a 15-year planning horizon. This is a false benefit and should be removed.

"Finally, the minimum requirement analysis for fish stocking in the Stephen T. Mather Wilderness indicates that stocking is not necessary to meet the minimum requirements for administration of the area, and the Wilderness Act is unclear whether stocking is allowed in designated wilderness areas."

The Trail Blazers and Hi-Lakers strongly disagree with the use of the MRA procedure as it is used in a "programmatic" way regarding fish stocking, and ultimately fishing itself (since fish stocking is the only scientifically proven way to provide the historical fishery without ecological damage). See the MRA section later in this response for detail.

"For these three reasons, a policy waiver would not be pursued if this plan/EIS process resulted in the selection of an alternative that included continued fish stocking."

This is a bogus conclusion since one, two, or even all three of its justifications, are weak, or perhaps even false.

"If Congress should choose to allow stocking through a change in the enabling legislation, it will have clarified that fish stocking is an appropriate activity in the North Cascades Complex."

This is a truism that sheds no light on the issues the EIS is attempting to analyze. Of course such clarification would clarify the situation, but it is not necessary. There are many management actions that have or could be contemplated by the NCNP for which this statement could be made. It is akin to a "motherhood and apple pie" statement. Trail maintenance is allowed in the park, but Congress has given no additional clarification to the NCNP enabling legislation for that activity. There is no clarification for camping, for fire building, for horse travel, or nearly any other historical use of the park lands. Why does fish stocking require such clarification when none of these other activities have required it? Is not this NEPA process itself the intended process by which such decisions are made by park management? Could one not argue just as well that if Congress intended for fish stocking to cease when the park was created via the enabling legislation that it could have included a prohibition against it? The Trail Blazers and Hi-Lakers would welcome such a clarification from Congress, but we certainly don't agree that such clarification is necessary for the preferred alternative (Alternative B) to become the Record of Decision.

"That unambiguous clarification would allow the NPS to implement any of the management alternatives that include the practice of stocking. Congressional action to allow fish stocking would also honor various verbal commitments in support of stocking that proponents believe were made by federal officials prior to establishing the North Cascades Complex but never codified in law."

I proclaim my objection to the use of the underlined word "believe" in the sentence quoted above. The word "believe" is used in this fashion throughout the draft EIS and needs to be changed. Consistently in the draft EIS, when various individuals or groups are referenced to provide evidence that fish stocking should not continue (e.g., see the previous paragraph above where Congress might have done), the sentence contains a verb that indicates fact or a decision, but when evidence such as this (e.g., statements made in the congressional hearings which support fishing and fish stocking), the draft EIS condescends to that equally valid evidence and



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distinction of both alternatives B and C. Without that distinction being presented, there is no way to differentiate among the alternatives relating to fish stocking as there is for fish removal in element #4.

ALTERNATIVE B

"The restocking of nonreproducing fish would be allowed only where impacts on biological resources could be minimized."

As worded this statement can be misunderstood. It should say:

According to existing scientific data, the restocking of nonreproducing fish in low densities would be allowed except where impacts on biological resources could be shown to exist.

ISSUES AND IMPACT TOPICS

Predation and competition. Nonnative fish have measurably changed the composition and abundance of native aquatic organisms in some lakes. The most significant impacts are caused by reproducing populations of stocked fish that have become self-sustaining.

As worded this statement can be misunderstood. It should say:

Predation and competition. Non-native fish have measurably changed the composition and abundance of native aquatic organisms in some lakes. Research has shown that the most significant impacts are caused by reproducing populations of stocked fish that have become self-sustaining and overly abundant. In contrast, the research has also shown that there is no measurable impact on lakes that contain populations of nonreproducing fish in low densities.

TABLES

TABLE ES-4

Aquatic Organisms/Alternative B

"Impacts on aquatic organisms in lakes stocked with low densities of nonreproducing fish would be the same as alternative A, except these impacts would decline further in the future as stocking is curtailed or eliminated in lakes based upon adaptive management decisions pertaining to stocking."

It needs to be made explicit in this alternative, as well as in alternative A and C, that data show there are no measurable impacts on lakes when low densities of non-reproducing fish are used. Additionally, it makes no sense to say that impacts would decline further since there is no measurable impact in these lakes today.

Aquatic Organisms/Alternative D

"Short- and long-term adverse cumulative impacts on aquatic organisms from threats other than non-native fish would be similar to alternative A."

The sentence above is also found in alternatives B and C. It should also be in alternative D since alternatives B, C, and D are all the same in this regard with respect to alternative A.

Wildlife

This entire section needs to be re-written. Some of the information is completely wrong, other information is missing. For example, alternative A states that wildlife will be disturbed because of human presence and use of aircraft, and yet alternative D doesn't mention this at all, even though under alternative D fish removal impacts due to both causes is the highest of all alternatives. Furthermore, no mention is made of the fact that the vast majority of stocking does not require aircraft, and in fact, all aircraft activity for stocking could be eliminated under alternatives A, B, or C if the Park chose to take that action (for example, using horse packers for the larger lakes now done via fixed wing aircraft). Beyond that it is a bit ridiculous to assign wildlife disturbance due to

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says, as it does here, something akin to "proponents believe" as if these proponents present this evidence as an article of faith rather than of fact. This is a subtle objection, but in its very subtlety, it seems to uncover some possible prejudice in the human beings who wrote this language. Humans are fallible. The initial use of this objectionable language in a draft can be forgiven, but the appearance of condescension that this draft language creates should be removed in the final EIS. In summary, particular attention needs to be paid to the recurring use of the word "believe" throughout the draft EIS.

"Congressional action to clarify enabling legislation is an intricate process that could take several years. If the NPS does not receive clarification from Congress by the time a record of decision for this plan/EIS is issued, alternative D (91 Lakes Would Be Fishless) would be implemented until clarification is received."

There does not seem to be any basis for picking alternative D as this fallback, and presumably temporary, course of action. If the NPS continues to feel that it needs congressional clarification before it has proper guidance to make a decision, I suggest that alternative A is a more appropriate choice. As in most legal or public actions, the expected default course when a definitive decision can not yet be made is normally to retain the *status quo* (i.e., alternative A). Choosing alternative D in the face of lack of clarification is tantamount to making a *de facto* decision not based on the evidence in the EIS, but on the political climate in Congress. Surely maintaining the *status quo* would be a less drastic action until the clarification from Congress can be obtained.

APPLICATION OF RESEARCH

"To relate the purpose of "conserving biological integrity" to mountain lakes fishery management, the Technical Advisory Committee drew upon one of the principle conclusions of the OSU research: the ecological effects of nonnative trout are related to the reproductive status and abundance of trout in lakes. The Technical Advisory Committee interpreted this finding to mean that lakes with the lowest degree of biological integrity (or greatest departure from biological integrity or pristine conditions) contained reproducing populations of nonnative trout or char that had achieved high densities. On the other end of the biological integrity spectrum, the Technical Advisory Committee assumed mountain lakes that had never been stocked represented the highest degree of biological integrity."

I have no objection to what is said here except that it is incomplete. Besides those considerations mentioned here, equally important was a major conclusion of the Liss & Larson study that determined that non-reproducing fish populations stocked in low densities show no evidence of harming biological integrity. This vitally important aspect of the science needs to be explored in this paragraph in the same way as the other considerations are.

"This conceptual framework was used to craft management alternatives B and C based on the hypothesis that the biological integrity of mountain lakes could potentially be conserved by managing for non-reproducing trout at low densities in some lakes and managing for fishless conditions in other lakes."

The underlined word "potentially" should be removed. There is no justification to select one of the Liss & Larson study conclusions and qualify it with the word "potentially". Other Liss & Larson study conclusions are quoted in this draft EIS without using this word. Nonreproducing trout at low densities is just as valid a conclusion as any other in the study. The evidence is there in the study's data; there is nothing "potential" about it. The data clearly shows no statistically significant difference between fishless lakes and lakes stocked with nonreproducing trout at low densities. If this conclusion needs to be qualified because of the possibility of more data in the future, then so must all the evidence presented in this EIS be so qualified. Indeed, is not the whole idea of "adaptive management" so eloquently discussed in this EIS the very tool to use to handle situations where future data causes a re-evaluation of current management actions?

ALTERNATIVES

This section addresses elements some or all alternatives have in common. Elements relating to the removal of fish are discussed in element #4, but there is no element for fish stocking. A fifth element should be added that discusses, at a minimum, the concept of low density stocking with non-reproducing trout since that is a key

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human presence required for fishing activities when human presence always has, and always will, exist due to hiking and camping activities. Does the NCNP really believe that fish stocking has any significant impact on wildlife beyond what exists already for activities such as hiking, climbing, camping, and horse travel?

Cultural Resources

This section needs to be re-written due to similar problems that exist in the "Wildlife" section above. For example, in this section alternative B talks about impacts due to fish removal, but in alternative D where such impacts are higher, no mention is made of such impacts. Such omissions as these give the clear impression that the author has a prejudice toward favoring alternative D.

Recreational Use/Alternative B

"Major adverse impacts would occur to some anglers who believe fishing in North Cascade Complex lakes is a truly unique experience that cannot be duplicated elsewhere."

Here is another example of the selective use of the word "believe." This same unnecessary use is in the entry for alternative D also. The draft EIS does not shy away from making declarative statements throughout its text when there is reasonable evidence to support the statement, so why when it comes to considering the continuation of fish stocking does this word "believe" invariably come into the text? It is a fact that fishing in the North Cascades is a truly unique experience for anglers; it is not just a belief that some people take as an article of faith. If the experience were not unique visitors who must travel a long distance to see and use the NCNP would simply visit a park or wilderness area nearer to home. Surely every national park managed by the NPS considers that it provides a unique experience.

Social Values/Alternative B

This section needs to briefly address the history of the Park's formation. It makes no sense to comment on the impacts on social values of various groups (such as conservationists) without defining the agreements these social groups accepted when the enabling legislation was discussed and approved via the political process in the 1960s. As is mentioned elsewhere, fishing and therefore the maintenance of a fishery was promised in congressional hearings when the park was created. It is illogical now to say that various groups who oppose the fishery that existed prior to the park's formation can now obtain any benefit due to a management action that attempts to undo this history. Such statements make no sense unless this background history is also given.

"Cumulative impacts related to flood damage to upper Stehekin Valley Road would be minor to moderate, adverse, and long term."

This should be removed. This observation, if it is even true, has no bearing on fish stocking. Beyond that this sentence only appears in alternative B but it is totally unclear why it should only appear there. I can find no basis for this statement anywhere else in the draft EIS.

Wilderness Values/Alternative B

"There would be a long-term major adverse cumulative impact on those who believe that the continued stocking (as proposed under alternative B) in wilderness and continued presence of reproducing populations of fish would compromise natural processes in wilderness."

This is in error. Alternative B is no different than alternative D regarding reproducing fish populations. The correct statement is the one found under alternative D.

Wilderness Values/Alternative D

"This would result in long-term moderate to major beneficial impacts on opportunities for solitude in areas where fishing opportunities are eliminated."

This statement is a gross exaggeration. All but a few of the lakes with fish are quite remote and it is unlikely that two or more parties would be there together except rarely. On the other hand, some lakes that have easy access will see less people, but these same lakes have so many visitors that a few more or less visitors will not make a

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difference in solitude. This statement is best removed, or at least the benefit level ought to be changed to "minor."

Due to the cessation of stocking in national park lakes, long-term moderate beneficial cumulative impacts on wilderness values would be expected.

This statement should be removed. There is no development of the connection between "wilderness values" and lakes with nonreproducing fish in low densities in these tables. Elsewhere in the text of the draft EIS an unconvincing case is attempted in order to "prove" that such populations of fish harm wilderness values. At best that case is a red herring. How can a few fish, mostly unseen, harm a visitor's wilderness experience? This claim becomes ludicrous when you consider that trails cross meadows without any regard for "wilderness values", or that horses are allowed in the wilderness, or even that humans are allowed in wilderness. Since properly managed fish populations have been shown scientifically to cause no harm to the ecosystem, the presence of such fish in lakes is no doubt more in keeping with "wilderness values" than are any of these other accepted practices. It should be remembered that these lakes are a natural environment for these stocked fish, and that such fish would naturally be in these lakes but for the minor fact that the stream gradients in the North Cascades area just happen to be too steep to be navigated by fish. These fish are not unnatural in these lakes, they just happen to be missing.

Purpose And Need For Action

INTRODUCTION

OBJECTIVES IN TAKING ACTION (pg 5)

This plan/EIS must also be consistent with the following mission statement for the North Cascades Complex, which is derived from its enabling legislation (PL 90-544):

As a unit of the National Park Service, the North Cascades National Park Service Complex is dedicated to conserving, unimpaired, the natural and cultural resources and values of North Cascades National Park, Ross Lake National Recreation Area and Lake Chelan National Recreation Area for the enjoyment, education, and inspiration of this and future generations. We also share responsibility for advancing a great variety of national and international programs designed to extend the benefits of natural and cultural resource conservation and outdoor recreation.

There is no foundation in the EIS for this mission statement. Where does it come from? Why is it relevant to this draft EIS? At a minimum the mission statement is incomplete as a mission statement for a national park since it leaves out the park's mission to provide recreational opportunities except to support "national and international programs" - whatever those are.

The enabling legislation mentioned above only contains a broad reference to the August 25, 1916 legislation that established the NPS. Therefore one must look at the NPS's policies to see what the NCNP mission encompasses. The NPS's own policies (see page 67 in the Appendices volume) state in part:

8.2.2 Recreational Activities

The National Park Service will encourage, allow, or not allow recreational activities according to the criteria listed in section 8.2. Examples of recreational activities that may be encouraged or allowed include, but are not limited to, boating, camping, bicycling, fishing, hiking, horseback riding and rock packing, outdoor sports, picnicking, scuba diving, cross-country skiing, caving, mountain and rock climbing, and swimming.)

8.2.2.5 Fishing

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the intervention of William Horn, Assistant Secretary for Fish and Wildlife and Parks, in an October 29, 1987 letter to WDFW Director Jack Wayland defused the legal confrontation. Furthermore, an extensive letter from Jack Wayland to Charles Odegaard, Regional Director NPS, on July 29, 1987, clearly outlines the seriousness of the situation and the WDFW's desire to reach permanent resolution. That resolution was reached in part with the 1988 Supplemental Agreement referenced above. An investigation of the history of this agreement clearly shows that the WDFW did not intend a temporary resolution to fish stocking in the NCNP with the 1988 agreement waiting for a final decision at some future date, but rather that the agreement would simply be reviewed after 12 years to consider the results of the scientific research begun after the 1988 agreement was signed (this research is what we now call the "Lass and Larson" study). In support of that intention, the agreement states that mutual agreement between the NPS and the WDFW would be required to modify the 1988 agreement. This is most clearly demonstrated in Article V (Termination) of the 1988 Supplemental Agreement which states:

"This Supplemental Agreement shall remain in full force and effect unless terminated by mutual consent and the Department and the Service."

Furthermore, the last sentence of the draft EIS statement quoted above is misleading since it does not make explicit that the outcome of the plan/EIS is subject to mutual agreement by the WDFW as the content of the 1988 Supplemental Agreement and its history clearly demand.

(Also see the written response from Dale Riveland for additional details.)

"In May 1967 he stated that within the park the NPS would not participate in a 'put and take' program, and would not concur with stocking lakes that historically did not have fish." (pg 14)

This sentence needs to be re-written for clarity. Since the draft EIS specifically excludes lakes that do not have a history of fish stocking, the wording of this sentence points to the wrong qualification. It should be recast along the lines of:

"In May 1967 he stated that within the park the NPS would not participate in a 'put and take' program, and would only concur with stocking lakes that historically had fish."

Additionally, please cite a reference for this statement (I have been unable to find this quote from Director Hertzog in any of the congressional hearing transcripts).

"Then, in July 1968, Director Hertzog stated, '[w]e have an active fish-[stocking] program in every single major park . . . [n]ow, if the stream already has its limit of fish comparable with its food-carrying capacity, then obviously, we do not engage in a put-and-take fishing program. But, we [stock] fish in practically every area that I can think of off the top of my head now, including all of our major parks.'" (pg 14)

This quotation should be expanded to include the entire interchange between Director Hertzog and Congressman Needs (it is only longer by a few lines). To select just this one portion of that interchange too greatly changes its implication. (See the congressional record or the "Historical Case for Fish Stocking the High Lakes in the North Cascades" document referred to earlier for the entire interchange.)

Proponents of stocking believed they were promised that stocking would continue after the park was established... (pg 14)

Once again, it is inappropriate to say proponents simply display an article of faith when they state these promises were made. The promises were made. They can be read in the congressional record. (See the congressional record or "Historical Case for Fish Stocking the High Lakes in the North Cascades".)

"While the current NPS Management Policies and practices prohibit stocking in areas designated as national parks...." (pg 14)

NPS-wide policy on fish stocking does not apply on its own to the NCNP. The 1986 Mott memo clearly states that the NPS adopted a specific NCNP only policy for fish stocking given the history of the park's creation and the controversy between the NPS and the WDFW regarding fishery management within the park. It is

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Recreational fishing will be allowed in parks when it is authorized, or not specifically prohibited, by federal law, provided that it does not jeopardize natural aquatic ecosystems or riparian zones. The mission statement provided clearly needs to be updated to include not only its "preserve and protect" role, but to include the equally important mission of providing recreational opportunity, particularly as it relates to fishing.

BACKGROUND

ADMINISTRATIVE BACKGROUND

HISTORY OF FISH MANAGEMENT IN NORTH CASCADES MOUNTAIN LAKES

"When the North Cascades Complex was established in 1968, its enabling legislation did not define the fishing activities that would be allowed within its boundaries." (pg 11)

This is misleading. The enabling legislation did not define any activities that would be allowed in the park. The undefined word "fishing" should be removed.

"To resolve differences in policy and to foster a spirit of cooperation, the NPS and WDFW negotiated a series of agreements beginning in 1979 that allowed stocking to continue in selected lakes in the North Cascades Complex." (pg 12)

This statement is incomplete. It leaves out the most important and fundamental disagreement between the NPS and the WDFW regarding the intent of Congress when the park was created in 1968. There is a complex history of agreements between these 2 organizations. Much more of this history needs to be included here especially those areas where the NPS and the WDFW have disagreed. (See the "Historical Case for Fish Stocking the High Lakes in the North Cascades" document referred to earlier for a complete discussion of this nearly 40-year dispute.)

"To be able to continue stocking in light of NPS policies generally prohibiting it, a memorandum from the NPS Director was issued in 1986 (hereinafter referred to as the "policy waiver")." (pg 13)

It is incorrect to characterize this memo as a policy waiver. In fact, it is a clear state of policy for the NCNP. (See my earlier discussion of this issue, and in particular see the written response from Dale Riveland for details.)

"The 1988 Supplemental Agreement (also known as the Fisheries Management Agreement) formalized these practices in the 40 lakes inside the park for 12 years while planned research on the effects of fish management activities could be completed and assessed. Any additions or deletions to the list of lakes in the park would be made only by mutual agreement, and the two agencies would consult on the number and species of fish, specific lakes, and the schedule for the lakes to be stocked. The agreement added the caveat that research results would be considered in future decisions. A long-term research study was initiated by Oregon State University soon after the 1988 Supplemental Agreement was finalized. The Supplemental Agreement between the NPS and WDFW that permits fish stocking in the national park was reaffirmed in February 2000 and again in July of 2002. The agreement expired in December 2004. Any future agreements between the NPS and WDFW concerning mountain lakes fishery management, including fish stocking in the national park, would depend on the outcome of this plan/EIS process." (pg 13)

This paragraph mischaracterizes the agreements between the NPS and the WDFW. The language above gives the impression that the agreements made in 1988 were intended to be temporary and that the entire issue would be looked at fresh in 12 years. That is not the case. There was extreme tension between the NPS and the WDFW in the 1986 to 1988 period. In October 1987 John Reynolds, NCNP Superintendent, even threatened to prosecute WDFW employees if they entered the park to stock fish as the WDFW insisted they would do. Only

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misleading to imply that NPS-wide policies somehow apply to the NCNP without reference to these NCNP-specific NPS policies.

SUMMARY OF EXISTING RESEARCH

This entire section needs to be reorganized using the vital concept of nonreproducing, low density fish populations versus reproducing populations, especially those that reach high densities. This distinction is not fully appreciated in much of the research that has been done on the effects of stocked fish in high lake ecosystems. The Liss and Larson study *does* make this distinction and in doing so makes it clear how important it is to make this distinction when analyzing fish impact data. Since the Liss and Larson study is the best evidence we have for the NCNP high lake ecosystems, we should be guided by it. To mix in research results that do not make this vital distinction regarding fish densities is to mix apples and oranges invalidating any point this section could have. The organizing principle of this entire section must be to segregate scientific evidence based on nonreproducing, low density fish populations from scientific evidence based on reproducing fish populations; to do otherwise is to ignore the NPS's own funded research in the NCNP on the impact of fish in lakes.

Lake Characteristics: (pg 17)

"In terms of possible impacts to lake characteristics from fishery management practices, the literature indicates that removal of fish can result in increased water clarity, higher dissolved oxygen concentrations, reduced phosphorus cycling, and decreased ammonia concentrations (Hanson 1990; Sondergaard et al. 1990; Schindler et al. 2001). In contrast to the low-nutrient and relatively undisturbed conditions in mountain lakes analyzed in this plan/EIS, these prior studies were conducted in highly disturbed, nutrient-rich lakes containing high densities of fish. For example, researchers in the Sierra Nevada have demonstrated through modeling and paleolimnological (study of the organic and chemical history of lakes through analysis of bottom sediments) analyses that introduced fish in oligotrophic (nutrient poor) mountain lakes can nearly double the rate of phosphorus regeneration and exploit benthic (lake bottom) sources of phosphorus that would normally not be available to pelagic (open water) communities in the absence of fish. The increased availability of nutrients (such as phosphorus) made possible by stocked fish can stimulate primary productivity and fundamentally alter nutrient cycling (Schindler et al. 2001). The USGS research at the North Cascades Complex did not study the effect of fish on water quality or nutrient cycling. It instead focused on abiotic factors, such as characteristics of the drainage basin and elevation and their effects on water quality (Liss et al. 1995). It is unknown, but considered unlikely, that similar water-quality changes would be associated with the presence of fish or fish removal (Drake and Naiman 2000)."

This paragraph should be removed. There is no reason to believe that the ecosystems of the NCNP are similar to the areas studied in research mentioned here. The flora and fauna are almost certainly different. Beyond these concerns the most important reason to remove this paragraph is the research cited makes no distinction based on fish density. As the most applicable research clearly demonstrates (Liss and Larson study) fish density can strongly determine the outcome of such studies – reversing the conclusions in many cases. It is pointless to include data such as this unless fish densities are taken into account since the very premise of the preferred alternative B rests on this distinction.

Phytoplankton (pg 17)

"Phytoplankton surveys performed in mountain lakes in Mount Rainier National Park showed that, for the most part, the species of phytoplankton in individual lakes remained consistent from year to year (Larson and Melnirre et al. 1999). Drake and Naiman (2000) compared fossil remains of one type of phytoplankton (diatom) in historically fishless lakes, lakes with stocked fish, and lakes where stocked fish were removed in Mount Rainier and found that in unstocked lakes, the array (variety and abundance of species) of diatoms had not changed significantly in the last 315 years. Changes had occurred in diatom arrays in lakes where fish were introduced and are still present today. For those lakes where the stocked fish had been removed, diatom arrays did not appear to have returned to the arrays similar to those found in fishless lakes. Changes in species arrays, resembling those observed in the Drake and

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Naiman (2000) study, have also been observed in other studies, such as Douglas et al. (1994). Several studies have shown that removal of fish from lakes can result in decreased total numbers of phytoplankton (Hanson 1990; Sondergaard et al. 1990). It is difficult to quantify fish impact on nutrient cycling, especially in oligotrophic lentic (still or slow-moving water) systems, and the magnitude and variation of impact has not been fully explored (Schindler et al. 2001)."

This paragraph should be removed for the same reasons as discussed above regarding the "Lake Characteristics" section.

"Researchers found no significant differences in the density of large copepods in lakes with low fish densities (such as in many stocked lakes) and in fishless lakes (Liss et al. 1998)." (pg 18)

It is ludicrous that the only place in this entire "Summary of Existing Research" section that nonreproducing, low density fish populations is mentioned is this brief mention – and it does not mention the nonreproducing aspect at all. The distinction between non-reproducing, low density fish populations and reproducing populations (especially those that reach high densities) is the key scientific distinction that separates alternatives A, B, and C. There can be little doubt as to the vital importance of non-reproducing, low density fish populations in this EIS. Either the authors did not understand this vital scientific distinction, or they had an existing prejudice against the stocking of fish regardless of its impact on the lake and its ecosystem.

"The OSU/USGS team came to several conclusions:

Introduced fish can reduce or eliminate large, more visible diaptomid copepods from lakes if fish abundance is excessive.

Impacts on large copepods vary with fish density, with the greatest effects occurring at high fish densities.

Impacts on large copepods from fish introductions are greater in shallow lakes.

A significant negative relationship between large diaptomid density and D. tyrrelli density exists when the species occur together; that is, it appears that larger copepods prey on the smaller D. tyrrelli." (pg 19)

Once again the lack of appreciation for the importance of the distinction between non-reproducing, low density fish populations and reproducing populations in this section is astounding. The quoted paragraph purports to summarize the Liss and Larson conclusions, but does not even mention this most vital finding that separates most of the alternatives in this EIS – including the very essence of the preferred alternative B.

"In mountain lakes that were temporarily stocked with non-reproducing salmonids, the majority of lakes sampled showed that populations of large zooplankton were significantly reduced..." (pg 19)

At what population density? Once again without specifying the type of fish population in this study, the results are meaningless for the purposes of this EIS.

Macroinvertebrates (pg 20)

"...brook trout under conditions of extreme fish density were able to deplete mayfly and caddisfly populations in a small, high altitude lake in the eastern Sierra Nevada in California."

Same basic problem. This finding may be so, but it is irrelevant to this EIS since no alternative, none, recommends "extreme fish densities". This is a red herring at best. The Liss and Larson study contains evidence on all the population types found in NCNP lakes. Why muddy the water with study results that have no bearing on this EIS?

In fact this entire section should either be removed, or the Liss and Larson data used instead. Furthermore, whatever evidence is presented, it must make the vital distinction between nonreproducing, low density fish populations and reproducing populations, (especially those that reach high densities). The information presented in this entire macroinvertebrate section is misleading at best for the purposes of this EIS.

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vital distinction for both its content and organization. The information required to make the changes I suggest below was all presented at the scoping meetings (I personally attended 3 of the 4 meeting held).

Plankton: (pg 24)

No mention of nonreproducing, low density fish populations.

Macroinvertebrates: (pg 25)

No mention of nonreproducing, low density fish populations.

Amphibians: (pg 25)

No mention of nonreproducing, low density fish populations.

Fish: (pg 25)

Here this section makes a similar mistake. The discussion on fish species makes no mention of a second vital aspect of the preferred alternative, namely, that the fish to be stocked will be sterile. Nearly all of the concerns expressed in this paragraph are mitigated by the use of sterile fish, and yet that vital aspect that will later be found in alternatives B and C is not even mentioned.

SPECIAL STATUS SPECIES

Fish: (pg 26)

"The genetic integrity and ability to reproduce in bull trout may be affected if stocked brook trout escape from lakes..."

Brook trout have not been officially stocked in the NCNP lakes for decades. This concern has no bearing on which EIS alternative is finally selected as the Record of Decision since there is no intention in any of the alternatives to stock brook trout. Everyone would like to see these brook trout removed from NCNP complex waters. The implication found in this statement that brook trout might be stocked needs to be removed from this section.

Other Vertebrates: (pg 26)

This section must distinguish between fish removal and fish stocking activities. There is no requirement for noise with fish stocking if the elimination of noise is desired.

VEGETATION (pg 26)

Other comments from the scoping meetings need to be added here. As written, this section implies that fish presence somehow increases the trampling of vegetation around lake shores. There is no evidence for that. It was stated at the scoping meetings that many believe that hikers and campers who have no intention to fish cause the vast majority of this damage. (This can easily be seen by noticing the concentration of vegetation damage near camp sites as opposed to other areas of lake shore.)

VISITOR USE AND EXPERIENCE (pg 27)

This characterization of the visitor experience does not represent what was said at the scoping meetings. I can not remember anyone having said words to this effect. Similar concerns might have been expressed, but an equally passionate defense of fish stocking, properly managed, was expressed by the majority of attendees. It is ludicrous to suggest, as this section does, that conservationists care only for natural processes. The "conservationists" that attended those meetings, as far as I could tell, hiked, camped, and built fires, and other non-natural processes. In addition there is nothing utilitarian about anglers. As was expressed clearly in the scoping meetings (but not reported in these sections), most anglers see the catching of fish in a high mountain

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Amphibians: (pg 21)

"This is likely because the skin of both the larvae and adult rough-skinned newt contains a potent toxin (Nussbaum et al. 1983)." (pg 21)

"In other parts of Washington, Cascades frogs do not occur in deeper lakes and ponds containing fish, suggesting they are vulnerable to predation." (pg 21)

"One way to interpret this information is to say that lakes with very high TKN levels can support very high densities of long-toed salamanders. When even low levels of fish are introduced into these lakes, they can reduce these salamander densities enough that it is statistically noticeable." (pg 23)

These sentences should be removed. They are speculative and do not belong in a section devoted to the presentation of scientific evidence.

".....which is probably because salamanders require a certain TKN concentration before they can occupy a habitat." (pg 22)

This phrase should be dropped since it is speculative.

"For example, surveys in Olympic National Park found few or no long-toed salamanders in lakes containing fish, but many populations in shallow ponds and lakes without fish (Bury and Adams 2000; Bury et al. 2000; Adams et al. 2000)." (pg 23)

This sentence is misleading. One could easily conclude from this sentence that fish, regardless of fish density, decimate long-toed salamanders populations. If this sentence is to remain it needs to be qualified so that it eliminates at least the simple possibility that shallow ponds and lakes are the preferred habitat of the long-toed salamander. Furthermore, long-toed salamander population density may very well heavily depend on fish population density. For example, if the research quoted above only looked at lakes with high densities of fish, it would be expected that long-toed salamander population densities would be lower, but in lakes with low density fish populations there may be little if any impact on long-toed salamander populations. These interactions are far too complex to simply state that there are no salamanders when fish are present.

"Overall, the OSU/USGS team concluded that lakes with relatively high TKN concentrations (about 0.55 mg/L or greater), and those with warmer temperatures (greater than about 54°F), were favored by native biota such as phytoplankton, large copepods, and long-toed salamanders. The aquatic life in these "more productive" lakes could therefore be at highest risk of impact from high densities of reproducing fish and may benefit most from fish removal. For additional information on the OSU/USGS research, see the section titled "Application of Research" in the "Alternatives" chapter." (pg 23)

This summary paragraph clearly needs to be rewritten just as this entire "Summary of Existing Research" section needs to be. It is almost unbelievable that the concluding final paragraph of the science section in an EIS that depends vitally on the concept of nonreproducing, low density fish populations to differentiate among its alternatives does not even mention this vital distinction.

SCOPING PROCESS AND PUBLIC PARTICIPATION

ISSUES AND IMPACT TOPICS

AQUATIC ORGANISMS

This section is much like the last in that it does not make the distinction between non-reproducing, low density fish populations and reproducing populations. I will not go into as much detail in this section as I did in the last, but suffice it to say that like the previous section, this section is fatally flawed by having ignored this

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lake as *part and parcel* of their social and wilderness values. In addition there is no justification for singling out fish stocking as "particularly offensive as evidence of human activity" when presumably those who feel that way are standing themselves by a lake in the wilderness having hiked there on trails, or ridden on horses, have set up their camp, and built their fire. How can anyone claim that the addition of unseen fish in that lake is "particularly offensive" when considering that other far more obvious "evidence of human activity" surrounds them and has even been increased by their very own activities?

Alternatives

ALTERNATIVES DEVELOPMENT PROCESS

APPLICATION OF RESEARCH (pg 51)

The overview part of this section (pages 51 through 54) once again gives the impression of prejudice toward alternative D by virtue of the fact that the benefits and objectives of alternative D are well discussed, but the other 3 alternatives are not discussed at all (except the single phrase "in contrast to alternatives B and C" which is used to introduce a lengthy discussion of alternative D only.

This conceptual framework was used to craft management alternatives B and C based on the hypothesis that the biological integrity of mountain lakes could potentially be conserved by managing for non-reproducing trout at low densities in some lakes and managing for fishless conditions in other lakes. (pg 51)

The underlined word "potentially" should be removed. The sentence already says that it is an hypothesis; the word "potentially" is redundant and unnecessarily prejudices the sentence.

ALTERNATIVE A (pg 72)

IMPLEMENTING THE FISHERY MANAGEMENT PLAN THROUGH CONGRESSIONAL ACTION

"The enabling legislation for the North Cascades Complex does not mention fish stocking, and the legislative record regarding fish stocking in the North Cascades Complex is not clear. Therefore, the language in the enabling legislation for the portions of the North Cascades Complex in the national recreation areas does affirm that fishing is an important recreational use, but it does not mention fish stocking as being an appropriate means of fishery management. The Washington Park Wilderness Act of 1988 (WPWA) established 93% of the North Cascades Complex as Stephen T. Mather Wilderness and directed the NPS to manage the wilderness in accordance with the Wilderness Act of 1964. At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters, and the WPWA did not include a provision for allowing stocking. (For more detail on legislation and history, please refer to the "History of Fish Management in North Cascades Mountain Lakes" section in the "Purpose of and Need for Action" chapter and Louter 2003)." (PG 73)

As in other places in the draft EIS, this paragraph is misleading since it creates the impression that other activities besides fishing and fish stocking are mentioned in the NCNP enabling legislation and/or the WPWA. That is not the case. None of the typical visitor activities such as fishing, hiking, horse back riding, or camping are mentioned in either document; nor are NPS supporting management actions such as trail maintenance or trail bridge building mentioned. Such paragraphs as these are misleading, and actually seem to expose a prejudice against fishing and fish stocking as an accepted activity within the NPS regardless of the historical context in which legislation was passed.

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"However, some disagree with these views and maintain that if nonnative fish were stocked appropriately, there would be no unacceptably adverse impacts on wilderness values because biological integrity would be conserved." (pg 73)

This is a disingenuous statement at best. The NCNP's own research (Liss and Larson study) concludes that fish stocked appropriately causes no disruption of biological integrity. To ignore this vital conclusion with the dismissive qualifier "some disagree" as is done here is unacceptable.

"Fish stocking has been allowed to continue in the North Cascades Complex under a 1986 policy waiver (see appendix A)." (pg 74)

The Trail Blazers and Hi-Lakers and, as far as I know, the WDFW do not agree that the 1988 agreement between the NPS and the WDFW represents a "policy waiver". Those agreements are binding and can not be changed without mutual agreement. If for no other reason, it is clear that the WDFW does not agree with the EIS in this draft form because of their strong objection to the MRA procedure found in Appendix K.

Throughout this draft EIS these agreements are characterized as "policy waivers". The concept of "waiver" needs to be removed from the EIS. (See the written response from Dale Riveland for additional details.)

"The NPS has determined that fish stocking in the Stephen T. Mather Wilderness would only be implemented if Congress granted the NPS the unambiguous legal authority to do so. Therefore, should a management alternative that allows for continued stocking be selected through this plan/EIS decision-making process, the NPS intends to ask Congress for a change to the North Cascades Complex enabling legislation to clarify how the mountain lakes should be managed." (pg 74)

Trail Blazers and Hi-Lakers, as well as the WDFW, do not agree with this requirement. Why has the NPS determined that it needs such direction from the Congress when no other management action the NPS takes in the NCNP is so specified by Congress (e.g., trail building, bridge building, fire management, back country campsite development)? The Trail Blazers, the Hi-Lakers, and the WDFW have no objection to seeking such clarification, and would welcome it if it resolves that issue in the minds of NPS managers, but we certainly do not agree, as is concluded at the top of page 75, that without such congressional clarification, alternative D should be implemented as some sort of default. (See the written response from Dale Riveland for additional details.)

MINIMUM REQUIREMENTS (pg 76)

"The results of the minimum requirements analysis show that stocking of nonnative fish to create and enhance an artificial recreational fishery is not necessary to meet the minimum requirements for the administration of the Stephen T. Mather Wilderness (see appendix K)." (pg 75)

The Hi-Lakers and Trail Blazers join the WDFW statement of strong objection to how the interagency Minimum Requirements Analysis (MRA) was applied in this draft EIS. The NPS may desire to eliminate the "artificial recreational fishery" that existed before the park was created, but it has greatly overstepped the MRA process in an attempt to create evidence in support of that desire. The MRA found in Appendix K seems to be the most extreme MRA ever done by the NPS, and none like it (a "programmatic" MRA) has ever been done by the three other federal agencies that use this standardized process. In fact, in the case of the Forest Service their policies would not even allow such a "programmatic" use of an MRA. (See my more extensive comments regarding the Appendix K section, as well as the written response from Dale Riveland.)

CURRENT FISHERY MANAGEMENT PROGRAM (pg 76 – 81)

This overall section does a plausible job of describing the current fishery management program; however, there is one glaring omission: there is no section for "Lakes with Low Densities of Non-reproducing Fish". All other permutations of with fish, fishless, and reproductive status are covered except this most crucial one upon which

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“Stocking naturally fishless lakes, even with nonreproducing trout, would not leave the wilderness “ideally free from human control or manipulation.” (pg 101)

This is misquoted. The proper quote from the MRA guide in Appendix K is:

“Ideally free from modern human control or manipulation

Frankly, I doubt this was an oversight since there are so many other examples of apparent prejudice in the draft EIS tending to build a case against the continuation of fish stocking. The MRA procedure is designed to insure that modern methods (primarily motorized equipment) are not used if there is a more minimal method of accomplishing the task. This misquote gives the impression that the MRA procedure requires that an activity have no aspect of human manipulation. That would be a misuse of the MRA process which is no doubt why the omitted word “modern” is in the MRA criteria in the first place. Logically in fact, if this criterion were held to go human manipulation, the MRA procedure would be superfluous since no action by humans could ever be considered minimal.

PROPOSED FISHERY MANAGEMENT PROGRAM

PROPOSED MANAGEMENT FRAMEWORK

“The proposed management framework under alternative B would be to eliminate high densities of reproducing fish populations from lakes in the study area while allowing low densities of reproducing and nonreproducing fish populations. Management actions would be applied to the 91 study area lakes throughout the North Cascades Complex. The restocking of nonreproducing fish would be allowed only where impacts on biological resources could be minimized. Based on the best available science, some lakes could be restocked with low densities of nonreproducing fish once reproducing fish have been removed. Lakes where critical information is missing would not be stocked until that information becomes available. An extensive monitoring program (see appendix F) would be implemented to adjust future management and to avoid unacceptable effects on native biota from fish presence.” (pg 101)

This overview of the management framework under alternative B is incomplete. This section needs to be expanded somewhat to include the justification for low density fish populations. Specifically, the following sentence could be used:

“The creation of low density fish populations under alternative B, particularly when those fish are nonreproducing, is designed to maintain the historical fishing opportunity while maintaining the biological integrity of the lakes.”

ALTERNATIVE D

IMPLEMENTING THE FISHERY MANAGEMENT PLAN THROUGH CONGRESSIONAL ACTION

“This alternative would not require congressional action to clarify the North Cascades Complex’s enabling legislation.” (pg 112)

This statement is inconsistent with many other places in the EIS where the NPS claims that the Congress was unclear or ambiguous as to its intent. Unclear or ambiguous can go in either direction. How does the NPS know that alternative D reflects the intent of Congress any more than any other alternative, and particularly more than the preferred alternative B. This statement as is once again creates the impression of prejudice against the continuation of fish stocking.

PROPOSED FISHERY MANAGEMENT PROGRAM

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both alternatives B and C depend. I trust this was an oversight and not yet another example of possible prejudice in favor of alternative D.

CURRENT STOCKING PRACTICES (PG 78)

I congratulate the EIS team for the excellent and accurate description of current stocking practices found in this section.

ELEMENTS COMMON TO ALL ACTION ALTERNATIVES (pg 82)

ADAPTIVE MANAGEMENT

“Adaptive management is based on the premise that managed ecosystems are complex and unpredictable. Adaptive management is an analytical process for adjusting management and research decisions to better achieve management objectives. This process recognizes that our knowledge about natural resource systems is uncertain; therefore, some management actions are best conducted as experiments in a continuing attempt to reduce the risk arising from that uncertainty. The goal of such experimentation is to find a way to achieve the objectives while avoiding inadvertent mistakes that could lead to unsatisfactory results (Goodman and Sojda 2004).” (pg 83)

This is an excellent description of how this critical management practice works and of its benefits. Alternative D is a poor choice as an outcome of this NEPA process for precisely the reason that it does not manage the existing situation using this excellent adaptive management process (see the next comment).

“The adaptive management process for the 91 lakes in the study area would evaluate the effects of management actions (for example, allowing management of low densities of non-reproducing fish) on biological resources at an individual lake and identify whether the management action should be modified to meet the objectives for the lake.” (pg 83)

Well said. This sentence describes well why alternative D is a poor choice since alternative D does not provide an opportunity to adaptively manage fish stocking. It is possible that adaptive management over the long haul applied to alternative B will result in the same outcome as alternative D would, but getting there via adaptive management is the safer and more conservative way to get there. This is one reason why the notion that alternative D should be the “default” alternative makes no sense in the eventuality that congressional clarification does not materialize.

ALTERNATIVE B (pg 98)

GENERAL CONCEPT

“Ultimately, any lake that would contain fish from the initial implementation of this alternative could be considered for complete fish removal in the future based on the results of monitoring (see appendix F for details regarding monitoring).” (pg 98)

In order to be consistent with the “Proposed Management Framework” section on page 101, this statement must be modified to include the other logical management action which could result from monitoring; namely, that any lake could be considered for restocking with nonreproducing fish in low densities once harmful fish populations have been removed.

MINIMUM REQUIREMENTS

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PROPOSED MANAGEMENT FRAMEWORK

"...so these lakes would continue to provide residual sport-fishing opportunities for the foreseeable future, and the goal of complete removal might never be achieved." (pg 113)

This phrase should be removed. If one understands the concepts presented in this EIS, then one knows that lakes with high density fish populations are stunted and weak because of biological integrity. It is disingenuous to offer such a poor fishery as some sort of compensation for the loss of the quality fishery which is possible using nonreproducing fish in low densities under alternative B. At best the phrase is an attempt to justify alternative D over alternative B to the angling community. As a member of that community, I don't accept this ploy as meaningful.

"The NPS Management Policies, section 6.3.7, Natural Resources Management in Wilderness, states:

The principle of non-degradation will be applied to wilderness management, and each wilderness area's condition will be measured and assessed against its own unimpaired standard. Natural processes will be allowed, insofar as possible, to shape and control wilderness ecosystems. Management should seek to sustain the natural distribution, numbers, population composition, and interaction of indigenous species. Management intervention should only be undertaken to the extent necessary to correct past mistakes, the impacts of human use, and influences originating outside of wilderness boundaries." (pg 113)

This section is incomplete without giving "equal time" to the recreation policies found in chapter 8 of the NPS Management Policies (such as sections 8.2.x found in Appendix D). Statements from chapter 6 alone without consideration of the balance the NPS must maintain with chapter 8 "Use of the Parks" considerations once again creates the appearance of bias toward alternative D.

HOW ALTERNATIVES MEET OBJECTIVES (pg 115)

"As stated in the "Purpose of and Need for Action" chapter, all action alternatives selected for analysis must meet all objectives to a large degree." (pg 115)

"The plan's objectives are to:

[...]

Provide a spectrum of recreational opportunities, including sport fishing, while minimizing impacts to the biological integrity of natural mountain lakes."

[...]

"Even alternative D (91 Lakes Would Be Fishless) would provide sport-fishing opportunities in mountain lakes for a lengthy period because it would take many years to remove all reproducing fish populations from the mountain lakes. If it is not feasible to completely remove fish from larger, deeper lakes, fish densities would be reduced, and these lakes could provide sport-fishing opportunities indefinitely (refer to tables 7 and 8)." (pg 115)

These two sentences from this section represent a gross distortion of the concepts otherwise usually fairly presented in this draft EIS – apparently once again in order to justify alternative D as being acceptable. Alternative D absolutely does not meet the "sport fishing" plan/EIS objective (of a total of four objectives) as claimed here.

Anglers do not appreciate lakes with high densities of reproducing fish any more than conservationists, park employees, consultants, or anyone else. Such lakes not only lack biological integrity, and most anglers abhor that situation, but provide essentially no quality sport fishing opportunity. Such a claim is like saying to a serious golfer that miniature golf provides a sporting opportunity to play golf and improve one's game. Claiming that the removal of the quality fishery via the removal of all nonreproducing low density fish populations, while keeping the stunted lakes to "provide sport-fishing opportunities in mountain lakes" is tantamount to making a farce of this entire EIS document, and is insulting to those of us who have worked in good faith with the NPS for over two years on this process.

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Even the somewhat reasonable claim of the last sentence is misleading since to accomplish the indefinite reduction of fish populations in these "larger, deeper lakes" that contain high densities of reproducing fish would require periodic use of chemical methods on these lakes. Such an indefinite program would certainly impact the ecosystems, and even wilderness values, more than any of the additional actions required to adopt alternative B.

ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION

"Provide sport fishing opportunities by stocking some of the 154 mountain lakes that have never had any fish presence."

This plan/EIS did not contemplate stocking any of the 29 currently fishless lakes because both the NPS and WDFW assumed that if the lakes have gone fishless, they are undergoing a natural recovery process that should not be interfered with." (pg 118)

Historical documents show that the WDFW never agreed to this concept. The EIS may not have considered these 29 lakes based on NPS assumptions, but the implication that the WDFW agrees with the conclusion that these lakes should not be interfered with is erroneous.

CONSISTENCY WITH SECTIONS 101(B) AND 102(1) OF THE NATIONAL ENVIRONMENTAL POLICY ACT

"Alternative B, Proposed Adaptive Management of 91 Lakes under a New Framework (42 Lakes May Have Fish), Preferred Alternative."

"However, because alternative B proposes to continue a fish stocking program in naturally fishless lakes in the North Cascades Complex, it is not totally consistent with NPS Management Policies (NPS 2001a), which seek to preserve native biota and conserve biological integrity. Alternative B may also be viewed by some as inconsistent with the Wilderness Act because it continues a practice of fish stocking and human influence in a designated wilderness area." (pg 120)

As far as I can tell, concerns of consistency with NPS Management Policies has nothing to do with the requirements of sections 101B and 102(1) of NEPA, nor does consistency with the Wilderness Act.

"Alternative D (91 Lakes Would Be Fishless).

This alternative meets the stated purposes of NEPA sections 101(b) and 102(1) to a large degree." (pg 121)

The phrase "large degree" should be changed to "some degree" for reasons outlined in the "How Alternatives Meet Objectives" section above

"There would, however, still be fishing opportunities in the reservoirs and streams." (pg 121)

This is another of these disingenuous comments noted before. This EIS is on fishing in the mountain lakes of the NCPN. Opportunities in reservoirs and streams have nothing to do with mountain lakes. A statement like this would be like telling a backpacker that although backpacking would no longer be allowed, strolling on paved paths in the park would still be available.

"These lakes would continue to provide sport-fishing opportunities for the foreseeable future..." (pg 121)

This is a gross exaggeration of the situation (see the "How Alternatives Meet Objectives" section above).

"However, illegal stocking may occur under this alternative." (pg 121)

This is a major issue and is not given enough exposure in this draft of the EIS. If the park were to choose alternative D and thereby essentially eliminate the historical mountain fishery which has been there for decades

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fish would increase impacts on vegetation due to increased use by campers who will no longer need to compete with anglers for presence at the lake. No, such speculation is best removed.

Wilderness Values/Alternative D

"Sport-fishing opportunities would be vastly reduced compared to alternative A because all stocking in the North Cascades Complex would cease and fish would be removed from all lakes, where feasible. This would result in long-term moderate to major beneficial impacts on opportunities for solitude in areas where fishing opportunities are eliminated." (pg 138)

The underlined phrase should say "alternatives A, B, and C".

The second sentence should be removed. There is no evidence that removing fish will lessen the number of visitors at a lake to the extent such that a typical visitor approaching a lake will see no one else (definition of solitude). Certainly such a benefit, if it occurs at all, is highly unlikely to be "major". (Such statements only serve to undermine the credibility of this draft EIS. Such consistent exaggerations of benefits under alternative D together with the consistent exaggerations of the negative impacts of the other three alternatives is unfortunate and not worthy of the people's National Park Service.)

Wilderness Values/Alternative B

"There would be a long-term major adverse cumulative impact on those who believe that the continued stocking (as proposed under alternative B) in wilderness and continued presence of reproducing populations of fish would compromise natural processes in wilderness." (pg 139)

The underlined phrase should be removed. One of the objectives of alternative B is to remove all reproducing populations. (Note that it is not relevant whether such removal is an easy or a hard task especially since any such difficulty applies equally well to alternative D.

Objectives/Alternative D

"Does not fully meet objective." (pg 143)

The sentence should be changed to:

"Does not meet the objective"

The objective is to "provide a spectrum" of opportunities for sport fishing. This entire EIS is about Mountain Lake fishing, that does not include streams and reservoirs. Even if it did, by removing all fish from all high lakes, that fishing opportunity would no longer cut across "a spectrum" of opportunity since an entire end of that spectrum will have been removed. (This is just another example of the prejudicial and preferential treatment shown by authors for alternative D. Hopefully, NPS management can find a way to insist that the final version is purged of this lingering bias.)

Affected Environment

Although I could have made many more comments in this section, I have not because there is so much repetition of issues, statements, conclusions, and all other content that I felt it was redundant to repeat comments which I have already made above in one way or another. I leave it to the EIS editors when they update this draft version to the final version to make the content of this chapter consistent with my comments found in the previous chapters. On the other hand, I have written a few comments on this chapter when I felt the time justified.

AQUATIC ORGANISMS

PLANKTONIC ORGANISMS

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(well before the creation of the park), visitors to the lands of the park who fish will certainly notice the reduction or elimination of fish from their "favorite" lake. Quite innocently, they might be tempted to "help nature along" by transporting fish fry from a stream or river in the park. This is very easy to do and one person could undo tens of thousands of dollars of work in an afternoon. This scenario ought to be taken more seriously by the NPS as they consider the implications of alternative D versus alternative B. The best way to minimize the risk of unsanctioned stocking by an uninformed public is to maintain a disciplined, well-managed fishery along with public outreach and education.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

"The WDFW does not agree that alternative D is the environmentally preferred alternative because it does not strike any balance between protecting biological integrity and preserving historic processes." (PG 122)

The Trail Blazers and Hi-Lakers agree with the WDFW's analysis. Additionally it should be noted in this section that the potential of illegal stocking actually and perversely may make alternative D the least environmental friendly alternative (given the ease with which it can be done, and the strong likelihood that some uninformed park angler will consider transporting fish a good idea). Lakes stocked under the guidance of professional biologists must be preferred to haphazard stocking by an ignorant general public.

One does not need to look far to see examples of illegal stocking in the state of Washington. The lowland (warm water) fishery in this state has had example after example of such activity by an uninformed public. In spite of all the hard work by WDFW biologists, intensively managed warm and coldwater fisheries are under constant attack from such illegal stocking activities. It is hard to imagine how much worse it might be in a situation where a fishery has been totally removed in lakes where the public has grown accustomed to fish being present.

I submit that the NPS has been too hasty in picking alternative D as the environmentally preferred alternative. On the surface it might appear that the removal of all fish is best for the environment, but given the existence of an historical fishery, and of the scientific research that demonstrates that the stocking of non-reproducing fish in low densities does not disturb the ecological integrity of the lake, alternative B might well be the best choice under this section. The fish experts in this state, namely the WDFW biologists, clearly think so.

TABLES

TABLE 14 - 16

I have not attempted to make all the comments I might on these tables since they are so redundant with the previous sections where I have made comments above. I leave it to the EIS editors when they update this draft version to the final version to make these tables consistent with comments in other sections. (Actually, this requirement for the editors applies to all sections of the EIS.)

Mitigation/Alternative B

"Reproduction would be limited by inducing genetic sterility or selecting hatchery strains that cannot reproduce due to spawning habitat limitations and/or timing of spawning limitations (e.g., Mount Whitney rainbow trout)." (pg 129)

The use of the underlined word "limited" is misleading. "limited" gives the impression of "reduced somewhat". This word should be replaced with the word "eliminated" since sterile fish can not reproduce at all.

Vegetation/Alternative D

"Vegetation at these lakes would experience overall beneficial impacts." (pg 134)

This sentence should be removed. There is no evidence presented in the entire draft EIS that anglers cause increased damage to vegetation. One person's guess is no better than another's. For all we know the removal of

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ZOOPLANKTON

"Lower densities of fish, more typical of stocked situations, do not have as great an effect. There is not much difference in abundance of diatomid copepods between these stocked lakes and fishless lakes (Liss et al. 1998), possibly because the densities are not as high in stocked lakes, and the zooplankton can recover between stockings." (pg 163)

These sentences should read:

"Fish stocked in low densities (for example with nonreproducing fish) have little if any measurable effect. There is not much difference in abundance of diatomid copepods between these stocked lakes and fishless lakes (Liss et al. 1998)."

The phrase "not... as great" is awkward and gives the wrong impression that the difference between high density and low density fish populations is minor when just the opposite is the case. The ending phrase starting with "possibly" is speculative and likely wrong. Measurements show that the zooplankton populations simply do not depress much at any time in the stocking cycle. The lack of effect of zooplankton is simply a matter of there being low numbers of fish at all times; there is no evidence that zooplankton populations get depressed immediately after a stocking event and then rebound over a few years as the original wording implies. Frankly, the original wording shows a significant misunderstanding by this draft EIS author of low density stocking with nonreproducing fish since low density populations using this management technique are not primarily the result of infrequent stockings (indeed they could occur every year) but rather the result of using very low numbers of fish per acre at every stocking event.

AMPHIBIANS

LONG-TOED SALAMANDER

"In general, the research indicates that there are far fewer long-toed salamanders in lakes and ponds that contain fish (especially reproducing fish), compared to lakes and ponds that are fishless, although the variation in abundance can be high even within a lake." (pg 167)

This sentence needs heavy modification. As it stands it is very misleading. The situation is far more complex than to simply consider lakes with fish and lakes without fish (see the NCNP's own Liss and Larson study for pages and pages of evidence that supports my contention). This sentence as it stands implies that there are always far fewer salamanders in a lake with fish than a lake without fish (in spite of the off hand qualifier at the end of the sentence). The research shows this is not true. The important distinction to make is not between lakes with fish and those without fish, but between lakes with reproducing populations of fish in high densities and lakes with nonreproducing populations in low densities. Fishless lakes are just the limiting case of a low density population. In fact, the Liss and Larson study has shown that indeed there is no measurable difference in salamander densities between a lake with nonreproducing fish in low densities and fishless lakes. This is expected if "fishlessness" is simply the limiting case of low densities. The draft EIS misses this vital distinction of fish density time and time again, and this is just another example.

A key point to remember whenever writing a section such as this is that the research does not show that the mere presence of fish affects the biological integrity of the lake ecosystem, but rather the biological integrity is proportionally dependent on the population density of the fish.

"In contrast, in seven lakes containing fish that were either nonreproducing stocked (2 lakes) or reproducing (5 lakes), the range was drastically lower: 0 to 8 individuals per 328 feet of shoreline surveyed." (pg 167)

I find it unbelievable that the EIS authors seem to have so little understanding of the vital conclusion of the Liss and Larson study that one can not lump reproducing and nonreproducing fish populations in the same statistic. In the context of proper mountain lake fishery management, mixing statistics from these two different data sources (reproducing and nonreproducing fish populations) is the ultimate apples and oranges story. These "slips" always seem to produce a negative image for fish stocking. This consistent pattern can not be the result

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of honest mistakes, but rather demonstrate a built-in bias of at least some of the EIS authors. The process that produces the final version of this EIS must have some sort of vetting process built-in to avoid this sort of unfortunate misrepresentation.

OTHER AMPHIBIANS

PACIFIC TREE FROG

"Recent research on the impacts of nonnative fish on Pacific tree frogs in the Sierra Nevada Mountains suggests that Pacific tree frogs have declined significantly in areas with large numbers of stocked lakes as a result of fish predation on egg and larval stages (Matthews et al. 2001b)." (pg 170)

Here is yet another example of the failure of the EIS authors to appreciate the vital distinction of fish population density when analyzing fish impacts on biological integrity. Apparently, at least one of the authors was looking for evidence to support an already formed conclusion that the presence of fish in lakes depresses the frog populations. So rather than going to the scientific literature to educate oneself on what a full body of research demonstrates, the author simply used material that supported his or her already formed views.

To make my point, allow me to tell of an opportunity I had on October 24, 2002 to hear Kathleen Matthews speak at the University of Washington on her research in the Sierra Nevada. At that time (and therefore also when the paper referenced here was written), Kathleen herself also lumped low density and high density statistics together. At a reception after her talk I spoke with her about the newly released Liss and Larson study where the importance of making this vital distinction of fish population density was demonstrated. She had not yet seen the Liss and Larson papers. She and I exchanged email for several weeks after that as she read the Liss and Larson papers using links I provided to her. She quickly came to realize the importance of factoring fish population densities into the process of analyzing predation data in high mountain lakes. She wrote me an email on November 11, 2002, when she said in part:

"I finally had a chance to read through the Liss et al. papers and agree that bringing in the range of predation into the equation is compelling."

Clearly no attempt was made by the EIS authors to become well informed on the Sierra Nevada research before jumping on the opportunity to confirm their pre-existing views on the undesirability of fish stocking of wilderness lakes. (Incidentally, she went on to say that she was in the process of re-analyzing her data set using fish population density as a key factor; however, I do not feel at liberty to release Ms. Matthews private email in its entirety without her permission, but I'm sure that can be arranged if the EIS teams so desires.)

Environmental Consequences

Although I could have spent days making comments in this important section, I have not because there is so much repetition of issues, statements, conclusions, and all other content that I felt it was redundant to repeat comments which I have already made above in one way or another. Although there are many misleading or incorrect statements in this section, I leave it to the EIS editors when they update this draft version (which can be expected to harbor errors) to the final version to make the content of this chapter consistent with my comments found in the previous chapters.

History of Public Involvement

I have no comments to make on this entire section except to say that I congratulate the NCNP employees and management who designed and implemented the public involvement process. I feel the NCNP has been open

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Volume Two

Appendix A

JUNE 12, 1986 MEMO FROM WILLIAM MOTT TO THE REGIONAL DIRECTOR, PNW REGION

"In your January 27, 1986, memorandum and in follow-up discussions, you requested that we provide you with a clear statement regarding National Park Service policy for management of fisheries resources in the North Cascades Complex." (pg 8)

Throughout the draft EIS it is claimed that fish stocking has continued in the NCNP under a "policy waiver". I submit that this memo from the Director of the NPS clearly establishes policy for fish stocking in the NCNP as distinct from any other park in the NPS system. It can not be construed as merely a policy waiver. The word waiver never appears in this memo.

All references to "policy waiver" where over they appear in the draft EIS need to be changed to read "policy". Other changes in content will no doubt be required to accommodate the fact that a policy was established in 1986 as opposed to a policy waiver.

"Park waters that are potential candidates for continued fish-stocking are to be reviewed to determine which waters warrant management as an enhanced recreational fishery, and for which continued fish-stocking is to be an acceptable action." (pg 9)

Furthermore, this memo establishes the policy (not policy waiver) that fish stocking is an acceptable management activity within the NCNP with proper management.

"These data will help provide an informed basis for determining whether changes in our fish-stocking management actions may be needed in the future." (pg 9)

Here the memo provides the basis of the very NEPA process underway now—a part of which is this EIS. Mott's vision does not include any statement, or even concern, that congressional clarification is required. Mr. Mott apparently felt in 1986 that as Director of the NPS he had full authority to establish a fish stocking policy for the NCNP, and he anticipated the day when scientific research and data would bring the NCNP to the point of having being able to adopt a preferred alternative (alternative B) which would then implement those "changes in our fish-stocking management actions". His policy is not dependent on approval by Congress, and as such the provisions of this draft EIS that proclaim that alternative D must prevail until such congressional clarification is obtained are in contradiction to this NPS policy adopted at the highest NPS level in 1986.

JULY 12, 1988 SUPPLEMENTAL AGREEMENT TO MOU BETWEEN NPS AND WDFW

"This Supplemental Agreement shall first be subject to mutual review and evaluation by July 2000. The intent is to give this Agreement a 12-year life and that upon mutual review, the Agreement may be continued or modified based on information available at the time of review." (pg 11)

This agreement between the NPS and the WDFW further demonstrates the this NEPA process ought to be the complete and whole procedure to determine any changes to the fish stocking policy first established by Mott in 1986 and implemented in detail here with this MOU supplement in 1988. The deadline of July 2000 was not met due to the unavailability of the Liss and Larson data upon which Mott's vision depends. The MOU and this Supplemental Agreement have been extended to December 31, 2006 via mutual agreement between the NPS and the WDFW. Once again there is no mention of the need for congressional clarification. There is no reason why the NPS needs guidance from Congress in order to adopt the preferred alternative B.

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and fair with the public throughout this entire NEPA process. The public had superb access to information and has been given extraordinary opportunity to participate.

I'd also like to congratulate both NCNP and WDFW personnel for the remarkable degree of respect and cooperation they have shown each other during this process. In an era where federal and state agencies often battle over jurisdictional issues, it is a pleasure to see the difference a few committed individuals can make such that a constructive dialog takes place against a background of such difficult issues.

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"Additions or deletions to the list of 40 lakes may be made only by mutual agreement of the Department and the Service. Research results will be considered in future decisions." (pg 10)

Furthermore, if the NPS were to insist on defaulting to alternative D without such congressional clarification it would be in violation of this provision of the Supplement Agreement since alternative D would delete all lakes from the list of 40 referred to here. The WDFW has not agreed to such deletions, but only to the plan found in the preferred alternative B.

Appendix B

"June 12, 1986 – The director of the NPS issued a policy statement that placed all mountain lakes in the North Cascades Complex into three categories: (1) natural fish-free waters, (2) self-sustaining fish population waters, and (3) continue-to-stock waters." (pg 28)

This confirms that before 1986 there may have been the conception, or misconception that fish stocking was done under a "policy variance; however, in 1986 the Mott memo resolves any possible misunderstanding in the past by creating a NPS policy.

Appendix K

MINIMUM REQUIREMENTS DECISION GUIDE

ARTHUR CARHART NATIONAL WILDERNESS TRAINING CENTER

"... except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act."

– The Wilderness Act, 1964

Before I get into the specific comments on the MRA, allow me to present the results of some research I have done on the MRA procedure itself and its use.

When I first saw this MRA I was appalled. Its reasoning and conclusions were so absurd that I just could not believe that it made it into an otherwise quality document such as this draft EIS. In fact, I was so sure that this MRA was an abuse of the procedure that I some checking with various sources in an attempt to better understand the MRA process, and in particular, to better understand the circumstances under which it was designed to be used.

The first thing I did was to go the Arthur Carhart National Wilderness Training Center's website to get the forms and instructions that make up the MRA procedure. Next, I spoke with several NCPNP employees to get examples of how the MRA process had been used in the past. It eventually became clear that the MRA found in this draft EIS was highly unusual since no one seemed to know if one file it had ever been done before. The MRA examples all seemed to have been done in the more traditional way of helping agencies decide primarily whether motorized equipment could be used.

Finally, I was able to speak to NPS and the National Forest Service (NFS) employees at the Arthur Carhart National Wilderness Training Center who have knowledge of how MRAs are used on a nationwide basis. I learned that four federal agencies developed the MRA process and use it. I discovered that an MRA such as the one found in this MRA is loosely called a "programmatic" MRA. (Basically a "programmatic" MRA is one that

looks at an activity rather than a tool.) With further discussion it became apparent that it is highly unusual for an MRA to be used in this programmatic fashion.

I happened to talk first to Tom Carlson who is the NFS representative at the Carhart Training Center. He stated that programmatic MRAs are not done by the NFS and it is against their policy to do so. He confirmed that to his knowledge an MRA such as the one in this draft EIS had never been done by the NFS. Furthermore, Tom was on the committee that designed the MRA procedure in the first place, and he was of the opinion that the MRA design was not appropriate to be used in this programmatic manner. He felt that the overall NEPA process itself was better able to handle such decision making since it was designed to analyze such broad issues whereas the MRA question set was designed to address the Wilderness Act 4(c) exclusions only (i.e., use of modern tools).

Next, I planned to talk to the NPS representative at the Carhart Training Center but instead ended up talking to his boss in Washington DC. It is my understanding that no one in the NPS knows more about the use of MRAs in the NPS than does Rick Potts, National Wilderness and Recreation Programs Manager for the NPS. Rick agreed that although the NPS does not have a policy forbidding the use of the MRA in programmatic situations like the NFS does, it has been highly unusual in the NPS to do programmatic MRAs. In fact, he was only aware of four such MRAs of the many MRAs the NPS has done. One is in this NCPNP draft EIS on fish stocking, the other three are: one in the Rocky Mountain NP for trails; another in the Kings Canyon NP for fire management; and one in the Shenandoah NP for trails. Rick noted that the MRA procedure was relatively new having been created in 2000 and was still evolving. He mentioned that an effort was currently underway to revamp the MRA procedure such that it could be used across the four agencies in a standardized manner; in particular between the NFS and the NPS. Rick did not yet know what the outcome of that effort would be, but he thought the new standards would make it even less likely that the NPS would do programmatic MRAs in the future.

In my opinion the MRA found in this draft EIS is the most sweeping use of an MRA that has ever been done in the NPS. In none of the other three programmatic MRAs is an historic management activity disapproved across an entire park. These other three programmatic MRAs allow the management activity to continue, but simply restrict certain instances of its use where harm can be shown. Frankly, that is not unlike what preferred alternative B attempts to accomplish within the overall NEPA process; namely, the continuance of the of fish stocking, but limiting it in situations where harm can be shown. There is no justification for a separate MRA procedure to usurp the overall objective of the NEPA process by pushing the use of the MRA procedure to the most extreme use it has ever been subjected to.

This NCPNP fish stocking NEPA process is filled with enough controversy without unnecessarily introducing the use of a fairly new procedure in a way that pushes its use to an extreme limit – especially just as efforts are underway within the NPS and the NFS to evolve the MRA procedure to its next incarnation which is very likely to restrict or even eliminate "programmatic" MRAs such as the one unwisely included in this draft EIS.

Here are my comments specific to the implementation of the MRA in this draft EIS:

A. Describe Valid Existing Rights or Special Provisions of Wilderness Legislation

"Fish Stocking: There is no provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that explicitly allows for fish stocking." (pg 289)

Neither is there any provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that forbids stocking. In addition there is no provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that allows for trail building, trail maintenance, bridge building, campsite construction, or dozens of other actions the park engages in every day. This reference to these pieces of legislation is at best a red herring since such legislation is designed to leave such details to the administering agency as is proven by the total lack of such authorization for any action. Why expect these pieces of legislation to authorize fish stocking when it authorizes none of these other actions?

Beyond these considerations is the fact that the Wilderness Act permits fishing, and today's science clearly shows that the only way to provide biological integrity is to stock with nonreproducing fish in low densities.



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"Stocking with nonreproducing trout would temporarily affect the natural character of naturally fishless lakes in wilderness by introducing a nonnative species, thus manipulating the ecological structure of the lakes." (pg 292)
The MRA procedure defines this "natural" character as:

"Natural" – Wilderness ecological and evolutionary systems are substantially free from the effects of modern civilization.

How can anyone with a straight face believe that the backpacking of fish fry into a lake, where such fish would naturally live if the stream gradients of the North Cascades were not so steep, as being an "effect of modern civilization"? It is ludicrous to make such an argument. Even the practice of fish stocking itself has no connotations of "modern civilization" since it has been practiced for thousands of years all over the world in all civilizations. One may object to the stocking of fish in the NCNP, but one can't mislead the MRA procedure in an attempt to prove your point.

Furthermore, the Liss and Larson study belies the last few words of this section. Nonreproducing fish populations in low densities do not manipulate the ecological structure of the lake in any measurable way. Their research could find no measurable difference in the ecological structure of a fishless lake and one which has been stocked with nonreproducing fish populations in low densities.

F. Describe Effects to the Public Purposes of Wilderness

Explain:

"For example, some of the mountain lakes would no longer provide scientists with the opportunity to study the ecology of naturally fishless mountain lakes because the lakes would contain nonnative fish." (pg 293)

Here is another ridiculous claim that demonstrates the lack of integrity in the use of this MRA procedure. The EIS itself declares that there are 245 lakes in the NCNP complex. It also declares that only 91 of those lakes have ever had a history of fish stocking. Alternative B proposes to continue fish populations in only 29 of these 91 lakes with a possible addition of 13 more once there is sufficient data to determine a proper management strategy for those 13 lakes. So even if all 13 of those lakes now in limbo are added to the 29, there would only be a total of 42 of the total 245 lakes that would not be available as "fishless lakes" for research. This leaves the remaining 203 lakes available to researchers. Furthermore, many scientists might even consider it a benefit to have a few lakes that are not fishless to provide contrast and controls in the research area. In any case, research in California parks and in Idaho wilderness areas has shown that a lake returns to its natural state in about 11-20 years, even after having been subjected to the devastation of high density fish populations. The extreme position presented in this section is a far reach indeed and exposes a likely bias on the part of the MRA author.

Step 1 Decision: Is it necessary to take action?

Explain:

"Fish Stocking: No. Stocking non reproducing trout into the high mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness anglers. Stocking, however, would adversely impact the wilderness experience for other wilderness users. Fish stocking would also adversely impact, to varying degrees, the scientific, conservation and natural purposes of wilderness. If stocking were discontinued, opportunities for fishing in the high mountain lakes would be severely limited. However, various opportunities for sport fishing would remain in the rivers and streams, and other types of primitive and unconfined forms of recreation would still exist in the Steven T. Mather Wilderness. Therefore, the NPS believes that fish stocking is not required for administration of the area as wilderness." (pg 294)

This logic has nothing to do with reaching the conclusion. You could apply this same logic to essentially any management action the park takes and presumably reach the very same conclusion; namely, that the action ought to stop.

To prove this point I have substituted "trail building" for "fish stocking" and "hiking" for "fishing" into the logic expressed above. I believe this exercise clearly demonstrates that the reasoning in the MRA must have been essentially "manufactured" to reach a pre-determined conclusion.

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C. Describe Other Guidance

"Fish Stocking: Stocking of naturally fishless lakes in the National Park portion of the Stephen T. Mather Wilderness violates current NPS management policies regarding stocking of nonnative fish into national park waters." (pg 289)

This is incorrect. The Mott memo of 1986 explicitly creates a policy for fish stocking in the NCNP. Fish stocking in the NCNP today is wholly within NPS policy.

Explain: (pg 290)

NPS Management Policies (2001)

This section is incomplete. It quotes NPS policy from chapters 4 and 6 but leaves out anything from chapter 8 except a brief excerpt. Chapter 8 concerns itself with the NPS's mandate to provide recreation, whereas chapters 4 and 6 concern themselves the NPS's mandate to preserve and protect natural resources. Even the one brief excerpt from chapter 8 has a preserve and protect theme.

Once again we see the appearance of bias favoring the elimination of fish stocking by the EIS authors since it is only when you balance the preserve/protect policies of the NPS with its recreation policies that a fair analysis can be made.

"In contrast to sport fishing, the practice of stocking fish is generally prohibited in park units." (pg 290)

This is incorrect. General policy does not apply to the NCNP because the fish stocking policy for the NCNP was set by Director Mott in his 1986 memo.

Memorandum of Understanding between the NPS and WDFW

"Currently, the management of mountain lakes is performed under a temporary extension of the 1985 Memorandum of Understanding and 1988 Supplemental Agreement between the two agencies." (pg 291)

The underlined word "temporary" should be removed. All MOUs between the NPS and state agencies are intended to be renegotiated from time to time. There is nothing "temporary" about these agreements.

E. Wilderness Character

Untrammeled:

"Stocking naturally fishless lakes, even with nonreproducing trout, would not leave the wilderness "ideally untrammelled and free from modern human control or manipulation." Stocking of fish would manipulate the native ecology of a lake and introduce a nonnative species for the purpose of enhancing recreation." (pg 292)

Even though the word "modern" is retained in this case (unlike in the main body of the draft EIS – see previous comments), the connotation of this word is totally ignored in this rationale. Fish have been stocked in lakes for centuries, including by native peoples well before the white man's arrival. There is nothing "modern" about fish stocking. This paragraph once again demonstrates how the intent of the MRA process is being subverted here to support a predetermined conclusion to eliminate fish stocking from the NCNP.

Anyone who has prior experience with the MRA procedure knows that in the vast majority of MRAs, they are used to determine whether truly modern techniques (primarily motorized equipment) must be used to accomplish a particular activity. This is the reason the word "modern" appears in this part of the MRA. How can anyone consider the packing of fish fry on the backs of people, or by horse, to be a "modern" human control or manipulation? Aircraft should be used to stock lakes, now, if one wanted to do an MRA to determine whether aircraft should be used to stock fish as opposed to hand methods, that would be a perfectly valid use of the MRA process. However, this MRA as it stands is a sham, perhaps even a scam.

Natural:

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Trail Building: No. Building trails into the high mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness hikers. Trails, however, would adversely impact the wilderness experience for other wilderness users. Trail building would also adversely impact, to varying degrees, the scientific, conservation, and natural purposes of wilderness. If trails were not built, opportunities for hiking in the high mountains would be severely limited. However, various opportunities for trail hiking would remain in the lowland areas, and other types of primitive and unconfined forms of recreation would still exist in the Steven Mather Wilderness. Therefore, the National Park Service believes that trail building is not required for administration of the area as wilderness.

Note how the reasoning still makes perfect sense. In other words, if the park were to do a similarly reasoned MRA on building or maintaining trails in the park, it presumably would once again conclude that trail building or maintenance should stop in the park.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE COMMENTS ON THE MINIMUM REQUIREMENTS ANALYSIS

The Trail Blazers and Hi-Lakers agree totally with this view of a misapplied and disingenuous MRA exercise.

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Bill Paleck
09/13/2005 08:06 AM
PDT

To: Shelley Kluz/NOCA/NPS@NPS, Roy Zipp/NOCA/NPS@NPS
cc: trailblazer@nps.gov
Subject: Fw: Fishery EIS response info

Shelley/Roy,

Would you please take care of this?

Thanks,

Bill

----- Forwarded by Bill Paleck/NOCA/NPS on 09/13/2005 08:05 AM -----



Brian Curtis
09/09/2005 04:57 PM
MST

To: Bill Paleck <bill_paleck@nps.gov>
cc:
Subject: Fishery EIS response info

Hi Bill, I sent off my written response to the draft fishery EIS today. Included is both a hard copy and a CD. But in my haste to get it to you before leaving on a week long backpacking trip in Idaho I just realized I forgot to include my address and phone # on the response itself (My return address is on the envelope). So I'm hoping someone can, if necessary, match my address and phone # to my response.

Brian

Brian Curtis



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effects of fish stocking that showed fish stocked in low densities do not compromise native biota and a management plan was drafted that would allow fish stocking, while not impairing park resources. Because the cited law would not be violated by the management plan why was it cited?

Question C:

Describe Other Guidance

--MLFMPD Volume two P 289

Under "Fish Stocking" in this section NPS policies against stocking fish are cited. But then under "Fish Removal" the 1985 MOU between the NPS and WDFW is cited. You can't have it both ways. The MOU also applies to fish stocking, not just fish removal.

And finally, the decision: Is it necessary to take action? The MRA concludes that it is necessary to remove fish but not necessary to stock fish. Left out of conclusion is the important historical use provision of The Wilderness Act Section 4(b). An important historical use of the park would be eliminated and that fact isn't even mentioned in the conclusion. During the hearings leading up to the park's formation fish stocking was specifically asked about and it was explicitly promised that fish stocking would not cease in the park. Clearly, fish stocking and fishing are important recreational and historical uses covered under 4(b). They also do not impair park resources. For some reason park managers seem to favor some historical recreation uses that clearly impair park resources such as stock use, camping, and trails but say fish shouldn't be stocked. As a wilderness user I find trails and campsites detract from my wilderness experience while fish do not. I certainly don't mean to start a battle between hikers and anglers, but it shows how specious the conclusions reached in the MRA are. Were you to apply the exact same analysis to trails as you do to fish stocking you'd have to conclude trails should be removed and no longer maintained. That would, of course, conflict with the recreational and historical use provisions of Section 4(b) just as eliminating fish stocking conflicts with the recreational and historical use provisions of Section 4(b). According to the NPS research conducted to support this EIS fish can be stocked in low densities and they do not adversely impact native biota. Thus they do not compromise wilderness values and they fall under the pantheon of acceptable use of wilderness, just like trails.

The MLFMPD tries to make the case that the enabling legislation needs to be changed in order to implement the preferred alternative and goes so far as to default to the no stocking alternative if the enabling legislation is not "clarified." Three reasons are given for this decision:

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Having read the Mountain Lakes Fishery Management Plan Draft (MLFMPD) cover to cover I have to start out by congratulating you on producing a beautiful document that was both informative and, aside from some unavoidable repetition, was enjoyable to read. Thank you for giving me the opportunity to comment on this draft. I hope my input will help produce a sound and lasting management plan for NOCA high lakes.

The biggest misstep in the MLFMPD is the egregious misapplication of the Minimum Requirements Analysis (MRA). The Wilderness Act is quite clear and unambiguous about what activities are prohibited without considering minimum requirements:

...except as necessary to meet the minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area) there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

--The Wilderness Act: Section 4 (c)

Because fish stocking does not require any of the acts prohibited under section 4(c) it should not be subject to the MRA process. The absurdity of using the MRA process to cover fish stocking is made explicit in the MRA question A :

Are there valid existing rights or is there a special provision in wilderness legislation ... that allows consideration of action involving Section 4(c) uses.

--MLFMPD Volume two P. 288.

Fish stocking does not involve "Section 4(c) uses" therefore MRA section A should be marked not applicable. Fish removal sometimes does involve prohibited uses so the MRA should be applied to those activities. But answering a question about an "action involving 4(c) uses" when the action does not involve the prohibited uses is nonsensical.

Question B:

Describe Requirements of Other Legislation.

--MLFMPD Volume two P 289.

Laws are cited that prohibit any action that "may potentially impair park resources and values." [MLFMPD Volume two P 289] How could this law possibly apply to fish stocking? Large amounts of money and time were spent in the park studying the



If this plan/EIS resulted in the selection of an alternative that allowed for continued stocking, issuance of a policy waiver to the [NOCA] could encourage other state fish and wildlife agencies to revisit the issue of stocking in NPS units where stocking has been discontinued.

--MLFMPD Volume one P 74

The state of Washington has been stocking park waters for over twenty years under policy waivers and there has been no push by other state wildlife agencies that I am aware of to stock fish in other NPS units. What would change after this EIS has been issued to suddenly cause state agencies to push for stocking when they haven't been doing it all along?

Second, policy waivers are only temporary and do not provide a permanent solution because they can be rescinded as circumstances change. The goal of this plan/EIS is to forge a lasting solution..."

--MLFMPD Volume one P 74

I would like to see a permanent solution that allows fish stocking in the park. While that is a laudable goal, it is not a reasonable justification for the automatic discontinuance of fish stocking in the absence of revised legislation. The MLFMPD will only "...guide future actions for a period of 15 years." (MLFMPD Volume one P 3) So even the plan being considered in this EIS is not permanent. The more pernicious aspect to this quote is the notion that there are "policy waivers" required to continue fish stocking. No policy waiver is required when the National Park Service Policy is to allow fish stocking in NCNP. This policy was written by William Mott in 1986:

You requested that we provide you with a clear statement regarding National Park Service policy for management of fisheries resources in the North Cascades Complex. ...fish stocking will be permitted for the purpose of enhancing recreational fishing activities.

--MLFMPD Volume two P 8

While I severely cropped Mr Mott's letter in the above quote and left out quite a bit about fishless waters and waters with reproducing fish the above quote from a Park Service Director unambiguously states that the NPS policy is to allow fish stocking in the NOCA. There has been no evidence presented that the NPS policy has changed in that regard. Why would legislation be needed when there is already a policy that allows fish stocking in place?

Finally, the [MRA] for fish stocking in the Stephen T. Mather Wilderness indicates that stocking is not necessary to meet minimum requirements for administration of

the area, and the wilderness act is unclear whether stocking is allowed in designated wilderness areas.

--MLFMPD Volume one P 74

As I showed earlier in my comments the MRA is misapplied and does not come to this conclusion. Further, for an agency that is so worried about precedent this conclusion seems especially out of line. Wilderness areas are being managed with fish stocking all over the country. If the practice was not allowed under the Wilderness Act it would have been stopped a long time ago.

The public also expressed a concern that the analysis occur on a landscape scale, so the Technical Advisory Committee took a broad look at lakes in the [NOCA] and selected a representative number of lakes to remain fishless under each alternative."

--MLFMPD Volume one P 459

This is an important statement. The MLFMPD should be looking at lakes on a landscape scale and the above statement would lead us to believe it does. But look at this:

A total of 245 mountain lakes are in the [NOCA], and at least 154 of those lakes have always been fishless and would continue to be fishless under any alternative. Because they would remain fishless and because they have never been part of the managed fishery, these 154 lakes are not analyzed in this plan/EIS.

The 91 lakes addressed in this plan/EIS...

--MLFMPD Volume one P 48

So only 91 lakes were considered in the plan/EIS. If 245 lakes are in the complex analyzing only 91 of them is **not** analyzing on a landscape scale. That leaves the final plan to understate the number of lakes that should be stocked in the future. By only considering the 91 lakes with a history of fish stocking and eliminating some lakes from consideration for stocking based on this subset the TAC was forced to eliminate some lakes that shouldn't have been eliminated had the analysis truly been landscape wide. The lake by lake analysis needs to be redone before the final plan is produced and consideration needs to be given to lakes that have never been stocked if they will serve as representative undisturbed habitat that would allow more lakes with previous management history to continue to be stocked. The wishes of the public, as expressed in the scoping meetings should be fully addressed, not swept aside with disingenuous doublespeak.



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While many anglers are also conservationists, there is a distinction between those who value the stocking of lakes for their enjoyment, in contrast to those who value the conservation and protection of natural processes.

--MLFMPD Volume one P 215. Also see very similar verbiage on p 393.

I don't understand why there is the need to stereotype and divide. I find this case particularly out of line because I don't fit into either category. I am an angler who values the stocking of lakes for my, and other people's, enjoyment but at the same time I very strongly value the conservation and protection of natural processes. That is why I support low density fish stocking with non-reproducing fish in selected NOCA lakes. That allows the public the recreation and enjoyment of stocked fish while preserving natural processes. I love to see salamanders and I love watching copepods (I really do like watching them dart around). I also enjoy fishing. People can't just be sorted into convenient categories.

Many backcountry lakes that contain fish have visible patterns of human use (such as social trails...

--MLFMPD Volume one P 217

Many backcountry lakes that don't contain fish also have patterns of human use such as social trails. Why are lakes with fish singled out in this category?

In 17 of the 91 lakes, stocking would be expected to result in long term moderate, adverse impacts on macroinvertebrates.

--MLFMPD Volume one P 255

This is a misstatement. Stocking would not result in the impacts described. Stocking would not be conducted in such high densities under any alternative and such impact would only be expected in lakes with a high density of reproducing fish.

On page 313-314 of volume one the effects of eliminating the fish the Hozomeen Lake on the common loon are discussed. Impacts are said to be minor to moderate. But it also says they may stop nesting in the complex. If this were to occur the impact would fall under the category of impairment. So at best the MLFMPD should state that impacts on the loon will be moderate (forced to move to a nearby lake) to impaired (eliminated from the complex).

The use of the chemical antimycin, to remove fish is not known to have adverse impacts on amphibians.

--MLFMPD Volume one P 314

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But what about invertebrates? The impacts on invertebrates needs to be considered in the final EIS.

Cumulative impacts resulting from implementation of alternative D would be similar to those described for alternative A, but with extremely reduced effects to amphibians and native fish because of reduced fish densities and/or removal of reproducing nonnative fish in the [NOCA].

--MLFMPD Volume one P 323

...but with substantially reduced impacts...

--MLFMPD Volume one P 319

...be a reduction of impacts...

--MLFMPD Volume one P 314

This is an interesting cut and paste progression, but it isn't warranted. The elimination of highly reproducing fish is the major cause of reduced impacts and that is common to all three alternatives discussed in the quotes above. There is a reasonably large jump in impact between alternative A and alternative B but the impacts don't change nearly as much between alternatives B, C, and D. Moreover, each alternative goes on to say "...an accurate determination of the magnitude of cumulative impacts...cannot be made..." So, if an accurate determination cannot be made why use the loaded language? In each description it sure sounds like the author of the draft thinks they can make a determination of the magnitude of cumulative impacts.

Stocking activities at lakes in zones or near camps with medium to high visitation would result in short-term negligible to major adverse impacts on any special status plants

--MLFMPD Volume one P 329

This needs to be justified. How can stocking activities possibly cause major impacts?

On page 330 of the MLFMPD mitigation measures on impacts on native plants of fish removal activities are discussed. Among the mitigation measures is "wading in the lake to avoid trampling of riparian or wetland vegetation..." But nowhere are the impacts of wading on aquatic vegetation discussed. The impacts on shoreline plants are listed as negligible to minor. I'm amazed the NPS can publish this with a straight face. Even with mitigation measures in place the folks doing the removal need to camp near the lakes for multiple days and approach the water multiple times and this has to happen multiple times during the summer and probably in



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multiple years. In contrast, fish stocking activities are listed as negligible to major and fish stocking activities involved someone walking to the lakeshore once and emptying a bag of fish and then leaving. And with long stocking rotations that might happen once every 3 to 7 years. How removal activities that require repeated access to shore over time can be minor while stocking activities that require one access to the lake shore is beyond my comprehension.

Under the discussion of the impacts of alternative D on special status plants it says: *...there would be a widespread beneficial effect."*

--MLFMPD Volume one P 333

This appears to be overstated. Earlier in the draft EIS it is contended that only 10% of visitors are fishing. If only that few are using the areas it stands to reason that the benefits to riparian plants wouldn't be all that great because the majority of use, and hence, damage, is coming from non-angling users.

this theme is repeated on page 334 when activities not related to angling are said to be possibly negligible to minor even after fish are removed. So fish stockers might cause major damage while non-angers are apparently non-abusers who leave no trace of their coming.

And then comes this:

Trampling by stock (horses, mules, llamas) and visitors would likely result in negligible to minor cumulative impacts...

--MLFMPD Volume one P 334

Wow, trampling by stock is, at worst, minor, but damage by fish stockers could be major. Outrageous and ridiculous.

The ludicrousness of this whole line of thinking is brought home to roost on page 337. On that page is a photo that shows major trampling in a highly used area. But the lake in the photo is hundreds of feet below the trampled area. The photo shows excessive trampling by non-angers. The ones who are only supposed to cause negligible to minor cumulative impacts on native plants.

Evidence suggests that anglers use riparian areas more extensively than other visitors.

--MLFMPD Volume one P 338

There is no citation for this evidence. It is simply stated as supposed fact. Directly contradicting this assertion is research by Hendee, Clark, and Daily where they

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found that nonanglers spent just as much time at the lakeshore as anglers [Hendee, John C; Clark, Roger N; Dailey, Thomas e. 1977. Fishing and other recreation behavior at roadless high lakes: some management implications. Res. Note PNW-304. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Forest and Range Experiment Station. 27p.]

...potential impacts on vegetation would be negligible and would resemble other lakes in the park where fishing does not occur.

--MLFMPD Volume one P 338

How can this gross generalization be made? I would hazard a very educated guess that impacts on vegetation vary greatly depending on access and use even at lakes with no history of fish stocking.

Alternative C would provide substantial long-term benefits...To the extent this use is attributable to fishing and fishing-related stock use, benefits to vegetation would occur at these lakes.

--MLFMPD Volume one P 347

It is clear from the caveat that no one knows that the long term benefits on riparian vegetation would be "substantial" under alternative C. Why use the self-serving and loaded term "substantial" if you don't know if the benefits will actually be substantial?

Vegetation at the 29 lakes that are currently fishless would continue to experience negligible adverse impacts from past visitor use but would be undetectable compared to natural conditions in time.

--MLFMPD Volume one P 348

Most of the stocking in those 29 lakes was discontinued decades ago, in some cases over 70 years ago and at most of those lakes stocking never resulted in increased angler impacts. The impacts are coming from non-angers and that isn't going to change and magically result in the lakes reverting to undetectable damage. Here is a bombshell:

In those cases where ground preparation is required for helicopter landing...

--MLFMPD Volume one P 361

...helicopter use (and associated landing pads adjacent to lakes)

--MLFMPD Volume one P 362



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anglers but minor to negligible for others." (p 385) There will be 9 lakes with fish under this alternative. On page 386 it says approximately 500 anglers will be displaced outside the park. That leaves 500 anglers to fish the 9 lakes in the rec areas. That would be interesting. Concentrating those anglers into 9 lakes certainly wouldn't be a negligible to minor impact. That would be major, as would displacing the other 500 anglers to areas outside the park.

Under alternative D where there will be no lakes managed for fishing the MLFMPD says that 50% of anglers will be "displaced from fishing in the study area lakes." Where, exactly, are the other 50% of anglers that supposedly won't be displaced going to fish under alternative D when there are no high lakes to fish?

On volume one page 397 there is a typo in the first paragraph. It says "...stocking would be reduced..." but should read "...stocking would be reduced..."

Alternative D would have a moderate to major adverse impact on the social values of anglers and angler groups... Alternative D would have a moderate to major adverse cumulative impact on conservationists and conservation groups but some may support the adaptive management approach...

--MLFMPD Volume one P 398-399

That sure makes for a no-win scenario.

On the other hand, some informed wilderness users would be aware of nonnative fish in the lakes due to stocking. They would also experience the indirect effects of angling, such as social trails along lakeshores, fire rings, and lost or discarded fishing tackle and equipment. The magnitude of adverse impact would vary among individuals. Those with strong biocentric views (support protection of natural processes in wilderness areas) of wilderness would experience major long-term adverse impacts from the continued fishery management practices under alternative A.

--MLFMPD Volume one P 404 (also see page 408).

To meet the definition of a Major impact the "Human-caused impacts...on the natural environment would be readily apparent throughout the wilderness." If users have to be "informed" to be aware of the fish the management action is not "readily apparent." And, even in alternative A only 62 out of the 245 lakes in the park would have fish. That represents 25% of the lakes and that doesn't represent an impact "throughout the wilderness." There is no way to classify the effect on anybody as "major." You might be able to make the case for moderate, but even that isn't clear.

Some people would not even have to experience these impacts firsthand to be adversely affected. Without ever visiting the [NOCA], these individuals would be

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Whoa, clearing off landing pads for helicopters wasn't even considered or mentioned in other parts of the EIS. Where are the major impacts on vegetation listed that this would cause? This sort of burying and understating of impacts of fish removal while overstating the impacts of the activity of fish stocking severely undercuts the credibility of this EIS process.

This lake sustains some of the highest visitor numbers of all 91 lakes in the study area. Reducing anglers at the lake and its access trail would notably reduce risk of adverse impacts...

--MLFMPD Volume one P 363

If angler use is truly only 10% of use this statement would not appear to be justified. And of that 10% what percentage would still go even if there are no fish?

Of the lakes listed above, Hidden Thornton (Lower and Upper), and Monogram might be stocked by aircraft.

--MLFMPD Volume one P 376

That should be Middle Thornton, not Upper Thornton. Upper Thornton has no fish stocking history and will not be stocked. The middle lake is currently stocked by hand it is unlikely to be stocked by aircraft in the future.

In the discussion of visitor use and experience:

A more reasonable scenario would involve angler displacement to relatively similar terrain found on adjacent Forest Service wilderness areas... The magnitude of impact [under alternative B] would depend on individual values and expectations and would range from negligible to minor.

--MLFMPD Volume one P 380

Looking at the impact definitions it says Minor means "Other areas in the [NOCA] would remain available..." (p 370) and under Moderate it says "...some visitors who desire this experience would be required to pursue their choice in other available local or regional areas." (p 370-371). And under Major it says "Some visitors who desire this experience would be required to pursue their choice in other available local or regional areas. Other visitors may not be able to duplicate their desired experience elsewhere." (p 371). By your own definition, if B is implemented some anglers would be dispersed outside the NOCA and this would be a moderate to major impact, not negligible to minor.

In the discussion of visitor use under alternative C where nothing would be stocked in the park and a very limited number of lakes would be stocked in the rec areas the effect on some anglers has been increased to "moderate to major for some



adversely impacted by simply knowing that the naturalness of the [NOCA] was being impacted by mountain lakes fishery management actions proposed under alternative B. The magnitude of the impact is unknown.

--MLFMPD Volume one P 408

Why aren't the feelings of anglers who don't visit the park given the same treatment? Wouldn't some anglers bemoan the loss of opportunity even if they never plan to visit the park? Why aren't their feelings acknowledged?

The theme of not paying attention to the actual impact threshold definitions continues:

Anglers who choose to fish elsewhere due to the reduced fishing opportunities would experience long-term minor adverse impacts.

--MLFMPD Volume one P 413

But according to the definition "Opportunities for primitive and unconfined forms of recreation would be slightly improved or reduced in limited areas of the wilderness." (P 401) How does forcing the users completely out of the wilderness fit the definition of " ...slightly...reduced in limited areas of the wilderness?"

Later on the same page:

All stocking in the [NOCA] would cease. Compared to alternative A, this would cause moderate to major beneficial impacts on opportunities for solitude over the long term due to the decreased use of high mountain lakes for fishing.

--MLFMPD Volume one P 413

Again, we have to turn to the actual definition of a major impact: "...actions would have to have a readily apparent beneficial or adverse impact on opportunities for solitude throughout the wilderness area." (P 402) In alternative A only 25% of the lakes in the park complex would have fish. Twenty five percent of lakes ignores the fact that non-anglers have all the non-lake parts of the park to avoid anglers and the other 75 % of lakes where anglers can be avoided. Because such a small part of the park is impacted the benefit for solitude can't meet the definition of major.

Some of those with an anthropocentric perspective would view the application of a science-based adaptive management plan to remove fish as a negligible impact and some would view this as beneficial.

--MLFMPD Volume one P 415 (see also similar verbiage in the next paragraph)

*The above sentence occurs in the discussion of alternative D where all fish would be removed. This is **not** an adaptive management plan and this sentence needs to be stricken.*

Compared to alternative A, there would be long-term major beneficial cumulative impacts on those who believe that continued stocking in wilderness ... would compromise natural processes.

--MLFMPD Volume one P 415

Elsewhere in this document we learned this isn't true. Low-density non-reproducing fish do not compromise natural processes. So why do we have to cater to certain people's uninformed viewpoints? Wouldn't education make more sense?

The displacement of anglers to other wilderness areas would result in long-term negligible adverse cumulative impacts even if all anglers decided to fish elsewhere.

--MLFMPD Volume one P 417

Negligible? Moving anglers generates major benefits for solitude in the park, but only negligible impacts on solitude outside the park? That makes no sense. The impact has to be commensurate.

Helicopters hovering overhead are known to generate noise levels of about 70 to 90 decibels, compared to background levels of 20 to 40 decibels.

--MLFMPD Volume one P 287

*According to table 33 on page 283 helicopters generate 70 to 90 decibels at 1000 feet. For fish removal the choppers are not going to hover at 1000 feet. They are going to land. Calculating the noise level, based on 90 dba at 1000 feet to a more realistic 31 feet I arrive at 120 decibels. That is a **huge** difference. 120 dba is extremely loud. Loud enough to cause damage to human hearing. This is illustrative of how impacts of fish removal are consistently soft peddled in the draft plan/EIS while impacts of fish stocking are consistently over stated. Here's another one:*

Impacts of fish removal using the chemical antimycin would be negligible to minor. The use of small motorized boats to apply antimycin would cause short term noise disturbances to waterfowl on the lake or other species (such as beavers or otters) around the immediate lake shore; however these disturbances would be short term and negligible for these species.

--MLFMPD Volume one P 288

The use of motors would cause negligible impacts???



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September 11, 2005

Superintendent
North Cascades National Park
810 State Route 20
Sedro-Woolley, WA 98284

Dear Superintendent Palect:

With regard to the issue of the Mountain Lakes Fishery Management Plan/EIS, I support Alternative D. The National Park Service has given no reason that I can find in the Executive Summary or my brief skim of Vol. I for choosing a management action that it acknowledges is against NPS policies (p. 4th Exec. Summ.). The NPS also acknowledges that only a small number (of obviously vocal and influential) park visitors participate

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...wildlife at lakes would incur short-term negligible to minor adverse impacts from periodic fixed-wing aircraft stocking (noise disturbance)...

--MLEMPD Volume one P 288

So an aircraft flying over for a few seconds that generates 70 to 80 decibels could cause a minor impact while a helicopter landing and motorboats on the lake would cause negligible impacts? There should at least be the appearance of balance. Such blatant under evaluating fish removal impacts while over evaluating fish stocking impacts severely undermines the credibility of the whole process.

Removal of fish would result in the loss of a food source for fish-dependent species, requiring them to disperse to other areas in search resources; because of this, piscivorous wildlife would incur long-term negligible to minor adverse impacts when lakes are returned to fishless conditions.

--MLEMPD Volume one P 288

So moving fish eating wildlife out of the wilderness is negligible to minor while forcing amphibians to move from some lakes results in an entire EIS?

There is no discussion of the impacts of chemical fish removal on invertebrates. This is a major omission.

Although the impacts on individuals, family units, or localized populations of any associated loss would be serious, populations of these animals in the [NOCA] would only experience minor impacts.

--MLEMPD Volume one P 290

This is also true for salamanders with respect to introduced fish when you look at the situation on a landscape wide basis. Why is that never mentioned in the entire document?

I am very supportive of adaptively managing the lakes in the park complex. But it is very important that the technical committee be allowed to take a truly landscape wide view to determine which lakes should be stocked instead of the limited approach taken to prepare the draft plan/EIS.

Thank you for allowing me to comment.

Brian Curtis



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in fishing (although a theoretically large number should not alter the decision if it protects resources for future generations). The NPS also states that opportunities for high lake/wild country fishing exist nearby outside the park in Washington state.

I cannot imagine why NPS officials would want to invite the current Congress to deliberate the legal authority of fish stocking in Wilderness at North Cascades N.P. for its own sake or for the sake of other NPS wilderness areas that could be affected. To invite change to North Cascades N.P.'s enabling legislation and possibly to the Wilderness Act as well at this time in history,

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particularly, seems the height of folly.

Allowing reintroduction of non-native fish "only where biological integrity is conserved" seems like a highly questionable decision. While some parameters may be measurable, overall how does one decide — with inevitable outside pressure — what is sufficient biological integrity when numerous parameters are involved, interact, are interdependent? How will you know?

To base a major ecosystem decision on the fear that a few anglers will secretly stock more non-native fish is quite astonishing to me. To operate under such fear as a determining factor is to admit to blackmail.



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can the NPS dare to take such a management decision that permanently alters the ecosystem for present and for future generations of all species, including humans?

Sincerely,
Patricia A. Milliken

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I do not understand why sport fishing would be considered an essential recreational opportunity in a national park, in designated wilderness, in lakes that are known to be naturally fishless.

It will surely take decades, if not centuries, to complete the actions of Alternative D. Refining methods will itself take years. This should give anglers time to fish out some lakes that do have fish and to explore others nearby but outside the park with fish.

North Cascades National Park Service Complex has one of the premier wilderness areas in the lower 48 states. How



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Bill Paleck
09/15/2005 08:05 AM
PDT

To: Shelley Kluz/NOCANPS@NPS, Roy Zipp/NOCANPS@NPS
cc:
Subject: Fw: No Cascades Mountain Lakes Fishery Mgmt Plan/EIS -Dyer
comments 9-14-05

----- Forwarded by Bill Paleck/NOCANPS on 09/15/2005 08:05 AM -----



"Polly (Pauline) T Dyer"
09/15/2005 03:58 AM
MST

To: bill_paleck@nps.gov
cc:
Subject: No Cascades Mountain Lakes Fishery Mgmt Plan/EIS -Dyer comments
9-14-05

To: Supt. Bill Paleck, No. Cascades NP Complex
This is being addressed to the Superintendent
(guessing at the email address) since our computer's
address book did not have the web page address of
<http://parkplanning.nps.gov/noca>

Attached are the 3 pages of comments on the
North Cascades Mountain Lakes Fishery
Management Plan/EIS.

Polly and John A. Dyer



No Casc NP - M. Lakes Fishery Dyer comments 9-14-05.doc

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September 14, 2005

Bill Paleck, Superintendent
Mountain Lakes Fishery Management Plan/EIS
810 State Route 20
Sedro Woolley, WA 98284-1239

<http://parkplanning.nps.gov/noca>

Subject: North Cascades Mountain Lakes Fishery Management Plan
and Environmental Impact Statement

Dear Superintendent Paleck:

Thank you for the extension to September 15, 2005, for submitting comments in connection with the subject document. As much as I would like to respond specifically to the many and varying topics and recommendations presented for the Alternatives, I will limit my comments to a few observations.

Overall, this Management Plan/EIS comes across as doing its utmost to reach what nearly appears to have been a pre-determined outcome, as developed for your Preferred Alternative B, Proposed Adaptive Management of 91 Lakes under a new Framework (42 Lakes May Have Fish).

To fully implement the original, basic national park purpose to allow natural systems to remain "unimpaired", evolving naturally, Alternative D, Lakes Would be Fishless, is the only one that recognizes and responds to this major underlying premise.

RESEARCH (Vol. One, pg. ix): It was heartening to see The Technical Advisory Committee's assumption that "mountain lakes that had never been stocked represented the highest degree of biological integrity." But, then, it goes on "to craft management alternatives B and C...for nonreproducing trout...in some lakes and managing fishless conditions in other lakes." Again, This quite apparently led to a nearly predetermined outcome resulting in Alternatives B and C.

LEOPOLD REPORT (Vol. One, pg. 11): It is interesting to note, first, the Leopold Report; second, the 1972 NPS policy prohibiting "artificial stocking of fish species exotic to a park", and, third, NPS working with the state [California] eventually resulted in returning "naturally barren waters" to their natural condition in Sequoia Kings Canyon and Yosemite National Parks.

It is logical that the North Cascades National Park could have followed this same scenario, instead of perpetuating fish stocking in many of its originally naturally barren, fishless mountain lakes -- as outlined in the successive Memorandums of Understanding with the Washington Department of Fish and Wildlife [formerly Dept. of Game].

LOUTER (2003) REPORT (Vol. One, pg. 12): This report is disturbing -- in his assessment that the WDFW interpreted the establishment of the Lake Chelan National Recreation Area, specifically



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"A change in the enabling legislation for the North Cascades Complex to allow for continued fish stocking would set a precedent for this NPS unit, and possibly others that have, or may have in the future, fish-stocking issues. If Congress should choose to allow stocking through a change in the enabling legislation, it will have clarified that fish stocking is an appropriate activity in the North Cascades Complex. That unambiguous clarification would allow the NPS to implement any of the management alternatives that include the practice of verbal commitments in support of stocking that proponents believe were made by federal officials prior to establishing the North Cascades Complex but never codified in law.

"Congressional action to clarify enabling legislation is an intricate process that could take several years. If the NPS does not receive clarification from Congress by the time a record of decision for this plan/EIS is issued, alternative D (91 Lakes Would Be Fishless) would be implemented until clarification is received."

We note on page 14, Vol. One, that fish stocking activists and proponents interpreted then-NPS Director George Hartzog as having "promised" in a May 1967 statement that "[we] have an active fish-[stocking] program in every single major park.....we [stock] fish in every area that I can think of off the top of my head now, including all of our major parks."

The paragraph goes on to say, "Proponents of stocking believe they were promised that stocking would continue after the park was established (Trail Blazers and Hi-Lakers....)"

We beg to disagree. First, a statement such as Hartzog's was not a "promise"; it was an observation. It would also appear that Director Hartzog had forgotten, or he was not up on, the Leopold Report, together with follow-up and subsequent action by two "major national parks".

To reiterate from our previous comments (page 2 above), please note, again, that other national parks (Sequoia and Yosemite) "began phasing out trout stocking in the late 1960s." And, to again reiterate - "In 1972 the NPS released its policy stating, 'No artificial stocking of fish species exotic to a park will occur....'"

Quite obviously, the North Cascades National Park Complex decided not to follow the same honorable path of its colleagues of the older major national parks.

However, there is still time to implement that NPS 1972 policy.

Sincerely,

POLLY and JOHN A. DYER

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in order to allow hunting and fishing, that those provisions also extended into the National Park. The WDFW then erroneously decided it was also permitted to continue its exotic fish planting in the naturally fishless lakes in the North Cascades National Park. It was and is a real "stretch" for the WDFW to assert it could extend the privilege of stocking and fishing of exotic species in the National Recreation Area also in the National Park. It is disturbing to see that NPS Director William Penn Mott, Jr., went along with this. (Vol. Two, pg 8,9).

WILDERNESS: (Vol.Two, pg. 292). The best understanding in the two volumes of the Fishery Management Plan/EIS, is that related to the "Untrammeled" requirement for designated Wilderness. These need to be your basic goals, with concomitant results, for the North Cascades National Park and its Stephen Mather Wilderness. Untrammeled requirements should be the ultimate actions, recognizing that this could be a gradual process -- eventually resulting in Alternative D.

Quoting:

"Stocking naturally fishless lakes, even with nonreproducing trout, would not leave the wilderness 'ideally unhampered and free from modern human control or manipulation.' Stocking of fish would manipulate the native ecology of a lake and introduce a nonnative species....."

"Fish removal would also entail short-term human control or manipulation, with the objective of reestablishing sustainable native ecological conditions. *Over the long term, removal of self-sustaining populations of trout would reestablish the untrammeled nature of the wilderness character by reducing evidence of human manipulation (e.g., nonnative fish) in lakes.*" [Emphasis added]

Other Comments: We would like to have made a number of other observations/comments on proposals, descriptions, etc. in this Mountain Lakes Fishery Management Plan/EIS.

However, we limit ourselves to one specifically -- an extremely onerous, and dangerous, proposal. Should this proposal be undertaken by the NPS, we intend to make every effort we can to assure that this does not go forward and compromise the designated Wilderness of the North Cascades National Park -- and, potentially, other national parks, as well.

Quoting from Vol. One, pg. vii:

"The NPS has determined that fish stocking in the Stephen T. Mather Wilderness would only be implemented if Congress granted the NPS the unambiguous legal authority to do so. Therefore, should a management alternative that allows for continued stocking be selected through this plan/EIS decision-making process, the NPS intends to ask Congress for a change to the North Cascades Complex enabling legislation to clarify how the mountain lakes should be managed. The following is an example of clarifying legislation that would allow stocking to continue in the North Cascades Complex:

"Notwithstanding any other provision of law, a fisheries management program that includes the stocking of fish in select lakes within the North Cascades National Park Service Complex is authorized so long as both the National Park Service and the State of Washington agree on the lakes, species of fish, and number of fish to be stocked.



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Faxed to 360-856-1934
9-15-05

Bill Paleck, Superintendent
Fishery Management EIS
North Cascades National Park

Dear Bill,

The primary (and only) reason I go to the North Cascades National Park area is to hike up to a beautiful mountain lake and go fishing.

In order for me to enjoy a wilderness experience it is necessary for my family, friends and I to drive up to the area on man made roads, hike into the mountains on man made trails and fish in the lakes stocked by man. (and women)

A properly managed lake stocked with fish does not take away from anyone's wilderness experience any more than a trail through the forest would. Both enhance the experience while making it possible and worthwhile.

I tend not to get too much into legalities or extremism in any direction. The human experience is usually optimized simply using logic and reasonable common sense. In that vein: **Please continue properly managed fish stocking in the NCNP.**

Thank you for your attention.

Don Wicklund

Don Wicklund Current Vice President of the Hi-Lakers Club of W.A.
Belinda Wicklund

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September 15, 2005

Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

Subject: Mountain Lakes Fishery Management Plan and EIS

Dear Mr. Paleck:

I favor Alternative D, the environmentally preferred alternative, in principle because it potentially restores naturally fishless lakes to their original biological integrity.

However, this alternative needs a specific implementation plan to remove fish within a specific timeframe (perhaps, 20 years) with the financial and personnel assistance of the Washington Department of Fish and Wildlife and others responsible for past fish stocking. Without a specific plan and funding, reproducing populations of stocked fish could remain in these lakes for years as well as recreational fishing such as has occurred in Sequoia-Kings Canyon National Parks and other NPS areas. Without committed and diligent park management, this could easily become the No Action Alternative.

While Alternative B, the adaptive management alternative, has aspects that are certainly invite support, asking Congress to grant North Cascades Complex an exception to NPS Management Policies with the "unambiguous legal authority" to stock non-native fish in fishless lakes could set a dangerous national precedent. In addition, the NPS has not demonstrated that it can implement adaptive management or any long-term management policy, and there are no managerial or fiscal assurances that it could be successful in this instance.

While it is tempting to take professional exception to some of the details in the Management Plan and EIS, the fact remains that this was a very difficult planning project and process. Please extend my compliments and appreciation to the North Cascades Complex staff and partners for a job well done. Thank you for the opportunity to comment.

I request that you withhold my address from the decision-making record.

Sincerely,

Bruce L. Freet

Bruce L. Freet
Environmental Agreements, Inc.



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page 2 of 4

Mr. Bill Paleck, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239
Bill,

I strongly urge North Cascades National Park Management to support "Alternative D: All 91 Lakes would be fishless" as stated in the Mountain Lakes Fishery Management Plan/EIS as the "environmentally preferred alternative" in order to end the debate. I have been using the North Cascades National Park as an avid angler and backpacker for the last 20 years. I spend thousands of dollars annually in the surrounding communities of the park. I also give financial support to several groups who focus on park conservation and the protection of our wild lands. When I travel into the back country of North Cascades NP, I go there for solitude, to get away from humans and human influences. I hold North Cascades Complex to the highest standard when managing the natural resources NOCA. This is also states in the NPS Management Policies (see 1.2 NPS Management Policies: "[park units] warrant the highest standard of protection."). This is especially true since all but one of the 91 lakes considered in the EIS are within a specially designated area (wilderness), which means there are additional management requirements. These requirements include keeping wilderness untrammeled, or unhindered and free from intentional modern human control or manipulation; and natural, or substantially free from the effects of modern civilization. Continued fish stocking impacts both of these qualities and wilderness character is deeply impacted as a result. NOCA preferred alternative to continue stocking these historically fishless lakes is contrary to the intent of NPS Management Policies as well as the Wilderness Act. Doesn't requesting a change in the enabling legislation in order to avoid being in violation of NPS Policies and the Wilderness Act defeats the purpose of having these laws and guidelines?

When I fish the lakes and streams in Washington, I choose ones that have native fish populations that are healthy and where they're a natural part of the ecosystem. I do not need to fish in high alpine lakes in the park which was set aside to protect Wilderness values. Historically the lakes outlined in this plan have been naturally fishless; it is just in our more recent history that humans have managed to manipulate even the farthest reaching of natural systems. Most lakes that are stocked or have a history of stocking have unique characteristics that unstocked lakes do not have. Therefore to compare a lake that has been stocked to a lake that has not been stocked in the North Cascades Complex, and based on those comparisons to then conclude that there are no major impacts, this is basically shoving the scientific evidence under the carpet. You need to support good science. It is impossible to determine the species composition and abundance in those lakes prior to being stocked, along with what kind of complex

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FAX COVER SHEET

FROM	Anna Schrenk
DATE	2005-09-16 04:57:19 GMT
RE	Mountain Lakes Fishery Management Plan/EIS

COVER MESSAGE

Alternative D, Lakes Would be Fishless



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interactions took place prior to human manipulation. We simply cannot identify what has been lost in these stocked lakes. Washington State has hundreds upon hundreds of fishable lakes, many of which are in alpine areas near NOCA Complex. The public will still be able to enjoy Washington's lakes. Just because fish stocking has been conducted in the past, does not mean that it is right to continue to stock in the future. Nobodies Recreation rights are being taken away.

I believe that the decision should not be based on science alone, although science should inform the decision. There is a host of other things to consider, most importantly the Organic Act of 1916 and NPS Management Policies, which gives the NPS clear guidance on how to manage natural resources (4.4.3 "The Service will not stock waters that are naturally barren of harvested aquatic species."). The scientist that worked on this project were hired in part to guide you in the decision management should support. Instead of following this guidance, management instead is trying to change its enabling legislation in order to avoid following what it is directed to do.

NPS Management Policies 4.1.4 states: "... the Service will develop agreements with federal, tribal, state, and local governments and organizations, and private landowners, when appropriate, to coordinate plant, animal, water, and other natural resource management activities in ways that ***maintain and protect, not compromise, park resources and values***. If fish stocking continues, North Cascades Complex will fail to maintain and protect its resources and values. The North Cascades Complex can continue its commitment to coordination with the WDFW by following the guidance provided by NPS Management Policies (4.4.1): "To meet its commitments for maintaining native species in parks, the Service will cooperate with states... to prevent the introduction of exotic species into units of the National Park System, and remove populations of these species that have already become established in parks."

As the Superintendent you should be showing your leadership as was intended by NPS Management Policies 1.6 Environmental Leadership which states: "Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation, as well as a unique opportunity, to demonstrate leadership in environmental stewardship." Later, it directs the Service to, "... tangibly demonstrate the highest levels of environmental ethic." Do not abandon your responsibility of environmental leadership. As a leader within the NPS, you are directed to lead by example, make the example be to promote biodiversity and remove the fish from the historically fishless lakes. This is the only environmentally sound and ethical example that you should be following as a leader of the National Park Service.

This could be your chance to take a stand for biodiversity in one of the richest parks in our nation for a change. This is your opportunity to support to restore the historically and natural fishes lakes to there pre-human state in order to promote the biodiversity of these precious gems in the North Cascades. North



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Cascades National Park deserves the absolute highest level of protection of any of our public lands in Washington. Good luck in making this very important decision.

Thank you,

Anna Schrenk

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<p>Mr. Bill Paleck, Superintendent Mountain Lakes Fishery Management Plan/EIS North Cascades National Park Service Complex 810 State Route 20 Sedro-Woolley, WA 98284-1239</p>	<p>After review of the Draft Environmental Impact Statement for the North Cascades National Park Complex's Mountain Lakes Management Plan, I would like to register my rejection of Alternative B (the Preferred Alternative) chosen by the Park Managers, and to affirm my support for Alternative D (the Environmental Alternative).</p> <p>The North Cascades National Park Complex (NCNPC) contains some of the most undisturbed and pristine wild lands left in the entire lower 48 States. This majestic and irreplaceable wilderness deserves the highest level of protection we can possibly afford it. Our National Parks and Park Wilderness Areas are and must remain - our most natural, biologically diverse, and important national treasures.</p> <p>Although science should inform the decision on how to manage the high elevation lakes in the CNCPC, the decision should not be based on science alone. There is a host of Federal and National Park Service Management Policies and Acts, which must be followed:</p> <ul style="list-style-type: none"> NPS Management Policy 1.6(2001) Environmental Leadership states: "Given the scope of its responsibility for the resources and values entrusted to its care, the Service has an obligation, as well as a unique opportunity, to demonstrate leadership in environmental stewardship." Later, it directs the Service to, "... tangibly demonstrate the highest levels of environmental ethic." In choosing Alternative B the North Cascades Complex is abandoning its responsibility of environmental leadership. The NPS is directed to lead by example; the example the CNCPC is creating by choosing to allow fish stocking is that of a misguided environmental ethic. Through continued fish stocking, CNCPC sets a precedent for neighboring land managers to perpetuate the practice of stocking exotic species into designated wilderness areas. The CNCPC should explain to the public why it is willing to abandon this policy. NPS Management Policy 1.2(2001) "[Park Units] warrant the highest standard of protection." Why is the Park Service choosing to ignore this Policy by not choosing the alternative which holds our high elevation lakes to the highest standard of protection? NPS Management Policy 4.4(2001) states, "The Service will not stock waters that are naturally barren of harvested aquatic species." This policy statement appears to be very clear. Why is this Policy not being considered?
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FAX

COVER PAGE

TO: MOUNTAIN LAKES FISHERY
MANAGEMENT PLAN
/ EIS

9-15-05

It of pages 0 including this
page

FROM: STEVEN B. HATHN



- NPS Management Policy 4.1.4(2001) states: "...the Service will develop agreements with federal, tribal, state, and local governments and organizations, and private landowners, when appropriate, to coordinate plant, animal, water, and other natural resource management activities in ways that maintain and protect park resources and values". If fish stocking continues the NCNPC will fail in its mission to protect park resources and values. The NCNPC appears to put a lot of importance on the relationship that they have had with the WDFW over the years. Under the Environmental Alternative, the Park can continue its commitment to coordination with the WDFW by following the guidance provided by current NPS Management Policy 4.1.1(2001): "To meet its commitments for maintaining native species in parks, the Service will cooperate with states...to prevent the introduction of exotic species into units of the National Park System, and remove populations of these species that have already become established in parks."
- Wilderness Act of 1964: The Wilderness Act requires that the Stephen Mather Wilderness be kept "untrammeled, or unhindered and free from intentional modern human control or manipulation; and natural, or substantially free from the effects of modern civilization". The continuation of stocking under Alternative B disregards all of these qualities and the Parks wilderness character is deeply impacted as a result. The Park Service needs to explain how fish stocking can be considered "free from intentional human control or manipulation?"
- NPS Management Policy 6.4.3(2001) states "Recreational uses in NPS wilderness areas will...protect and preserve natural conditions...and preserve wilderness in unimpaired conditions". How does fish stocking achieve the goal of preserving wilderness in unimpaired conditions when best available science documents loss of biodiversity?
- NPS Organic Act of 1916: This law directs the NPS to manage NCNPC "to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of future generations". Although the NPS may have some latitude when making resource decisions, the courts have consistently favored conservation over recreation. The NPS cannot allow adverse impacts that result in resource impairment. The continued stocking of fish impairs the biological integrity and diversity of a native ecosystem, destroys wilderness values through human manipulation and degrades native insect and amphibian populations. Why is the Park Service willing to ignore court precedent?

Even though all of the Policies and Acts stated above clearly direct the Park Service to discontinue stocking and eliminate fish from our high mountain lakes, the NCNPC has decided to attempt to circumvent them. The NCNPC proposal to change the enabling legislation for the creation of the park, to explicitly allow for the stocking of fish should be reconsidered. As stated in the EIS, changing the enabling legislation may endanger current policy in several other National Parks where fish stocking has been eliminated. If this is true, this strategy is selfish and very risky. The Park Service must explain why it

would be willing to endanger not only the biological diversity and integrity of the NCNPC through the continuation of stocking, but other Parks as well. Changing the enabling legislation to suit the needs of a small minority of fisher-people detracts the purpose of having all of these Policies and Acts in the first place. We have the laws already; we just need to start following them.

I do believe there is a case to be made for changing the Enabling Legislation of the Park. The Trail Blazers have argued that "the only way to deter the illegal stocking of fish in the NCNPC may be to provide a scientifically managed fishery." (Trail Blazers' comments on MLP, 4-16-03). This logic is irrational and defeatist and I urge the NCNPC to disregard it. I support the changing of the Enabling Legislation to provide for the punishment of individuals caught stocking fish illegally in the high elevation lakes of NCNPC. A strong deterrent must be set in place to discourage fisher-people who stock lakes without consent.

The impacts of fish stocking on metapopulations of amphibians is poorly understood and lacks sufficient data to make a confident decision one way or the other. I believe that the Park Service should error on the side of caution and choose Alternative D, to ensure that at least one small area of the entire Cascade Mountain Range can have a metapopulation of amphibians that is intact as possible. Our National Parks are supposed to be living laboratories where researchers can study amphibians and aquatic organisms in their original and natural state; it is our responsibility to restore the balance.

The EIS fails to consider the cumulative impacts of global climatic change on mountain lake ecosystems. These high lake ecosystems are some of the most fragile in the Complex and will be the first to experience noticeable change at this latitude. The presence of fish in naturally fish-free lakes presents a totally unnecessary and additional threat to the health and survival of mountain lake ecosystems during the onset of climatic change. The Park Service needs to include a section, which addresses this important issue.

Vegetation Section: The following comments are based on my 12 years experience conducting rare plant surveys and vegetation research as a Botanist in Washington State.

- The Park Service states that surveys have not been completed for plant species of special concern within the project area (p.195). Although there are unknown federally listed species within the NCNPC, there are numerous S-1 State listed species which could occur within these high lake habitats (Personal knowledge). S-1 populations are those which have less than five known occurrences in the State and are considered very rare. If the Park Managers are to make a decision based on the Cumulative Impacts posed by allowing the high lakes fishery to continue, how can they make this decision without knowing first if there are any rare plants found at the 91 lakes? Simply providing a list of the potential rare plants for the project area serves no purpose. The presence or absence of these



The methods used to analyze impacts to vegetation are based on assumptions and anecdotal evidence. I feel these issues need to be clarified in order for the Park Service to make an informed and responsible decision. Why did the NCNPC find it necessary to conduct long term studies on aquatic organisms, amphibians and fish, but did not find it necessary to conduct any studies on the impacts to shoreline vegetation or rare plants? The methods used to analyze impacts to vegetation using research that can be repeated and peer reviewed. No final decision should be given until these important issues are clarified and a more complete analysis of the 'true' cumulative impacts can be assessed.

The only place in the EIS where I could find reference to who the members of the Technical Advisory Committee were was on page 458, which showed a very general list of the Agencies involved. If I have not overlooked the complete list of committee members somewhere else in the EIS, why did the Park Service not find it necessary to list the names and qualifications of each member? Wouldn't the Park Service want to be as transparent as possible in this process? I feel that a possible conflict of interest must be pointed out to the public in regards to the composition of the Technical Advisory Committee. My conflict of interest concern rests with the inclusion of Mr. Bob Pfeifer on the Advisory committee. I am not challenging Mr. Pfeifer's extensive experience as a fish biologist working for the WDFW. I am challenging his ability to be unbiased in the decision making process. A quick search on the internet revealed that Mr. Pfeifer was President of the Washington State High Lakers for two years and Treasurer of the Trail Blazers Inc. These two organizations exist for the sole purpose of promoting and facilitating the stocking of non-native fish into naturally fish free lakes throughout the Cascade Range. The presence of a pro-stocking activist such as Mr. Pfeifer on the Advisory Committee has led me to be suspicious of the findings of the Technical Committee. I am concerned about the amount of influence Mr. Pfeifer may have had on the other members of the Advisory committee through professional and personal interactions. I am also concerned about the amount of influence he may have had on the portions of the EIS which he wrote. The Park Service should disclose for the Public Record which sections were written by which subject experts. Mr. Pfeifer's position on the committee may not be illegal but it surely does not give the public the confidence that an unbiased review has been conducted. If the Park Service wanted to include a pro-stocking activist on the Technical Committee they should have included a member of the environmental community to represent biological integrity.

To argue that the fishing opportunities within the boundaries of NCNPC are irreplaceable and irreproducible elsewhere is an exaggeration. There are 1793 high lake fisheries Managed by the WDFW up and down the Cascade Mountain Range. Similar opportunities exist in the immediately adjacent Pasayten, Glacier Peak and Nelsky Doodad Wilderness Areas. The terrain of these Wilderness Areas is identical in their geologic and glacial formations. To remove the opportunity to fish in 91 out of 1793 of these lakes is not unreasonable and it is not anti fisherman. Just because fish

species is critical to making an informed and responsible decision. No final decision should be made until comprehensive rare plant surveys are completed at all 91 lakes. Why did the Park Service decide that plant surveys were unimportant?

- The description of shoreline vegetation was done using aerial photos with no ground truthing. Why was no ground truthing conducted?
- If there is no data on the levels of indirect impacts anglers may have on lakeshore environments; why did the NCNPC not conduct or contract out research to answer this question?
- The study quoted by Hendee et al. concluded that "manipulating the fishery to modify visitation at high lakes is, at best, a partial solution, because other users would continue to affect the resources" (EIS p336). The issue being addressed by the EIS is the impacts of fishing at high elevation lakes on riparian vegetation. The EIS goes on to state that "many anglers observed and interviewed during the course of the study cited reasons other than fishing as their primary motivation for visiting the lakes, which suggests that their use patterns may not change". The question is how do different user groups utilize the riparian areas when they visit a lake, not whether people will continue to visit the lake. Who suggests that their use patterns would not change? Did Hendee et al. suggest this in their paper or did the writer of this section suggest this statement? I believe a reasonable person can intuitively conclude that fisher-people create more impacts due to their needing to stand and walk around the lakeshore vegetation in order to fish. More studies should be conducted or contracted out by the NPS in order to make an informed decision on the affects of fishing on riparian vegetation, which is free from assumptions.

- The research cited by Hospadarsky and Brown hypothesized "that if time spent in the riparian zone were proportionate to impacts, then anglers would have up to three times as great an impact as hikers". Immediately after this statement the sentence "This hypothesis has yet to be tested" is inserted. Why was this sentence inserted? The writer of this section did not find it necessary to say "this hypothesis has not been tested", after the Hendee et al. statement saying "which suggests that their use patterns may not change". It seems to be an attempt to legitimize the 'less shoreline impact by fisher-people' statement by Hendee and discredit the 'more shoreline impact by fisher-people' statement by Hospadarsky.

- The EIS states "It is also important to note that many anglers fish with rafts, which limits trampling of riparian vegetation" (Page 336). What does "many" anglers mean, one, two, a thousand? Was this study actually conducted on the NCNPC high lakes fishery? If not, what would its relevance be to this EIS? It would be intuitive to conclude that very few fisher-people are carrying rafts into such remote high lake locations such as Bear, Skymo, No-name, Bendlen or Green Lakes, to name a few.



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stocking has been conducted in the past in the park, does not mean that it is right to continue to stock in the future.

The Trail Blazers have argued that "the benefit/impact of non-reproducing fish in lakes is even better than that of hiking, climbing, and other wilderness uses. Surely most visitors would see fish jumping in a lake as less damaging than the ugly scar of a trail." (Trail Blazers, comments on MEIP, 4-16-03) This argument should be disregarded by the Park Service as irrational. The Park Service should not be basing their decision on which impact is worse. Both of these impacts are bad and need to be addressed separately. The purpose of this EIS is to address the stocking of fish in high lakes.

I find it confusing that the same Park Managers, who support the continued human manipulation of our high elevation lakes through the selection of the Preferred Alternative, also support the reintroduction of the Grizzly Bear back into the NCNPC. How does one support returning the North Cascades Ecosystem back to its original balance in one respect and then turn around and condemn 42 of the Parks mountain lakes to continued degradation and loss of diversity? The Park Service should explain to the public this discrepancy in logic.

After careful review of the EIS I was unable to find a statement that explained why the Park Service has chosen Alternative B. The only explanation was found in the "Frequently Asked Questions" insert included with the EIS. This explanation is unsatisfactory and lacks detail or clarity. The Park Service must explain in detail why the recreational fishing opportunities of a handful of people are more important than preserving the biological integrity of our high elevation lakes. Why is fostering "a continued cooperation and collaboration in fish management between the WDFW and the NPS" important? Why would this relationship trump the protection of biological resources? Why does the "NPS believe that cooperative management between the NPS and WDFW is essential for the successful management of the mountain lakes fishery", if all available science and current NPS policies concludes that fish stocking should not occur? I am honestly baffled to why the NCNPC has chosen Alternative B, and it seems that there may be a lot more going on behind the scenes. Does the Park Service feel pressured by the WDFW? Does the Park Service fear a lawsuit by WDFW? Does the Park Service believe that we need to continue to stock half of the lakes, because if we don't, renegade fisher-people will illegally stock them anyway? In order for the park service to facilitate a comprehensive understanding by the public of why the Preferred Alternative was chosen, perhaps a section should be added to the EIS entitled "Politics". This is not an attempt at sarcasm, the public deserves full disclosure into why the Preferred Alternative was chosen, and I believe a discussion of this nature would help with that understanding.

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The Preferred Alternative is unnecessary, expensive, counter to best available science, counter to current management policies, and would set a dangerous and embarrassing precedent. Our beloved North Cascades deserve much better than the Compromise proposed in Alternative B. We must seize this opportunity to restore the balance to the high mountain lakes of NCNPC. The biological consequences of allowing non-native fish in our high elevation lakes far outweighs the selfish desires of a small handful of fisher-people. Choosing the Environmental Alternative is not 'anti-fisherperson', it is not 'anti-recreation'.....it is simply the 'right thing' to do. Good luck in making this very important decision.

Sincerely

Steven Hahn


Mailing Address:

Physical Address:



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 **Bill Paleck**
09/16/2005 07:50 AM
PDT

To: Shelley Kluz/NOCANPS@NPS

cc: [REDACTED]
Subject: Fw: Mountain Lakes Fishery Management Plan/EIS

----- Forwarded by Bill Paleck/NOCANPS on 09/16/2005 07:50 AM -----

 **Seth Cool**
09/15/2005 04:32 PM
MST

To: bill_paleck@nps.gov, roy_zipp@nps.gov
cc: [REDACTED]
Subject: Mountain Lakes Fishery Management Plan/EIS

Mr Paleck and Mr Roy,
Please find my comments regarding the Mountain Lakes Fishery Management Plan/EIS attached below. I will mail a hard copy as well.

Thank you,
-Seth

Seth Cool
Conservation Northwest
WWW.CONSERVATIONNW.ORG

Formerly Northwest Ecosystem Alliance. We've changed our name, but not our mission or means! We still work hard to "Keep the Northwest wild." Comments Final1.doc

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 **Conservation Northwest**
Keeping the Northwest Wild

Officers
President: Alexander Leach
Board Vice-President: Bill Donnelly
Board Secretary: Jeffrey L. Bode
Executive Director: [REDACTED]
Executive Director: [REDACTED]
Executive Director: [REDACTED]

September 15, 2005
Bill Paleck, Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

RE: Mountain Lakes Fishery Management Plan/EIS

Dear Superintendent Paleck:

I submit these comments on behalf of Conservation Northwest and our 7,000 members. In summary, we urge the National Park Service to solve the fish stocking problem with actions most similar to Alternative D as outlined in the May 2005 "Draft Mountain Lakes Fishery Management Plan". In summary, all stocking in the North Cascades National Park Complex should be discontinued; it is not in keeping with the enabling legislation, nor National Park Service management guidelines; it is scientifically unsound; and most importantly, it is an environmentally-destructive program which will degrade rare natural areas that are intended to be left pristine for future generations. We do not support Congressional action to alter the enabling legislation for the North Cascades Complex for many reasons, but mainly because fish stocking is environmentally destructive. A Instead, we support adaptive management to restore the lakes and streams that are an essential part of this national treasure.

Stocking is illegal, and out of character in the North Cascades National Park Complex

The Organic Act of 1916 authorized the creation of National Parks, it states: "the fundamental purposes of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." The enabling legislation of the North Cascades Complex follows the spirit of Organic Act. Fishing is identified as an appropriate recreational use, and the legislation does not distinctly authorize policy variation from the norm with regard to the issue of fish stocking. To be clear: the enabling legislation does not identify fish stocking as a legal, or appropriate means of fish management.



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SUBSTANTIVE NORTH CASCADES EIS COMMENT
DALE RIVELAND, HI-LAKER
September 14, 2005

Issue Discussed

This comment challenges the draft EIS conclusions that fish stocking under Alternatives A, B and C require congressional clarification and that Alternative D will be implemented until clarification is received. This comment further submits that the National Park Service (NPS) has instituted policies and executed agreements that require it to make fish stocking decisions based upon the local facts and scientific findings and not contingent upon a change in the law.

Specifically, this comment requests deletion of the following from the draft EIS:

- (1) The section of the Executive Summary at pages vii and viii under the heading **Implementing the Fishery Management Plan Through Congressional Action** and the statements at pages 14, 74 and 100 of Volume One and elsewhere that NPS has determined that fish stocking in the North Cascades Complex will only be implemented if Congress grants that authority to NPS
- (2) Characterization of the 1986 NPS Memorandum throughout the draft EIS as a "policy waiver."

Comment

- A. NPS has the Authority and Duty to Decide Fish Stocking Issues

The applicable Wilderness Acts of 1964 and 1988 set broad standards for the management and administration of the wilderness areas, and direct the Secretary and NPS to apply those standards and to make and implement local decisions. NPS is directed by statute to bring to this process "the highest quality science and information." 16 USC Sec 5932. NPS is further directed to "assure the full and proper utilization of the results of scientific studies for park management decisions." 16 USC Sec 5936. There is nothing ambiguous about the Wilderness Acts. They are not written to provide bright line decisions to specific local issues. 16 USC Sec 1133 provides:

- (b) Agency responsibility for preservation and administration to preserve wilderness character; public purposes of wilderness areas. Except as otherwise provided in this act each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historic use.

This responsibility is specifically acknowledged in NPS Management Policy 6.1. It is the agency's authority and duty to find the local facts and science and to weigh those in light of the public purposes specified in the Act, here they are primarily recreation, conservation and historical use. That is exactly what NPS is doing through the NEPA process. NPS Management Policy 6.3.4.3 outlines the NEPA processes to use, including

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the EIS. Would NPS go to Congress to approve a plan for a new trail system or an area of educational or safety signage?

Congress does not act upon all issues referred to it. Congress has broader, more important decisions demanding its attention. Specific local decisions were delegated to NPS for a reason. Hi-Lakers have no objection to an amendment to the law specifically authorizing scientifically controlled fish stocking in the North Cascades Complex; the organization supports that effort. We do object to the plan's conclusion that lack of congressional action means the best solution is barred.

Before I comment on the three specific reasons for requiring "congressional clarification" I note a reliance throughout the reasons and in the draft EIS as a whole upon the characterization of the 1986 NPS Memorandum as a "Policy Waiver." The draft EIS identifies this Memorandum as a "Policy Waiver" every time it is mentioned, even in the table of contents to volume two, and in Appendix A Contents page 1 and again at page 3. In fact, the 1986 NPS Memorandum is the statement of specific North Cascades Complex fish management and stocking policy, and it says nothing about waiving any policy. This Memorandum recites local history and conditions and it states:

"...you requested that we provide you with a clear statement regarding National Park Service Policy for management of fisheries resources in the North Cascades Complex."

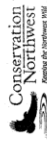
That policy has been applied now for 19 years, and it has been implemented through agreements with WDFW which also has fish management jurisdiction there.

The Executive Summary at page vii states that the 1988 Wilderness Act directed NPS to manage this wilderness in accordance with the 1964 Act, and "At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters..." Which policies are those? Do they apply to stocking fish native to the drainage and ecosystem involved, if not to the lake? If such policies existed in 1988 they should be added to Appendix D. The Background summary at page 11 refers to a 1972 policy that prohibited artificial stocking of fish species exotic to a park and prohibited stocking "naturally barren waters." The draft quotes and cites Louter 2003 for this statement rather than the policy itself. What is the complete policy, to which parks did it apply, and over what time period was it in force? Both Management Policies 4.4.3 and 4.4.1 provide for stocking of native or exotic species under specific situations that can apply here, i.e. historic stocking in a recreation area or preserve, or stocking in wilderness needed to meet the desired condition of a historic resource, but only where it is prevented from being invasive. At the bottom of page 32 of Volume One the draft EIS summarizes policy 4.4.4.1 and follows that summary with an unsupported conclusion. The conclusion is that because not all of the 4.4.4.1 conditions have been met a "policy waiver" has been required. This conclusion is plainly contrary to the language of the 1986 NPS Memorandum. How was it determined that the conditions of 4.4.4.1 were not met? This conclusion is not correct.

However, let us assume for analysis purposes that the Executive Summary statement is literally correct; "At the time the WPWA was passed, NPS policies prohibited fish



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this alteration is one of the many adverse impacts that fish stocking has the natural environment; the behaviors of river otters, birds such as kingfisher, mergansers and osprey have been altered. Alternative D will help correct this disturbance on page 292, the Draft Management Plan states, "piscivorous wildlife inhabiting high mountain lakes are not naturally occurring in the North Cascades Complex, and removal of fish would eventually return habitat to its condition prior to human manipulation." This latter point is correct and should be the focus of this entire section. Unfortunately it was not included in the conclusion, an oversight which resulted in this section erroneously concluding that Alternative D "would be expected to result in long-term minor adverse cumulative impacts on wildlife populations and communities in the region." (p293) Please update the entire Wildlife Section to further explore the various ways in which human manipulation of fish populations is detrimental to the natural ecosystem, including its natural wildlife, and to the Wilderness and National Park experience.

Our organization supports restoration of high mountain lakes within the North Cascades National Park Complex.

We support the spirit of Alternative D, mainly because it includes no additional fish stocking. However, we are not completely supportive of the use of antimycin or other piscicides in high mountain lakes. We are troubled by the proposed use of antimycin, because the piscicides may impact rare species such as the salamander of bull trout.

The EIS states "toxicity of antimycin to aquatic invertebrates has been found to be similar to that of fish at concentrations comparable to those that would be used in the North Cascades Complex..." (265). The EIS goes on to claim that "Field tests of antimycin effects have shown no observable impacts on various amphibian species at typical fish-control treatment levels." (p 265). We do not believe the case is this clear. According to a report by the Montana Chapter of The Wildlife Society, "The nontarget effects of another piscicide, antimycin, have apparently not been formally studied, but preliminary observations seem to indicate that antimycin is also toxic to turtles and amphibian larvae (Pala 1998)." Also, since amphibians rely on invertebrates for food, any reduction in insect numbers may have adverse impacts on amphibians.

We urge the Service to try less invasive eradication methods first – such as gill netting, etc, and to follow these efforts with research to determine efficacy. Such eradication efforts should be adapted in light of any findings. Then, if several attempts at eradication are not successful, it may be beneficial to move to piscicides. It should be noted that fish have been present for some time, so any remaining amphibians or other rare species are unlikely to be extirpated simply because complete eradication of fish is not achieved in the next few years.

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stream is a human-induced disruption of a natural ecosystem, and is to be avoided in areas managed as natural zones.⁶⁶ Yet, legislators did not include a provision which explicitly allowed fish stocking.

Fish Stocking is damaging to the ecosystem

The presence of fish in formerly fish-free high mountain lakes is detrimental to natural aquatic ecosystems. Native amphibians and amphibods are likely the most severely affected species in the high mountain lakes. These species had lived and evolved in a predator-free environment, so the introduction of predatory fish has been particularly destructive to them. This Management Plan outlines many of these impacts, and we applaud official recognition of this problem. Unfortunately, many species are now in serious decline, worldwide. The long-toed salamander densities have been reduced because of the presence of introduced trout.⁶⁷ A new discovery of an amphipod only found in one other lake in the Western United States is at risk of never being described and studied because the non-native fish populations.⁶⁸

The impacts of fish presence make Alternative D the best alternative for the health of the ecosystem. Under alternative B, "aquatic organisms (including plankton, macroinvertebrates, and amphibians) would continue to experience long-term negligible to minor adverse impacts from fish predation and competition in lakes that would continue to be stocked with low densities of nonreproducing fish. These impacts would decline further as stocking is curtailed or eliminated in lakes based on adaptive management decisions pertaining to stocking." (P 266-267)

Under Alternative D, "Aquatic organisms (including plankton, macroinvertebrates, and amphibians) would continue to experience long-term negligible to minor adverse impacts from fish predation and competition until stocked populations of fish gradually die out or were removed through treatment. Once these stocked fish are gone, native aquatic communities would eventually revert to predisturbance (that is, prestocking) conditions, and this would result in long-term beneficial impacts on native aquatic organisms." (p. 276)

The presence of fish has also altered and likely damaged to terrestrial ecosystems. The Draft Plan states on page 282, that, "Many wildlife species that historically did not inhabit the high mountain lakes have expanded their range to include new areas where fish have become abundant." We feel

⁶⁶ National Park Service Director, William Penn Mort Jr. Memorandum, June 12, 1986.

⁶⁷ Lisa Williams Larson, Gary L. and Hoffman, Robert L. Ecological Impact of Introduced Trout on Native Aquatic Communities in Mountain Lakes. *Ecosystems*, July 2002.

⁶⁸ Zipp, Roy. Fish Removal NRPP Resource Management Proposal, Dec. 17, 2004



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We understand that antimycin degrades relatively quickly, and that many management precautions will be taken in its application. However, we are concerned that amphibians and arthropods will be impacted, and possibly extirpated by antimycin as well.

We urge the Service to seek more information regarding the impacts of antimycin on amphibian populations, the recolonization of amphibians, and to analyze the use of piscicides with a strategy that aims to recover specific species in trouble in specific geographic areas.

Lead Tackle

On a final note, fishing tackle that contains lead should be banned from the entire North Cascades National Park (including Ross Lake) as soon as possible. Steel alternatives are available. Fines could be used to help cover native restoration costs. All national parks in Canada have implemented lead-free fishing to eliminate the threat that lead poses to wildlife and the environment. All fishing tackle under 50 grams containing lead, such as leaded sinkers, lead split shot, lead weighted jigs and soft lead putty wire are not allowed.

Thank you for the opportunity to comment on this proposal. Please feel free to contact me if you have any questions at [REDACTED]

Sincerely,

Seth Cool



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Bill Paleck
09/16/2005 07:51 AM
PDT

To: Shelley Kluz/NOCA/NPS
cc:
Subject: Fw: Mountain Lakes Fishery Management Plan/EIS

----- Forwarded by Bill Paleck/NOCA/NPS on 09/16/2005 07:51 AM -----



"Josh Walter"
[REDACTED]
09/15/2005 09:50 PM
AST

To: <bill_paleck@nps.gov>, <roy_zipp@nps.gov>
cc:
Subject: Mountain Lakes Fishery Management Plan/EIS

Superintendent Paleck and Mr. Roy Zipp:

Please accept the attached document as the National Parks Conservation Association's comments on the Mountain Lakes Fishery Management Plan/EIS. A hard copy has also been mailed. Thank you for your time in reviewing our comments.

Sincerely,

Josh Walter

Josh Walter
NW Rivers Program Coordinator
National Parks Conservation Association



NPCA Comments on High Lakes EIS.doc

life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.²

The National Park Service's Management Policies specifically state that a park unit is to "warrant the highest standard of protection."³ The 2001 edition of National Park Service Management Policies is the most recent articulation of this mission. The Management Policies General Management Concepts section states the Service, "will try to maintain all the components and process of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems."⁴

The National Park Service Management Policies are clear on the issue of fish stocking, they state, "The Service will not stock waters that are naturally barren of harvested aquatic species."⁵ In an article commissioned by the Aldo Leopold Wilderness Research Institute, the authors' state, "Stocking of fish in NPS wilderness must be for the purpose of preserving or restoring 'natural aquatic habitats and the natural abundance and distribution of native aquatic species'.⁶

In addition, as a major directive of the Park Service, the agency has spearheaded the fight against the spread of non-native species within park boundaries. Executive Order #13112, regarding invasive species, states that park units will,

...(f) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (vi) promote public education on invasive species and the means to address them....⁷

Under the National Park Service' 1999 Natural Resource Challenge, the NPS is directed to combat the spread of non-native species. NPS Director Fran Mainella states

The presence of non-native plants, animals, and other [pest] organisms pose a major and nearly universal threat to the preservation and restoration

² National Park Service Organic Act, (16 USC 1)

³ National Park Service Management Policy, Chapter 1, Article 2

⁴ National Park Service Management Policy, 2001a ed, Chapter 4, Article 1

⁵ National Park Service Management Policy, 2001a ed, Chapter 4, article 4, sec 3

⁶ Landers, Peter; Meyer, Shannon; and Matthews, Sue. 2001. The Wilderness Act and Fish Stocking: An overview of Legislation, Judicial Interpretation, and Agency Implementation. p. 292. As referenced in *Administrative Policies for Natural Areas of the National Park System* (Washington, D.C. Department of the Interior, National Park Service, 1970) 97-112.

⁷ Executive Order #13112, Feb 3, 1999

September 15, 2005

Bill Paleck, Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

RE: May 27th, 2005 Release of the Mountain Lakes Fishery Management Plan/EIS

Dear Superintendent Paleck:

On behalf of the National Parks Conservation Association (NPCA), its 300,000 members nationwide and its 9,000 members in Washington State, please consider these comments on the Mountain Lakes Fishery Management Plan Draft EIS.

Overall, the leadership and staff from the North Cascades Complex should be commended for their role in producing this Draft EIS. The fish stocking controversy has been an issue of contention for many years, with little resolution or ecological restoration. The Draft EIS reveals the complexities of this issue.

NPCA's comments are broken down into the following categories: the National Park Service's authority and decision making discretion, the ecological impacts of fish stocking, the practice of fish stocking in designated wilderness areas, and the proposed actions NPCA supports.

1. The National Park Service has the sole authority to manage fish stocking in North Cascades Complex, and the park's responsibility is informed by NPS policies, executive orders, and statutes.

The North Cascades Complex has the responsibility and clear authority to make the final management decisions regarding park resources. The North Cascades enabling legislation specifically states that, "property within the boundaries of the park and recreation areas (are) hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas."¹ The park's partnership with the Washington Department of Fish and Wildlife (WDFW) should be maintained and the park should utilize WDFW's expertise in removing non-native reproducing fish species. A partnership between these two agencies is vital to determining the best use practice for wilderness removal. However, the final authority and decision on management of park resources resides solely with National Park Service.

That decision is controlled by the 1916 Organic Act of the National Park Service, which states that the purpose of the national parks is to

... conserve the scenery and the natural and historic objects and the wild

¹ North Cascades Complex Enabling Legislation. (82 Stat. 926)



of natural habitats. Identifying, mapping, and evaluating non-native species is critical to an effective and well targeted effort to control their negative effects. The National Park Service must aggressively target these invaders where they threaten park resources.⁸

These examples illustrate the responsibility of the Park Service to lead the way in returning the mountain high lakes back to their natural, fishless ecosystems.

2. Non-native fish stocking threatens fragile ecosystems in North Cascades and native species of trout and salmon.

Fish stocking including the introduction of fish in historically fishless lakes, and stocking other lakes with non-native fish. The native ecosystems of these mountain high lakes are affected by the introduction of non-native fish populations.

Specifically, populations of bull trout, a threatened species, are at risk of hybridizing with brook trout. The hybrid population further damages the native bull trout population by competing in and changing the fish's already fragile ecosystem. Westslope cutthroat trout also are at risk of hybridization with rainbow trout through non-native rainbows dispersing from mountain lakes. Chinook and Coho salmon are at risk of declining breeding and rearing habitat due to the presence of non-native trout dispersion from mountain lakes.

The native populations of amphibians and amphipods could be the most severely affected species in the mountain high lakes. These species had lived in the mountain lakes predator free for thousands of years prior to fish stocking. Many species are now in serious decline. The long-toed salamander densities have been reduced because of the presence of introduced trout⁹. A new discovery of an amphipod species in one of the mountain high lakes only found in one other lake in the Western United States is at risk of never being described and studied because the non-native fish populations.¹⁰ This new amphipod is specifically threatened due to the non-native trout populations using amphipods as a food source. These examples show the severe effects of non-native fish on the native biota. The end of fish stocking and the beginning of restoring these lakes is imperative to the health and restoration of these native ecosystems.

3. Fish Stocking and its Effect on Wilderness Areas

Most of the North Cascades Complex is designated wilderness. All but one of the 91 mountain high lakes involved in the Draft EIS falls outside of wilderness boundaries.

⁸ Exotic Plant Management Team, Safeguarding native plants and animals. March 2003. *newsletter*.

⁹ Liss, William; Larson, Gary L.; and Hoffman, Robert L. Ecological Impact of Introduced Trout on Native Aquatic Communities in Mountain Lakes. *Ecosystems*. July 2002.

¹⁰ Zipp, Roy. Fish Removal NRPP Resource Management Proposal, Dec. 17, 2004

Wilderness designation protects certain, "area(s) where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain..."¹¹ and "retains its primeval character and influence without permanent improvements..."¹²

The practice of stocking and maintaining historically fishless high mountain lakes is out of character with the purpose of wilderness areas. Introducing and maintaining non-native fish alter the ecosystem and character of the lakes and streams, and alters the behavior of the native biota. Continuing to stock these mountain high lakes violates the principle tenant of the Wilderness Act, the provision stating areas will be *untrammeled* by humans, and *retain their primeval character* and influence.¹³ (emphasis added) Again, returning the mountain lakes back to their natural state will help in the North Cascades Complex's commitment to wilderness and wilderness protection.

Due to the remote nature of many of the mountain high lakes in question, the visitors to the high lakes areas are a very small percentage of the yearly visitors to the North Cascades Complex. After looking further into the use of mountain high lakes for fishing purposes, the proportion of fishermen to backcountry visitors again is very small. The opportunity for recreation in the North Cascades Complex is vast. Recreational Fishing opportunities are available in many sites within the park units without having to use the historically fishless mountain lakes.

Requesting a change in the park's enabling legislation in order to avoid being in violation of NPS policies and the Wilderness Act undermines the public's spirit and the overarching purpose of having these laws and guidelines, and NPCA strongly opposes that proposal. Wilderness speaks directly to "wildness" and continuing to respect the "wildness" of the North Cascade Complex is imperative. To continue stocking historically fishless lakes is to take away from the character of wilderness.

4. NPCA supports Alternative D, the environmentally preferred alternative as the best option to protect the integrity of North Cascades for future generations.

After considerable review of the management plan, NPCA supports Alternative D, the environmentally preferred alternative. The elimination of fish stocking practices in North Cascades National Park is the most practical way to uphold the integrity of the Park Wilderness, its native biota, and the park's directives. NPCA understands the long and contentious issue of fish stocking in North Cascades National Park but strongly recommends, in light of management policies and park service directives, that the Park stop allowing the practice of fish stocking.

NPCA also believes the cessation of fish stocking in the North Cascades Complex brings a new and exciting opportunity to increase scientific knowledge of the effects of non-native fish species introduction on high lake ecosystems. Using the removal of non-native fish populations as a case study on the best practices of restoring the mountain high lakes could be used as valuable information for other non-native removal projects.

¹¹ Wilderness Act, 16 USC 1131-1136, 78 Stat. 890

¹² Wilderness Act



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 **DAVID FLUHRHART**
To: "NCCBoard" <n3c-board@northcascades.org>
cc: <NOCA_Superintendent@nps.gov>
Subject: NCCC Comments on Mountain Lakes Fisheries Management Plan/EIS
09/15/2005 09:54 PM
MST

Dear NCCC and Supt. Paleck

Attached are the NCCC comments on the above noticed DMP/EIS. This has been a long haul for NCCC with the original challenge delivered by Board members meeting up with fish stocking backpackers and asking what the H--- they were doing. That led to other questions.... etc. Finally NCCC officially challenged the policy in its suit over the GMP which led to a settlement in nineteeninnyone! Now 14 years later we are reviewing the results of concerted scientific research, changes in perception by NOCA, different perspectives from WA DFW and new understandings and sophistication from High Lakers and Trailblazers [no longer are they simply repeating the mantra that fish in lakes keep the mosquitoes down].

Still, NCCC has strongly urged the NPS to take the long run viable solution to invasive species -- eradicate them in the effort to protect native amphibians and to restore the ecological integrity of the NOCA.

I hope that I am clear in communicating NCCC refusal to accept continued stocking. The NPS made a valiant but desperate attempt to preserve a balance between lake restoration and continued fish stocking by introducing a new wrinkle. The new wrinkle is "active adaptive ecosystem management". This is a concept very near and dear to my heart conceptually but which has a deplorable track record in terms of empirical results. The problem is not with the concept but with the limited abilities of public [and private] management institutions to produce the process and results promised. A fully adaptive management program as described by the NPS for NOCA would cost, in my estimation, at least half as much as the total NOCA operations budget. Thus, I [on behalf of NCCC] respectfully challenged the ability of the NPS to produce the planned elements of the preferred Alternative or its close second, Alt. C. NCCC supported Alternative D which is to cease fish stocking. NCCC added a request to Alt. D [which was terribly inadequately described in the EIS] that a strategic implementation plan be developed to state the objective as eliminating non-native fish and restoring aquatic habitats to the extent possible [Actually this statement may be more coherent than what is in the appended NCCC statement so we hope that it will be included in the official comments -- Bill, are you listening?].

This was a tough call as the NPS is attempting to start a new approach to scientifically identifying levels of impairment and to define thresholds in resource management. These are valuable and innovative concepts but extremely difficult in light of ecosystem variability and the monitoring required to assess cause and effect. I have spent a fair amount of my academic career investigating such questions. From my perspective and what I understand from our NCCC Board discussions the bottom line for this set of issues is that perpetuation of stocking of non-native species in NOCA is unacceptable and that our goal is to encourage the NPS to be true to its mandate to eradicate invasive species and to restore ecosystems degraded by fish stocking [to the extent feasible]/ NCCC and the NPS and other folks interested in this question may need to get comfortable with the fact that where reproducing populations of fish have been established in mountain lakes that these effects may be irreversible given cost and technology and environmental impacts of restoration. Alternatively, many of the lakes without reproducing populations can be expected to become fish free through superannuation of the stocked populations once stocking ceases. We are talking 10-20 years for trout species. This "passive" adaptive management approach is slow

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We also recommend that the North Cascades Complex continue to work with the Washington Department of Fish and Wildlife to return the mountain high lakes back to their natural state. This is an exciting opportunity to foster the cooperative spirit between two different agencies.

We have come to this decision by reviewing the Draft EIS, scientific research, park management documents, the Organic Act, the Wilderness Act, and the National Park Service's Management Policies, and a number of other related materials. NPCA's members feel strongly about the protection of our National Parks, the Wilderness areas they encompass, and the species that inhabit these areas. NPCA will be tracking the progress of this issue closely.

Thank you for the opportunity to submit comments on this issue.

Sincerely,

Josh Walter
Program Coordinator
NPCA-Northwest Regional Office





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but secure and relatively cost-free except for long term monitoring.

With that, I turn things over to the Board.

Dave

  NCCOInal.fish.doc NCCOInal.fish.doc

(32) 9/16
Dave Sept sent him 9/16
File

To Bill Palack

From NCC

Re Draft Mt Lakes Fishing Mgt Plan
Comments

9/15/05

7 pp. including this

call

is faulty

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practice by the NPS nation-wide to prohibit fish stocking. All this was done without adequate environmental assessment.

As NOCA is aware, the extant document is a result of the challenge from North Cascades Conservation Council to the General Management Plan for NOCA over continued fish stocking after the designation of NOCA (Appendix D Vol.2). At that time of challenge, NCCC argued and NOCA agreed in the 1991 Settlement Agreement, that impacts of stocking of fish in lakes of NOCA were not adequately analyzed. This Settlement Agreement led to some highly productive and informative scientific research although the research was performed over a period longer than anticipated. Now we have completed that environmental assessment and it clearly shows adverse impacts -- in some cases small and in some cases large.

NCCC has learned from the research performed regarding phytoplankton, zooplankton, macro invertebrates, amphibians and fish and stocked and unstocked lakes and aquatic ecosystems in the North Cascades. While still an incomplete inventory of these systems, there is now a much more secure scientific basis for understanding the roles of introduced species of fish in the region. NCCC finds support from the research performed that introduction of fish to many aquatic ecosystems has had demonstrable adverse effects on them and that this violates the intent of Congress for management of NOCA. Admittedly many of the impacts pre-dated the NOCA designation. The fundamental argument that NCCC makes in this regard is that in the United States the NPS has a national and local policy of eradicating invasive species to the extent feasible. The stocked trout species represent an introduction of a non-native invasive species to the ecosystem in NOCA. There is little doubt that the presence of fish in these mountain lake and stream aquatic systems is virtually entirely attributable to human intervention.

NCCC understands that the current policy as described under Alternative A is based on a perceived conflict between the responsibility of the NPS and existing practices prior to 1968 and modified, but unresolved, management disputes following that time. NCCC is convinced that Congress through its designation of NOCA in 1968 intended to change management directions in many ways, i.e., cessation of timber harvest, protection of wildlife, and setting a preservation mandate. The designation language in the 1968 promulgation of NOCA is definitive and not compromised by statements in hearings and the administrative record of what individuals or officials may have thought prudent or advisable prior to the date of Congressional action or how such wording is interpreted. Further, as understanding of ecosystems has evolved and the unique role of the NPS in preserving or attempting to restore ecosystem processes, revisions have taken place in NPS legislative mandates and in management policies.

A Test of Concept or a Pragmatic Approach -- What is the Future?

NPS implementation of ecosystem-based policies that transform past practices has not been easy and will probably become even harder in the future than today. As we more and more realize that humans have impacts on even remote and protected land and sea areas the question of what we manage for and how we manage is critical. It is useful to

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Bill Paleck, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro Woolley, WA 98284-1239

September 15, 2005

Dear Supt. Paleck:

North Cascades Conservation Council (NCCC) appreciates this opportunity to comment on the Draft Mountain Lakes Fishery Management Plan and EIS and its proposed measures to manage the aquatic ecosystems in North Cascades National Park Service Complex (NOCA). These comments reflect official comments on the above mentioned EIS on behalf of the Board of NCCC in its support for a modified Alternative D (the Environmentally Preferred Alternative) as the policy the NOCA should pursue. NCCC recognizes that this Alternative D may be difficult to achieve but it is an easier to implement and more straightforward and cheaper alternative than either Alternative B or C. Alternative A is clearly not acceptable is based on the continuing adverse impacts to aquatic ecosystems documented by the research performed and the concerns expressed about further invasion of outlet/inlet streams and introgression with native species. NCCC continues to insist that the NOCA goal is to restore ecosystems to their natural condition. We would sincerely hope that NOCA would reassess its choice of Alternative B as the preferred alternative. NCCC offers its rationale for support for Alternative D as outlined below.

Some History -- Not Sour Grapes

NCCC would like to point out, as a matter of public record that until NCCC started raising questions about the continued fish stocking in NOCA around 1984 there was no MOU between the State of Washington and NOCA. Further, the negotiation of this MOU in 1985, lamentably, included no other parties than the State, NOCA and the proponents of fish stocking. In fact, the general public was not privileged to know what lakes were being stocked because this was seen as possibly attracting unwanted fishing pressure. Please note as well, that the NPS Variance granted in 1988 was in deference to the State of Washington and two fish stocking groups but there is no mention of opposition from at least one conservation group. Most unfortunate, from the perspective of NCCC is that the NOCA requested the variance to continue to allow grant permission stock fish in some lakes. Need it be said that a "variance" is an exception to a standard

Founded in 1987 To protect and preserve the North Cascades' scenic, scientific, recreational, educational, wildlife and wilderness values



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reflect as we start this discussion on the words of Aubrey Haines in his two volume *The Yellowstone Story* published in 1977 [Boulder: CAUP and the Yellowstone Library and Amercen Museum].

"It is indeed ironic that a great Park which has pioneered so much that is associated with the national park movement and has triumphed over so many perils during a hundred years of lusty growth should stand stalled upon the threshold of its second century, faced with the grave decision whether to continue in a traditional but outmoded course or to change to another course more likely to serve and preserve [emphasis in original text]."

NOCA is poised on a pathway to change management approaches. NOCA is not an old park like Yellowstone National Park but it is a potential leader with respect to long term ecosystem-based management as evidenced by its long term ecosystem monitoring efforts. However, at this juncture NOCA seems to be embarking on a new experiment in management using objective functions like defining "thresholds" and levels of "impairment" rather than focusing on the fundamental preservation mandate. This is a very slippery slope. As long as any non-conforming activity does not result in "impairment" is it to be allowed? Alternatively, are we being asked to recognize that a threshold has been irreversibly transgressed with respect to fish stocking so we should focus on managing impacts [level of impairment] rather than seeking to eliminate the practice and restore ecosystem composition, process and function? These are tough questions and they are at the heart of management choices.

The active adaptive management approach laid out in this MLMP [Alts, B and C] has yet to be demonstrated and sustained anywhere despite its conceptual elegance and intuitive appeal. Indeed, Carl Walters, one of the fisheries scientists who developed [along with Hollings and Hilborn] the concepts for adaptive management and once a leading proponent of the use of adaptive management has become convinced that our current management institutions are incapable of supporting such an approach [Walters comments in two public discussions, first at National Center for Ecosystem Analysis and Synthesis, Santa Barbara, CA, May 2004 and second at Workshop on Ecosystem-Based Management for Archipelagic Systems, Honolulu, Hawaii May 2005]. It is hard to disagree with Walter's perspective based on empirical studies of intended adaptive management processes.

There needs to be a substantial dose of reality applied here. The management and monitoring processes for adaptive management are commonly much more expensive than conventional management and have not been sustained over the period required in publicly funded efforts [15 years in this instance]. NCCC has great concern that even limited set of costs identified for the first round of fish removals under various scenarios Tables 33, 34, and 35 are only a small indication of the funding needed for a full adaptive approach [especially the monitoring component] as outlined in the Mountain Lakes Management Plan. NCCC concern is increased when these levels of funding are compared with the whole NOCA operational budget Table 30. What is the likelihood that the proposed fish ecosystem management program can receive adequate incremental funding to do what is outlined? What is not going to get done if no new resources are

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available to implement the adaptive management plan? Or do we simply default to Alternative A because we cannot afford to live up to the implementation of Alternatives B and C.

Alternatives B and C represent considerable improvements over Alternative A but they involve even more management difficulties than those associated with Alternative D. Perhaps NCCC is overestimating the task and cost of implementing these alternatives or underestimating the ability of the NPS to do this job as proposed. NCCC needs far greater assurance that this adaptive management approach can work as proposed and that the resources are guaranteed to ensure success than is presented in this document.

NCCC reading of the research results of the above mentioned studies and other fish stocking literature from California, and western Canada indicates that in places where the introduced species of trout have been successful in establishing reproducing populations, the impacts tend to be greater than in areas that are stocked. However, because impacts are detectable from both the successful invaders and the stocked non-reproducing populations they are therefore unacceptable as they impair the functioning of aquatic ecosystems in NOCA. If the NOCA questions were the complex type of question of balancing the native fish stocks against introduced species and controlling the levels of introductions as faced Yellowstone National Park, that would be one matter. [See Varley, J.D. and P. Schullery 1998. *Yellowstone Fishes: Ecology, History and Angling in the Park*. Stackpole Books, Mechanicsburg, PA]. That is not the case, however, all parties to this discussion seem to agree that the mountain lakes and aquatic ecosystems in the NOCA region were devoid of fish before unregulated fish stocking commenced.

In a very pragmatic way Alternative D makes compelling sense managerially, strategically and financially. Decision to cease fish stocking as outlined in Alternative D coupled with a prioritization of actions to be taken over time to restore aquatic ecosystems after removal of invasive fish species, in no longer than 15 years, is still an ambitious program to reverse the decades of impact from fish stocking. It is very unfortunate, in the view of NCCC that Alternative D implementation did not receive the same level of attention as Alternative B. Still, the Draft Management Plan and EIS presents the kinds of analyses and assessments of where the greatest adverse impacts are occurring and where management interventions can be most effective [Appendices E-M]. These can be used to prioritize management actions. Most importantly, NPS resources will be consistent with the national policy and can be spent towards the goal of restoring mountain aquatic systems rather than titrating lakes with fish to continue low demand fishery subject to a very difficult and expensive assessment of thresholds and levels of impairment.

NCCC argues that, it is important from an ecosystem perspective, to start from ground zero and not the shifting baselines for fish management in the latter half of the 20th Century. From the perspective of NCCC the NPS has no responsibility to the 21st Century to maintain an outmoded management policy toward fish stocking in order to maintain a fishing "opportunity." There is no such responsibility for the NPS with regard to any non-native species. NCCC is not anti-fishing. We fully support a NOCA fisheries



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Summary and Conclusion

Why does NCCC advocate cessation of fish stocking in the aquatic ecosystems of the NPA units of the North Cascades?

1. The National Park Service has a nation-wide policy to eliminate invasive species in the National Parks. The NOCA Mountain Lakes stocking program is directly contradictory to the national program [see p. 50 DEIS Vol. 2. "The Service will not stock waters that are barren of the harvested aquatic species." If we cannot rely on the NPS preservation mandate in the management of our most protected national ecosystems, whom can we trust to produce the results of ecosystem protection? The NPS is not the National Marine Fisheries Service which is called upon to balance resource harvest needs with protection of the marine ecosystems from which they are produced [See, Sustainable Fisheries Act 1996]. Nor is it the National Forest Service. The NPS is distinct in its mission to protect ecosystems to the extent that it is able within its own system boundaries.
2. NOCA stocking of the Mountain Lakes even under strictly modified conditions, e.g., stocking not reproducing fish, is an artificial practice and is founded on an "invasive" species mentality in its approach to management of these otherwise fish-free "barren" areas. Of course, these are not barren areas as they support a rich flora and fauna of high lake ecosystems and, left alone, could serve over time as ecological reference points for much of the Anthropocene.
3. The NPS has not demonstrated a compelling need why it should continue a fish stocking program when there are significant environmental effects and when there are significant areas outside of NPS management that are presently used for this same purpose.
4. The NPS must commit itself to managing for ecological integrity in NOCA.

If further information and clarification of NCCC position in support of Alternative D is needed, please contact us as indicated below.

Sincerely

David Fluharty

David Fluharty [on behalf of the NCCC Board of Directors]

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management engagement with the State of Washington and NGOs to manage native fish fisheries as appropriate to North Cascades aquatic ecosystems. We do not support an artificial program based on fish stocking or on continuation of reproducing populations of invasive species.

Research Results Support Alt. D as Management Direction

Given the nearly 10 years of research performed by OSU and USGS researchers as well as dedicated NOCA fisheries professionals, we are now in a much better position to assess the continuing impacts of the mistaken, in the view of NCCC, policy of continuing fish stocking in lakes in NOCA after the designation of NOCA in 1968. While NCCC is sympathetic to and respectful of the State of Washington's position on fish stocking and has high regard for the individuals in the High Lakers and Trailblazers non governmental organizations for their personal commitments and contribution of expertise to fish stocking in this area, we remain insistent that NOCA adopt the approach indicated in Alternative D to phase out fish stocking, to restore to the extent feasible the impacted aquatic environments and to commit itself to monitoring the effects of these measures on the aquatic ecosystems of NOCA.

The basis for NCCC's insistence in this regard stems from what we understand to be the fundamental charge of Congress to the NPS in its 1916 Organic Act [which was not cited in Appendix D "Related Regulations, Policies and Laws and [sic] Legislation"] i.e., to "conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." Please note, that it was the original ecosystem and not a human transformed ecosystem, that the NPS was to preserve. Because the mountain lake and aquatic systems have been impaired, it is necessary to restore them.



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Washington State Hi-Lakers

September 14, 2005

Bill Paleck, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Wolley, WA 98284-1239

Dear Mr. Paleck:

Re: Draft North Cascades EIS Comments

The Washington State Hi-Lakers thank you for your courtesies throughout this EIS process and for your facilitation of comments in this response stage. Enclosed in both printed and CD form are the following comment submissions:

1. September 14, 2005 Washington State Hi-Lakers North Cascades Draft EIS comment.
2. September 14, 2005 Substantive North Cascades EIS Comment of Dale Riveland. This comment is a revision of, and substitution for, the comment of Dale Riveland dated August 23, 2005 previously submitted. Please disregard and discard the August 23 submission.
3. July 27, 2005 Substantive North Cascades EIS Comment of Dale Riveland. This is an exact duplicate of earlier submissions of this comment. It is included here because it is referenced in item 2 above.

Sincerely,

Dale Riveland, President

cc: Sandy McKean

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NORTH CASCADES DRAFT EIS COMMENT WASHINGTON STATE HI-LAKERS

September 14, 2005

Since white men arrived in the area high lake fishermen have backpacked and fished and studied the lakes of the North Cascades. As an organization, the Washington State Hi-Lakers has for nearly fifty years provided survey information and organized data for the state management of these lakes and their fish. We have a sweat and awe based cultural commitment to respect the wilderness and to support management of its lakes and the biota that live there.

Individual Trail Blazers and Hi-Lakers have submitted oral and written comments on the draft EIS. The Hi-Lakers, as an organization, adopts and submits all of these comments from the members of both organization as the Hi-Lakers response to the draft EIS. The Hi-Lakers organization specifically adopts the written comments of the following persons:

Brian Curtis
Sandy McKean
Mike Swayne
Dale Riveland

The Hi-Lakers submit that the only alternative in the draft EIS that is reasonably consistent with Wilderness Act standards is Alternative B. However, most Hi-Lakers that frequent this wilderness are concerned about the goal that appears in all alternatives for 100% eradication of reproducing fish. Note the comments of Mike Swayne and Pete Smith. Hi-Lakers support removing reproducing fish populations that harm the ecosystem where such eradication is practical. However, some of the EIS conclusions regarding huge overpopulation of fish are only assumptions made because of lack of complete data. An additional problem is that 100% eradication may not be possible by current methods in all those lakes, and the eradication effort at a few lakes may cause more harm than benefit to the wilderness.

Hi-Lakers further submit that the draft EIS requirement of "congressional clarification" is improper. They also submit that the EIS overstates and overemphasizes the preservationist view of "wilderness values." Hi-Lakers argue for a stronger emphasis of the research conclusion that properly managed fish stocking has no measurable impact on the North Cascades Complex ecology. Finally, Hi-Lakers submit that the draft EIS use of the minimum requirement analysis is seriously flawed.

Respectfully Submitted:
Washington State Hi-Lakers
By Dale Riveland, President



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the EIS. Would NPS go to Congress to approve a plan for a new trail system or an area of educational or safety signage?

Congress does not act upon all issues referred to it. Congress has broader, more important decisions demanding its attention. Specific local decisions were delegated to NPS for a reason. Hi-Lakers have no objection to an amendment to the law specifically authorizing scientifically controlled fish stocking in the North Cascades Complex; the organization supports that effort. We do object to the plan's conclusion that lack of congressional action means the best solution is barred.

Before I comment on the three specific reasons for requiring "congressional clarification" I note a reliance throughout the reasons and in the draft EIS as a whole upon the characterization of the 1986 NPS Memorandum as a "Policy Waiver." The draft EIS identifies this Memorandum as a "Policy Waiver" every time it is mentioned, even in the table of contents to volume two, and in Appendix A Contents page 1 and again at page 3. In fact, the 1986 NPS Memorandum is the statement of specific North Cascades Complex fish management and stocking policy, and it says nothing about waiving any policy. This Memorandum recites local history and conditions and it states:

"...you requested that we provide you with a clear statement regarding National Park Service Policy for management of fisheries resources in the North Cascades Complex."

That policy has been applied now for 19 years, and it has been implemented through agreements with WDFW which also has fish management jurisdiction there.

The Executive Summary at page vii states that the 1988 Wilderness Act directed NPS to manage this wilderness in accordance with the 1964 Act, and "At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters..." Which policies are those? Do they apply to stocking fish native to the drainage and ecosystem involved, if not to the lake? If such policies existed in 1988 they should be added to Appendix D. The Background summary at page 11 refers to a 1972 policy that prohibited artificial stocking of fish species exotic to a park and prohibited stocking "naturally barren waters." The draft quotes and cites Louter 2003 for this statement rather than the policy itself. What is the complete policy, to which parks did it apply, and over what time period was it in force? Both Management Policies 4.4.3 and 4.4.1 provide for stocking of native or exotic species under specific situations that can apply here, i.e. historic stocking in a recreation area or preserve, or stocking in wilderness needed to meet the desired condition of a historic resource, but only where it is prevented from being invasive. At the bottom of page 32 of Volume One the draft EIS summarizes policy 4.4.1 and follows that summary with an unsupported conclusion. The conclusion is that because not all of the 4.4.1 conditions have been met a "policy waiver" has been required. This conclusion is plainly contrary to the language of the 1986 NPS Memorandum. How was it determined that the conditions of 4.4.1 were not met? This conclusion is not correct.

However, let us assume for analysis purposes that the Executive Summary statement is literally correct; "At the time the WPWA was passed, NPS policies prohibited fish

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SUBSTANTIVE NORTH CASCADES EIS COMMENT
DALE RIVELAND, HI-LAKER
September 14, 2005

Issue Discussed

This comment challenges the draft EIS conclusions that fish stocking under Alternatives A, B and C require congressional clarification and that Alternative D will be implemented until clarification is received. This comment further submits that the National Park Service (NPS) has instituted policies and executed agreements that require it to make fish stocking decisions based upon the local facts and scientific findings and not contingent upon a change in the law.

Specifically, this comment requests deletion of the following from the draft EIS:

- (1) The section of the Executive Summary at pages vii and viii under the heading **Implementing the Fishery Management Plan Through Congressional Action** and the statements at pages 14, 74 and 100 of Volume One and elsewhere that NPS has determined that fish stocking in the North Cascades Complex will only be implemented if Congress grants that authority to NPS
- (2) Characterization of the 1986 NPS Memorandum throughout the draft EIS as a "policy waiver."

Comment

A. NPS has the Authority and Duty to Decide Fish Stocking Issues

The applicable Wilderness Acts of 1964 and 1988 set broad standards for the management and administration of the wilderness areas, and direct the Secretary and NPS to apply those standards and to make and implement local decisions. NPS is directed by statute to bring to this process "the highest quality science and information." 16 USC Sec 5932. NPS is further directed to "assure the full and proper utilization of the results of scientific studies for park management decisions." 16 USC Sec 5936. There is nothing ambiguous about the Wilderness Acts. They are not written to provide bright line decisions to specific local issues. 16 USC Sec 1133 provides:

(b) Agency responsibility for preservation and administration to preserve wilderness character; public purposes of wilderness areas. Except as otherwise provided in this act each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historic use.

This responsibility is specifically acknowledged in NPS Management Policy 6.1. It is the agency's authority and duty to find the local facts and science and to weigh those in light of the public purposes specified in the Act, here they are primarily recreation, conservation and historical use. That is exactly what NPS is doing through the NEPA process. NPS Management Policy 6.3.4.3 outlines the NEPA processes to use, including



stocking in naturally fishless waters..." The clear inference of the statement is that in enacting the 1988 Washington Wilderness Act that applied specifically to the North Cascades Complex, Congress ignored the local facts, particularly a century of fish stocking throughout the Complex and the fact that WDFW alone was then managing the fisheries in the two recreation areas of the Complex. It also apparently implies that Congress ignored the reality that stocking was done under a local policy that was in force and cemented by written agreements with the WDFW. Are we to believe that Congress somehow ignored the true history and other facts in formulating the legislation because the specific local policy was only a "policy waiver," and official "policy" prohibited fish stocking there?

The first reason stated for requiring "congressional clarification" is that fish stocking has been discontinued in some parks and a policy waiver here may encourage other state agencies to revisit the issue. This is indeed an opportunity to erect a "congressional clarification" precedent to discourage controversy in other parks. Though such a precedent may be comforting for the centralized way of managing, it is not a valid reason to avoid timely implementation of an EIS processed decision here. Surely, NPS is prepared to deal with fish stocking issues for each park based on that park's history, data and science. NPS Management Policy 8.2.2 Recreational Activities provides that specific recreational activities will be encouraged, allowed or not allowed according to the criteria. "However, not all of these activities will be appropriate or allowable in all parks; that determination must be made on the basis of park-specific planning." We respectfully submit that NPS is inappropriately interjecting into a park-specific NEPA process a requirement that has no purpose other than enhancing nationwide decision making.

The second reason stated for a "congressional clarification" is that policy waivers can be changed and that a lasting solution is sought under the EIS. Our response is that NPS under Alternate B will formulate a local plan and policy just as it did through the 1986 NPS Memorandum. I am not sure that is a "lasting solution." Note that the Executive Summary at page iii states:

Upon conclusion of the plan/EIS and decision-making process, one of the four alternatives would become the "Mountain Lakes Fishery Management Plan" and guide future fishery management actions for a period of 15 years. Whatever the period of the plan we are confident NPS can formulate the policy to implement it.

The final reason stated for requiring "congressional approval" is that the minimum requirement analysis indicates that fish stocking is not necessary to meet the minimum requirements of the area and the Wilderness Act is unclear whether stocking is allowed. The lack of Wilderness Act clarity is dealt with above. The Act provides the standards; it is NPS job to formulate local policy.

The minimum requirements analysis was misapplied to fish stocking. If a MRA is required it must be based upon the policy that requires it; and if that policy is applied then low density stocking of nonreproducing fish will be determined to be appropriate or

necessary to the administration of the areas. This latter issue is the subject of extensive comment in my July 27, 2005 submission, a copy of which is resubmitted herewith.

B. NPS has committed itself to make North Cascades fish stocking decisions based upon information (facts and science), not based upon law change.

In the 1985 Memorandum of Understanding the NPS and WDFW agreed to consult with each other regarding research and regulation and transplanting of fish, and they agreed to establish Technical Study Task Forces. The 1986 NPS Memorandum directs that some of the North Cascade Park lakes be stocked with species native to the Park or ecological region for recreational purposes and directed that some be left fish free; and it encouraged a research effort to monitor impacts and determine changes over time. The intent of the research was to provide an informed basis for fish stocking management in the future. The 1988 twelve year Supplemental Agreement allowed fish stocking in 17 Park lakes and allowed self sustaining populations to continue in 23 more while the NPS conducted research. It also stipulated that the list of lakes could be changed only by mutual agreement between NPS and WDFW and added that research results would be considered in future decisions. This 1988 agreement also stated:

This Supplemental Agreement shall remain in full force and effect unless terminated by mutual consent of the Department and The Service.

The 1991 Consent Decree provides that NPS will complete its research and conduct a NEPA review of fish stocking. The 2002 Reaffirmation extends the 1988 Supplemental Agreement to December 2006.

By the memorandum, agreements and Consent Decree NPS has committed itself to a process that includes scientific research, consultation with WDFW and agreement not to revise the stocking list without WDFW agreement, and ultimate review and resolution of fish stocking issues by the NEPA process. The letter and spirit of all of the agreements dictate that the final decisions be based upon information, not legislation. The late date insistence upon legislation prior to scientifically conducted fish stocking violates these agreements.

Conclusion

The draft EIS is a mostly objective document of considerable depth. The whole of the document is tarnished by imposing upon it a web of strained facts and logic in order to support a conclusion the no fish stocking will be allowed without "congressional clarification." We request that this conclusion and its supporting arguments be removed from the draft EIS along with the characterizations of the 1986 NPS Memorandum as a "policy waiver" throughout.

Submitted:

Dale Riveland, HI-Laker



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only those actions that preserve wilderness character and/or have localized, short-term adverse impacts will be acceptable.

It is indeed logical that a lesser standard be applied in the general decision process affecting wilderness than in decisions to overcome statutory prohibitions. There is no logic in using a strict "necessity" standard when deciding whether to go left or right in general management decisions. For the fish stocking issue the proper Step 1 is:

Is the proposed management action "appropriate or necessary for administration of the area as wilderness," and does it "not pose a significant impact the wilderness resources and character?"

That is the language of the policy. This corrected question elicits a different answer that already appears in the MRA. The correct answer is the paragraph that appears immediately before the Step 1 question as follows:

Following removal of reproducing, self-sustaining populations of trout, restocking of some lakes with nonreproducing populations of trout, as proposed in two alternatives, would support recreational and historical use purposes of the wilderness area while minimizing impacts to biological integrity. (Appendix K, p.293).

It would be violation of NPS policy to apply a decision standard far more stringent than the policy requires.

The minimal tool for fish stocking is hand stocking by backpack access.

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SUBSTANTIVE NORTH CASCADES EIS COMMENT
DALE RIVELAND, HI-LAKER
July 27, 2005

Issue Discussed

This comment questions the application in Appendix K of the Minimum Requirements Decision Guide (MRDG) to the fish stocking decisions. The Step 1 of the MRDG provides: "Is it necessary to take action?" This is not a proper question regarding fish stocking. The MRDG questions were designed for decisions to overcome one of the ten statutory prohibitions, not for general management decisions. The result of answering a misleading question is that the minimum requirements analysis provides a misleading answer.

Comment

The Washington Department of Fish and Wildlife (WDFW) Comments on the Minimum Requirements Analysis (Appendix K, p.299-300) are correct in concluding that no MRA is required for continuation of century old fish stocking in limited lakes selected by biologists in order to maintain biological integrity. If it is determined that an MRA is required, then the correct standards are those specified in National Park Service (NPS) management policy 6.3.5. Apparently when the WDFW comments were authored the WDFW did not have before it the language of NPS management policy 6.3.5. I submit these comments as my supplement to those of the WDFW.

The MRGD states that it is derived from Section 4(c) of the Wilderness Act. Instructions-p.1. If an MRA is required at all for fish stocking, it is not because fish stocking is one of the ten prohibited activities in Section 4(c), but because NPS has issued policy 6.3.5 which provides:

All management decisions affecting wilderness must be consistent with the minimum requirement concept.

Policy 6.3.5 describes a two step process that is significantly different than the MRGD process. The two step process under this policy is:

Whether the proposed management action is appropriate or necessary for administration of the area as wilderness and does not pose a significant impact to wilderness resources and character, and the techniques and types of equipment needed to ensure that impact to wilderness resources and character is minimized. Emphasis supplied.

In accordance with this policy, superintendents will apply the minimum requirement concept to the context of wilderness management planning, as well as to all other administrative practices, proposed special uses, scientific activities, and equipment use in wilderness. When determining minimum requirement, the potential disruption of wilderness character and resources will be considered before, and given significantly more weight than, economic efficiency and convenience. If a compromise of wilderness resources or character is unavoidable,



NATIONAL PARKS CONSERVATION ASSOCIATION*

Protecting Parks for Future Generations®

September 13, 2005

Bill Paleck, Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

RE: Mountain Lakes Fishery Management Plan/EIS,

Dear Superintendent Paleck:

On behalf of the National Parks Conservation Association (NPCA), its 300,000 members nationwide and its 9,000 members in Washington State, please consider these comments on the Mountain Lakes Fishery Management Plan Draft EIS.

Overall, the leadership and staff from the North Cascades Complex should be commended for their role in producing this Draft EIS. The fish stocking controversy has been an issue of contention for many years, with little resolution or ecological restoration. The Draft EIS reveals the complexities of this issue.

NPCA's comments are broken down into the following categories: the National Park Service's authority and decision making discretion; the ecological impacts of fish stocking; the practice of fish stocking in designated wilderness areas, and the proposed actions NPCA supports.

1. The National Park Service has the sole authority to manage fish stocking in North Cascades Complex, and the park's responsibility is informed by NPS policies, executive orders, and statutes.

The North Cascades Complex has the responsibility and clear authority to make the final management decisions regarding park resources. The North Cascades enabling legislation specifically states that, "property within the boundaries of the park and recreation areas (are) hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas."¹ The park's partnership with the Washington Department of Fish and Wildlife (WDFW) should be maintained and the park should utilize WDFW's expertise in removing non-native reproducing fish species. A partnership between these two agencies is vital to determining the best use practice for wilderness removal. However, the final authority and decision on management of park resources resides solely with National Park Service.



*North Cascades Complex Enabling Legislation

NATIONAL OFFICE



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That decision is controlled by the 1916 Organic Act of the National Park Service, which states that the purpose of the national parks is to

...conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.²

The National Park Service's Management Policies specifically state that a park unit is to "warrant the highest standard of protection."³ The 2001 edition of National Park Service Management Policies is the most recent articulation of this mission. The Management Policies General Management Concepts section states the Service, "will try to maintain all the components and process of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems."⁴

The National Park Service Management Policies are clear on the issue of fish stocking; they state, "The Service will not stock waters that are naturally barren of harvested aquatic species."⁵ In an article commissioned by the Aldo Leopold Wilderness Research Institute, the authors' state, "Stocking of fish in NPS wilderness must be for the purpose of preserving or restoring 'natural aquatic habitats and the natural abundance and distribution of native aquatic species'."⁶

In addition, as a major directive of the Park Service, the agency has spearheaded the fight against the spread of non-native species within park boundaries. Executive Order #13112, regarding invasive species, states that park units will,

...(i) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (vi) promote public education on invasive species and the means to address them...

² National Park Service Organic Act, (16 USC 1)

³ National Park Service Management Policy, Chapter 1, Article 2

⁴ National Park Service Management Policy, 2001a ed, Chapter 4, Article 1

⁵ National Park Service Management Policy, 2001a ed, Chapter 4, article 4, sec. 3

⁶ Landres, Peter, Meyer, Shannon, and Matthews, Sue. 2001. The Wilderness Act and Fish Stocking: An overview of Legislation, Judicial Interpretation, and Agency Implementation. p. 292. As referenced in *Administrative Policies for Natural Areas of the National Park System* (Washington, D.C: Department of the Interior, National Park Service, 1970) 97-112.

⁷ Executive Order #13112, Feb 3, 1999



Wilderness designation protects certain, "area(s) where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain..."¹¹ and "retains its primeval character and influence without permanent improvements..."¹²

The practice of stocking and maintaining historically fishless high mountain lakes is out of character with the purpose of wilderness areas. Introducing and maintaining non-native fish alter the ecosystem and character of the lakes and streams, and alters the behavior of the native biota. Continuing to stock these mountain high lakes violates the principle tenant of the Wilderness Act, the provision stating areas will be *untrammeled* by humans, and *retain their primeval character* and influence.¹² (emphasis added) Again, returning the mountain lakes back to their natural state will help in the North Cascades Complex's commitment to wilderness and wilderness protection.

Due to the remote nature of many of the mountain high lakes in question, the visitors to the lakes, to begin with, is a very small portion of the yearly visitors to the North Cascades Complex. After looking further into the use of mountain high lakes for fishing purposes, the proportion of fishermen to backcountry visitors again is very small. The opportunity for recreation in the North Cascades Complex is vast. Recreational Fishing opportunities are available in many sites within the park units without having to use the historically fishless mountain lakes.

Requesting a change in the park's enabling legislation in order to avoid being in violation of NPS policies and the Wilderness Act undermines the public's spirit and the overarching purpose of having these laws and guidelines, and NPCA strongly opposes that proposal. Wilderness speaks directly to "wildness" and continuing to respect the "wildness" of the North Cascade Complex is imperative. To continue stocking historically fishless lakes is to take away from the character of wilderness.

4. NPCA supports Alternative D, the environmentally preferred alternative as the best option to protect the integrity of North Cascades for future generations.

After considerable review of the management plan, NPCA supports Alternative D, the environmentally preferred alternative. The elimination of fish stocking practices in North Cascades National Park is the most practical way to uphold the integrity of the Park Wilderness, its native biota, and the park's directives. NPCA understands the long and contentious issue of fish stocking in North Cascades National Park but strongly recommends, in light of management policies and park service directives that the Park stop allowing the practice of fish stocking.

NPCA also believes the cessation of fish stocking in the North Cascades Complex brings a new and exciting opportunity to increase scientific knowledge of the effects of non-native fish species introduction on high lake ecosystems. Using the removal of non-

¹¹ Wilderness Act, 16 USC 1131-1136, 78 Stat. 890

¹² Wilderness Act

Under the National Park Services' 1999 Natural Resource Challenge, the NPS is directed to combat the spread of non-native species. NPS Director Fran Mainella states, "The presence of non-native plants, animals, and other [pest] organisms pose a major and nearly universal threat to the preservation and restoration of natural habitats. Identifying, mapping, and evaluating non-native species is critical to an effective and well targeted effort to control their negative effects. The National Park Service must aggressively target these invaders where they threaten park resources."⁸

These examples illustrate the responsibility of the Park Service to lead the way in returning the mountain high lakes back to their natural, fishless ecosystems.

2. Non-native fish stocking threatens fragile ecosystems in North Cascades and native species of trout and salmon.

Fish stocking including the introduction of fish in historically fishless lakes, and stocking other lakes with non-native fish. The native ecosystems of these mountain high lakes are affected by the introduction of non-native fish populations.

Specifically, populations of bull trout, a threatened species, are at risk of hybridizing with brook trout. The hybrid population further damages the native bull trout population by competing in and changing the fish's already fragile ecosystem. Westslope cutthroat trout also are at risk of hybridization with rainbow trout through non-native rainbows dispersing from mountain lakes. Chinook and Coho Salmon are at risk of declining breeding and rearing habitat due to the presence of non-native trout dispersion from mountain lakes.

The native populations of amphibians and amphipods could be the most severely affected species in the mountain high lakes. These species had lived in the mountain lakes predator free for thousands of years prior to fish stocking. Many species are now in serious decline. The long-toed salamander densities have been reduced because of the presence of introduced trout.⁹ A new discovery of an amphipod only found in one other lake in the Western United States is at risk of never being described and studied because the non-native fish populations.¹⁰ This new amphipod is specifically threatened due to the non-native trout populations using amphipods as a food source. These examples show the severe effects of non-native fish on the native biota. The end of fish stocking and the beginning of restoring these lakes is imperative to the health and restoration of these native ecosystems.

3. Fish Stocking and its Effect on Wilderness Areas

Most of the North Cascades Complex is designated wilderness. All but one of the 91 mountain high lakes involved in the Draft EIS falls outside of wilderness boundaries.

⁸ Exotic Plant Management Team, Safeguarding native plants and animals, March 2003, newsletter.

⁹ Lass, William, Larson, Gary L., and Hoffmann, Robert L., Ecological Impact of Introduced Trout on Native Aquatic Communities in Mountain Lakes, *Ecosystems*, July 2002.

¹⁰ Zipp, Roy, Fish Removal NRPP Resource Management Proposal, Dec. 17, 2004



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native fish populations as a case study on the best use practices of restoring the mountain high lakes could be used as valuable information for other non-native removal projects.

We also recommend that the North Cascades Complex continue to work with the Washington Department of Fish and Wildlife to return the mountain high lakes back to their natural state. This is an exciting opportunity to foster the cooperative spirit between two different agencies.

We have come to this decision by reviewing the Draft EIS, scientific research, park management documents, the Organic Act, the Wilderness Act, and the National Park Service's Management Policies, and a number of other related materials. NPCA's members feel strongly about the protection of our National Parks, the Wilderness areas they encompass, and the species that inhabit these areas. NPCA will be tracking the progress of this issue closely.

Thank you for the opportunity to submit comments on this issue.

Sincerely,

Josh Walter
Program Coordinator
NPCA-Northwest Regional Office

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Cascades National Park is the most practical way to uphold the integrity of the Park Wilderness, its native biota, and the park's directives. NPCA understands the long and contentious issue of fish stocking in North Cascades National Park but strongly recommends, in light of management policies and park service directives that the Park stop allowing the practice of fish stocking.


NPCA also believes the cessation of fish stocking in the North Cascades Complex brings a new and exciting opportunity to increase scientific knowledge of the effects of non-native fish species introduction on high lake ecosystems. Using the removal of non-native fish populations as a case study on the best use practices of restoring the mountain high lakes could be used as valuable information for other non-native removal projects.

We also recommend that the North Cascades Complex continue to work with the Washington Department of Fish and Wildlife to return the mountain high lakes back to their natural state. This is an exciting opportunity to foster the cooperative spirit between two different agencies.

We have come to this decision by reviewing the Draft EIS, scientific research, park management documents, the Organic Act, the Wilderness Act, and the National Park Service's Management Policies, and a number of other related materials. NPCA's members feel strongly about the protection of our National Parks, the Wilderness areas they encompass, and the species that inhabit these areas. NPCA will be tracking the progress of this issue closely.

Thank you for the opportunity to submit comments on this issue.

Sincerely,


Josh Walter
Program Coordinator
NPCA-Northwest Regional Office



- 5) In Table 6: Willow and MR-11, both 4C lakes, do not have a planned species under Alt B.
- In Table 6: Upper Dobsud No. 3, Lower Dee/Tamarack, and Kwahnesum are 4A lakes under Alt. B but have Mount Whitney Rainbow listed as planned species.
- 6) In Table ES-2, Stout, lower Stout and Trapper lakes are listed as having Low-density reproducing fish under the Current Condition of Lake (as represented under alternative A). Yet in Table H-1 these lakes are tagged with the estimation of 222 fish per acre (for overproducing fish populations). This is a contradiction. If one of these is in error it should be corrected.
- 7) Regarding 4B lakes, I disagree with the phrase "Discontinue stocking and monitor lake conditions" regarding the management of these lakes under Alternative B. The 5 lakes in this category are currently stocked with low densities of non-reproducing fish and have well managed populations according to Table H-1. Since the densities are low and the EIS Draft utilizes "scientific information and data that are provisional and possibly incorrect" (pg. X, exec. summary), I would like to see the continued stocking of these lakes while a management decision is being made or a scientific reason why they should not be stocked is found. Another option may be to cut the stocking densities.
- 8) I am in complete agreement of the goal of the 2C management action as indicated under Alternative B. I am concerned that Bear, Berdeen and Monogram lakes appear here because of my second comment regarding planned, repeated chemical fish removal from Wilderness lakes.
- 9) I am pleased that science has proven that low densities of non-reproducing fish have a negligible impact on the biota of the 3C and 4C lakes. These lakes are well managed with non-reproducing fish and have low densities according to Table H-1. These lakes are proof that high lake sport fisheries can coexist with responsible eco-management.
- 10) On page 114 of Volume 2, there appears to be a typo in the Species/strains historically present section. "IC" is listed as a species.
- 11) Regarding 2A lake Lower Berdeen where fish will be permanently removed: Is it possible that the over reproducing fish that may not be feasible to remove in Berdeen will eventually spill into Lower Berdeen recreating the problem? If there is any chance of this I ask that Lower Berdeen be treated similarly to Berdeen.
- 12) The Draft should note in clear language that most of the 561 bodies of water in the Complex have not been surveyed and the range and density of existing habitat for sensitive species is uncertain. Also, that the geography covered by the 22 well-managed lakes with continued stocking under Alternative B is insignificant compared to the probable overall habitat for most of the amphibian, zooplankton and macroinvertebrate species in the Complex. I believe the EIS draft casually dismisses the fact that only 91 lakes out of 245 were studied. This gives a false inflated impression of the extent of impacts documented from fish densities in lakes.

- Dave Harwell
Trail Blazer member
High Laker member
- High Mountain Lakes Fishery Management Plan/EIS Comments
- 1) I am in favor of Alternative B because it is the only alternative based on science with an emphasis on protecting sensitive species while providing an historical sport fishery in the Complex. I have following comments and suggestions regarding Alternative B.
- 2) "Feasibility of fish removal was assumed to be low if lake surface area exceeds 50 acres or lake volume exceeds 1,000 acre-feet. Table 7 identifies the nine lakes having characteristics that could make complete fish removal in feasible." (Vol. 1, Pg. 95)
- Bear, Berdeen, Green, Hanging, Hozomeen, Monogram, Stout, Hidden and Trapper lakes**
- According to Table 7, Bear, Berdeen, Green, Hanging, Hozomeen and Monogram are slated for chemical fish removal under Alternative B even though it is plainly stated it may not be successful. I believe the surviving fish population will rebound to high densities after a few generations. This management action appears to be temporary and necessitate repeated fish removal in the future. I think this decision should be reconsidered. I do not agree with planned, repeated chemical fish removal in these Wilderness lakes. I ask that these lakes be left in their current state until a method of complete fish removal is found.
- 3) "Upon conclusion of the plan/EIS and decision-making process, one of the four alternatives would become the "Mountain Lakes Fishery Management Plan" and guide future fishery management actions for a period of 15 years."
- I think 15 years is too short a time span. 11 million dollars of research and this EIS process is a lot of public money and effort for such a short time period. This is the lifespan of 2-3 generations of fish and not enough time to adaptively manage the lakes. I would like to see science and monitoring determine the long-term management of these lakes and not an arbitrary time period.
- 4) The window explaining the numbers of lakes under Alternative B on the margin of page xiii is confusing. The Alternative B window states, "29 lakes would have fish, 49 lakes would be fishless, 13 lakes would be evaluated". It seems that there are actually 22 lakes that would have fish (2C, 3C, 4C). Assuming that the seven additional lakes come from action 3B, it is not clear that from Table ES-1 that these lakes will be planted.



13) I would like to thank the people and agencies involved with producing the High Mountain Lakes Fishery Management Plan/EIS and the public clubs and individuals that are commenting on its findings.

Dave Harwell
Dave Harwell
9/15/05

September 15, 2005

Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

Subject: Mountain Lakes Fishery Management Plan and EIS

Dear Mr. Paleck:

I favor Alternative D, the environmentally preferred alternative, in principle because it potentially restores naturally fishless lakes to their original biological integrity. However, this alternative needs a specific implementation plan to remove fish within a specific timeframe (perhaps, 20 years) with the financial and personnel assistance of the Washington Department of Fish and Wildlife and others responsible for past fish stocking. Without a specific plan and funding, reproducing populations of stocked fish could remain in these lakes for years as well as recreational fishing such as has occurred in Sequoia-Kings Canyon National Parks and other NPS areas. Without committed and diligent park management, this could easily become the No Action Alternative.

While Alternative B, the adaptive management alternative, has aspects that are certainly invite support, asking Congress to grant North Cascades Complex an exception to NPS Management Policies with the "unambiguous legal authority" to stock non-native fish in fishless lakes could set a dangerous national precedent. In addition, the NPS has not demonstrated that it can implement adaptive management or any long-term management policy, and there are no managerial or fiscal assurances that it could be successful in this instance.

While it is tempting to take professional exception to some of the details in the Management Plan and EIS, the fact remains that this was a very difficult planning project and process. Please extend my compliments and appreciation to the North Cascades Complex staff and partners for a job well done. Thank you for the opportunity to comment.

I request that you withhold my address from the decision-making record.

Sincerely,

Bruce L. Freet
Bruce L. Freet
Environmental Agreements, Inc.

This letter was faxed at 1:30 pm on Sept. 15th.



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September 15th, 2005

Dear Bill,

This is my response to the High Mountain Lakes Fishing EIS.

Within the North Cascades National Park (not including the recreation areas), fish stocking should no longer be allowed. Existing non-native fish stocks should be removed using methods that cause the least ecosystem damage. This is the only action that is consistent with the National Park Organic Act which mandates that park resources are to be preserved unimpaired for future generations.

In the Ross Lake and Lake Chelan Recreation areas my personal feeling is to treat the lakes in the same way as in the park. However, I understand there is a more delicate balance to be achieved between recreation and environmental preservation. I trust that you will attempt to achieve this balance without sacrificing high lakes ecosystem concerns and that any lakes that continue to be stocked will be monitored.

Sincerely

Mark Scherer

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September 15, 2005

Bill Palecek, Superintendent
Mountain Lakes Fishery Management Plan/EIS
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

Dear Mr. Bill Palecek

I commend the North Cascades National Park for managing towards a more natural condition with emphasis on amphibians. However the NCPNS cannot manage for one group of species at the peril of another. After reviewing the draft North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan/EIS I am concerned about the analysis, determination, and effects to the nesting loons on Hozomeen Lake.

I disagree with the analysis in alternatives B, C, and D that found: "While the loss of habitat at Hozomeen Lake is unlikely to affect the overall population of common loons, at the local level, the breeding pair of loons would be displaced from Hozomeen Lake and either would choose an adjacent area to nest or would stop nesting in the North Cascades Complex."

Between 1979 and 1999 only 20 Common Loon nests have been identified in the state of Washington. Of those 20, 10 (50%) were the maximum number known to be occupied during a single breeding season (WDFW 2000 Loon Status Report). The potential loss of the breeding pair at Hozomeen Lake will certainly have an affect on the overall breeding population of Common Loons within the state of Washington.

It also states that "the breeding pair of loons would be displaced from Hozomeen Lake" in alternatives B, C, and D. I also disagree with this analysis. Where would the breeding pair go? The analysis states that "Adequate fish resources to support a family of loons may exist in nearby Ross, Ridley, and Willow Lakes". WDFW (2000 Loon Status Report) states that unsuccessful territorial or non-territorial adults may comprise up to 49% of summer loon populations on breeding lakes. With many single loons present on the landscape how come they have not occupied any available nesting habitat? Ross Lake also has the potential disturbance from boat wakes, reducing its ability to provide suitable nesting habitat. Ridley and Willow Lakes are also much smaller than Hozomeen and may not be large enough to support a nesting pair of loons. Additionally, Ridley and Willow Lakes are proposed to become fishless in alternative D. How does this provide "adequate fish resources to support a family of loons"?

I also disagree with the impact assessments listed for the Common Loon in Alternatives B, C, and D based on the definition of these impacts on page 297, volume one of the draft EIS. All alternatives state that allowing Hozomeen Lake to go to a fishless condition would "incur minor to moderate impacts".

The definition of "minor" impacts states: *An action would result in detectable impacts, but they would not be expected to result in substantial population fluctuations and would not be expected to have any measurable long-term effects on native species, their habitats, or the natural processes sustaining them.* Occasional responses to disturbance by some individuals would be

Jeff Heinlen





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 North Beach Drive
Seattle, WA 98115

NMFS Tracking No:
200504525

September 16, 2005

William F. Palecek
National Park Service
North Cascades National Park
Lake Chelan National Recreation Area
Ross Lake National Recreation Area
810 State Route 20
Sedro-Wooley, Washington 98284-9394

Re: Endangered Species Act Section 7 Informal Consultation and Magnuson-Stevens
Fishery Conservation and Management Act Essential Fish Habitat Consultation
for the Mountain Lakes Fishery Management Plan. (HUC 1711000401 Upper
North Fork Nooksack, 17110005 Upper Skagit).

Dear Mr. Palecek:

This correspondence is in response to your request for consultation under the Endangered Species Act (ESA). The National Park Service (NPS) submitted a Biological Assessment (BA) for the above referenced project to the National Marine Fisheries Service (NMFS) on August 8, 2005. The NPS requested NMFS' concurrence with an effects determination "not likely to adversely affect" for Puget Sound (PS) Chinook salmon (*Oncorhynchus tshawytscha*) as provided under section 7(a)(2) of the ESA and its implementing regulations (50 CFR 402) for the action. PS Chinook salmon were listed as threatened under the ESA on March 24, 1999 (50 CFR 223 and 224). NMFS reviewed the BA and concurs with the effects determination for this project.

The NPS proposes to adopt a Mountain Lakes Fisheries Management Plan to manage fisheries in 91 lakes throughout the North Cascades National Park Service Complex (Complex). The purpose is to manage the lakes to minimize impacts to native species, including native fish populations downstream. An adaptive management program with extensive monitoring will be implemented to aid future management decisions. No future activities in the action area are dependent on this action.

Exotic (non-native) species have been introduced into Cascade mountain lakes for more than a century. Since 1933, the Washington State Department of Fisheries and Wildlife (WDFW) has stocked selective lakes in the Complex with non-native trout species for recreational fishing. Continued stocking has been a contentious issue since the creation of the Complex in 1968. The development of a management plan is intended to resolve the long standing controversy and establish a plan to minimize the impacts of non-native trout species on native biota.



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As requested in the BA, NMFS analysis considered the preferred alternative presented in the Environmental Impact Statement. That alternative proposes to eliminate high densities of reproducing non-native populations from lakes in the Complex while allowing low densities of reproducing and stocked fish populations to remain in select lakes. All lakes would be managed to minimize impacts on biological resources in the lakes and native fish populations downstream. An extensive monitoring program will be implemented to adjust future management and avoid unacceptable effects to native biota. Restocking of non-reproducing fish may occur in some lakes if available information indicates that impacts to native species will be minimized. Specific conservation measures proposed by WDFW include: (1) adjusting stocking densities and frequencies to avoid overstocking and minimize the potential for downstream dispersal, (2) developing hatchery strains that are genetically triploid and incapable of reproducing or hybridizing with native species, (3) removing populations of reproducing fish to reduce the potential for downstream dispersal, and (4) utilizing piscicides that degrade rapidly and will not disperse downstream.

NMFS expects the effects from the proposed project to have discountable effects because PS Chinook do not occur near any of the lakes. PS Chinook inhabit areas far downstream from the lakes and are unlikely to interact with the stocked fish. If some non-native fish disperse from the lakes to downstream areas, implementation of the proposed management plan will reduce the likelihood of interactions because: (1) the reduced population density of stocked fish will reduce the likelihood of downstream dispersal and (2) the increased use of non-reproducing fish will reduce the likelihood that self-sustaining populations of non-native fish species will become established.

If some non-native trout disperse downstream and interact with PS Chinook, the effects of that interaction are expected to be insignificant for PS Chinook. The potential effects identified by NPS are hybridization and predation. However, NMFS does not expect hybridization with PS Chinook to occur because there are no known instances of hybridization between PS Chinook and any of the introduced trout species. In the downstream areas occupied by PS Chinook, there are large populations of native trout. The few non-native trout that might disperse from the lakes are not expected to significantly alter the predation effects to PS Chinook juveniles.

NMFS concurs with the effect determination of "may affect, not likely to adversely affect," for PS Chinook. Concurrence is based on information in the BA and is contingent upon full implementation of the conservation measures described by the applicant and included in the administrative record.

This concludes informal consultation on these actions in accordance with 50 CFR 402.14(b)(1). The NPS must re-analyze these ESA consultations if: (1) new information reveals effects of the action(s) that may affect listed species in a way not previously considered; (2) the action(s) is modified in a manner that causes an effect to the listed species that was not previously considered; or (3) a new species is listed, or critical habitat designated, that may be affected by the identified actions(s).



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Historical Case for Fish Stocking the High Lakes in the North Cascades (including recent scientific conclusions)

Preface

Much of this "tour" through the history of fish stocking in the North Cascades was gleaned and guided by the excellent book *"Contested Terrain: Administrative History,"*¹ written in 1998 by David Louter. Louter was employed at the time by the National Park Service (NPS) as a professional historian. In spite of the excellence of Louter's book, it was so broad in scope that it excluded much of the detailed history critical to a full understanding of fish stocking in the area now known as the North Cascades National Park Complex (NOCA).²

As part of the NOCA Environmental Impact Statement (EIS) on fish stocking begun in March of 2003, Louter wrote a white paper entitled *"The Fish-Stocking Controversy"* to add the missing detail. Although Louter's white paper was a welcome contribution, several important events were either skipped or characterized in a way that favors the NPS's general preference for removing already introduced fish species from national parks on the ideological grounds of wilderness values. Specifically the white paper spends little time discussing either the historical rationale for the continuation of fish stocking in the NOCA, or the remarkable scientific evidence that has accumulated showing no measurable impact on park ecosystems when fish stocking is properly managed.

This *"Historical Case for Fish Stocking the High Lakes in the North Cascades"* document is meant to remedy these aspects of Louter's white paper by presenting the historical case for fish stocking in the NOCA from actual documents and records – including the documented written or spoken words of notable figures who directly participated in this history (e.g., members of Congress, officials of the NPS). It also draws heavily from Louter's *"Contested Terrain"* book (given its neutral character) to chronicle the various events that occurred during this fascinating 40-year history.

Woven throughout this history is an example of the equally fascinating corollary issue of conflict between federal and state rights in the management of wildlife on federal lands. The scientific evidence pertaining to fish stocking in the North Cascades comes primarily from the Liss & Larson report: a comprehensive, 15-year, million dollar study of the north Cascades alpine lake ecosystems conducted by Oregon State University and completed in 1999.³

Early History

This paper will not attempt to review the history of fishing and the park before 1963. It was in 1963 that the *"Study Team Report"*⁴ effort was launched by the then new Kennedy administration. The history of the fish stocking controversy essentially dates from the initiation of this study. As far as earlier history,

¹ Louter, David. *Contested Terrain: North Cascades National Park Service Complex An Administrative History*. Seattle: National Park Service, 1998[Hereafter cited as "Contested"]

² The North Cascades National Park Complex (NOCA) includes the North Cascades National Park (NCNP) and the surrounding Ross Lake and Lake Chelan National Recreation Areas. Although not technically correct, the names NOCA and NCNP are sometimes used interchangeably in the literature.

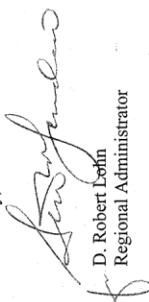
³ *Ecological Effects Of Stocked Trout In Naturally Fishless High-Elevation Lakes, North Cascades National Park Service Complex, WA, USA. Phases I, II, III*. April 1999.

⁴ Dept of Interior and Dept of Agriculture. *The North Cascades: A Report to the Secretary of Interior and the Secretary of Agriculture*. October 1965.

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Should you have any questions concerning this informal consultation for ESA or EFH, please contact Joel Moribe of the Washington State Habitat Office at (206) 526-4359 or at joel.moribe@noaa.gov.

Sincerely,


D. Robert Lohin
Regional Administrator

cc: Roy Zipp, Natural Resources Specialist, NPS



suffice it to say that the area now occupied by the NOCA was always admired for its exquisite beauty and many people did many things to focus attention on its preservation and proper use. During this early period the federal lands which eventually became the park were administered by the Forest Service (FS) under its "many uses" mandate.

Study Team Report of 1965

The Study Team Report almost never happened. There was a call to do a study of the North Cascades area as early as 1959 by Congressman Telly, but the effort became bogged down in jurisdictional disputes between the FS and the NPS.

This theme of jurisdictional disputes arose time and time again over the next decade. Which agency and which land and wildlife management policy/culture was to prevail? Those who preferred using land and wildlife for the benefit of the surrounding people favored the Forest Service structure; whereas those who were concerned with preserving the land and wildlife looked to the NPS structure.⁵⁶

The debate over how to balance these two competing views, policy sets, and cultures was intense. The logjam at this time was finally broken with what became known as the "Treaty of the Potomac." This "treaty" between the two agencies paved the way for the study team to do its work. The study was completed in October 1965 and released to the public on January 6, 1966.

Ed Craft, Chairman of the study team, termed the study a "compromise proposal" since the team members remained heavily split, and said "undoubtedly the most controversial" aspect of the study was whether there would be a park at all. (The alternative being to allow the land to continue to be managed by the FS.) Craft's compromise proposal claimed that a park should be established for the purposes of "mass recreation use." It was clear to all involved on the study team that however a park was established, traditional uses of the land such as fishing and camping could not be excluded in a major way. These concerns would become one of the primary reasons for the eventual creation of a park complex consisting of a national park and national recreation areas. Compromise on public use versus preservation was evident from the very beginning and all through the remaining history of the NOCA.⁵⁸

The Creation of the North Cascades Park Complex

US Senator Henry Jackson held committee hearings in Seattle on February 11-12, 1966 to get public input on the Study Team Report. Hundreds of statements and communications were heard or received. Fishing was one of the areas addressed by the committee members and the public as they considered this statement made in the Study Team Report in the Resources section:

*"Fishing would not be affected because fishing, habitat development, and stocking are allowed in a National Park."*⁵⁹

⁵⁶ Contested, pp 37-43

⁵⁷ Jurisdictional disputes continue into the present; although the players tend to be the NPS and state wildlife agencies.

⁵⁸ Contested, pp 37-43

⁵⁹ Contested, pp 37-43

⁶⁰ U.S. Congress, Senate, Committee On Interior And Insular Affairs, North Cascades Olympic National Park, *Hearings On The Study Team Report Of The Recreational Opportunities In The State Of Washington*, February 11 And 12, 1966, 89th Cong., 2d Sess., 1966, pp 26. [Hereafter cited as "Hearings #1"]

As well as Recommendation XX in the Other Recommendations section:

*"The State of Washington and concerned Federal agencies should take all reasonable measures to protect and manage the fisheries resource, to improve habitat, and to increase levels of fishing use."*⁶⁰

Senator Jackson introduced Senate Bill 1321 on March 20, 1967⁶¹ and scheduled hearings in various cities during April and May of 1967 to get further public reaction to the Senate bill, which had been based on the recommendations of the Study Team Report.⁶² The desire to continue the fishery and hence fish stocking was expressed by several dignitaries:

*"Fishing, of course, would be a permitted use in both the national recreation area and the national park."*⁶³ Stewart Udall, Secretary of the Interior.

"I further recommend that in the Wilderness Areas fishing and hunting be administered by the State of Washington...I recommend that the North Cascades National Park be managed according to traditional National Park criteria. Fishing would be permitted, but hunting would be prohibited." Statement of Daniel Evans, Governor of the State of Washington as read by John Biggs.⁶⁴

An exchange between Senator Jackson and John Biggs, Director of the Washington State Department of Game.⁶⁵

Biggs: "...the necessity for active restocking programs has clearly been proven...Such a program of stocking is essential for the reason these waters offer little or no potential for natural restocking."

Jackson: "What you are saying is that the Park Service has a tendency to limit the stocking of fish within the lakes of the national parks?"

Biggs: "I would feel so, Mr. Chairman."

Jackson: "What is the situation in this area at the present time with reference to the stocking of fish?"

Biggs: "It is handled by the State of Washington through its Department of Game."

On April 20, 1968 Congressman Meeds introduced House bill HR 8970. There were competing bills at the time but HR 8970, almost identical to Senate bill 1321, was the one eventually passed by the House. Hearings were held on these House bills in April and July of 1968.

The following very telling exchange occurred between Congressman Lloyd Meeds, Congressman Morris Udall, and National Park Service Director George Hartzog during a hearing on these House bills. The exchange seems to make clear to the Committee members that fishing and fish stocking would be permitted in the proposed park. This exchange was later referred to by State of Washington officials and

⁶⁰ Hearings #1, pp 34

⁶¹ Contested, pp 47

⁶² U.S. Congress, Senate, Committee On Interior And Insular Affairs, Subcommittee On Parks And Recreation, *Hearings On S. 1321, A Bill To Establish North Cascades National Park*, 90th Cong., 1st Sess., 1967, pp 1-2. [Hereafter cited as "Hearings #2"]

⁶³ Hearings #2, pp 12

⁶⁴ Hearings #2, pp 48

⁶⁵ Hearings #2, pp 51-53



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"Popular places have been littered and denuded, the trees hacked up, the flower meadows trampled or laced with trails and the few level spots strewn with fireplace scars." 1970, Roger Contor, first Superintendent of the NCNP.¹⁸

As seen in the next quote, these abuses were addressed in a management plan that corrected the abuses and insured that abuse would not occur again. Note however that these management plans did **not** eliminate these traditional uses.

"This backcountry and its fragile alpine ecosystems must be managed carefully to prevent damage by visitors and livestock. Corrective measures will involve revegetation of the denuded areas; improvement of the surface, grade, and drainage of trails; elimination of fires and overnight camping in the more fragile locations...." 1970, Roger Contor, Superintendent NCNP.¹⁹

Similarly, and given the promises made by congressional representatives and Park Service administrators, fishing and fish stocking might well have been expected to follow a like program of corrective measures. In other words, one might have expected Park Service administrators to implement management plans that healed past abuses while allowing the continued use of NCNP lands for the recreational purpose of fishing – just as was done for the hiking, backpacking, and camping.

However, after the Leopold Report and the coming of biologist Robert Wasem to the park in the early 1970's, a full scale effort was made to manage high lake fishing, but rather to eliminate it. Louter says that in 1975, Superintendent Lowell White, "instituted a new policy for the park's high mountain lakes stating, in essence, that the agency would no longer stock naturally barren lakes and would not restock those lakes into which native trout had been introduced...."²⁰

The Washington State Game Department (WDG) certainly did not accept this unilateral abandonment of the use of fishing by the NPS. After loud complaints of foul by the state, NPS Regional Director Russell Dickenson decided to use a NPS variance "to affirm our commitment to fish stocking." in July 1975.²¹

But according to Louter, "the fish-stocking issue was not fully resolved in the 1970's....and would flare up again....in the 1980's."²² Superintendent John Reynolds in 1985 once again attempted to eliminate the stocking of fish in the high lakes to be in keeping with the NPS policy of no fish stocking, inspired by the Leopold Report. According to Louter, Reynolds was intent on bringing the NCNP in line with the other, older parks in the National Parks system, and he was concerned about how fish stocking in the NCNP would set precedent for other parks.^{23,24} This conflict between the NPS and the WDG was at least temporarily resolved by a policy set forth by NPS Director William Mott in a memorandum dated June 12, 1986 to the Acting Director of the Pacific Northwest Region.

"In developing our reply to your request, we have considered both information regarding the impact of introducing fish into naturally fish-free lakes and also the record of the testimony concerning the establishment of the North Cascades Complex."

¹⁸ Contested, pp 102

¹⁹ Contested, pp 110-112

²⁰ Contested, pp 116

²¹ Contested, pp 119

²² Contested, pp 120

²³ Contested, pp 240-242

²⁴ Apparently, the unique conditions and comments surrounding the establishment of the park as documented here were not taken into account by Reynolds.

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citizens as part of the basis for their belief that the establishment of a National Park would not interfere with the state's highly successful stocking program for the high lakes in the area.¹⁸

Meeds: "Mr. Campbell, this is the second time I have heard this statement today and if I may, Mr. Chairman, I would like to ask Mr. Hartzog, Director of the Parks, a question which I do not know the answer to, through Mr. Campbell."

Udall: "If you are willing to run the risk of the answer, I will let you ask Mr. Hartzog."

Meeds: "Mr. Hartzog, I see in this testimony a statement that the Park Service 'limits planting of fish in lakes with no native fish populations that are now planted by the Forest Service and the State game department working together.' Is that a true statement?"

Hartzog: "It is not, and I do not know how on earth this information goes around, Mr. Meeds. We have an active fish-planting program in every single major park and for many years we had a Fish and Wildlife Service hatchery operated in Yellowstone National Park. Now, if the stream already has its limit of fish comparable with its food-carrying capacity, then obviously, we do not engage in put-and-take fishing program. But, we plant fish in practically every area that I can think of off the top of my head now, including all of our major national parks."

Meeds: "Thank you, Mr. Chairman, I really did not know the answer. I heard that twice this morning and it was my understanding the Forest Service did allow planting of fish. I am glad to get that cleared up."

David Louter summarized the establishment of the North Cascades National Park (NCNP) in his history as uniquely contentious, indicating it came about only because of compromise, and that this did not bode well for future parks: "as the bitter fight to create a park in the North Cascades demonstrates, those areas that remained outside of the park system faced great political odds against their conversion into national parks."¹⁹ Unlike other previous parks, the NCNP was possible in large measure because of the compromises that were made and committed to by all sides that formed the basis of consensus. As Chairman Dr. Craft indicated when the Study Team did its initial work, concessions were made by the NPS in order that there would be a park at all.

Park Administration

Park administrators have sought to implement procedures to manage the lands and wildlife of the NOCA since its creation. These efforts have usually taken the form of repairing previous damage, and then instituting policies and management plans which allow for the continued recreational use of the park by the public. These policies and plans allow managers to minimize the impact of public use while permitting the use to continue.

These efforts are most clearly demonstrated in relation to trails and camping. The following are a series of quotes from Louter's history that demonstrate how this process unfolded.

¹⁸ Hearings Before The Subcommittee On National Parks And Recreation Of The Committee On Interior And Insular Affairs House (11 Representative 90th Congress, 2nd Session On Hr 8970 And Related Bills, July 13, 1968, pp 854. [Hereafter cited As "Hearings #3"]

¹⁹ Contested, pp 60



"In summary, with the three above classes of waters (fish-free waters, self-sustaining fish populations and fish-stocked waters) we will provide for an enhanced recreational fishing experience in the park while at the same time assuring that we provide the opportunity for aquatic research under natural conditions. In this regard, it would be desirable for your office to develop and implement a research effort that (a) establishes current fish and aquatic habitat baseline conditions in park waters; (b) monitors carefully the impacts of this fish-stocking guidance on fish and other wildlife; and (c) determines changes over time referenced against current baseline conditions or against undisturbed natural conditions where they are known. These data will help provide an informed basis for determining whether changes in our fish-stocking management actions may be needed in the future."²⁵

Furthermore, in a remarkable demonstration of political unity, a letter was written by four influential national politicians from the State of Washington (Senators Gorton and Evans, and Congressmen Dicks and Swift) urging that the NPS take into account the commitments regarding historic uses made when the park was created.

"We understand that the Superintendent of the North Cascades National Park recently decided to prohibit the longstanding practice of planting fish in high alpine lakes in the Park. We also understand that you are reviewing this decision, and we urge you to reconsider it.

We are aware of the present policy of the National Park Service to manage ecosystems in their natural state. As a matter of general policy, we agree that it is an important role of the national parks to preserve natural ecosystems. The North Cascades National Park complex, however, presents a unique situation. The Park and the Recreation Areas were created with a specific recognition for the historic uses to which the area had been put."²⁶

This memorandum and letter set the stage for a dialog between the NPS and the Washington Department of Wildlife (WDW), formerly the WDG, for the development of a management plan in 1987 for these high lake waters which provided the "historic use" of fishing the state considered promised when the park was created. However, the devil being in the details, the NCNP and the WDG came to disagree strongly on which lakes fell into which categories as laid out in the Mott memorandum of 1986. As described by Louter, WDW Director Wayland and NCNP Superintendent Reynolds were each backed in a corner with threats of unilateral action made by both sides. The negotiations were at loggerheads and seemed destined for court action until William Horn, Assistant Secretary for Fish, Wildlife, and Parks intervened and asked the agencies to work out their differences.²⁷

With this intervention by Horn, the NCNP and the WDW signed a Memorandum of Understanding (MOU) on July 12, 1988 listing the lakes to be planted. That MOU is still in effect as of this writing having been reaffirmed and extended several times.

In a letter from William Horn to the WDW, Horn not only encouraged cooperation between the state and federal agencies, but he also promised that the NPS would undertake development of a high lake fishery management plan based on a scientific data collection and analysis.

"The National Park Service is undertaking an intensive research project to develop a proper data base to support decision-making about the future role of fish stocking in the management of recreational fishing in the park."

²⁵ NPS Director William Mott to the Acting Director of the Pacific Northwest Region, June 12, 1986. File N1423, NOCA.

²⁶ Senator Shide Gorton, Senator Dan Evans, Congressman Al Swift, And Congressman Norm Dicks to Letter To William Mott, Director, NPS, June 25, 1986.

²⁷ Contested, pp 244

"The results of the research will be used to support development of a publicly reviewed recreational fishery management plan."²⁸

This reemphasized essentially the same commitment made a year earlier by Charles Odegaard, Regional Director NPS, in a letter to Jack Wayland, Director WDW:

"Some naturally, fish-free waters may be stocked contingent on the design concept of a research project."²⁹

The door was thus left open not only for a fully managed fishery, but also interestingly enough for a fishery not necessarily limited to the lakes previously included in the MOU.³⁰ The scientific study promised by Horn began soon thereafter in 1988 and continued for nearly 15 years. The study included researchers from Oregon State University and is commonly known today as the Liss & Larson study. A key conclusion resulted from the Liss & Larson study: non-reproducing, low density fish populations have little or no impact on lake ecosystems. Only reproducing, high density fish populations result in ecological damage to high lakes.

"There were no significant differences in large diatomid³¹ densities between fishless lakes and lakes with non-reproducing trout populations."³²

"Lakes with non-reproducing trout will be a crucial component of NOCA's high lakes management plan because the lakes are common within NOCA. Furthermore, many anglers prefer to fish in lakes with non-reproducing trout because trout densities are low and fish often reach a large size. Lakes where trout are incapable of reproducing because they lack adequate spawning areas may offer the most options for future management. In these lakes fish densities can be regulated by controlling both stocking densities and the interval between stocking."³³

In other words, this multi-year, multi-million dollar study concluded that if fish populations are properly managed so that those populations are maintained at low densities, there is no statistical difference between lakes with such fish populations and those lakes that are fishless. Now that this research has been done, the results clearly indicate that periodic stocking of non-reproducing fish in low densities can indeed provide a high mountain fishing recreational opportunity without negative impact on the park ecosystem, just as was offered by Odegaard, Mott, and Horn.

Note that this result of the Liss & Larson scientific research is somewhat counter-intuitive and was not well appreciated by most of the players in this history. One might think (and some figures in this history did think) that the best solution to providing lakes with fish would be to allow the fish to reproduce and thereby alleviate the need to periodically stock them. In fact the opposite is true. Periodic stocking is the best way to provide fishing opportunity without ecological damage since non-reproducing populations can be maintained with such stocking.

²⁸ William Horn to Jerry Neal, April 28, 1988, File N1619, NOCA.

²⁹ Charles Odegaard, Regional Director NPS to Jack Wayland, Director WDW, August 1987.

³⁰ Assuming such inclusion was compatible with the research results.

³¹ The most common crustacean zooplankton.

³² Ecological Impact Of Introduced Trout On Native Aquatic Communities In Mountain Lakes, North Cascades National Park Service Complex, WA, USA: Phase III Final Report, July 2002. See Summary of chapter 3.

³³ Ecological Effects Of Stocked Trout In Naturally Fishless High-Elevation Lakes, North Cascades National Park Service Complex, WA, USA: Phase II, April 1999. See Global Conclusions Related To Effects Of Introduced Trout On Native Biota section of chapter 7.



The Future

It would seem logical to resolve these long standing disputes, between the state's right to manage wildlife and the federal government's right to manage its lands, by cooperatively analyzing a proposed use of park resources that weighs the recreational benefits of the use against the impacts (in a sort of cost/benefit analysis). There is little question as to the recreational benefits of a high lake fishery to park visitors. Additionally there are financial benefits to the State of Washington with license sales, and economic benefits to local businesses. As for impact, the recent scientific evidence strikingly concludes that low density stocking has little, if any, impact on the ecosystems involved.

The historical record presented above makes it clear that the fishery managed by the state for so many years was to continue in conjunction with NPS management after the Park's creation. This is apparent in the historical record, and reinforced in the subsequent Memorandum of Understanding signed in 1988. Given these considerations, it should be clear that both the state and federal government have an opportunity to continue to provide significant high lake fishery recreational benefits to citizens with extremely low environmental risk.

Prepared by Sandy McKean
Member of WDFW Inland Fish Policy Advisory Group
NCNP Chair for Trail Blazers and Hi-Lakers

August 25, 2004 (revised May 12, 2005)



7

Kept Private

I have read the executive summary of this plan and am not convinced that the lakes currently being stocked are biologically depressed as a result of the stocking. I support Alternative A. I believe that fishing in the high country is as healthy of a hobby as one can find anywhere and I would hate to see this activity limited by a biological zeal for purity.

If the NPS could clearly show that fish and/or human access were causing serious damage to the ecosystem surrounding these lakes then I would support the elimination of stocking. Lacking evidence of such an impact, I ask that you continue to allow fishing in the high country.

By the way, great job on the executive summary. It is well organized, concise, and actually a pleasure to read.

12

Catherine S. Austin

I am submitting my support for Alternative D of the North Cascades National Park High Mountain Lakes Fishery Management Plan. Given that the 91 lakes under consideration were naturally fishless and that human interference in these fragile, alpine, aquatic ecosystems began one hundred years ago or less, it seems reasonable to use the insight provided by recent studies to prompt the removal of exotic fish species now. From an ecological standpoint, I am concerned about the impacts of both reproducing and continually-stocked high lake fisheries on densities of copepod, caddisfly, and amphibian species of concern. The ecosystem roles and interactions of these native organisms, perhaps most importantly the long-toed salamander, seem to merit the protection of the Wilderness Act, which - while not expressly prohibiting fish stocking - offers in spirit a strong valuation of unhindered natural processes. Since a majority of North Cascades National Park is designated wilderness, I invoke the Wilderness Acts applicable to the high lakes therein, as well as to the spirit of conservation within the whole of the North Cascades National Park Complex, which I take to extend to the land designated Recreation Area. It is, clearly, the stated Park Management Policy to avoid the introduction of exotic species into parks. As for concern over fish removal techniques, I am satisfied that the impacts of mechanical removal techniques and the chemical antimycin, as explained and mitigated in the plan proposed, are sufficiently low as to be offset by the benefits to the native ecosystems of fish exotic removal.

In keeping with the opinion expressed above, I would secondarily support Alternative C, which admittedly has the advantage of providing recreation for a group of people (those who fish) who hopefully may, in other ways, support the park mission of preserving resources unimpaired for future generations, and which would continue to allow the impacts of fish stocking in only Recreation Area lakes. As a third choice, I would support Alternative B, which I can see offers the lowest cost of the non no-action alternatives, and which is still preferable to continuing to stock high lakes as per current management.

63

David Berger

My name is David Berger. I first want to say I've been around families and watched father and sons fishing in the high lakes, and I can't quite explain why it's such a magical experience to see that handing down and offering from one generation to another, but it's real. And I encourage the preferred option B for that reason.

I wanted to speak a little more about B, just my own concern looking, I guess, down at the future and the adaptive management plan and some of the ideas that are contained there. My worry would be that there's enough ambiguity and wiggle room and budgetary excuses that we'll run into the same problems in the future that we have right now because of the confusions with the Memorandum of Understanding in the past, and my worry as a high laker and a high-lake fisherman is that we will remove fish from some lakes and maybe remove fish from lakes that are overstocked, which is good, but the other side of the coin to the adaptive management plan and thought to restock some of the lakes, that will not happen, and so I would encourage the Park Service to consider an informal linkage among the various components of Plan B, in other words, not necessarily a one-to-one quid pro quo, but some sort of linkage that if and before we remove stocking from certain lakes, we proceed with the -- or you proceed with the other components of the plan.

If we're going to remove stocking from certain lakes by whatever means and then reconsider whether those lakes will have fish again, that some of those lakes be considered and decisions made before the fish are removed from some lakes.

And if it doesn't quite happen in that order, at least have some sort of written understanding that there's a component of linkage informally between them so that 5 years from now or 10 years from now or 15 years from now when there's no budgetary money for the monitoring because it's so expensive, or for the expense of detailed adaptive management analysis we don't get the shaft of all the lakes being taken out of circulation for fish and none put back in.

And additionally, just briefly, I'd like to have the flow chart looked at with a little more of a selective eye, a little less conservative eye, such decisions as -- not to get too complex -- but lakes and single basins or single lakes and basins being removed for the possible danger to amphibians. I would just like to say -- I forget what the legal term is, but generally speaking, you don't put someone in jail for something they intend to do; you let it happen first and then you examine the circumstances. So if we do have problems with the amphibians in the lake, I am quite sure that everybody in this room would be supportive of the appropriate action to address that, but until it's real, I don't see prophylactic action being taken. Thank you.

5

Joanna R. Bould
The Wilderness Society

Bill Paleck, Superintendent
North Cascades National Park Service Complex
810 State Route 20
Sedro-Woolley, WA 98284-1239

26-Aug-05

Re: Mountain Lakes Fishery Management Plan/EIS

Dear Superintendent Paleck:

The Wilderness Society appreciates the opportunity to comment on the North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan. The Wilderness Act clearly recognizes recreation as an important value of wilderness. The Wilderness Society has long supported and will continue to advocate for



appropriate wilderness recreational opportunities, including fishing. However, recreation is not the only recognized use of wilderness, and the protection of wilderness character must be paramount in a land managers' decision-making process.

The presence of native fish and wildlife at naturally fluctuating population levels is an important component of wilderness character. However, the continued stocking of non-native fish populations into naturally fishless lakes is an action we consider incompatible with the purpose and value of designated Wilderness. We express further concern with some of the mechanical and chemical methods proposed to remove non-native reproducing fish populations under Alternatives B, C, and D. Moreover, stocking of non-native fish populations directly contradicts the Park Service's own Management Policies directing the restoration of natural systems. See Management Policies, Chapter 4.

Further, The Wilderness Society is strongly opposed to any effort to amend the enabling legislation for the North Cascades Complex to allow for continued stocking of non-native fish in Wilderness areas. We feel that such legislation is unnecessary and could set a bad precedent for other areas in which this practice has been banned.

We intend to track this proposal closely. Please continue to send information to the address below.

Thank you for your time and consideration.

Sincerely,

Joanna Bould
Washington Campaign Coordinator
The Wilderness Society
1424 Fourth Avenue, Suite 816
Seattle, WA 98101

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Norm Burke

Well, after that, mine's going to be real short. I'm primarily a private citizen living in Manson at the moment. And I've read the Environmental Impact Statement, and a couple of things concern me. First of all, I would like to give my congratulations to the team that prepared that document. That's something else, 599 pages, and I think that's just the first volume. It dawned on me that I just wondered how much that thing cost. In any case, if I knew of the man-hour number, I could calculate it, I suppose.

But I support the continued fish stocking within the National Park. And Alternate B is probably as good as any. The other two alternates that also support fish stocking are also acceptable. But what disturbs me the most is I read in the summary that regardless of what alternative is brought forward or is arrived at through this process, if there is no congressional legislation that is accomplished by our congressmen, then this whole thing goes out the door. All the alternatives are meaningless because we automatically revert to Alternative 4 which presumably has a time line for removing all fish and discontinuing stocking completely. That disturbs me. That's about it.

17

Kept Private

After visiting the North Cascades National Park and all its beauty I would like to express my concern regarding the introduction of non-native fish into wild mountain lakes. Doing this would disrupt the balance of nature. The North Cascades National Park deserves superior protection!

Please think about the future of OUR park!

27

Vern Cohrs

Vern Cohrs, and I'll be brief. Prior to formation of the park in the late '60s, fish stocking was allowed. In the formation of the park, not only the historical stocking but the promises were made by the people trying to form the park to sportsmen, that fishing would continue in the park complex, and I'm in favor of continued fish stocking in the NCNP.

25

**Don Collen
Wildcat Steelhead Club**

My name is Don Collen, and I'm president of the Wildcat Steelhead Club, and I have to apologize here because the fact is that I wasn't informed of this meeting until this morning, so I haven't really had a chance to digest the thing, but if we have to choose between Alternative A, B, C or D, our club would go for A. There's no question about it, no action.

I feel strongly that we are trying to microanalyze Mother Nature, and for individual purposes or clubs or ethnic groups, whatever you can call it, and I think all we're doing is making more problems for ourselves. I strongly feel that in a lot of cases where the ZISs are set up, we should just leave Mother Nature alone and let it handle it. That's all I have tonight. I'll send more in later.

8

David and Charlotte Corkran

We urge adoption of Alternative D, "The Environmentally Preferred Alternative." We have been visiting the North Cascades since 1957, and Char has been studying its wildlife since 1967. As an co-author of a book on how to identify all life stages of Pacific Northwest amphibians and as a researcher surveying the occurrence of amphibians in remote areas of Yellowstone National Park, Char has been observing amphibians in some of the most pristine wilderness in the lower 48 states. Yet even in these remote areas she is finding amphibians threatened by man's activities. In the North Cascades NP., the Glacier Peak Wilderness and the Pasaytan Wilderness she has seen amphibians impacted by fish introduced into hitherto fishless lakes. In Yellowstone park fish introduced into some lakes have had similiar impacts, as have roads, tourist facilities and administrative sites. Even in the most remote portions of Yellowstone amphibians are being attacked by Kittridge's disease, a world wide epidemic thought to be associated with global warming, acid rain, or some other human activity. Her experience suggests to us that amphibians need every refugia they can find. Alternative D. would maximize the refugia available to salamanders, toads and frogs, and is therefor the most appropriate alternative for protecting this important genra of animals. Alternative D. is also the most appropriate alternative in light of the Park Service mission and existing Park Service policy. It needs no action by Congress, which alone makes it far preferable to the other actions. There is no telling what Congress will do once the issue is on its doorstep. Please adopt Alternative D.



65

Brian Curtis

First, let me just say that I've actually enjoyed reading the EIS. It's a beautiful piece of work. For the most part it was actually very enjoyable reading, but there are a few things in it that I'd like to point out that concern me.

One is it says -- it talks about until the public scoping meetings, it says on Page 459, "The public also expressed a concern that the analysis occurred on a landscape scale, so the technical advisor committee took a broad look at lakes in the North Cascades Complex and selected a representative number of lakes to remain fishless under each alternative," but it also says in the study area definition on Page 48 that a total of 245 mountain lakes in the North Cascades Complex and at least 154 of these lakes which have always been fishless and because they would remain fishless and because they've never been part of the managed fisheries, these 154 lakes were not analyzed in the EIS.

So, in other words, it's not a landscape-wide document; it's actually only taking a certain subset of the park. And so a lot of the decisions were made on an individual lake basis. The decisions to leave unique waters fishless, for instance, were not made taking into consideration there might be other fishless lakes in that those 154 lakes that would also apply. Then my next concern was over the MRA, and I think that Jeff's comments really covered pretty much mostly what I had planned to say on that very nicely. It says -- the one sentence that really says it, it says on Page 75 that "stocking is not expressly prohibited in the Act," and then it goes on to say that according to Section 4(c) of the Wilderness Act agencies may engage in management actions that may otherwise be prohibited in the wilderness provided they are necessary," and I think that sentence is incorrect. It should read "that are otherwise prohibited in the Act" because it lists the express -- it expressly lists the items that are prohibited for which an MRA is required.

And those acts, of course, include helicopters and outboard motors that are proposed to be used for elimination of fish in some of these lakes, so those are the tools that the MRA needs to be applied to.

The other issue I have is adopting Alternative D if there's no -- if Congress doesn't take action. There seems to be a three-pronged reason on Page 74, the first of which is the precedent -- they say you don't want a precedent set so that other states would want to start putting pressure on their parks to allow fish stocking.

That -- for years we've been having temp -- we've been having fish stocking in the park and I haven't seen that pressure from the other states, so I'm not sure that really applies once the EIS is passed. Additionally, the second reason was that the waivers are only temporary, and I agree it would be nice to have a longer term solution, so I'm not against clarification from Congress, but I don't think that's a reason to drop it into Alternative D.

It doesn't make a difference. There's no justification that follows from that, and the third reason was the MRA, but since the MRA is misapplied, I don't see how that applies either, so I just don't see any justification for applying Alternative D without any legislation. So that's all I've got.

11

Doug H. England

It is important to not change the current policy of allowing fish stocking in high country lakes in the North Cascade National Park as was promised when the park was formed. The volunteer program requires no federal funds to administer and greatly enhances the use and enjoyment of this national treasure. Regardless of how the fish population began, a delicate balance now exists in the area around the lakes that includes the fish as a vital element. This balance has only improved and strengthened many other systems within our environment. To remove this important factor will only degrade our heritage.



13

Kept Private

I would like to let you know of my support of Alternative D as described in the (EIS) for the North Cascades National Park Service Complex Mtn. Lakes Fishery Management Plan Environmental Impact Statement.

We need to keep non native fish out of our state lakes. Fishless lakes need to be kept fishless. The biodiversity of these lakes as nature meant them to be is a very important balance to nature's life and ours. As a sportsperson and the spouse of an avid fisherman.....leave our lakes alone. Keep them as native fishing lakes or fishless lakes.

26

Virgil Harder

You want proof? I have two basic comments and a conclusion. The minimum requirement analysis or MRA has been misapplied. Fishing needs to be viewed as an accepted recreational activity, just as hiking and camping and mountain climbing are. The NCNP routinely does various management actions to provide trail building, trail maintenance, campsite construction with minimum impact.

Fish stocking is an equivalent management action to provide an ecologically sound mountain lake fishery. MRA cannot sensibly conclude that low-density fish stocking is inappropriate, and it could conclude that properly constructed trails are inappropriate. When the park was created, it committed to provide hiking, camping and fishing, and I will not get into the hearings. MRA can no longer conclude that properly managed fishing should be eliminated, and it can't conclude that properly managed hiking should be eliminated. The EIS claims it can press no clarification as required to give NCNP authority to continue fish stocking because nothing is complained in the legislation authorizing fish stocking.

Many management actions were not spelled out in 1968 enabling legislation. Is legislation needed to build a bridge on a trail, or even build a trail itself? Is legislation needed to repair a trail? Does the legislation authorize campfires to be allowed? Congress intended hiking and trail building to be continued once the park complex was established. In the same way the Congressional record shows that fishing along with proper fish stocking also was intended.

The EIS statement that fish stocking cannot continue without legislative clarification is unjustified giving MP's history as evidenced in the Congressional hearings and by NCNP's management actions to now.

My conclusion is that the MRA draft/EIS is flawed because its reasoning were impartially applied to hiking trails maintenance and mountain climbing as it does to fishing and fish stocking. It would have to conclude a trail should be eliminated, bridges should be eliminated, campsites should be eliminated. The EIS claim that congressional clarification is required is flawed for the same reasons. Auf Wiedersehen!

76

Virgil Harder

I'm writing "B" down before I come up.

"Wilderness" is in EIS Volume I 333 times. It is in the EIS Appendix Volume II 199 times. The EIS leans rather strongly toward blaming fishers for damaging the "wilderness value" of lakes. Are fishers the only ones at lakes?

Since I haven't been to a lake in the North Cascades National Park with a well-trafficked trail to it -- In fact, I have been to no lakes in the North Cascades Park with a trail. I do have one example, and non-fishers account for probably 95 percent of the traffic to Summit Lake, a beautiful lake north of Mount Rainier. You get up in the morning, and Mount Rainier is practically blocking your view outside the tent flap. Who gets blamed for destroying the lake surroundings and for tossing garbage? The method used for counting fishers at various lakes generates fictitious, inaccurate numbers. Besides, most NCNP Complex fishers go to lakes with no trails to them, and the



fishers' credo is "Leave no trace." Of course, there are always a few exceptions, just like there are a few exceptions at campsites and on mountains.

In other words, for the EIS to claim that fishing detracts from wilderness values is preposterous. It adds to wilderness values just like hiking, mountain climbing and camping do.

The EIS implies -- probably states, but I missed it -- there were or are no native fish in NCNP Complex; ipso facto, no native fish equals no authority to stock fish to some. NCNP staff archeologist, in a paper published March, 1997, titled, "An Updated Summary Statement of the Archeology of the North Cascades National Park Service Complex," has several references to fish being in NOCA centuries ago. Here is one quote: "The lands in today's park complex were occupied by human groups for at least the last 8,400 years." That's a quotation. And continue, "Most of the archeological sites in NOCA consist of below-ground remains of camps and resource areas where Indian people processed and cooked food, collected specific kinds of rocks and minerals for tools and hunted, fished and collected plants," end of quote. Could Ross Lake fish be descendants from 8,400 years ago? Could fish have come up Skagit River before the Ross Lake dam was built and moved into connecting streams and lakes? Actually, could Ravens and/or Loons have dropped fry into lakes?

I was at a lake in British Columbia, and an eagle came down and took a fish away from my partner.

The EIS needs to quit its bias and be objective. It needs to use science, not domineering or unsupportable declarations.

Thank you.

59

Hans Helm

Good evening. My name is Hans Helm. I'll be talking about balance and diversity of lakes for overnight backpacking and fishing availability to our families. When I was a young boy, about ten, my parents would take me hiking to beautiful remote high mountain lakes in the parks of the states of Wyoming and Colorado. With a considerable amount of effort and elevation gain, we would finally reach the shore of some pristine, clear water lakes and have a well-deserved rest and a nice picnic lunch my mom would prepare.

Then we would fish, and if we were lucky, catch the most colorful and feisty trout I ever saw. We would take a few back to camp and eat them for dinner. Better than Salty's.

These memories are the reason I'm so passionate about saving a few lakes in the North Cascades National Park for the purpose of continued fish stocking, which, of course, is being carried out in a manner sensitive to the other organisms living in these lakes based on very extensive scientific research previously done.

The North Cascades National Park is one of the most beautiful parks in the nation, including the high mountain lakes within its boundaries, and there is nothing like the memories of taking your son or daughter for a quality fishing experience and a nice picnic lunch, I might add, to one of these picturesque lakes that are like none other in our beloved state. I feel the diversification of high lakes and all types of environments, including the uniqueness of those in the park, should be enjoyed by fishing families as well as hikers, mountain climbers, and other recreational enthusiasts.

In conclusion, I would like to say as Bill Paleck has stated in prior North Cascades National Park presentations, we have to achieve a balance for all the recreational user groups. I feel this balance includes a continued fishery as being one aspect of preserving a quality wilderness experience in the North Cascades National Park. Thank you.

61

Bill Henkel

My name is Bill Henkel; I'm 71 years old; I'm an outdoorsman. I've hiked the high country from the Georgia Appalachians through the Adirondacks up through the Ungava Peninsula. It's amazing the amount of life in the wilderness out in the mountains.

I seen white-tailed deer and black bear and canoeing in the Penobscot River in Maine. I've hiked in the west from the Sierras all the way up to the north slope. I'm amazed at the white doll sheep in the Wrangle and Saint Elias Mountains. I've seen unindigenous mountain goats in Colorado in the Montana Spanish Peaks Wilderness. I watched the huge herds of caribou come across the Noatak in Alaska.

What's most amazed me about these experiences is life. Life. The great abundance of life. In all these places there's been waters that I've been, the waters have always teemed with life. To me, the rise of a trout in the mountain lake says this lake is full of life. Everything is right with the world. This is good.

The whole concept that the National Park Service is going to make barren the lakes of the North Cascades Complex is just abominable to me, just like they wanted this here Alternative D is a neutron bomb to wipe out the fishes and the lakes, make them all barren, fishless.

I see the great accomplishments that have been done by Washington Department of Fish & Wildlife in conjunction with the National Forest Service groups like the High Lakers, the Trail Blazers, and I don't know much about the Park Service, but I have to believe the Park Service, at least in other parks, are making to try to get good fisheries management. I can see a lot is going down the drain with the neutron bomb of Alternative D. Maybe there is a way out of this yet. The Supreme Court can determine that the National Park Service is a terrorist organization.

10

Raymond Henkel

I am a lifetime trout angler (over 50 years experience) who has visited the North Cascades National Park, but not fished there. However, I have flyfished in much of the U.S., including many other national parks. I support enlightened fisheries management by professional biologists and resource specialists for recreational fishing. Therefore, I support Alternative A, the no-action alternative. I would actually prefer to see expanded opportunities for fishing in the EIS area as NPS policy. I find no conflict between this continued management by NPS and WDFW, and the findings of the draft EIS.

In general, continued stocking under the current management scheme would have no long-term adverse effects on other wildlife or the ecology of the Park. The only major adverse long-term adverse effect would be from Alternatives B, C, and D in the loss of angling and recreational opportunities for the many anglers who visit this great Park.

In summary, do not try to fix what is not broken. Clarify the current fisheries management policy through Alternative A (or an even less stringent policy), then seek Congressional action on enabling legislation.



15

Kept Private

hello. i am writing in regard to the mountain lakes fishery management plan. i think it is great that we have the opportunity to address this issue. we have a wonderful area of the world to live. the park is a great place to nourish the soul, and preserve another place untrammelled by man. i feel the obvious choice is Alternative D. the park service is a steward of a public resource with the an empahasis on natural systems, keeping the land and it's environs in a natural flux. so, without going into the viscious impacts non-native fish have on native fish stocks, or the catering (by stocking the lakes)to a special interest group let me say the lakes deserve to follow thier natural processes without the pressure of stocked fish. i urge you to thoroughly consider Alternative D. it is the only alternative that in not in conflict with the mandate of the National Park Service. thank you for your time.

67

Rex Johnson

Howdy. My name is Rex Johnson; I'm a long-time resident of Washington state and a strong advocate of protecting our environment and wilderness areas. I have spent significant amounts of time in our majestic mountains both before and after the creation of the park.

The state of Washington has had a long -- pardon -- has had an active fish stocking program in the North Cascades Park long before the park existed. When the park was initially set up, the Park Service made it very clear that fish stocking would continue. There are many references that document this, such as in the paper called "An Historical Case for Fish Stocking the High Lakes in the North Cascades" by Sandy McKean, which has listed and cites several of these facts.

Here is just one of the many citations. During the hearings on the formation of the North Cascades Park, a Stewart Udall, then secretary of the interior said, "Fishing, of course, would be a permitted use in both the national recreation area and the national park," end of quote. At the same hearings, then National Park Service director George Hartzog also confirmed this.

Our federal -- our present federal government is constantly talking about family values. One of the most important values that I know of is keeping one's word. The Park Service promised us that fish stocking would continue in the park, and that is why many of us agreed to have a national park in the North Cascades. Without that assurance, we would not have supported the park's creation. The Park Service needs to keep its word, and there is hard science on their side.

The Park Service commissioned a multi-year, multi-million dollar study to determine the effects of fish in the North Cascades Lakes. This study by Liss & Larson found when lakes are properly managed with low density nonreproducing fish, there is no measurable impact on lake ecosystems and there is no measurable differences between lakes with low density fish and fishless lakes. All responsible fishermen and every fish biologist I ever met support managing lakes for low density, nonreproducing fish populations. This goal is achievable and is the current management goal of the Washington Department of Fish and Wildlife.

In the EIS, the Park Service has indicated that the only way they will continue to allow fish stocking in the park is if there's federal legislation to clarify the situation. I find this unreasonable and unnecessary. The Park Service should keep their original word that they gave to the people of Washington when the park was formed. To say that only federal legislation can resolve this issue is to seriously tarnish the Park Service's honor and to ignore the scientific findings. Let's not make fish stocking in the North Cascades National Park a political issue, but rather, let's find the solution based on principles and scientific facts. Thank you.



To: Bill Paleck, Superintendent NCNP

Subject: Mountain Lakes Fishery Management Plan/EIS

I have lived in Washington State since 1955, long before there was a North Cascades National Park. I remember when the creation of the park was first discussed and the promises made by Stewart Udall (then Secretary of Interior) and George Hartzog (then NPS Director), that we would always have fish in the mountain lakes of this park. I also can remember when a man's word was important. There still are a few men of honor and they still keep their word.

I feel I am very privileged to call Washington State my Home. I think we are all privileged to be able to live here in one of the few states that still has some "Wilderness" where man can commune with nature. When I go into the wilderness with my family where we can watch the animals in the natural settings, enjoy the many plants, flowers, and trees, camp near a lake and maybe even catch a fish, I am no longer caught up in our fast paced society, worried about my job or much of anything. I am at peace and so is my family. We look forward to every second that we can spend in the mountains; it helps us maintain our sanity and teaches us there is much more to life than just life in the city.

There are a total of 91 major lakes in the NCNP complex, which includes the adjacent Recreational Areas. Out of this total, only 62 contain fish. This is 68%. Yet the EIS states that unless there is clarification from congress, all of these fish will be removed. The scientific research initiated by the Park Services (by Liss and Larson) found that in low densities, there is no measurable difference between lakes with and without fish! What more does one need to see that low densities of fish are not a problem to the ecology of a lake? I understand that there is a need to have some lakes with no fish; at present 32% of the lakes in the NCNP complex have no fish. Can we be fair and reasonable? Can't there be some lakes with fish and some without? Why does it have to be ALL one way?

Some people claim that even a few fish cause damage to the ecosystem of a lake. It is peculiar that the science does not agree. But what is much more disturbing to me is that these same people totally ignore the gross damage done by horses. I can take you to many places in the NCNP complex where you would swear you are standing in the middle of a well plowed field due to all the horse damage and other places where there is so much horse crap in the streams and lakes that it is unfit for anything but horses to drink.

I would recommend that the NCNP get its priorities in balance. It is unreasonable to tell me that all the fish have to go because they are not native to the park or that they might do a little damage when the park continues to encourage and allow horses to destroy meadows and other vegetation leaving unsightly areas for years to come and to crap in streams and lakes making once pristine water undrinkable. These horses are not native to the park; in fact they are not native to North America!

Just this last weekend, my family and I went to a lake in Mt. Rainier National Park. It was a beautiful lake with lots of signs of elk and cougar. We had hiked a considerable distance to get to this lake. On this day, no one else was there. The sky was blue, the weather was warm, and there was a light breeze with only a few bugs. The sky blue lake surface reflected the rugged mountains around it. We had time to enjoy the flowers and other plants on the way in and while we were at this lake. It was almost a perfect day. There are no fish in this lake. Have you ever seen the look in a person's eyes when they catch a fish in a mountain lake, especially a kid's? It is an absolutely magical feeling. That was what was missing.



Aug. 23, 2005

To: Bill Paleck, Superintendent NCNP

Subject: Mountain Lakes Fishery Management Plan/EIS

I have lived in Washington State since 1955, long before there was a North Cascades National Park. I remember when the creation of the park was first discussed and the promises made by Stewart Udall (then Secretary of Interior) and George Hartzog (then NPS Director), that we would always have fish in the mountain lakes of this park. I also can remember when a man's word was important. There still are a few men of honor and they still keep their word.

I feel I am very privileged to call Washington State my Home. I think we are all privileged to be able to live here in one of the few states that still has some "Wilderness" where man can commune with nature. When I go into the wilderness with my family where we can watch the animals in the natural settings, enjoy the many plants, flowers, and trees, camp near a lake and maybe even catch a fish, I am no longer caught up in our fast paced society, worried about my job or much of anything. I am at peace and so is my family. We look forward to every second that we can spend in the mountains; it helps us maintain our sanity and teaches us there is much more to life than just life in the city.

There are a total of 245 major lakes in the NCNP complex, which includes the adjacent Recreational Areas. Out of this total, only 62 contain fish. This is only 25%. Yet the EIS states that unless there is clarification from congress, all of these fish will be removed. The scientific research initiated by the Park Services (by Liss and Larson) found that in low densities, there is no measurable difference between lakes with and without fish! What more does one need to see that low densities of fish are not a problem to the ecology of a lake? I understand that there is a need to have some lakes with no fish; at present 75% of the lakes in the NCNP complex have no fish. Can we be fair and reasonable? Can't there be some lakes with fish and some without? Why does it have to be ALL one way?

Some people claim that even a few fish cause damage to the ecosystem of a lake. It is peculiar that the science does not agree. But what is much more disturbing to me is that these same people totally ignore the gross damage done by horses. I can take you to many places in the NCNP complex where you would swear you are standing in the middle of a well plowed field due to all the horse damage and other places where there is so much horse crap in the streams and lakes that it is unfit for anything but horses to drink.

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Jim Ledbetter
King County Outdoor Sports Council

I'm Jim Ledbetter. I'm president of the King County Outdoor Sports Council. I came to speak for continued fish stocking in the North Cascades National Park. I've been an Alpine lake fisherman since 1965 when I came home from the service, and it's been one of the most enjoyable things I think I've ever done, and I know there's a lot of people that feel that way.

In 1966, '67 when the park was being talked about, the formation of it in the Seattle newspapers, I was taking note of all the things that was being said, and I think it was around 1967 that the state delegation pinned down the director of the National Park Service and said, "Wait a minute. There's a lot of talk about no fish stocking." And that next day there was a big article in the Seattle Times.

It was entitled "Fisherman's Paradise" and it was Washington's delegation -- congressional delegation says the North Cascades National Park, if approved, will be a fisherman's paradise.

And we've -- after the park was formed, we've had anything but, so I'm here to see that we really do have a fisherman's paradise. And the group that I represent would support continued fish stocking in the park, and there's a lot of benefits for everyone, especially with low-density fish stocking. The Liss & Larson report shows that that does not harm the ecological impact on any of the native invertebrates in those lakes. Thank you.

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Jim Ledbetter
Snohomish Sportsmen Association

Good evening. My name is Jim Ledbetter, and tonight I'm representing the Snohomish Sportsmen Association. The Snohomish Sportsmen Association

is in complete agreement with continuing fish stocking in NOCA. We think it's a great effort by Trail Blazers and others and the Department of Wildlife. It is a -- fish stocking is the only way to continue with the recreational fishery of any sort in the national park -- North Cascades National Park. In 1967 Washington's congressional delegation was assured by the director of the NPS, Mr. Hertzog, that fish stocking would continue. We believe he convinced our delegation of that fact, or they would have insisted language be added to the enabling legislation so there would be no mistake as to their desires and recreational fishing in this park.

The EIS does not clearly state how many lakes will be available for stocking or if fish stocking will even continue. In the event fish stocking is disallowed, or less than 40 lakes end up on the stocking list, the National Park

Service needs to address how they will mitigate this recreational loss to the public.

Again, we cannot stress the importance of recreational fishing in Alpine lakes. It is an unforgettable experience that leaves a lifetime of memories. Thank you.



Well, there's much to say in three minutes; I'll give it a try. In order to do that, I'm going to focus on just one area of probably 10 or 15 that my written comments will address, and that's wilderness values and the wilderness experience.

First, I would say that the EIS strongly really overstates, I think, that fish stocking is incompatible with the wilderness experience. Let's examine that for a second.

First off, the mandate of the National Park Service and the Wilderness Act of 1964 are for the relevant agencies to protect the resource, but also to provide recreation to people. And obviously, people like Bill Pakeck and Roy Zipp and others in the park have a responsibility to manage those two things. That's your job and you do it well. So let's look at it. If the job is to balance recreation and protection, let's look at those two things.

What is recreation? Recreation tends to be the sensitive areas that are so well managed for protection, historical uses, things like hiking and camping, and as has been said before tonight, fishing. Those are historical uses. They don't tend to include things like snowmobiles or hang gliding or some other things that are more recent after the park's creation, so it's something that has an historical, well-established use, and also particularly if it has some sort of cultural content. So that's recreation.

So what's protection? Protection is doing management actions and manage the park in such a way that there's minimal ecological damage done and you maintain some feeling of wilderness. That seems to me what protection means, in essence.

So the bottom line is there has to be some sort of balance between recreational benefit that you have an obligation to provide and the ecological impact that that recreation causes. You could put a chain-link fence around all wilderness areas and say "Humans, keep out." That would be the least possible damage, and that's not practical, and you guys have to make these trade-offs. Clearly, I believe that fish -- well, I don't believe -- clearly, fishing is an historical use. It even has a cultural side.

Look at your own EIS, look at the picture on the back of the EIS executive summary. Here's a family going fishing in the wilderness in this state. If that's not an historical cultural use or component to that use, I don't know what is. The hearings have already been addressed tonight, but the hearings in the '60s, both the National Park Service and the Department of the Interior promised that fishing would continue, and that's well documented in the historical case that I submitted to the park and is up on your website. It's an eight-page description that I think well documents that. Fishing was clearly intended, and I'm -- by "fishing" I mean also -- not also, but most particularly, wilderness fishing. For instance, you could say we allow hiking in the park. Well, if hiking was restricted to nothing but those two-mile nature trails that are paved and graveled, that would not be backpacking. I think the backpackers of the world would object if you said "Backpacking, you've got it. You can walk this nature trail for two on pavement for two miles." That's not backpacking anymore than fishing here and there by easily accessed trails. The ecological damage the Liss & Larsen study says that low-density, nonreproducing fish has no measurable impact.

So here's the key point: Here's the key point, and that is that low-density nonreproducing fish stocking is the only way -- get that -- the only way to provide fishing with minimum impact, because with nonreproducing fish, you are able to control the fish that are in the lake. So the only way that low-density nonreproducing fish stocking can be considered ecological damage -- it can't be considered ecological damage. The Liss & Larsen study shows that. The only way you can stop using fish stocking for low -- with low-density nonreproducing fish is to say that we are against fishing, period. And that's not what your mandate is.

So the only argument left -- and I will wrap up in 15 seconds here. The only argument left is somehow against wilderness values, the wilderness experience, I think that is completely overstated and discriminatory. I mean, if you compare some fisher rings in the lake, I was just in the Glacier Park -- or the Glacier National Wilderness Area just yesterday, as a matter of fact. The horse damage that's there is unbelievable.

There are double trails, hoof -- I saw this personally just in the last two days -- hoof marks in ponds. The plant destruction is incredible. And you're telling me that somehow fish stocking has more damage than horses that are allowed? I mean, you could say eliminate both, but how do you eliminate one and not the other? I think it's ludicrous to think that somehow the wilderness experience is damage, because you, as EIS states, somehow if you camp next to a lake that has fish in it, even if you don't see them, that somehow your wilderness experience is damaged. Compare that to the thistles, to the dandelions I saw two weeks ago in a Montana wilderness area at 8,000 feet those horses bring, and those are reproducing organisms. Those dandelions can spread; these nonreproducing fish cannot.

It's simply discriminatory to say fish stocking cannot be allowed when it's the only method you have to properly manage and protect the ecology. Only fish stocking with nonreproducing fish can do that.

Form Letter No. 131304
Sandy McKean
Trail Blazers and Hi-Lakers

Comments from Sandy McKean are shown in red. In most cases the EIS language is quoted first (in black font) and my response follows (in red font).

Note that I have not made an attempt to comment on every single instance in the Executive Summary or the main body of the EIS where that comment might apply. Rather I have made the comment once, and I leave in the capable hands of the NPS professionals who will create the final EIS to find all the areas where accepted comments can be applied again in order to make the final document consistent.

Volume One
 Executive Summary

“the 1968 enabling legislation for the North Cascades Complex does not define the fishing and fish-stocking activities that would be allowed within its boundaries”

This phrase is misleading. It implies that if Congress intended for fishing and fish stocking to be allowed within its boundaries that the enabling legislation would have explicitly stated that intention. In fact the enabling legislation doesn't mention any of the visitor activities or park maintenance actions required to support such activity. For example, the enabling legislation does not mention hiking or trail maintenance either; nor does it mention ping. If the EIS is to make the statement it does, then it should indicate that Congress gave no guidance for most, if not all, accepted visitor activities, and that the NPS has taken the authority over the years to make decisions regarding such activities (be it fishing, hiking, snowmobile use, or any other visitor use) without relying on congressional direction.

“Because of the differences in policies and missions between the WDFW and the NPS&.”

This should say:

“Because of the differences in policies, missions, and interpretation of historical events since the park's creation between the WDFW and the NPS&.”

BACKGROUND

History of Fish Management In The North Cascades Mountain Lakes

This history section needs an additional paragraph (or more) to describe the history of the congressional hearings in 1966 and 1967 that lead to the establishment of the park. Much of the disagreement between the NPS and the WDFW stems from differing interpretations of congressional intent as expressed in these hearings. Louter does not cover this issue well enough to be the sole source. I recommend to you the “Historical Case for Fish Stocking the High Lakes in the North Cascades” that I wrote (Sandy McKean). This document has previously been submitted to



the NPS and can be found on the NPS website devoted to this NEPA process (<http://www.nps.gov/noca/highlakes.htm>).

“Fish stocking in the mountain lakes took place for many years prior to the establishment of the North Cascades Complex in 1968; however, the enabling legislation for this newly formed unit of the national park system did not define the fishing and fish-stocking activities”

The underlined phrase is misleading. It should also indicate that congress gave no guidance for most, if not all, accepted visitor activities.

“The agreement expired in December 2004, and any future agreements between the NPS and WDFW concerning mountain lakes fishery management, including fish stocking in the national park, will depend on the outcome of his plan/EIS process.”

The underlined phrase is incorrect. This agreement has been extended to December 2006.

Implementing The Fishery Management Plan Through Congressional Action

“The Washington Park Wilderness Act of 1988 (WPWA) established 93% of the North Cascades Complex as Stephen T. Mather Wilderness and directed the NPS to manage the wilderness in accordance with the Wilderness Act of 1964. At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters, and the WPWA did not include a provision that allowed stocking.”

These sentences are quite misleading since they seem to build the case with no justification that somehow these two pieces of wilderness legislation intended to prohibit fishing or fish stocking. This is absolutely not the case. As in the other instances above both of these acts are silent on fish stocking, just as they are silent on most, if not all, accepted visitor activities. NPS policies may have prohibited fish stocking when the WPWA was passed, but neither piece of wilderness legislation did. These acts and the NPS policies should not be commingled into these sentences. The draft language makes it far too easy for the reader to be confused as to whether the legislation or the policies restrict fish stocking. Not only that, but NPS policies do allow fish stocking in some cases (see written response from Dale Riveland for details).

“However, some disagree with these views and maintain that if nonnative fish were stocked appropriately, there would be o unacceptable adverse impacts on wilderness values because biological integrity would be conserved.”

This sentence is incomplete since it leaves out a vital piece of information. It is true that “some disagree”, but more importantly the NCNP's own research Study (Liss & Larson Study), widely referenced in this EIS, also disagrees. One of that Study's major conclusions is that the stocking of non-reproducing fish in low densities also causes “no unacceptable adverse impacts on wilderness values because biological integrity would be conserved”. Such an important finding can not be simply swept away with the simple phrase “some disagree”.

“Fish stocking has been allowed to continue in the North Cascades Complex under a 1986 policy waiver.”

The Trail Blazers, Hi-Lakers, and perhaps the WDFW do not agree with the characterization of 20 years offish stocking as having occurred under a waiver of policy. On the contrary, in a 1986 NPS memo from NPS Director Mott (reproduced in Appendix A), it is quite clear that the NPS set policy specific to the NCNP that allows fish stocking under a mutual agreement with the WDFW. That policy and the subsequent 1988 Supplemental Agreement (also in Appendix A) requires mutual agreement between the NPS and the WDFW to change. The WDFW would never have agreed in 1986 to a simple policy waiver Mott's memo was clearly intended to settle the dispute not simply postpone it. That intent is clear, given that the 1988 Supplemental Agreement clearly specifies the need for mutual agreement to change the policy. (For more detail and a legal perspective on the subject of “policy waiver”, see the written response of Dale Riveland.)

“Should a management alternative that allows for continued stocking be selected through this plan/EIS decision-making process, a new policy waiver may not be granted for several reasons. First, various national parks (Sequoia-



Kings Canyon National Park, Yosemite National Park, Glacier National Park, Rocky Mountain National Park, and Yellowstone National Park) have discontinued stocking.”

This NEPA process is about the NCNP, not a NPS-wide analysis. I fail to see what actions in other parks that have different histories and different requirements have to do with this decision in the NCNP. Beyond that as stated above, it appears that the NPS has already made a separate policy on fish stocking for the NCNP in 1986. References such as these to other parks should be removed.

“If this plan/EIS process resulted in the selection of an alternative that allowed for continued stocking, issuance of a policy waiver to the North Cascades Complex could encourage other state fish and wildlife agencies to revisit the issue of stocking in NPS units where stocking has been discontinued.”

Once again, what does this have to do with NEPA process for the NCNP? Furthermore, policy for fish stocking in one NCNP was set in 1986, so no waiver is required to continue the practice.

“Second, policy waivers are only temporary and do not provide a permanent solution because they can be rescinded as circumstances change. The goal of this plan/EIS is to forge a lasting solution for mountain lakes fishery management in the North Cascades Complex.”

There is nothing more or less permanent about this plan/EIS as compared to a policy, or a policy waiver for that matter. The EIS itself says elsewhere that it has a 15-year planning horizon. This is a false benefit and should be removed.

“Finally, the minimum requirement analysis for fish stocking in the Stephen T. Mather Wilderness indicates that stocking is not necessary to meet the minimum requirements for administration of the area, and the Wilderness Act is unclear whether stocking is allowed in designated wilderness areas.”

The Trail Blazers and Hi-Lakers strongly disagree with the use of the MRA procedure as it is used in a “programmatic” way regarding fish stocking, and ultimately fishing itself (since fish stocking is the only scientifically proven way to provide the historical fishery without ecological damage). See the MRA section later in this response for detail.

“For these three reasons, a policy waiver would not be pursued if this plan/EIS process resulted in the selection of an alternative that included continued fish stocking.”

This is a bogus conclusion since one, two, or even all three of its justifications, are weak, or perhaps even false.

“If Congress should choose to allow stocking through a change in the enabling legislation, it will have clarified that fish stocking is an appropriate activity in the North Cascades Complex.”

This is a truism that sheds no light on the issues the EIS is attempting to analyze. Of course such clarification would clarify the situation, but it is not necessary. There are many management actions that have or could be contemplated by the NCNP for which this statement could be made. It is akin to a “motherhood and apple pie” statement. Trail maintenance is allowed in the park; but Congress has given no additional clarification to the NCNP enabling legislation for that activity. There is no clarification for camping, for fire building, for horse travel, or nearly any other historical use of the park lands. Why does fish stocking require such clarification when none of these other activities have required it? Is not this NEPA process itself the intended process by which such decisions are made by park management? Could one not argue just as well that if Congress intended for fishing to cease when the park was created via the enabling legislation that it could have included a prohibition against it? The Trail Blazers and Hi-Lakers would welcome such a clarification from Congress, but we certainly don't agree that such clarification is necessary for the preferred alternative (Alternative B) to become their Record of Decision.

“That unambiguous clarification would allow the NPS to implement any of the management alternatives that include the practice of stocking. Congressional action to allow fish stocking would also honor various verbal commitments



in support of stocking that proponents believe were made by federal officials prior to establishing the North Cascades Complex but never codified in law.”

I proclaim my objection to the use of the underlined word “believe” in the sentence quoted above. The word “believe” is used in this fashion throughout the draft EIS and needs to be changed. Consistently in the draft EIS, when various individuals or groups are referenced to provide evidence that fish stocking should not continue (e.g., see e previous paragraph above which states what Congress might have done), the sentence contains a verb that dictates fact or a decision, but when evidence such as this (e.g., statements made in the congressional hearings which support fishing and fish stocking), the draft EIS condescends to that equally valid evidence and says, as it does here, something akin to “proponents believe” as if these proponents present this evidence as an article of faith rather than of fact. This is a subtle objection, but in its very subtlety, it seems to uncover some possible prejudice in the human beings who wrote this language. Humans are fallible. The initial use of this objectionable language in a draft can be forgiven, but the appearance of condescension that this draft language creates should be removed in the final EIS. In summary, particular attention needs to be paid to the recurring use of the word “believe” throughout the draft EIS.

“Congressional action to clarify enabling legislation is an intricate process that could take several years. If the NPS does not receive clarification from Congress by the time a record of decision for this plan/EIS is issued, alternative D (91 Lakes Would Be Fishless) would be implemented until clarification is received.”

There does not seem to be any basis for picking alternative D as this fallback, and presumably temporary, course of action. If the NPS continues to feel that it needs congressional clarification before it has proper guidance to make a decision, I suggest that alternative A is a more appropriate choice. As in most legal or public actions, the expected default course when a definitive decision can not yet be made is normally to retain the status quo (i.e., alternative A). Choosing alternative D in the face of lack of clarification is tantamount to making a de facto decision not based on the evidence in the EIS, but on the political climate in Congress. Surely maintaining the status quo would be a less drastic action until the clarification from Congress can be obtained.

APPLICATION OF RESEARCH

“To relate the purpose of “conserving biological integrity” to mountain lakes fishery management, the Technical Advisory Committee drew upon one of the principle conclusions of the OSU research: the ecological effects of nonnative t out are related to the reproductive status and abundance of trout in lakes. The Technical Advisory Committee interpreted this finding to mean that lakes with the lowest degree of biological integrity (or greatest departure from biological integrity or pristine conditions) contained reproducing populations of nonnative trout or char that had achieved high densities. On the other end of the biological integrity spectrum, the Technical Advisory Committee assumed mountain lakes that had never been stocked represented the highest degree of biological integrity.”

I have no objection to what is said here except that it is incomplete. Besides those considerations mentioned here, equally important was a major conclusion of the Liss & Larson study that determined that non-reproducing fish populations stocked in low densities show no evidence of banning biological integrity. This vitally important aspect of the science needs to be explored in this paragraph in the same way as the other considerations are.

“This conceptual framework was used to craft management alternatives B and C based on the hypothesis that the biological integrity of mountain lakes could potentially be conserved by managing for non-reproducing trout at low densities in some lakes and managing for fishless conditions in other lakes.”

The underlined word “potentially” should be removed. There is no justification to select one of the Liss & Larson study conclusions and qualify it “with the word “potentially”. Other Liss & Larson study conclusions are quoted in this draft EIS without using this word. Nonreproducing trout at low densities is just as valid a conclusion as any other in the study. The evidence is there in the study's data; there is nothing “potential” about it. The data clearly shows no statistically significant difference between fishless takes and lakes stocked with nonreproducing trout at low densities. If this conclusion needs to be qualified because of the possibility of more data in the future, then so must all the evidence presented in this EIS be so qualified. Indeed, is not the whole idea of “adaptive management” so eloquently discussed in this EIS the very tool to use to handle situations where future data causes a re-evaluation of current management actions?

ALTERNATIVES

This section addresses elements some or all alternatives have in common. Elements relating to the removal of fish are discussed in element #4, but there is no element for fish stocking. A fifth element should be added that discusses, at a minimum, the concept of low density stocking with non-reproducing trout since that is a key distinction of both alternatives B and C. Without that distinction being presented, there is no way to differentiate among the alternatives relating to fish stocking as there is for fish removal in element #4.

ALTERNATIVE B

“The restocking of nonreproducing fish would be allowed only where impacts on biological resources could be minimized.”

As worded this statement can be misunderstood. It should say:

According existing scientific data, the restocking of nonreproducing fish in low densities would be allowed except e impacts on biological resources could be shown to exist.

ISSUES AND IMPACT TOPICS

Predation and competition. Nonnative fish have measurably changed the composition and abundance of native aquatic organisms in some lakes. The most significant impacts are caused by reproducing populations of stocked fish that have become self-sustaining.

As worded this statement can be misunderstood. It should say:

Predation competition. Non-native fish have measurably changed the composition and abundance of native aquatic organisms in some lakes. Research has shown that the most significant impacts are caused by reproducing populations of stocked fish that have become self-sustaining and overly abundant; in contrast, the research also shown that there is no measurable impact on lakes that contain populations of nonreproducing fish in low densities.

“Impacts o aquatic organisms in lakes stocked with low densities of nonreproducing fish would be the same as alternative, except these impacts would decline further in the future as stocking is curtailed or eliminated in lakes base upon adaptive management decisions pertaining to stocking.”

It needs to be made explicit in this alternative, as well as in alternative A and C, that data show there are no measurable impacts on lakes when low densities of non-reproducing fish are used. Additionally, it makes no sense to say that impacts would decline further since there is no measurable impact in those lakes today.

Aquatic Organisms/Alternative D

“Short- an long-term adverse cumulative impacts on aquatic organisms from threats other than non-native fish would be similar to alternative A.”

The sentence above is also found in alternatives B and C. It should also be in alternative D since alternatives B, C, and D e all the same in this regard with respect to alternative A.

Wildlife

This entire section needs to be re-written. Some of the information is completely wrong, other information is missing. F r example, alternative A states that wildlife will be disturbed because of human presence and use of aircraft, yet alternative D doesn't mention this at all, even though under alternative D fish removal impacts due to causes is the highest of all alternatives. Furthermore, no mention is made of the fact that the vast majority o stocking does not require aircraft, and in fact, all aircraft activity for stocking could be eliminated under alternatives A, B, or C if the Park chose to take that action (for example, using horse packers for the larger lakes now one via fixed wing



aircraft). Beyond that it is a bit ridiculous to assign wildlife disturbance due to human presence required for fishing activities when human presence always has, and always will, exist due to hiking and camping activities. Does the NCNP really believe that fish stocking has any significant impact on wildlife beyond what exists already for activities such as hiking, climbing, camping, and horse travel?

Cultural Resources

This section needs to be re-written due to similar problems that exist in the “Wildlife” section above. For example, in this section alternative B talks about impacts due to fish removal, but in alternative D where such impacts are higher, no mention is made of such impacts. Such omissions as these give the clear impression that the author has a prejudice toward favoring alternative D.

Recreational Use/Alternative B

“Major adverse impacts would occur to some anglers who believe fishing in North Cascade Complex lakes is a truly unique experience that cannot be duplicated elsewhere.”

Here is another example of the selective use of the word “believe”. This same unnecessary use is in the entry for alternative D also. The draft EIS does not shy away from making declarative statements throughout its text when there is reasonable evidence to support the statement; so why when it comes to considering the continuation of fish stocking does this word “believe” invariably come into the text? It is a fact that fishing in the North Cascades is a truly unique experience for anglers; it is not just a belief that some people take as an article of faith. If the experience were not unique visitors who must travel a long distance to see and use the NCNP would simply visit a park or wilderness area nearer to home. Surely every national park managed by the NPS considers that it provides a unique experience.

Social Values/Alternative B

This section needs to briefly address the history of the Park's formation. It makes no sense to comment on the impacts on social values of various groups (such as conservationists) without defining the agreements these social groups accepted when the enabling legislation was discussed and approved via the political process in the 1960s. As is mentioned elsewhere, fishing and therefore the maintenance of a fishery was promised in congressional hearings when the park was created. It is illogical now to say that various groups who oppose the fishery that existed prior to the park's formation can now obtain any benefit due to a management action that attempts to undo this history. Such statements make no sense unless this background history is also given.

“Cumulative impacts related to flood damage to upper Stehekin Valley Road would be minor to moderate, adverse, and long term.”

This should be removed. This observation, if it is even true, has no bearing on fish stocking. Beyond that this sentence only appears in alternative B but it is totally unclear why it should only appear there. I can find no basis for this statement anywhere else in the draft EIS.

Wilderness Values/Alternative B

“There would be a long-term major adverse cumulative impact on those who believe that the continued stocking (as proposed under alternative B) in wilderness and continued presence of reproducing populations of fish would compromise natural processes in wilderness.”

This is in error. Alternative B is no different than alternative D regarding reproducing fish populations. The correct statement is the one found under alternative D.

Wilderness Values/Alternative D

“This would result in long-term moderate to major beneficial impacts on opportunities for solitude in areas where fishing opportunities are eliminated.”

This statement is a gross exaggeration. All but a few of the lakes with fish are quite remote and it is unlikely that two or more parties would be there together except rarely. On the other hand, some lakes that have easy access will see less people, but these same lakes have so many visitors that a few more or less visitors will not make a difference in solitude. This statement is best removed, or at least the benefit level ought to be changed to “minor”.

Due to the cessation of stocking in national park lakes, long-term moderate beneficial cumulative impacts on wilderness values would be expected.

This statement should be removed. There is no development of the connection between “wilderness values” and lakes with nonreproducing fish in low densities in these tables. Elsewhere in the text of the draft EIS an unconvincing case is attempted in order to “prove” that such populations offish harm wilderness values. At best that case is a red herring. How can a few fish, mostly unseen, harm a visitor's wilderness experience? This claim becomes ludicrous when you consider that trails cross meadows without any regard for “wilderness values”, or that horses are allowed in the “wilderness, or even that humans are allowed in wilderness. Since properly managed fish populations have been shown scientifically to cause no harm to the ecosystem, the presence of such fish in lakes is no doubt more in keeping with “wilderness values” than are any of these other accepted practices. It should be remembered that these lakes are a natural environment for these stocked fish, and that such fish would naturally be in these lakes but for the minor fact that the stream gradients in the North Cascades area just happen to be too steep to be navigated by fish. These fish are not unnatural in these lakes, they just happen to be missing.

Purpose And Need For Action

INTRODUCTION

OBJECTIVES IN TAKING ACTION (pg 5)

This plan/EIS must also be consistent with the following mission statement for the North Cascades Complex, which is derived from its enabling legislation (PL 90-544):

As a unit of the National Park Service, the North Cascades National Park Service Complex is dedicated to conserving, unimpaired, the natural and cultural resources and values of North Cascades National Park, Ross Lake National Recreation Area and Lake Chelan National Recreation Area for the enjoyment, education, and inspiration of this and future generations. We also share responsibility for advancing a great variety of national and international programs designed to extend the benefits of natural and cultural resource conservation and outdoor recreation.

There is no foundation in the EIS for this mission statement. Where does it come from? Why is it relevant to this draft EIS? At a minimum the mission statement is incomplete as a mission statement for a national park since it leaves out the park's mission to provide recreational opportunities except to support “national and international programs” - whatever those are.

The enabling legislation mentioned above only contains a broad reference to the August 25, 1916 legislation that established the NPS. Therefore one must look at the NPS's policies to see what the NCNP mission encompasses. The NPS's own policies (see page 67 in the Appendices volume) state in part:

8.2.2 Recreational Activities

The National Park Service will encourage, allow, or not allow recreational activities according to the criteria listed in section 8.2. Examples of recreational activities that may be encouraged or allowed include, but are not limited to,



boating, camping, bicycling, fishing, hiking, horseback riding and parking, outdoor sports, picnicking, scuba diving, cross-country skiing, caving, mountain and rock climbing, and swimming.)

8.2.2.5 Fishing

Recreational fishing will be allowed in parks when it is authorized, or not specifically prohibited, by federal law, provided that it does not jeopardize natural aquatic ecosystems or riparian zones.

The mission statement provided clearly needs to be updated to include not only its “preserve and protect” role, but to include the equally important mission of providing recreational opportunity, particularly as it relates to fishing.

BACKGROUND

ADMINISTRATIVE BACKGROUND

History of Fish Management In North Cascades Mountain Lakes

“When the North Cascades Complex was established in 1968, its enabling legislation did not define the fishing activities that would be allowed within its boundaries.” (pg 11)

This is misleading. The enabling legislation did not define any activities that would be allowed in the park. The underlined word “fishing” should be removed.

“To resolve differences in policy and to foster a spirit of cooperation, the NPS and WDFW negotiated a series of agreements beginning in 1979 that allowed stocking to continue in selected lakes in the North Cascades Complex.” (pg 12)

This statement is incomplete. It leaves out the most important and fundamental disagreement between the NPS and the WDFW regarding the intent of Congress when the park was created in 1968. There is a complex history of agreements between these 2 organizations. Much more of this history needs to be included here especially those areas where the NPS and the WDFW have disagreed. (See the “Historical Case for Fish Stocking the High Lakes in the North Cascades” document referred to earlier for a complete discussion of this nearly 40-year dispute.)

“To be able to continue stocking in light of NPS policies generally prohibiting it, a memorandum from the NPS Director was issued in 1986 (hereinafter referred to as the “policy waiver”).” (pg 13)

It is incorrect to characterize this memo as a policy waiver. In fact, it is a clear state of policy for the NCNP. (See my earlier discussion of this issue, and in particular see the written response from Dale Riveland for details.)

“The 1988 Supplemental Agreement (also known as the Fisheries Management Agreement) formalized these practices in the 40 lakes inside the park for 12 years while planned research on the effects of fish management activities could be completed and assessed. Any additions or deletions to the list of lakes in the park would be made only by mutual agreement, and the two agencies would consult on the number and species of fish, specific lakes, and the schedule for the lakes to be stocked. The agreement added the caveat that research results would be considered in future decisions. A long-term research study was initiated by Oregon State University soon after the 1988 Supplemental Agreement was finalized. The Supplemental Agreement between the NPS and WDFW that permits fish stocking in the national park was reaffirmed in February 2000 and again in July of 2002. The agreement expired in December 2004. Any future agreements between the NPS and WDFW concerning mountain lakes fishery management, including fish stocking in the national park, would depend on the outcome of this plan/EIS process.” (pg 13)

This paragraph mischaracterizes the agreements between the NPS and the WDFW. The language above gives the impression that the agreements made in 1988 were intended to be temporary and that the entire issue would be looked at afresh in 12 years. That is not the case. There was extreme tension between the NPS and the WDFW in the 1986 to 1988 period. In October 1987 John Reynolds, NCNP Superintendent, even threatened to prosecute WDFW employees if they entered the park to stock fish as the WDFW insisted they would do. Only the intervention of

William Horn, Assistant Secretary for Fish and Wildlife and Parks, in an October 29, 1987 letter to WDFW Director Jack Wayland defused the legal confrontation. Furthermore, an extensive letter from Jack Wayland to Charles Odegaard, Regional Director NPS, on July 29, 1987, clearly outlines the seriousness of the situation and the WDFW's desire to reach permanent resolution. That resolution was reached in part with the 1988 Supplemental Agreement referenced above. An investigation of the history of this agreement clearly shows that the WDFW did not intend a temporary resolution to fish stocking in the NCNP with the 1988 agreement waiting for a final decision at some future date, but rather that the agreement would simply be reviewed after 12 years to consider the results of the scientific research begun after the 1988 agreement was signed (this research is what we now call the "Liss and Larson" study). In support of that intention, the agreement states that mutual agreement between the NPS and the WDFW would be required to modify the 1988 agreement. This is most clearly demonstrated in Article V (Termination) of the 1988 Supplemental Agreement which states:

"This supplemental Agreement shall remain in full force and effect unless terminated by mutual consent and the Department and the Service."

Furthermore, the last sentence of the draft EIS statement quoted above is misleading since it does not make explicit that the outcome of the plan/EIS is subject to mutual agreement by the WDFW as the content of the 1988 Supplemental Agreement and its history clearly demand.

(Also see the written response from Dale Riveland for additional details.)

"In May 1967 he stated that within the park the NPS would not participate in a 'put and take' program, and would not concur with stocking lakes that historically did not have fish." (pg 14)

This sentence needs to be re-written for clarity. Since the draft EIS specifically excludes lakes that do not have a history of fish stocking, the wording of this sentence points to the "Tong qualification. It should be recast along the lines of:

"In May 1967 he stated that within the park the NPS would not participate in a 'put and take' program, and would only concur with stocking lakes that historically had fish."

Additionally, please cite a reference for this statement (I have been unable to find this quote from Director Hertzog in any of the congressional hearing transcripts).

"Then, in July 1968, Director Hertzog stated, "[w]e have an active fish-[stocking] program in every single major park...[n]ow, if the stream already has its limit of fish comparable with its food-carrying capacity, then obviously, we do not engage in a put-and-take fishing program. But, we [stock] fish in practically every area that I can think of off the top of my head now, including all of our major parks." (pg 14)

This quotation should be expanded to include the entire interchange between Director Hertzog and Congressman Meeds (it is only longer by a few lines). To select just this one portion of that interchange too greatly changes its implication. (See the congressional record or the "Historical Case for Fish Stocking the High Lakes in the North Cascades" document referred to earlier for the entire interchange.)

Proponents of stocking believed they were promised that stocking would continue after the park was established...(pg 14)

Once again, it is inappropriate to say proponents simply display an article of faith when they state these promises were made. The promises were made. They can be read in the congressional record (See the congressional record or "Historical Case for Fish Stocking the High Lakes in the North Cascades".)

"While the current NPS Management Policies and practices prohibit stocking in areas designated as national parks," (pg 14)



NPS-wide policy on fish stocking does not apply on its own to the NCNP. The 1986 Mott memo clearly states that the NPS adopted a specific NCNP only policy for fish stocking given the history of the park's creation and the controversy between the NPS and the WDFW regarding fishery management within the park. It is misleading to imply that NPS-wide policies somehow apply to the NCNP without reference to these NCNP-specific NPS policies.

SUMMARY OF EXISTING RESEARCH

This entire section needs to be reorganized using the vital concept of nonreproducing, low density fish populations verses reproducing populations, especially those that reach high densities. This distinction is not fully appreciated in much of the research that has been done on the effects of stocked fish in high lake ecosystems. The Liss and Larson study does make this distinction and in doing so makes it clear how important it is to make this distinction when analyzing fish impact data. Since the Liss and Larson study is the best evidence we have for the NCNP high lake ecosystems, we should be guided by it. To mix in research results that do not make this vital distinction regarding fish densities is to mix apples and oranges invalidating any point this section could have. The organizing principle of this entire section must be to segregate scientific evidence based on nonreproducing, low density fish populations from scientific evidence based on reproducing fish populations; to do otherwise is to ignore the NPS's own funded research in the NCNP on the impact offish in lakes.

Lake Characteristics: (pg 17)

“In terms of possible impacts to lake characteristics from fishery management practices, the literature indicates that removal of fish can result in increased water clarity, higher dissolved oxygen concentrations, reduced phosphorus cycling, and decreased ammonia concentrations (Hanson 1990; Sondergaard et al. 1990; Schindler et al. 2001). In contrast to the low-nutrient and relatively undisturbed conditions in mountain lakes analyzed in this plan/EIS, these prior studies were conducted in highly disturbed, nutrient-rich lakes containing high densities of fish. For example, researchers in the Sierra Nevada have demonstrated through modeling and paleolimnological (study of the organic and chemical history of lakes through analysis of bottom sediments) analyses that introduced fish in oligotrophic (nutrient poor) mountain lakes can nearly double the rate of phosphorus regeneration and exploit benthic (lake bottom) sources of phosphorus that would normally not be available to pelagic (open water) communities in the absence of fish. The increased availability of nutrients (such as phosphorus) made possible by stocked fish can stimulate primary productivity and fundamentally alter nutrient cycling (Schindler et al. 2001). The USGS research at the North Cascades Complex did not study the effect of fish on water quality or nutrient cycling. It instead focused on abiotic factors, such as characteristics of the drainage basin and elevation and their effects on water quality (Liss et al. 1995). It is unknown, but considered unlikely, that similar water-quality changes would be associated with the presence of fish or fish removal (Drake and Naiman 2000).”

This paragraph should be removed. There is no reason to believe that the ecosystems of the NCNP are similar to the areas studied in research mentioned here. The flora and fauna are almost certainly different. Beyond these concerns the most important reason to remove this paragraph is the research cited makes no distinction based on fish density. As the most applicable research clearly demonstrates (Liss and Larson study), fish density can strongly determine the outcome of such studies -reversing the conclusions in many cases. It is pointless to include data such as this unless fish densities are taken into account since the very premise of the preferred alternative B rests on this distinction.

Phytoplankton (pg 17)

“Phytoplankton surveys performed in mountain lakes in Mount Rainier National Park showed that, for the most part, the species of phytoplankton in individual lakes remained consistent from year to year (Larson and McIntire et al. 1999). Drake and Naiman (2000) compared fossil remains of one type of phytoplankton (diatom) in historically fishless lakes, lakes with stocked fish, and lakes where stocked fish were removed in Mount Rainier and found that in unstocked lakes, the array (variety and abundance of species) of diatoms had not changed significantly in the last 3 15 years. Changes had occurred in diatom arrays in lakes where fish were introduced and are still present today. For those lakes where the stocked fish had been removed, diatom arrays did not appear to have returned to the arrays similar to those found in fishless lakes. Changes in species arrays, resembling those observed in the Drake and Naiman (2000) study, have also been observed in other studies, such as Douglas et al. (1994). Several studies have shown that removal of fish from lakes can result in decreased total numbers of phytoplankton (Hanson 1990;

Sondergaard et al. 1990). It is difficult to quantify fish impact on nutrient cycling, especially in oligotrophic lentic (still or slow-moving water) systems, and the magnitude and variation of impact has not been fully explored (Schindler et al. 2001).”

This paragraph should be removed for the same reasons as discussed above regarding the “Lake Characteristics” section.

“Researchers found no significant differences in the density of large copepods in lakes with low fish densities (such as in many stocked lakes) and in fishless lakes (Liss et al. 1998).” (pg 18)

It is ludicrous that the only place in this entire “Summary of Existing Research” section that nonreproducing, low density fish populations is mentioned is this brief mention - and it does not mention the nonreproducing aspect at all. The distinction between non-reproducing, low density fish populations and reproducing populations, (especially those that reach high densities) is the key scientific distinction that separates alternatives A, B, and C. There can be little doubt as to the vital importance of non-reproducing, low density fish populations in this EIS. Either the authors did not -this vital scientific distinction, or they had an existing prejudice against the stocking of fish regardless of its impact on the lake and its ecosystem.

“The OUS/USGS team came to several conclusions:

Introduced fish can reduce or eliminate large, more visible diaptomid copepods from lakes if fish abundance is excessive.

Impacts on large copepods vary with fish density, with the greatest effects occurring at high fish densities.

Impacts on large copepods from fish introductions are greater in shallow lakes.

A significant negative relationship between large diaptomid density and *D. tyrrelli* density exists when the species occur together; that is, it appears that larger copepods prey on the smaller *D. tyrrelli*.” (pg 19)

Once again the lack of appreciation for the importance of the distinction between non-reproducing, low density fish populations and reproducing populations in this section is astounding. The quoted paragraph purports to summarize the Liss and Larson conclusions, but does not even mention this most vital finding that separates most of the alternatives in this EIS -including the very essence of the preferred alternative B.

“In mountain lakes that were temporarily stocked with non-reproducing salmonids, the majority of lakes sampled showed that populations of large zooplankton were significantly reduced;...” (pg 19)

At what population density? Once again without specifying the type of fish population in this Stud)', the results are meaningless for the purposes of this EIS.

Macroinvertebrates (pg 20)

“...brook trout under conditions of extreme fish density were able to deplete mayfly and caddis fly populations in a small, high altitude lake in the eastern Sierra Nevada in California.”

Same basic problem. This finding may be so, but it is irrelevant to this EIS since no alternative, none, recommends “extreme fish densities”. This is a red herring at best. The Liss and Larson Study contains evidence on all the population types found in NCNP lakes. Why muddy the water with study results that have no bearing on this EIS?

In fact this entire section should either be removed, or the Liss and Larson data used instead. Furthermore, whatever evidence is presented, it must make the vital distinction between nonreproducing, low density fish population and reproducing populations, (especially those that reach high densities). The information presented in this entire macro invertebrate section is misleading at best for the purposes of this EIS.



Amphibians: (pg 21)

“This is likely because the skin of both the larvae and adult rough-skinned newt contains a potent toxin (Nussbaum et al. 1983).” (pg 21)

“In other parts of Washington, Cascades frogs do not occur in deeper lakes and ponds containing fish, suggesting they are vulnerable to predation.” (pg 21)

“One way to interpret this information is to say that lakes with very high TKN levels can support very high densities of long-toed salamanders. When even low levels of fish are introduced into these lakes, they can reduce these salamander densities enough that it is statistically noticeable.” (pg 23)

These sentences should be removed. They are speculative and do not belong in a section devoted to the presentation of scientific evidence.

“&.which is probably because salamanders require a certain TKN concentration before they can occupy a habitat.” (Pg 22)

This phrase should be dropped since it is speculative.

“For example, surveys in Olympic National Park found few or no long-toed salamanders in lakes containing fish, but many populations in shallow ponds and lakes without fish (Bury and Adams 2000; Bury et al. 2000; Adams et al. 2000).” (pg 23)

This sentence is misleading. One could easily conclude from this sentence that fish, regardless of fish density, decimate long-toed salamander populations. If this sentence is to remain it needs to be qualified so that it eliminates at least the simple possibility that shallow ponds and lakes are the preferred habitat of the long-toed salamander. Furthermore, long-toed salamander population density may very well heavily depend on fish population density. For example, the research quoted above only looked at lakes with high densities of fish, it would be expected that long-toed salamander population densities would be lower, but in lakes with low density fish populations there may be little if any impact on long-toed salamander populations. These interactions are far too complex to simply state that there are no salamanders when fish are present.

“Overall, the OSU/USGS team concluded that lakes with relatively high TKN concentrations (about 0.55 mg/L or greater), and those with warmer temperatures (greater than about 54°F), were favored by native biota such as phytoplankton, large copepods, and long-toed salamanders. The aquatic life in these “more productive” lakes could therefore be at highest risk of impact from high densities of reproducing fish and may benefit most from fish removal. For additional information on the OSU/USGS research, see the section titled “Application of Research” in the “Alternatives” chapter.” (pg 23)

This summary paragraph clearly needs to be rewritten just as this entire “Summary of Existing Research” section needs to be. It is almost unbelievable that the concluding final paragraph of the science section in an EIS that depends vitally on the concept of nonreproducing, low density fish populations to differentiate among its alternatives does not even mention this vital distinction.

SCOPING PROCESS AND PUBLIC PARTICIPATION

ISSUES AND IMPACT TOPICS

Aquatic Organisms

This section is much like the last in that it does not make the distinction between non-reproducing, low density fish populations and reproducing populations. I will not go into as much detail in this section as I did in the last, but suffice it to say that like the previous section, this section is fatally flawed by having ignored this vital distinction for

both its content and organization. The information required to make the changes I suggest below was all presented at the scoping meetings (I personally attended 3 of the 4 meeting held).

Plankton: (pg 24)

No mention of nonreproducing, low density fish populations.

Macroinvertebrates: (pg 25)

No mention of nonreproducing, low density fish populations.

Amphibians: (pg 25)

No mention of nonreproducing, low density fish populations.

Fish: (pg 25)

Here this section makes a similar mistake. The discussion on fish species makes no mention of a second vital aspect of the preferred alternative; namely, that the fish to be stocked will be sterile. Nearly all of the concerns expressed in this paragraph are mitigated by the use of sterile fish, and yet that vital aspect that will later be found in alternatives B and C is not even mentioned.

SPECIAL STATUS SPECIES

Fish: (pg 26)

“The genetic integrity and ability to reproduce in bull trout may be affected if stocked brook trout escape from lakes&”

Brook trout have not been officially stocked in the NCNP lakes for decades. This concern has no bearing on which EIS alternative is finally selected as the Record of Decision since there is no intention in any of the alternatives to stock brook trout. Everyone would like to see these brook trout removed from NCNP complex waters. The implication found in this statement that brook trout might be stocked needs to be removed from this section.

Other Vertebrates: (pg 26)

This section must distinguish between fish removal and fish stocking activities. There is no requirement for noise with fish stocking if the elimination of noise is desired.

VEGETATION (PG 26)

Other comments from the scoping meetings need to be added here. As written, this section implies that fish presence somehow increases the trammeling of vegetation around lake shores. There is no evidence for that. It was stated at the scoping meetings that many believe that hikers and campers who have no intention to fish cause the majority of this damage. (This can easily be seen by noticing the concentration of vegetation damage near camp sites as opposed to other areas of lake shore.)

VISITOR USE AND EXPERIENCE (PG 27)

This characterization of the visitor experience does not represent what was said at the scoping meetings. I can not remember anyone having said words to this effect. Similar concerns might have been expressed, but an equally passionate defense of fish stocking, properly managed, was expressed by the majority of attendees. It is ludicrous to suggest, as this section does, that conservationists care only for natural processes. The “conservationists” that attended those meetings, as far as I could tell, hiked, camped, and built fires, and other non-natural processes. In addition there is nothing utilitarian about anglers. As was expressed clearly in the scoping meetings (but not reported



in these sections), most anglers see the catching of fish in a high mountain lake as part and parcel of their social and wilderness values. In addition there is no justification for singling out fish stocking as “particularly offensive as evidence of human activity” when presumably those who feel that way are doing themselves by a lake in the wilderness having hiked there on trails, or ridden on horses, have set up their camp, and built their fire. How can anyone claim that the addition of unseen fish in that lake is “particularly offensive” when considering that other far more obvious “evidence of human activity” surrounds them and even been increased by their very own activities?

Alternatives

ALTERNATIVES DEVELOPMENT PROCESS

APPLICATION OF RESEARCH (pg 51)

The overview part of this section (pages 51 through 54) once again gives the impression of prejudice toward alternative by virtue of the fact that the benefits and objectives of alternative D are well discussed, but the other 3 alternatives are not discussed at all (except the single phrase “In contrast to alternatives B and C” which is used to produce a lengthy discussion of alternative D only.

This conceptual framework was used to craft management alternatives B and C based on the hypothesis that the biological integrity of mountain lakes could potentially be conserved by managing for non-reproducing trout at low densities in some lakes and managing for fishless conditions in other lakes. (pg 51)

The underlined word “potentially” should be removed. The sentence already says that it is an hypothesis; the word “potentially” is redundant and unnecessarily prejudices the sentence.

ALTERNATIVE A (pg 72)

IMPLEMENTING THE FISHERY MANAGEMENT PLAN THROUGH CONGRESSIONAL ACTION

“The enabling legislation for the North Cascades Complex does not mention fish stocking, and the legislative record regarding fish stocking in the North Cascades Complex is not clear. Therefore, the language in the enabling legislation for the portions of the North Cascades Complex in the national recreation areas does affirm that fishing is an important recreational use, but it does not mention fish stocking as being an appropriate means of fishery management. The Washington Park Wilderness Act of 1988 (WPWA) established 93% of the North Cascades Complex as Stephen T. Mather Wilderness and directed the NPS to manage the wilderness in accordance with the Wilderness Act of 1964. At the time the WPWA was passed, NPS policies prohibited fish stocking in naturally fishless waters, and the WPWA did not include a provision for allowing stocking. (For more detail on legislation and history, please refer to the “History of Fish Management in North Cascades Mountain Lakes” section in the “Purpose of and Need for Action” chapter and Louter 2003).” (PG 73)

As in other places in the draft EIS, this paragraph is misleading since it creates the impression that other activities besides fishing and fish stocking are mentioned in the NCNP enabling legislation and/or the WPWA. That is not the case. None of the typical visitor activities such as fishing, hiking, horse back riding, or camping are mentioned in either document; nor are NPS supporting management actions such as trail maintenance or trail bridge building mentioned. Such paragraphs as these are misleading, and actually seem to expose a prejudice against fishing and fish stocking as an accepted activity within the NPS regardless of the historical context in which legislation was passed.

“However; some disagree with these views and maintain that if nonnative fish were stocked appropriately, there would be o unacceptable adverse impacts on wilderness values because biological integrity would be conserved.” (pg 73)

This is a disingenuous statement at best. The NCNP's own research (Liss and Larson study) concludes that fish stocked appropriately causes no disruption of biological integrity. To ignore this vital conclusion with the dismissive qualifier “some disagree” as is done here is unacceptable.

“Fish stocking has been allowed to continue in the North Cascades Complex under a 1986 policy waiver (see appendix A).” (pg 74)

The Trail Blazers and Hi-Lakers and, as far as I know, the WDFW do not agree that the 1988 agreement between the NPS and the WDFW represents a “policy waiver.” Those agreements are binding and can not be changed without mutual agreement. If for no other reason, it is clear that the WDFW does not agree with the EIS in this draft form because of their strong objection to the MRA procedure found in Appendix K.

Throughout this draft EIS these agreements are characterized as “policy waivers”. The concept of “waiver” needs to be removed from the EIS. (See the written response from Dale Riveland for additional details.)

“The NPS has determined that fish stocking in the Stephen T. Mather Wilderness would only be implemented if Congress granted the NPS the unambiguous legal authority to do so. Therefore, should a management alternative that allows for continued stocking be selected through this plan/EIS decision-making process, the NPS intends to ask Congress for a change to the North Cascades Complex enabling legislation to clarify how the mountain lakes should be managed.” (pg 74)

Trail Blazer and Hi-Lakers, as well as the WDFW, do not agree with this requirement. Why has the NPS determined that it needs such direction from the Congress when no other management action the NPS takes in the NCNP is so specified by Congress (e.g., trail building, bridge building, fire management, back country campsite development)? The Trail Blazers, the Hi-Lakers, and the WDFW have no objection to seeking such clarification, and would welcome it if it resolves that issue in the minds of NPS managers, but we certainly do not agree, is concluded at the top of page 75, that without such congressional clarification, alternative D should be implemented as some sort of default. (See the written response from Dale Riveland for additional details.)

MINIMUM REQUIREMENTS (pg 76)

“The results of the minimum requirements analysis show that stocking of nonnative fish to create and enhance an artificial recreational fishery is not necessary to meet the minimum requirements for the administration of the Stephen T. Mather Wilderness (see appendix K).” (pg 75)

The Hi-Lakers and Trail Blazers join the WDFW statement of strong objection to how the interagency Minimum Requirements Analysis (MRA) applied in this draft EIS. The NPS may desire to eliminate the “artificial recreational fishery” that existed before the park was created, but it has greatly overstepped the MRA process in attempt to create evidence in support of that desire. The MRA found in Appendix K seems to be the most extreme MRA ever done by the NPS, and none like it (a programmatic” MRA) has ever been done by the three other federal agencies that use this standardized process. In fact, in the case of the Forest Service their policies would not even allow such a “programmatic” use of an MRA. (See my more extensive comments regarding the Appendix K section; as well as the written response from Dale Riveland.)

CURRENT FISHERY MANAGEMENT PROGRAM (pg 76- 81)

This overall section does a plausible job of describing the current fishery management program; however, there is one glaring omission: there is no section for “Lakes with Low Densities of Non-reproducing Fish”. All other permutations of with fish, fishless, and reproductive status are covered except this most crucial one upon which both alternatives B and C depend. I trust this was an oversight and not yet another example of possible prejudice in favor of alternative D.

CURRENT STOCKING PRACTICES (PG 78)

I congratulate the EIS team for the excellent and accurate description of current stocking practices found in this section.

ELEMENTS COMMON TO ALL ACTION ALTERNATIVES (pg 82)



ADAPTIVE MANAGEMENT

“Adaptive management is based on the premise that managed ecosystems are complex and unpredictable. Adaptive management is an analytical process for adjusting management and research decisions to better achieve management objectives. This process recognizes that our knowledge about natural resource systems is uncertain; therefore, some management actions are best conducted as experiments in a continuing attempt to reduce the risk arising from that uncertainty. The goal of such experimentation is to find a way to achieve the objectives while avoiding inadvertent mistakes that could lead to unsatisfactory results (Goodman and Sojda 2004).” (pg 183)

This is an excellent description of how this critical management practice works and of its benefits. Alternative D is a poor choice as an outcome of this NEPA process for precisely the reason that it does not manage the existing situation using this excellent adaptive management process (see the next comment).

“The adaptive management process for the 91 lakes in the study area would evaluate the effects of management actions (for example, allowing management of low densities of non-reproducing fish) on biological resources at an individual lake and identify whether the management action should be modified to meet the objectives for the lake.” (pg 83)

Well said. This sentence describes well why alternative D is a poor choice since alternative D does not provide an opportunity to adaptively manage fish stocking. It is possible that adaptive management over the long haul applied to alternative B will result in the same outcome as alternative D would, but getting there via adaptive management is the safer and more conservative way to get there. This is one reason why the notion that alternative ID should be the “default” alternative makes no sense in the eventuality that congressional clarification does not materialize.

ALTERNATIVE B (pg 98)

GENERAL CONCEPT

“Ultimately, any lake that would contain fish from the initial implementation of this alternative could be considered for complete fish removal in the future based on the results of monitoring (see appendix F for details regarding monitoring).” (pg 98)

In order to be consistent with the “Proposed Management Framework” section on page 101, this statement must be modified to include the other logical management action which could result from monitoring; namely, that any lake could be considered for restocking with nonreproducing fish in low densities once harmful fish populations have been removed.

MINIMUM REQUIREMENTS

“Stocking naturally fishless lakes, even with nonreproducing trout, would not leave the wilderness “ideally free from human control or manipulation. “ (pg 101)

This is misquoted. The proper quote from the MRA guide in Appendix K is:

“ideally free from modern human control or manipulation

Frankly, I doubt this was an oversight since there are so many other examples of apparent prejudice in the draft EIS tending to build a case against the continuation of fish stocking. The MRA procedure 15 designed to insure that modern methods (primarily motorized equipment) are not used if there is a more minimal method of accomplishing the task. This misquote gives the impression that the MRA procedure requires that an activity have no aspect of human manipulation. That would be a misuse of the MRA process which is no doubt why the omitted word “modern” is in the MRA criteria in the first place. Logically in fact, if this criterion were held to no human manipulation, the MRA procedure would be superfluous since no action by humans could ever be considered minimal.

PROPOSED FISHERY MANAGEMENT PROGRAM

PROPOSED MANAGEMENT FRAMEWORK

“The proposed management framework under alternative B would be to eliminate high densities of reproducing fish populations from lakes in the study area while allowing low densities of reproducing and nonreproducing fish populations. Management actions would be applied to the 91 study area lakes throughout the North Cascades Complex. The restocking of nonreproducing fish would be allowed only where impacts on biological resources could be minimized. Based on the best available science, some lakes could be restocked with low densities of nonreproducing fish once reproducing fish have been removed. Lakes where critical information is missing would not be stocked until that information becomes available. An extensive monitoring program (see appendix F) would be implemented to adjust future management and to avoid unacceptable effects on native biota from fish presence.” (pg 101)

This overview of the management framework under alternative B is incomplete. This section needs to be expanded somewhat to include the justification for low density fish populations. Specifically, the following sentence could be used:

“The creation of low density fish populations under alternative B, particularly when those fish are nonreproducing, is designed to maintain the historical fishing opportunity while maintaining the biological integrity of the lakes.”

ALTERNATIVE D

IMPLEMENTING THE FISHERY MANAGEMENT PLAN THROUGH CONGRESSIONAL ACTION

“This alternative would not require congressional action to clarify the North Cascades Complex's enabling legislation.” (pg 112)

This statement is inconsistent with many other places in the EIS where the NPS claims that the Congress was unclear or ambiguous as to its intent. Unclear or ambiguous can go in either direction. How does the NPS know that alternative D reflects the Intent of Congress any more than any other alternative, and particularly more than the preferred alternative B. This statement as is once again creates the impression of prejudice against the continuation of fish stocking.

PROPOSED FISHERY MANAGEMENT PROGRAM

PROPOSED MANAGEMENT FRAMEWORK

“...so these lakes would continue to provide residual sport-fishing opportunities for the foreseeable future, and the goal of complete removal might never be achieved.” (pg 113)

This phrase should be removed. If one understands the concepts presented in this EIS, then one know that lakes with high density fish populations are stunted and wreak havoc with biological integrity. It is disingenuous to offer such a poor fishery as some sort of compensation for the loss of the quality fishery which is possible using nonreproducing fish in low densities under alternative B. At best the phrase is an attempt to justify alternative D over alternative B to the angling community. As a member of that community, I don't accept this ploy as meaningful.

“The NPS Management Policies, section 6.3.7, Natural Resources Management in Wilderness, states:

The principle of non-degradation will be applied to wilderness management, and each wilderness area's condition will be measured and assessed against its own unimpaired standard. Natural processes will be allowed, insofar as possible, to shape and control wilderness ecosystems. Management should seek to sustain the natural distribution, numbers, population composition, and interaction of indigenous species. Management intervention should only be undertaken to the extent necessary to correct past mistakes, the impacts of human use, and influences originating outside of wilderness boundaries.” (pg 113)



This section is incomplete without giving “equal time” to the recreation policies found in chapter 8 of the NPS Management Policies (such as sections 8.2.2.x found in Appendix D). Statements from chapter 6 alone without consideration of the balance the NPS must maintain with chapter 8 “Use of the Parks” considerations once again creates the appearance of bias toward alternative D.

HOW ALTERNATIVES MEET OBJECTIVES (pg 115)

“As stated in the “Purpose of and Need for Action” chapter, all action alternatives selected for analysis must meet all objectives to a large degree.” (pg 115)

“The plan' objectives are to:

[&]

Provide a spectrum of recreational opportunities, including sport fishing, while minimizing impacts to the biological integrity of natural mountain lakes.”

[&]

“Even alternative D (91 Lakes Would Be Fishless) would provide sport-fishing opportunities in mountain lakes for a lengthy period because it would take many years to remove all reproducing fish populations from the mountain lakes. If it is not feasible to completely remove fish from larger, deeper lakes, fish densities would be reduced, and these lakes could provide sport-fishing opportunities indefinitely (refer to tables 7 and 8).” (pg 115)

These two sentences from this section represent a gross distortion of the concepts otherwise usually fairly presented this draft EIS -apparently once again in order to justify alternative D as being acceptable. Alternative D absolutely does not meet the “sport fishing” plan/EIS objective (of a total of four objectives) as claimed here.

Anglers do not appreciate lakes with high densities of reproducing fish any more than conservationists, park employees, consultants, or anyone else. Such lakes not only lack biological integrity, and most anglers abhor that situation, but provide essentially no quality sport fishing opportunity. Such a claim is like saying to a serious golfer that miniature golf provides a sporting opportunity to play golf and improve one's game. Claiming that the removal of the quality fishery via the removal of all nonreproducing low density fish population, while keeping the stunted lakes to “provide sport-fishing opportunities in mountain lakes” is tantamount to making a farce of this entire EIS document, and is insulting to those of us who have worked in good faith with the NPS for over two years on this process.

Even the somewhat reasonable claim of the last sentence is misleading since to accomplish the indefinite reduction of fish populations in these “larger, deeper lakes” that contain high densities of reproducing fish would require periodic use of chemical methods on these lakes. Such an indefinite program would certainly impact the ecosystems, and even wilderness values, more than any of the additional actions required to adopt alternative B.

ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION

“Provide sport fishing opportunities by stocking some of the 154 mountain lakes that have never had any fish presence.”

This plan/EIS did not contemplate stocking any of the 29 currently fishless lakes because both the NPS and WDFW assumed that if the lakes have gone fishless, they are undergoing a natural recovery process that should not be interfered with.” (pg 118)

Historical documents show that the WDFW never agreed to this concept. The EIS may not have considered these 29 lakes based on NPS assumptions, but the implication that the WDFW agrees with the conclusion that these lakes should not be interfered with is erroneous.

CONSISTENCY WITH SECTIONS 101(B) AND 102(1) OF THE NATIONAL ENVIRONMENTAL POLICY ACT

“Alternative B, Proposed Adaptive Management of 91 Lakes under a New Framework (42 Lakes May Have Fish), Preferred Alternative.”

“However, because alternative B proposes to continue a fish stocking program in naturally fishless lakes in the North Cascades Complex, it is not totally consistent with NPS Management Policies (NPS 2001a), which seek to preserve native biota and conserve biological integrity. Alternative B may also be viewed by some as inconsistent with the Wilderness Act because it continues a practice of fish stocking and human influence in a designated wilderness area.” (pg 120)

As far as I can tell, concerns of consistency with NPS Management Policies has nothing to do with the requirements of sections 101B and 102(1) of NEPA, nor does consistency with the Wilderness Act.

“Alternative D (91 Lakes Would be Fishless).

This alternative meets the stated purposes of NEPA sections 101(b) and 102(1) to a large degree.” (pg 121)

The phrase “large degree” should be changed to “some degree” for reasons outlined in the “How Alternatives Meet Objectives” section above

“There would, however, still be fishing opportunities in the reservoirs and streams.” (pg 121)

This is another of these disingenuous comments noted before. This EIS is on fishing in the mountain lakes of the NCNP. Opportunities in reservoirs and streams have nothing to do with mountain lakes. A statement like this would be like telling a backpacker that although backpacking would no longer be allowed, strolling on paved, paths in the park would still be available.

“These lakes would continue to provide sport-fishing opportunities for the foreseeable future...” (pg 121) This is a gross exaggeration of the situation (see the “How Alternatives Meet Objectives” section above). “However, illegal stocking may occur under this alternative.” (pg 121)

This is a major issue and is not given enough exposure in this draft of the EIS. If the park were to choose alternative D and thereby essentially eliminate the historical mountain fishery which has been there for decades (well before the creation of the park), visitors to the lands of the park who fish will certainly notice the reduction or elimination of fish from their “favorite” lake. Quite innocently, they might be tempted to “help nature along” by transporting fish fry from a stream or river in the park. This is very easy to do and one person could undo tens of thousands of dollars of work in an afternoon. This scenario ought to be taken more seriously by the NPS as they consider the implications of alternative D versus alternative B. The best way to minimize the risk of unsanctioned stocking by an uninformed public is to maintain a disciplined, well-managed fishery along with public outreach and education.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

“The WDFW does not agree that alternative D is the environmentally preferred alternative because it does not strike any balance between protecting biological integrity and preserving historic processes.” (PG 122)

The Trail Blazers and Hi-Lakers agree with the WDFW's analysis. Additionally it should be noted in this section that the potential of illegal stocking actually and perversely may make alternative D the least environmental friendly alternative (given the ease with which it can be done, and the strong likelihood that some uninformed park angler will consider transporting fish a good idea). Lakes stocked under the guidance of professional biologists must be preferred to haphazard stocking by an ignorant general public.

One does not need to look far to see examples of illegal stocking in the state of Washington. The lowland (warm water) fish~ in this state has had example after example of such activity by an uninformed public. In spite of all the



hard: work by WDFW biologists, intensively managed warm and coldwater fisheries are under constant attack from such illegal stocking activities. It is hard to imagine how much worse it might be in a situation where a fishery has been totally removed in lakes where the public has grown accustomed to fish being present.

I submit that the NPS has been too hasty in picking alternative D as the environmentally preferred alternative. On the surface it might appear that the removal of all fish is best for the environment, but given the existence of an historical fishery, and of the scientific research that demonstrates that the stocking of non-reproducing fish in low densities does not disturb the ecological integrity of the lake, alternative B might well be the best choice under this section. The fish experts in this state, namely the WDFW biologists, clearly think so.

TABLES

TABLE 14 - 16

I have not attempted to make all the comments I might on these tables since they are so redundant with the previous sections where I have made comments above. I leave it to the EIS editors when they update this draft version to the final version to make these tables consistent with comments in other sections. (Actually, this requirement for the editors applies to all sections of the EIS.)

Mitigation/Alternative B

“Reproduction would be limited by inducing genetic sterility or selecting hatchery strains that cannot reproduce due to spawning habitat limitations and/or timing of spawning limitations (e.g., Mount Whitney rainbow trout).” (pg 129)

The use of the underlined word “limited” is misleading. “Limited” gives the impression of reduced somewhat”. This word should be replaced with the word “eliminated” since sterile fish can not reproduce at all.

Vegetation/Alternative D

“Vegetation at these lakes would experience overall beneficial impacts.” (pg 134)

This sentence should be removed. There is no evidence presented in the entire draft EIS that anglers cause increased damage to vegetation. One person's guess is no better than another's. For all we know the removal of fish would increase impacts on vegetation due to increased use by campers who will no longer need to compete with anglers for presence at the lake. No, such speculation is best removed.

Wilderness Values/Alternative D

“Sport-fishing opportunities would be vastly reduced compared to alternative A because all stocking in the North Cascades Complex would cease, and fish would be removed from all lakes, where feasible. This would result in long-term moderate to major beneficial impacts on opportunities for solitude in areas where fishing opportunities are eliminated.” (pg 138)

The underlined phrase should say “alternatives A, B, and C”.

The second sentence should be removed. There is no evidence that removing fish will lessen the number of visitors at a lake to the extent such that a typical visitor approaching a lake will see no one else (definition of solitude). Certainly such a benefit, if it occurs at all, is highly unlikely to be “major”. (Such statements only serve to undermine the credibility of this draft EIS. Such consistent exaggerations of benefits under alternative D together with the consistent exaggerations of the negative impacts of the other three alternatives is unfortunate and not worthy of the people's National Park Service.)

Wilderness Values/Alternative B

“There would be a long-term major adverse cumulative impact on those who believe that the continued stocking (as proposed under alternative B) in wilderness and continued presence of reproducing populations of fish would compromise natural processes in wilderness.” (pg 139)

The underlined phrase should be removed. One of the objectives of alternative B is to remove all reproducing populations. (Note that it is not relevant whether such removal is an easy or a hard task especially since any such difficulty applies equally well to alternative D.

Objectives/Alternative D

“Does not fully meet objective.” (pg 143)

The sentence should be changed to:

“Does not meet the objective”

The objective is to “provide a spectrum” of opportunities for sport fishing. This entire EIS is about Mountain Lake fishing; that does not include streams and reservoirs. Even if it did, by removing all fish from all high lakes, that fishing opportunity would no longer cut across “a spectrum” of opportunity since an entire end of that spectrum will have been removed. (This is just another example of the prejudicial and preferential treatment shown by authors for alternative D. Hopefully, NPS management can find a way to insist that the final version is purged of this lingering bias.)

Affected Environment

Although I could have made many more comments in this section, I have not because there is so much repetition of issues, statements, conclusions, and all other content that I felt it was redundant to repeat comments which I have already made above in one way or another. I leave it to the EIS editors when they update this draft version to the final version to make the content of this chapter consistent with my comments found in the previous chapters. On the other hand, I have written a few comments on this chapter when I felt the time justified.

AQUATIC ORGANISMS

PIANKTONIC ORGANISMS

ZOOPLANKTON

“Lower densities of fish, more typical of stocked situations, do not have as great an effect. There is not much difference in abundance of diaptomid copepods between these stocked lakes and fishless lakes (Liss et al. 1998), possibly because the densities are not as high in stocked lakes, and the zooplankton can recover between stockings.” (pg 163)

These sentences should read:

“Fish stocked in low densities (for example with nonreproducing fish) have little if any measurable effect. There is not much difference in abundance of diaptomid copepods between these stocked lakes and fishless lakes (Liss et al. 1998).”

The phrase “not...as great” is awkward and gives the wrong impression that the difference between high density and low density fish populations is minor when just the opposite is the case. The ending phrase starting with “possibly” is speculative and likely wrong. Measurements show that the zooplankton populations simply do not depress much at any time in the stocking cycle. The lack of effect of zooplankton is simply a matter of there being low numbers of fish at all times; there is no evidence that zooplankton populations get depressed immediately after a stocking event and then rebound over a few years as this original wording implies. Frankly, the original wording shows a significant misunderstanding by this draft EIS author of low density stocking with nonreproducing fish since low



density populations using this management technique are not primarily the result of infrequent stockings (indeed they could occur every year) but rather the result of using very low numbers of fish per acre at every stocking event.

AMPHIBIANS

LONG- TOED SALAMANDER

“In general, the research indicates that there are far fewer long-toed salamanders in lakes and ponds that contain fish (especially reproducing fish), compared to lakes and ponds that are fishless, although the variation in abundance can be high even within a lake.” (pg 167)

This sentence needs heavy modification. As it stands it is very misleading. The situation is far more complex than to simply consider lakes with fish and lakes without fish (see the NCNP's own Liss and Larson study for pages and pages of evidence that supports my contention). This sentence as it stands implies that there are always far fewer salamanders in a lake with fish than a lake without fish (in spite of the off hand qualifier at the end of the sentence). The research shows this is not true. The important distinction to make is not between lakes with fish and those without fish, but between lakes with reproducing populations of fish in high densities and lakes with nonreproducing populations in low densities. Fishless lakes are just the limiting case of a low density population. In fact, the Liss and Larson study has shown that indeed there is no measurable difference in salamander densities between a lake with nonreproducing fish in low densities and fishless lakes. This is expected if fishlessness is simply the limiting case of low densities. The draft EIS misses this vital distinction of fish density time and time again, and this is just another example.

A key point to remember whenever writing a section such as this is that the research does not show that the mere presence of; fish affects the biological integrity of the lake ecosystem, but rather the biological integrity, is proportionally dependent on the population density of the fish.

“In contrast, in seven lakes containing fish that were either nonreproducing stocked (2 lakes) or reproducing (5 lakes), the range was drastically lower: 0 to 8 individuals per 328 feet of shoreline surveyed.” (pg 167)

I find it unbelievable that the EIS authors seem to have so little understanding of the vital conclusion of the Liss and Larson study that one can not lump reproducing and nonreproducing fish populations in the same statistic. In the context of proper mountain lake fishery management, mixing statistics from these two different data sources (reproducing and nonreproducing fish populations) is the ultimate apples and oranges story. These “slips” always seem to produce a negative image for fish stocking. This consistent pattern can not be the result of honest mistakes, but rather demonstrate a built-in bias of at least some of the EIS authors. The process that produces the final version of this EIS must have some sort of vetting process built-in to avoid this sort of unfortunate misrepresentation.

OTHER AMPHIBIANS

PACIFIC TREE FROG

“Recent research on the impacts of nonnative fish on Pacific tree frogs in the Sierra Nevada Mountains suggests that Pacific tree frogs have declined significantly in areas with large numbers of stocked lakes as a result of fish predation on egg and larval stages (Matthews et al. 2001b).” (pg 170)

Here is yet another example of the failure of at least some of the EIS authors to appreciate the vital distinction of fish population density when analyzing fish impacts on biological integrity. Apparently at least one of the authors was looking for evidence to support an already formed conclusion that the presence of fish in lakes depresses the frog populations. So rather than going to the scientific literature to educate oneself on what a full body of research demonstrates, the author simply used material that supported his or her already formed views.

To make my point, allow me to tell of an opportunity I had on October 24, 2002 to hear Kathleen Matthews speak at the University of Washington on her research in the Sierra Nevada. At that time (and therefore also when the paper referenced here was written), Kathleen herself also lumped low density and high density statistics together. At a



reception after her talk I spoke with her about the newly released Liss and Larson study where the importance of making this vital distinction of fish population density was demonstrated. She had not yet seen the Liss and Larson papers. She and I exchanged email for several weeks after that as she read the Liss and Larson papers using links I provided to her. She quickly came to realize the importance of factoring fish population densities into the process of analyzing predation data in high mountain lakes. She wrote me an email on November 11, 2002 when she said in part:

“I finally had a chance to read through the Liss et al. papers and agree that bringing in the range of predation into the equation is compelling.”

Clearly no attempt was made by the EIS authors to become well informed on the Sierra Nevada research before jumping on the opportunity to confirm their pre-existing views on the undesirability of fish stocking of wilderness lakes. (Incidentally, she went on to say that she was in the process of re-analyzing her data set using fish population density as a key factor; however, I do not feel at liberty to release Ms. Matthews private email in its entirety without her permission, but I'm sure that can be managed if the EIS teams so desires.)

Environmental Consequences

Although I could have spent days making comments in this important section, I have not because there is so much repetition of issues, statements, conclusions, and all other content that I felt it was redundant to repeat comments which I have already made above in one way or another. Although there are many misleading or incorrect statements in this section, I leave it to the EIS editors when they update this draft version (which can be expected to harbor errors) to the final version to make the content of this chapter consistent with my comments found in the previous chapters.

History of Public Involvement

I have no comments to make on this entire section except to say that I congratulate the NCNP employees and management who designed and implemented the public involvement process. I feel the NCNP has been open and fair with the public throughout this entire NEPA process. The public had superb access to information and has been given extraordinary opportunity to participate.

I'd also like to congratulate both NCNP and WDFW personnel for the remarkable degree of respect and cooperation they have shown each other during this process. In an era where federal and state agencies often battle over jurisdictional issues, it is a pleasure to see the difference a few committed individuals can make such that a constructive dialog takes place against a background of such difficult issues.

Volume Two

Appendix A

JUNE 12, 1986 MEMO FROM WILLIAM MOTT TO THE REGIONAL DIRECTOR, PNW REGION

“In your January 27, 1986, memorandum and in follow-up discussions, you requested that we provide you with a clear statement regarding National Park Service policy for management of fisheries resources in the North Cascades Complex.” (pg 8)

Throughout the draft EIS it is claimed that fish stocking has continued in the NCNP under a “policy waiver”. I submit that this memo from the Director of the NPS clearly establishes policy for fish stocking in the NCNP as distinct from any other park in the NPS system. It can not be construed as merely a policy waiver. The word waiver never appears in this memo.

All references to “policy waiver” where ever they appear in the draft EIS need to be changed to read “policy”. Other changes in content will no doubt be required to accommodate the fact that a policy was established in 1986 as opposed to a policy waiver.



“Park waters that are potential candidates for continued fish-stocking are to be reviewed to determine which waters warrant management as an enhanced recreational fishery, and for which continued fish-stocking is to be an acceptable action.” (pg 9)

Furthermore, this memo establishes the policy (not policy waiver) that fish stocking is an acceptable management activity within the NCNP with proper management.

“These data will help provide an informed basis for determining whether changes in our fish-stocking management actions may be needed in the future.” (pg 9)

Here the memo provides the basis of the very NEPA process underway now- a part of which is this EIS. Mott's vision does not include any statement, or even concern, that congressional clarification is required. Mr. Mott apparently felt in 1986 that as Director of the NPS he had full authority to establish a fish stocking policy for the NCNP, and he anticipated the day when scientific research and data would bring the NCNP to the point of having being able to adopt a preferred alternative (alternative B) which would then implement those “changes in our fish-stocking management actions”. His policy is not dependent on approval by Congress, and as such the provisions of this draft EIS that proclaim that alternative D must prevail until such congressional clarification is obtained are in contradiction to this NPS policy adopted at the highest NPS level in 1986.

JULY 12, 1988 SUPPLEMENTAL AGREEMENT TO MOU BETWEEN NPS AND WDFW

“This Supplemental Agreement shall first be subject to mutual review and evaluation by July 2000. The Intent is to give this Agreement a 12-year life and that upon mutual review, the Agreement may be continued or modified based on information available at the time of review.” (pg 11)

This agreement between the NPS and the WDFW further demonstrates the this NEPA process ought to be the complete and whole procedure to determine any changes to the fish stocking policy first established by Mott in 1986 and implemented in detail here with this MOU supplement in 1988. The deadline of July 2000 was not met due to the unavailability of the Liss and Larson data upon which Mott's vision depends. The MOU and this Supplemental Agreement have been extended to December 31, 2006 via mutual agreement between the NPS and the WDFW. Once again there is no mention of the need for congressional clarification. There is no reason why the NPS needs guidance from Congress in order to adopt the preferred alternative B.

“Additions or deletions to the list of 40 lakes may be made only by mutual agreement of the Department and the Service. Research results will be considered in future decisions.” (pg 10)

Furthermore, if the NPS were to insist on defaulting to alternative D without such congressional clarification it would be in violation of this provision of the Supplement Agreement since alternative D would delete all lakes from the list of 40 referred to here. The WDFW has not agreed to such deletions, but only to the plan found in the preferred alternative B.

Appendix B

“June 12, 1986 - The director of the NPS issued a policy statement that placed all mountain lakes in the North Cascades Complex into three categories: (1) natural fish-free waters, (2) self-sustaining fish population waters, and (3) continue-to-stock waters.” (pg 28)

This confirms that before 1986 there may have been the conception, or misconception that fish stocking was done under a “policy variance; however, in 1986 the Mott memo resolves any possible misunderstanding in the past by creating a NPS policy.

Appendix K

MINIMUM REQUIREMENTS DECISION GUIDE

ARTHUR CARHART NATIONAL WILDERNESS TRAINING CENTER

“except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act...”

- The Wilderness Act, 1964

Before I get into the specific comments on the MRA, allow me to present the results of some research I have done on the MRA procedure itself and its use.

When I first saw this MRA I was appalled. Its reasoning and conclusions were so absurd that I just could not believe that it made it into an otherwise quality document such as this draft EIS. In fact, I was so sure that this MRA was an abuse of the procedure that I some checking with various sources in an attempt to better understand the MRA process, and in particular, to better understand the circumstances under which it was designed to be used.

The first thing I did was to go the Arthur Carhart National Wilderness Training Center's website to get the forms and instructions that make up the MRA procedure. Next, I spoke with several NCNP employees to get examples of how the MRA process had been used in the past. It eventually became clear that the MRA found in this draft EIS was highly unusual since no one seemed to know if one like it had ever been done before. The MRA examples all seemed to have been done in the more traditional way of helping agencies decide primarily whether motorized equipment could be used.

Finally, I was able to speak to NPS and the National Forest Service (NFS) employees at the Arthur Carhart National Wilderness Training Center who have knowledge of how MRAs are used on a nationwide basis. I learned that four federal agencies developed the MRA process and use it. I discovered that an MRA such as the one found in this MRA is loosely called a “programmatic” MRA. (Basically a “programmatic” MRA is one that looks at an activity rather than a tool.) With further discussion it became apparent that it is highly unusual for an MRA to be used in this programmatic fashion.

I happened to talk first to Tom Carlson who is the NFS representative at the Carhart Training Center. He stated that programmatic MRAs are not done by the NFS and it is against their policy to do so. He confirmed that to his knowledge an MRA such as the one in this draft EIS had never been done by the NFS. Furthermore Tom was on the committee that designed the MRA procedure in the first place, and he was of the opinion that the MRA design was not appropriate to be used in this programmatic manner. He felt that the overall NEPA process itself was better able to handle such decision making since it was designed to analyze such broad issues whereas the MRA question set was designed to address the Wilderness Act 4(c) exclusions only (i.e., use of modem tools).

Next, I planned to talk to the NPS representative at the Carhart Training Center but instead ended up talking to his boss in Washington DC. It is my understanding that no one in the NPS knows more about the use of MRAs in the NPS than does Rick Potts, National Wilderness and Recreation Programs Manager for the NPS. Rick agreed that although the NPS does not have a policy forbidding the use of the MRA in programmatic situations like the NFS does, it has been highly unusual in the NPS to do programmatic MRAs. In fact, he was only aware of four such MRAs of the many MRAs the NPS has done. One is in this NCNP draft EIS on fish stocking; the other three are: one in the Rocky Mountain NP for trails; another in the Kings Canyon NP for fire management; and one in the Shenandoah NP for trails. Rick noted that the MRA procedure was relatively new having been created in 2000 and was still evolving. He mentioned that an effort was currently underway to revamp the MRA procedure such that it could be used across the four agencies in a standardized manner: in particular between the NFS and the NPS. Rick did not yet know what the outcome of that effort would be, but he thought the new standards would make it even less likely that the NPS would do programmatic MRAs in the future.

In my opinion the MRA found in this draft EIS is the most sweeping use of an MRA that has ever been done in the NPS. In none of the other three programmatic MRAs is an historic management activity disapproved across an



entire park. These other three programmatic MRAs allow the management activity to continue, but simply restrict certain instances of its use where harm can be shown. Frankly, that is not unlike what preferred alternative B attempts to accomplish within the overall NEPA process; namely, the continuance of the of fish stocking, but limiting in it in situations where harm can be shown. There is no justification' for a separate MRA procedure to usurp the overall objective of the NEPA process by pushing the use of the MRA procedure to the most extreme use it has ever been subjected to.

This NCNP fish stocking NEPA process is filled with enough controversy without unnecessarily introducing the use of a fairly new procedure in a way that pushes its use to an extreme limit -especially just as efforts are underway within the NPS and the NFS to evolve the MRA procedure to its next incarnation which is very likely to restrict or even eliminate "programmatic" MRAs such as the one unwisely included in this draft EIS.

Here are my comments specific to the implementation of the MRA in this draft EIS:

A. Describe Valid Existing Rights or Special Provisions of Wilderness Legislation

"Fish Stocking: There is no provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that explicitly allows for fish stocking." (pg 289)

Neither is there any provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that forbids stocking. In addition there is no provision in the enabling legislation, the Wilderness Act, or the Washington Park Wilderness Act that allows for trail building, trail maintenance, bridge building, campsite construction, or dozens of other actions the park engages in every day. This reference to these pieces of legislation is at best a red herring since such legislation is designed to leave such details to the administering agency as is proven by the total lack of such authorization for any action. Why expect these pieces of legislation to authorize fish stocking when it authorizes none of these other actions?

Beyond these considerations is the fact that the Wilderness Act permits fishing, and today's science clearly shows that the only way to provide biological integrity is to stock with nonreproducing fish in low densities.

C. Describe Other Guidance

"Fish Stocking: Stocking of naturally fishless lakes in the National Park portion of the Stephen T. Mather Wilderness violates current NPS management policies regarding stocking of nonnative fish into national park waters." (pg 289)

This is incorrect. The Mott memo of 1986 explicitly creates a policy for fish stocking in the NCNP. Fish stocking in the NCNP today is wholly within NPS policy.

Explain: (pg 290)

NPS Management Policies (2001)

This section is incomplete. It quotes NPS policy from chapters 4 and 6 but leaves out anything from chapter 8 except a brief excerpt. Chapter 8 concerns itself with the NPS's mandate to provide recreation. whereas chapters 4 and 6 concern themselves the NPS's mandate to preserve and protect natural resources. Even the one brief excerpt from chapter 8 has a preserve and protect theme.

Once again we see the appearance of bias favoring the elimination of fish stocking by the EIS authors since it is only when you balance the preserve/protect policies of the NPS with its recreation policies that a fair analysis can be made.

"In contrast to sport fishing, the practice of stocking fish is generally prohibited in park units." (pg 290)

This is incorrect. General policy does not apply to the NCNP because the fish stocking policy for the NCNP was set by Director Mott in his 1986 memo.

Memorandum of Understanding between the NPS and WDFW

“Currently, the management of mountain lakes is performed under a temporary extension of the 1985 Memorandum of Understanding and 1988 Supplemental Agreement between the two agencies.” (pg 291)

The underlined word “temporary” should be removed. All MOUs between the NPS and state agencies are intended to be renegotiated from time to time. There is nothing “temporary” about these agreements.

E. Wilderness Character

Untrammelled:

“Stocking naturally fishless lakes, even with nonreproducing trout, would not leave the wilderness “ideally unhindered and free from modern human control or manipulation.” Stocking of fish would manipulate the native ecology of a lake and introduce a nonnative species for the purpose of enhancing recreation.” (pg 292)

Even though the word “modern” is retained in this case (unlike in the main body of the draft EIS - see previous comments), the connotation of this word is totally ignored in this rationale. Fish have been stocked in lakes for centuries, including by native peoples well before the white man's arrival. There is nothing “modern” about fish stocking. This paragraph once again demonstrates how the intent of the MRA process is being subverted here to support a predetermined conclusion to eliminate fish stocking from the NCNP.

Anyone who has prior experience with the MRA procedure knows that in the vast majority of MRAs, they are used to determine whether truly modern techniques (primarily motorized equipment) must be used to accomplish a particular activity. This is the reason the word “modern” appears in this part of the MRA. How can anyone consider the packing of fish fry on the backs of people, or by horse, to be a “modern human control or manipulation”. Aircraft is not necessary to stock lakes. Now, if one wanted to do an MRA to determine whether aircraft should be used to stock fish as opposed to hand methods, that would be a perfectly valid use of the MRA process. However, this MRA as it stands is a sham, perhaps even a scam.

Natural:

“Stocking with nonreproducing trout would temporarily affect the natural character of naturally fishless lakes in wilderness by introducing a nonnative species, thus manipulating the ecological structure of the lakes.” (pg 292)

The MRA procedure defines this “natural” character as:

“Natural” - Wilderness ecological and evolutionary systems are substantially free from the effects of modern civilization.

How can anyone with a straight face believe that the backpacking of fish fry into a lake, where such fish would naturally live if the stream gradients of the North Cascades were not so steep, as being an “effect of modern civilization”? It is ludicrous to make such an argument. Even the practice of fish stocking itself has no connotations of “modern civilization” since it has been practiced for thousands of years all over the world in all civilizations. One may object to the stocking of fish in the NCNP, but one can't misuse the MRA procedure in an attempt to prove your point.

Furthermore, the Liss and Larson study belies the last few words of this section. Nonreproducing fish populations in low densities do not manipulate the ecological structure of the lake in any measurable way. Their research could find no measurable difference in the ecological structure of a fishless lake and one which has been stocked with nonreproducing fish populations in low densities.



F. Describe Effects to the Public Purposes of Wilderness

Explain:

“For example, some of the mountain lakes would no longer provide scientists with the opportunity to study the ecology of naturally fishless mountain lakes because the lakes would contain nonnative fish.” (pg 293)

Here is another ridiculous claim that demonstrates the lack of integrity in the use of this MRA procedure. The EIS itself declares that there are 245 lakes in the NCNP complex. It also declares that only 91 of those lakes have ever had a history of fish stocking. Alternative B proposes to continue fish populations in only 29 of these 91 lakes with a possible addition of 13 more once there is sufficient data to determine a proper management strategy for those 13 lakes. So even if all 13 of those lakes now in limbo are added to the 29, there would only be a total of 42 of the total 245 lakes that would not be available as “fishless lakes” for research. This leaves the remaining 203 lakes available to researchers. Furthermore, many scientists might even consider it a benefit to have a few lakes that are not fishless to provide contrast and controls in the research area. In any case, research in California parks and in Idaho wilderness areas has shown that a lake returns to its natural state in about 11-20 years, even after having been subjected to the devastation of high density fish populations. The extreme position presented in this section is a far reach indeed and exposes a likely bias on the part of the MRA author.

Step 1 Decision: Is it necessary to take action?

Explain:

“Fish Stocking: No. Stocking non reproducing trout into the high mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness anglers. Stocking, however, would adversely impact the wilderness experience for other wilderness users. Fish stocking would also adversely impact, to varying degrees, the scientific, conservation and natural purposes of wilderness. If stocking were discontinued, opportunities for fishing in the high mountain lakes would be severely limited. However, various opportunities for sport fishing would remain in the rivers and streams, and other types of primitive and unconfined forms of recreation would still exist in the Steven T. Mather Wilderness. Therefore, the NPS believes that fish stocking is not required for administration of the area as wilderness.” (pg 294)

This logic has nothing to do with reaching the conclusion. You could apply this same logic to essentially any management action the park takes and presumably reach the very same conclusion; namely, that the action ought to stop.

To prove this point I have substituted “trail building” for “fish stocking” and “hiking” for “fishing” into the logic expressed above. I believe this exercise clearly demonstrates that the reasoning in the MRA must have been essentially “manufactured” to reach a pre-determined conclusion.

Trail Building: No. Building trails into the high mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness hikers. Trails, however, would adversely impact the wilderness experience for other wilderness users. Trail building would also adversely impact, to varying degrees, the scientific, conservation, and natural purposes of wilderness. If trails were not built, opportunities for hiking in the high mountains would be severely limited. However, various opportunities for trail biking would remain in the lowland areas, and other types of primitive and unconfined forms of recreation would still exist in the Steven Mather Wilderness. Therefore, the National Park Service believes that trail building is not required for administration of the area as wilderness.

Note how the reasoning still makes perfect sense. In other words, if the park were to do a similarly reasoned MRA on building or maintaining trails in the park, it presumably would once again conclude that trail building or maintenance should stop in the park.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE COMMENTS ON THE MINIMUM REQUIREMENTS ANALYSIS

The Trail Blazers and Hi-Lakers agree totally with this view of a misapplied and disingenuous MRA exercise.

Good evening. As is often the case in a document such as this EIS, the conclusions reached by a well-intended reader will often be determined not by the facts and ideas alone, but how the presentation of these facts and ideas are emphasized. Here are three areas where the EIS obscures the fundamental underlying issues by either adding too much emphasis or by providing too little.

Number one, many people are rightly concerned about maintaining the ecological balance in these magnificent lakes when fish are introduced by man for his recreational benefit. The park itself funded a 15-year study of this issue. It is commonly referred as the Liss & Larson study.

The key conclusion of that study in regard to the fish stocking is there is no measurable difference between a fishless lake and a lake that has nonreproducing fish stocked in low densities.

Let me repeat that: There is no measurable difference between a fishless lake and a lake that has nonreproducing fish stocked in low densities.

I doubt many who are concerned about the biological integrity of these lakes understand that science has shown that these negative impacts simply don't exist. This vital scientific conclusion is given too little emphasis in the EIS.

Number two, there is a key concept which has been learned over the past several decades regarding how to balance the protection of these Alpine lakes but at the same time continue the well-established high lake fishery that was promised in the congressional hearings held in the mid 1960s when the park was established. This concept is a bit hard to catch the first time around since it is counterintuitive.

Here it is: Fish stocking with nonreproducing, that is, sterile fish in low densities is the best and only way to ensure the ecological health of these lakes. Intuitively you might think the best situation might be to stock a lake once and then hope the fish reproduce on their own after that. As the Liss & Larson study demonstrates, that is just not true. Reproducing fish lead to the overpopulation problems the EIS does a good job of condemning.

Fish stocking is the friend of the ecologically concerned citizen, not a practice to be scorned. Why would you want to eliminate fishing as a visitor activity if it causes no more damage than hiking and camping do? Why single out fishing? This key concept is given too little emphasis in the EIS.

And finally, allow me to describe an area where there is too much emphasis in the EIS, namely, the idea that stocking fish in high lakes somehow destroys the visitor's wilderness experience. There is nothing unnatural about a fish being in high lakes. In fact, they'd be there naturally if the creeks and the streams of the Cascades were less steep. To say that a visitor camping by a lake is somehow going to have their, quote, "wilderness experience," unquote, harmed by the presence of often unseen fish when this same visitor has just stared all day at the hiking trail they are walking on as it cuts through otherwise natural meadows or is standing in a well-used campsite as they look out into the lake or look down and see the scar of a fire ring in that campsite makes no sense. The comparison is even more ludicrous when you consider that the same visitor may have seen the unbelievably ugly scars that horses leave on lake shores, not to mention the evasive plants such as thistles and dandelions that stock animals spread throughout the North Cascades. Surely these approved activities are far more visible disturbances to the wilderness experience than the fish ring a visitor might happen to see on the surface of a lake. Thank you.



Deja vu all over again. Much has been said in these public meetings supporting the Washington Department of Fish & Wildlife's dissenting opinion found in Appendix K stating that the Minimum Requirements Analysis or MRA has been misapplied to fish stocking. I have expressed my agreement with the Department of Fish & Wildlife position myself, but want to present additional evidence demonstrating the flawed nature of the MRA.

On Page 294 of Volume II, the last question in the MRA asks: "Is it necessary to take action?" I am going to read verbatim the EIS answer to this question in regard to fish stocking. Then I am going to read essentially the very same words again, except that I will substitute "trail building" for "fish stocking" and "hiking" for "fishing." I believe this exercise clearly demonstrates that the reasoning in the MRA must have been, essentially, manufactured to reach a predetermined conclusion.

Now for the version as it exists in the draft EIS: "Is it necessary to take action? Fish stocking, no. Stocking nonreproducing trout in the high lake mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness anglers. Stocking however, would adversely impact the wilderness experience for other wilderness users. Fish stocking would also adversely impact to varying degrees the scientific conservation and natural purposes of the wilderness. If stocking were to continue, opportunities for fishing in the high mountain lakes would be severely limited. However, various opportunities for sport fishing would remain in the rivers and the streams and other types of primitive and unconfined forms of recreation would still exist in the Steven T. Mather Wilderness. Therefore, the Park Service believes that fish stocking is not required for the administration of the area as wilderness."

Okay. Now I substitute "hiking" and "trail building" for "fishing" and "fish stocking." Note how the reasoning still makes perfect sense. In other words, if the park were to do a similarly reasoned MRA on the building or maintaining of trails in the park, it would presumably once again conclude that trail building or maintenance should stop in the park. Listen carefully. Listen for how this version makes just as much sense or nonsense as the first version does.

"Is it necessary to take action? Trail building, no. Building trails into the high mountain lakes" -- now listen to how this perfectly makes sense -- "building trails into the high mountain lakes would continue to benefit the recreational" -- I screwed up here. "Building trails into the high mountain lakes would continue to benefit the recreational wilderness experience for certain wilderness hikers. Trails, however, would adversely impact the wilderness experience for other wilderness users. Trail building would also adversely impact to varying degrees the scientific conservation and natural purposes of the wilderness. If trails were not built, opportunities for hiking to the high mountain lakes would be severely limited.

However, various opportunities for trail hiking would remain in the low land areas, and other types of primitive and unconfined forms of recreation would still exist in the Steven Mather Wilderness. Therefore, the National Park Service believes that trail building is not required for the administration of the areas of the wilderness."

Can you hear it? The logic has nothing to do with reaching a conclusion. You could apply the same logic to essentially any management action the Park takes and presumably reach the very same conclusion; namely, that the action ought to stop. No. Clearly the reasoning was written after the conclusion had already been reached. The reasoning as presented in the draft EIS does not compel the conclusion, since if it did, essentially all management action of the park would have to cease. The MRA -- if the MRA is to remain in the final EIS, it will need to be completely rewritten in order to be an unbiased look at the proposed action and restrict itself to activities as delineated in Section 4(c) of the 1964 Wilderness Act as expressed in the dissenting opinion of the Department of Fish & Wildlife.

Incidentally, and interestingly enough, current Forest Service policy also agrees with the Department of Fish & Wildlife view. The Forest Service, which manages far more wilderness than the Park Service does, has never done an NRA on a management action of this type. It would simply be against their policy to do so. Thank you.

Historical Case for Fish Stocking the High Lakes in the North Cascades (including recent scientific conclusions)

Preface

Much of this “tour” through the history of fish stocking in the North Cascades was gleaned and guided by the excellent book “Contested Terrain: Administrative History,” written in 1998 by David Louter.

Louter was employed at the time by the National Park Service (NPS) as a professional historian. In spite of the excellence of Louter's book, it was so broad in scope that it excluded much of the detailed history critical to a full understanding of fish stocking in the area now known as the North Cascades National Park Complex (NOCA):

As part of the NOCA Environmental Impact Statement (EIS) on fish stocking begun in March of 2003, Louter wrote a white paper entitled “The Fish-Stocking Controversy” to add the missing detail.

Although Louter's white paper was a welcome contribution, several important events were either skipped or characterized in a way that favors the NPS's general preference for removing already introduced fish species from national parks on the ideological grounds of wilderness values. Specifically the white paper spends little time discussing either the historical rationale for the continuation of fish stocking in the NOCA, or the remarkable scientific evidence that has accumulated showing no measurable impact on park ecosystems when fish stocking is properly managed.

This “Historical Case for Fish Stocking the High Lakes in the North Cascades” document is meant to remedy these aspects of Louter's white paper by presenting the historical case for fish stocking in the NOCA from actual documents and records -including the documented written or spoken words of notable figures who directly participated in this history (e.g., members of Congress, officials of the NPS). It also draws heavily from Louter's “Contested Terrain” book (given its neutral character) to chronicle the various events that occurred during this fascinating 40-year history.

Woven throughout this history is an example of the equally fascinating corollary issue of conflict between federal and state rights in the management of wildlife on federal lands.

The scientific evidence pertaining to fish stocking in the North Cascades comes primarily from the Liss & Larson report: a comprehensive, 15-year, million dollar study of the north Cascades alpine lake ecosystems conducted by Oregon State University and completed in 1999.³

Early History

This paper will not attempt to review the history of fishing and the park before 1963. It was in 1963 that the “Study Team Report effort was launched by the then new Kennedy administration. The history of the fish stocking controversy essentially dates from the initiation of this study. As far as earlier history,

1. Louter, David. Contested Terrain: North Cascades National Park Service Complex An Administrative History. Seattle: National Park Service, 1998[Hereafter cited As “Contested”]
2. The North Cascades National Park Complex (NOCA) includes the North Cascades National Park (NCNP) and the surrounding Ross Lake and Lake Chelan National Recreation Areas. Although not technically correct, the names NOCA and NCNP are sometimes used interchangeably in the literature.
3. Ecological Effects Of Stocked Trout In Naturally Fishless High-Elevation Lakes. North Cascades National Park Service Complex, WA, USA: Phases I, II, III. April 1999.



4. Dept of Interior and Dept of Agriculture. The North Cascades: A Report to the Secretary of Interior and the Secretary of Agriculture, October 1965 Page I of 8 Version 18(512105) suffice it to say that the area now occupied by the NOCA was always admired for its exquisite beauty and many people did many things to focus attention on its preservation and proper use. During this early period the federal lands which eventually became the park were administered by the Forest Service (FS) under its “many uses” mandate.

Study Team Report of 1965

The Study Team Report almost never happened. There was a call to do a study of the North Cascades area as early as 1959 by Congressman Pelly, but the effort became bogged down in jurisdictional disputes between the FS and the NPS.

This theme of jurisdictional disputes arose time and time again over the next decade. Which agency and which land and wildlife management policy/culture was to prevail? Those who preferred using land and wildlife for the benefit of the surrounding people favored the Forest Service structure; whereas those who were concerned with preserving the land and wildlife looked to the NPS structure.^{5,6}

The debate over how to balance these two competing views, policy sets, and cultures was intense. The logjam at this time was finally broken with what became known as the “Treaty of the Potomac.” This “treaty” between the two agencies paved the way for the study team to do its work. The study was completed in October 1965 and released to the public on January 6, 1966.⁷

Ed Craft, Chairman of the study team, termed the study a “compromise proposal” since the team members remained heavily split, and said “undoubtedly the most controversial” aspect of the study was whether there would be a park at all. (The alternative being to allow the land to continue to be managed by the FS.) Craft's compromise proposal claimed that a park should be established for the purposes of “mass recreation use.” It was clear to all involved on the study team that however a park was established, traditional uses of the land such as fishing and camping could not be excluded in a major way. These concerns would become one of the primary reasons for the eventual creation of a park complex consisting of a national park and national recreation areas. Compromise on public use versus preservation was evident from the very beginning and all through the remaining history of the NOCA. ⁸

The Creation of the North Cascades Park Complex

US Senator Henry Jackson held committee hearings in Seattle on February 11-12, 1966 to get public input on the Study Team Report. Hundreds of statements and communications were heard or received. Fishing was one of the areas addressed by the committee members and the public as they considered this statement made in the Study Team Report in the Resources section:

“Fishing would not be affected because fishing, habitat development, and stocking are allowed in a National Park.”⁹

1

Kept Private

Subj: EIS Written Comment

What is Wilderness? Well, to me it's the place where raw land and man meet, like in the North Cascades National Park. And rightly so, it's where man finds his inner self. Wilderness fishing in remote lakes enhances the experience, making it all much more richer. In short, the wilderness experience and fishing goes hand in hand . . . certainly there would be a great void in one without the other.

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Michael Mitchell

The draft EIS is a technically exhaustive and well-written document. Although this is not a technical response (much more qualified people than I can provide that), I feel it's just as important as it addresses the unjustified negative implication that fish stocking is contrary to a park visitor's "wilderness experience".

I have camped, climbed, hiked, fished, and taken pictures in the park. We all are stewards of the park and are obligated to manage the park so that there is still a wilderness to experience for future generations, including my 14-year-old son. I emphasize the word manage, because all activity in the park should be subject to management.

I fail to understand the opposition to managed fish stocking when research clearly demonstrates that it has no measurable impact on the ecology in the mountain lakes. Other activities such as camping can be more intrusive to the park and yet it is allowed to continue under proper management. Why is fishing singled out?

Fishing is a significant part of my wilderness experience and that of my son. I in no way condone improper fish stocking. Since we have a proven process for effectively managing fish stocking I urge you to allow it to continue.

Michael Mitchell

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Jeff Mix

I'm also a member of the Trail Blazers, and I, too, would like to thank the National Park Service for their great work on the EIS. It has a lot of good science in it, sound reasoning.

One of the items I disagree with in particular is the use of the MRA. I believe the National Park Service misused the Minimum Requirements Analysis -- or I'll abbreviate it MRA -- methodology in Appendix K of the draft EIS.

The 1964 Wilderness Act, in Section 4(c), reads exactly as follows: "Section 4(c): Except as specifically provided for in this act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act, including measures required in emergencies involving the health and safety of persons within the area. There shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area."

Nowhere in the aforementioned list of "prohibited uses" is fish stocking listed. The MRA analysis is a methodical way for the Park Service to find the minimum tool or method for performing a task at hand in a wilderness. For logging out a trail, an MRA may find that a cross-cut saw is the tool preferred over a gas-powered chainsaw. For stocking fish, an MRA may find that carrying fry with backpacks is the method preferred over dropping fry from a fixed-wing aircraft. Stocking nonproducing trout in the Steven T. Mather Wilderness is necessary for its administration. The MRA is to be used to find the best method for stocking these fish. To use the MRA methodology to eliminate fish stocking is simply an abuse of the MRA system. Thank you.



Kept Private

High mountain lakes that have sustainable fish population are a valued asset and every effort should be undertaken to protect these lakes so that future generations can enjoy them for their recreation opportunities. A lot of effort has gone into stocking these lakes which are enjoyed by many people, both fisherman and nonfisherman. it would be a shameful to allow overfishing to purposefully destroy this fishery.

I have fished lakes in the mt raineer national park and am appalled that the limits were increased to purposefully eradicate the fishery. The answer i received from a park ranger was that they were trying to recreate a natural park, so the salamanders, frogs, and etc would be able to make a comeback. that is a really absurd plan. I would hate to see this philosophy adopted in any another areas.

Bob Pfeifer

Thanks for the opportunity to comment. I'm going to try and comment as a private citizen on this draft. I'm only speaking to you -- I'm speaking to you today not as a member of Technical Advisory Committee that helped draft the EIS, nor as a member of any organized hiking or fishing group. I am submitting these brief comments as a Washingtonian who happens to greatly enjoy our natural and fishery management heritage in this state's mountains.

I've only a few general comments today on the technical aspects of the draft. First, the numerous years of studies in the Park Complex demonstrated what I had learned from first-hand experience managing sub-alpine and alpine lakes in the western Alpine Lakes Wilderness and Henry M. Jackson Wilderness. I learned that it is possible to preserve the native biota of these lake ecosystems if the fish populations are maintained at low densities. Naturally, fish eat bugs, and they will depress their prey resources temporarily. But the overall invertebrate species diversity is maintained. Thus it is possible to have an extremely valuable fishery that greatly enhances our quality of life in this state for extremely low cost and with no long-term damage. The studies that were done in the Park support my personal experience and observations.

Equally important, studies in other states have proved that fish removal will restore original ecosystem conditions nearly completely, if not completely, so there is no long-term impairment from responsible fishery management. And I have long been a strong advocate for removing problem fish populations that unquestionably harm these lake ecosystems. However, that lost fishery opportunity must be replaced in place or in kind within the Park Complex.

Much has been said and published about the impacts of trout in high lake ecosystems on native salamanders. There most definitely is a problem with some amphibian species in some areas, such as the yellow-legged frog in the Sierras of California. This is not California.

A well-done study in the Olympics showed that native salamanders are well-distributed across their natural range despite many decades of fish planting.

Here's my bottom line: No one has demonstrated -- I worded this very carefully. No one has demonstrated that the general distribution of native amphibians has been diminished in this state from planting trout fry

into high lakes. While it is true that fish can temporarily depress salamanders or their larvae in some lakes under some conditions, this does not necessarily translate into species extinction, even as low as the meta-population level. The EIS could be more accurate and complete if it made and emphasized this point in my opinion. Most of the assessment of salamander impacts was based on assumptions about their movements and various geographic criteria. I respectfully challenge those assumptions since so far I have seen no data from Washington that supports them. On the contrary, the data from the Olympics supports my position and opinion that native amphibians can coexist with responsible fishery management when viewed on a landscape level. I'm aware that general Park Service policy seeks to preserve natural systems in as natural and unimpaired a condition as possible. This sets the stage for the perceived conflict that you all are well aware of, that is, the Park enabling legislation.



This leads to my next point. I recognize the pressure you folks are probably getting from within the national organization. If North Cascades allows fish planting to continue, you will likely be viewed as a pariah -- traitorous as to the National Parks Service mission statement. Well, in short, maybe Parks people like then Park Service Director George Hartzog should have thought about that more before making promises in 1968 that fish planting would continue if a park was created in an area that already had a history of fish planting in the mountains.

As in most things political, it comes down to compromises. We high-lake hiker/anglers have been willing to compromise heavily by accepting a greatly reduced list of lakes to be maintained with fisheries.

North Cascades staff needs to compromise by being willing to accept the heat from colleagues within the Park Service and respond to that pressure by explaining and educating that NOCA was unique in its creation and in the promises that were made. Perhaps it is naive of me to believe that local Park staff can take that sort of position. And, yes, we need to clarify the Park's enabling legislation. But the tone and details in the EIS need to be revised to accept the premise of continued fish planting, not the premise that all the lakes will be returned to fishless conditions as the Environmentally Preferred Alternative. The science that we all paid for supports taking the position that disciplined planting can continue.

And finally, in my opinion, the Draft EIS errs by incorrectly applying the Minimum Requirements Analysis protocol. I suspect a more detailed critique of this will be submitted by the sport fishing groups. I believe an MRA should only address those actions explicitly prohibited by the Wilderness Act, such as use of motorized vehicles or aircraft. Fish planting, per se, is not prohibited and should not be the subject of an MRA. I think we all agree that backpack planting of fry is a minimum tool. On the other hand, an MRA should be done for the needed fish removals in some lakes since that would involve some of the actions prohibited by the Wilderness Act, that is, aircraft use.

Thank you for the opportunity to provide personal comments.

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Dale Riveland

My name is Dale Riveland and I'm a high laker, and I'm submitting written comments that are parallel to my oral comments, but they are much more complete.

The draft EIS Environmental Impact Statement includes at the back in Appendix K the Minimum Requirements Analysis. The MRA answers questions and directions, and the step one question is: Is it necessary to take action? And therein is the answer: The fish stocking is not necessary for the administration of the wilderness area.

The Wilderness Act provides that except as necessary to meet minimum requirements for the administration of the wilderness, there shall be no structures, no permanent roads, no temporary roads, et cetera. Ten prohibitions, none of which have anything to do with fish stocking. And since the statute, the Wilderness Act, does not make fish stocking one of the prohibitions, the statutory test of the Act necessary to meet the minimum requirements does not apply. I submit that it's not required at all to have the minimum requirements assessment.

Stocking in selected lakes in a manner that is consistent with biological integrity is not something that is controlled by this statute.

This is also the Washington Department of Fish and Wildlife's position, but there's a policy, and that policy some say would require that a minimum requirement analysis be done, and the policy number is NPS Management Policy 6.3.5 which says "All management decisions affecting wilderness must be consistent with the minimum requirements concept."

So if there's a requirement, this is the policy that puts it forward. The point here is that the requirements in the policy as distinguished from the statute are far different from those in the statute, and I quote, "The minimum requirements concept will be applied as a two-step process that determines whether the proposed management action is



appropriate or necessary for the administration of the area as wilderness and does not pose a significant impact to wilderness resources and character.”

So, the question is: What is appropriate as well as necessary, and does it pose a significant impact to wilderness resources? Those are the questions posed. It is indeed logical that the Park Service would utilize a lesser standard to make general management decisions than those that are decisions that are required to upset the prohibitions in the statute that Congress has passed. So using the correct test of appropriateness or necessity, the answer should be it is appropriate to continue stocking selected lakes in a manner that's consistent with biological integrity because that would support recreational and historical use purposes of the North Cascades Wilderness Area while minimizing impact to biological integrity. Thank you.

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Dale Riveland

SUBSTANTIVE NORTH CASCADES EIS COMMENT
DALE RIVELAND, HI-LAKER

27-Jul-05

Issue Discussed

This comment questions the application in Appendix K of the Minimum Requirements Decision Guide (MRDG) to the fish stocking decisions. The Step 1 of the MRDG provides: “Is it necessary to take action?” This is not a proper question regarding fish stocking. The MRDG questions were designed for decisions to overcome one of the ten statutory prohibitions, not for general management decisions. The result of answering a misleading question is that the minimum requirements analysis provides a misleading answer.

Comment

The Washington Department of fish and Wildlife (WDFW) Comments on the Minimum Requirements Analysis (Appendix K, p.299-300) are correct in concluding that no MRA is required for continuation of century old fish stocking in limited lakes selected by biologists in order to maintain biological integrity. If it is determined that an MRA is required, then the correct standards are those specified in National Park Service (NPS) management policy 6.3.5. Apparently when the WDFW comments were authored the WDFW did not have before it the language of NPS management policy 6.3.5. I submit these comments as my supplement to those of the WDFW.

The MRGD states that it is derived from Section 4(c) of the Wilderness Act. Instructions- p.1. If an MRA is required at all for fish stocking, it is not because fish stocking is one of the ten prohibited activities in Section 4(c), but because NPS has issued policy 6.3.5 which provides:

All management decisions affecting wilderness must be consistent with the minimum requirement concept.

Policy 6.3.5 describes a two step process that is significantly different than the MRGD process. The two step process under this policy is:

Whether the proposed management action is appropriate or necessary for administration of the area as wilderness and does not pose a significant impact to wilderness resources and character; and the techniques and types of equipment needed to ensure that impact to wilderness resources and character is minimized. Emphasis supplied.

In accordance with this policy, superintendents will apply the minimum requirement concept to the context of wilderness management planning, as well as to all other administrative practices, proposed special uses, scientific activities, and equipment use in wilderness. When determining minimum requirement, the potential disruption of wilderness character and resources will be considered before, and given significantly more weight than, economic

efficiency and convenience. If a compromise of wilderness resources or character is unavoidable, only those actions that preserve wilderness character and/or have localized, short-term adverse impacts will be acceptable.

It is indeed logical that a lesser standard be applied in the general decision process affecting wilderness than in decisions to overcome statutory prohibitions. There is no logic in using a strict "necessity" standard when deciding whether to go left or right in general management decisions. For the fish stocking issue the proper Step 1 is:

Is the proposed management action "appropriate or necessary for administration of the area as wilderness," and does it "not pose a significant impact the wilderness resources and character?"

That is the language of the policy. This corrected question elicits a different answer that already appears in the MRA. The correct answer is the paragraph that appears immediately before the Step 1 question as follows:

Following removal of reproducing, self-sustaining populations of trout, restocking of some lakes with nonreproducing populations of trout, as proposed in two alternatives, would support recreational and historical use purposes of the wilderness area while minimizing impacts to biological integrity. (Appendix K, p.293).

It would be violation of NPS policy to apply a decision standard far more stringent than the policy requires.

The minimal tool for fish stocking is hand stocking by backpack access.

3

Charles Russell

This EIS is well writtin and thorough, but leaves and anti-fish taste in my mouth. For example, the MRA arguement looks like a thinly-veiled attempt to disallow continued fish stocking in the Park.

I think there is another viable atternative. I call it Alternative A Modified. The original agreement in forming the NCNP was that fish stocking would continue. I interpreted that to mean in lakes that already had fish. (62 lake per the EIS)

However, there are lakes that need some sort of Adaptive Management plan due to over-population. So my proposal for a modified Alternative A would be to address this problem through fish removal in these lakes followed by restocking with non-reproducing fish at low densities

I am against any form of fish removal that involves motors, aircraft or chemical methods.

These methods would have more detrimental effects on the area that the fish themselves. It could takes years (if ever) for the areas to recover.

Fishing is a recognized recreation in wilderness areas including the Park and restocking is necessary in certain lakes to maintain it. (just as maintenace is required to maintain trails).

I don't see why Alternative D is the default in case of missing legal justification. An alternative would be to extend the MOU until legal approval is reached if necessary.

The Liss and Larson study concludes that little environmental damage is present in lakes that have low densities of non-reproducing fish. Many of the lakes that now have fish in this model (OR used to have fish) demonstrate that the biota have reached a stable condition. Fish add to the wilderness experience, not detract from it!

Fishing the high lakes is a recreation enjoyed by many. It also attracts more people to the park so that these people, through education, will support continued conservation and respect for the environment. I believe they have more knowledge and concern for the Parks future than the hordes down in the campgrounds!



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Charles Russell

So anyway, I'm Chuck Russell, and I've been hiking in these mountains for 40 years, since 1965, and I wanted to express some appreciation to the National Park Service for preserving one of the most scenic, beautiful, tranquil spots I've seen. I traveled around the world. I've seen the Andes, the Alps, and there's nothing like the North Cascades. But anyway, I think that the National Park Service, if I'm not wrong, is for equal recreational opportunity for all the people. And in my mind, that includes hiking, camping, climbing and fishing. And I was around when the park was formed in 1968, and I remember the agreements that fishing and stocking would continue by the Washington State Department of Game, that's what it was called at the time. And so that original agreement to continue stocking, I think, needs to be honored and written down. Unfortunately, it wasn't at the time, but I agree with I think Virgil, I don't think legislation is required for that. But a couple other things I wanted to say is that my personal preference of the alternatives is a modified version of Alternative A, because I think the original agreement was Alternative A, but now we have a population -- overpopulation problem with certain lakes that needs to be addressed, and through the years we've learned a lot about fish stocking and management of the high lakes, and I think we need to apply that now with nonreproducing fish and somehow addressing the issue of overpopulation, but I'm against the use of helicopters and motorized vehicles like motor boats, and I'm also against chemicals in these high mountain lakes to reduce populations. I don't know what the answer is, but maybe it's for backpacking with gillnets to reduce the population, or maybe predatory fish that would reduce population, but I'm concerned about the environmental damage that would occur through these other methods.

So that's my recommendation, is Modified Alternative A, and I also agree with Virgil on the MRA. I didn't understand that at all how it applied. So I think those are my comments for this point in time.

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Chuck Russell

I'm Chuck Russell, and I spoke last night, but I wanted to make a change to one of the statements that I made. I made a statement that I didn't believe legislation was necessary for continued stocking of fish in the North Cascades National Park, but in a subsequent discussion about the NPS policy, if it takes legislation to change that policy and make it a permanent change, if nowhere else except North Cascades National Park, then I'm all for it. Then another thing I wanted to talk about a little bit was the environmental analysis in EIS. I think certain aspects of that analysis are overblown, and I have no argument that putting fish in a high mountain lake has an impact, it certainly has an impact, but at what point does this impact cause damage? And I think that's still unknown, and I think that there's -- you know, the impact of fish in a lake, to me, pales in comparison to the impact of trails and roads and parking lots and lodges, and the most recent one that I heard of was the cell phone tower in Yellowstone, and if those things don't cause impacts, then I'm really mistaken.

So I think that the EIS statement is a little overblown of the impact of fish in the lakes, and what do you call that analysis that you're -- adaptive management or something like that, hopefully that will help with that process. And so that's it. Thank you.

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Chuck Russell

Chuck Russell from Issaquah. I agree with what Norm was concerned about with the National Parks Service's policy which currently states return all these lakes to their, quote, "natural state," which means no fish. And if we have to get legislation or congressional action to do that, how do we go about it? What kind of process could we use as normal people like us, ordinary Joes, to get this -- to get this changed? Do we have to work through our local congressmen or senators? Is there something else we can do? Is that a process question?



Mr. Superintendent; September 12, 2005

For the last number of years the North Cascades National Park has spent a considerable amount of money expecting, (I believe along with a lot of other people), to come up with a scientific conclusion that all lakes are adversely affected by any population of fish having been introduced to them.

This study, known as the Liss and Larson study, in fact came to the conclusion that lakes which have low density non-reproducing populations of fish do not adversely impact these lakes. In fact they could show no measurable difference between fishless lakes and lakes with low density, non-reproducing populations of fish.

Now that the parks' own study has come to this conclusion, I believe that it is only fair for this study and conclusion to be prominently featured in the draft EIS. It is glossed over so lightly, in fact, that one may be led to believe that since the results are not what the Park thought they would get they are now greatly down playing this multi-million dollar study.

This premise, of low density non-reproducing fish, is what the proponents of fish planting in the North Cascades have been preaching for years.

I support alternative "B" of the North Cascades National Park Complex EIS. I support removing fish from lakes which have spawning, overpopulated and stunted populations of fish. I do not think fish should be removed from any lake automatically, simply because there is any spawning occurring. A very limited amount of natural recruitment, which would result in a low fish per acre density, would be exactly the same as low density stocking and would result in the exact same non-impact to the particular lake. As extensive as the Liss and Larson study is, I do not believe they provided this type of information that would single out the few lakes in the complex which would fall into this category. All spawning lakes, regardless of the level, are lumped together.

Lakes which currently have low density populations of fish should be allowed to remain. Lakes which, after further study, are deemed to have low densities of fish should be added to the list of lakes to remain with fish.

Fish have been a part of the lakes in the North Cascades for a very long time. Since well before it was a National Park. It is clear in the congressional record of the North Cascades National Park proceedings, that Congress INTENDED fish to continue to be a part of this national park experience. They did not think that the sight of a fish rising in an alpine lake would somehow destroy an individuals "wilderness experience". In fact, it could be argued that sighting a fish in an alpine lake would have less of an impact on a persons wilderness experience than coming upon a manmade foot bridge over a creek on a trail cut by a trail crew through the same national park land.

Fish in the lakes of the North Cascades are wonderful. If they do no harm -- they should remain.

Thank you for your time.

Sincerely, Pete Smith



Michael Swayne

My name is Michael Swayne. I've been a member of the Trail Blazers since 1958. I have a Ph.D. in environmental science and engineering from the UW, and I've had the privilege and pleasure of stocking and fishing many high lakes in the Cascade Mountains.

I made comments at the EIS public meeting in Bellevue last night on how important a high lake fishery has been to my life and the lives of my family and friends. I was told my comments were not considered substantive because they did not specifically address any details on the EIS.

Tonight I argue that the word "substantive" was being used in too narrow a sense. Since I am making written comments on many EIS details, a three-minute verbal comment cannot address all of my written comments, but I do believe my comments were substantive in a broader sense.

"Substantive" also means a variable of interest that changes the response of a system. So I spoke about how fishing with my dad in the mountain lakes changed my physical and mental life. "Substantive" also means to denote a thing or an idea. So I spoke about how real the mountain lake fishery was to my family and myself.

A love for the mountain lakes caused me to study science and work on environmental projects. I believe the world environment needs more advocates. The fish are what brought me to the love of the mountains and lakes and plants and animals. I believe the parks and forests need more advocates.

When it comes down to it, the decision on which the EIS alternative is selected and how it is implemented is a series of value judgments on the facts that were collected and presented. The science and analysis presented in the EIS helps clarify the workings of the complex lake environment so we can make better judgments based on our deeper value system.

There is little argument on the facts and the EIS that had been worked over so carefully by so many people. The existing EIS facts show the mountain lake environment as complicated. The more facts we gain, the more we know there is to gain, so it would be very important that the NOCA high lakes database be updated and maintained in perpetuity. Who knows what decision the database can help in the future?

What there is an argument about is the emphasis that certain facts get or do not get in the EIS. This emphasis depends on what value system is being used as the framework to present these facts or how different value systems are being used to balance the factual presentation.

The value system or systems being used to present the EIS facts is a very substantive issue, in fact, is the most substantive issue. My value system applied to the EIS facts agrees with Alternative B to remove high density fish populations demonstrated to cause significant environmental impacts and retain fish stocking in lakes where it has been determined they will cause minimum environmental impact.

I do not believe my value system conflicts much with other wilderness or scientific value systems. I belong to or contributed to wilderness advocacy groups. I study and use science in my daily work. My value system says that the Preferred Alternative B is a good balance between competing value systems.

However, I'm very concerned about the potential impacts of human intervention trying to remove fish from some of the larger, deeper and pristine wilderness lakes. I advise the NPS to learn much more about the removal procedures and impacts starting with the easier lakes before trying to remove fish from the more difficult lakes.

Thank you for taking my comments. I'll be getting ready to go tomorrow with my son David to a high remote lake in the North Cascades Park that was named after my wife.

Subject: Comments on Mountain Lakes Fishery Management Plan/EIS

I was born and raised in the North end of Seattle. I have been a member of the Trail Blazers since 1958; I have a PhD in environmental science and engineering from the University of Washington and worked on many large environmental data management projects. But most important regarding this EIS, I am a lover of our North Cascade mountains and lakes. Therefore, I spent a lot of time becoming familiar with the data that went into the EIS, reviewed the EIS analysis and recommendations, and submit the following written comments on the Draft Mountain Lakes Fishery management Plan/EIS. I am submitting the comments as MS WORD DOC and PDF files on CD with the intention of facilitating EIS staff review.

Please consider my comments part of an overall Trail Blazers response. Due to limited time, the Trail Blazers were not able to compile all member comments into one document. My comments are organized according to the EIS Table of Contents and are inserted into the EIS Table of Comments using a red color font.

I would like to lead off by saying that the oral statement I made in Bellevue summarizes what has driven me to go on so many high lake stocking and survey trips, develop a database of high lake fish stocking and surveying, and work with the Washington Dept of Fish and Wildlife and NPS on data collection and management. The mountain lake fishery is not only important to me personally and culturally but led me to a lifetime of work on environmental issues and problems. I have come to believe that better information is the key not only to better environmental management but also in minimizing or eliminating problems to begin with. I have seen this not only in working with industrial plant managers but with high lake fishers as well. Many people join the Trail Blazers wanting to know where to go to catch fish. After a few years, they begin to understand the high lakes typically do not support very many fish and the habitat is sensitive, so they become much more careful about how they fish and camp and travel. They do not take very many fish, they do not build big camps or cut trees or boughs, they do not leave garbage, they do not trample the shoreline and many do not even like to leave footprints. What causes this change in behavior? It is the information they receive from the Trail Blazers and working with the land management and fish and wildlife agencies.

I believe the most important part of the whole NPS Mountain Lakes Fishery Management Plan/EIS effort in the future will be seen to be the cultural connection many people have to the high lakes and the information and knowledge that was gained. I encourage the NPS to view the information developed for this EIS to be not only useful for making one tactical decision on fish stocking but as part of an important baseline of information to be built on in perpetuity. For how can managers manage and how can scientists do science without knowing the history of the physical, biological, chemical and social conditions? Future generations of a better-educated public will also get much more enjoyment out of their visits to the mountain lakes by knowing more about them. How were the mountains and lakes formed? How did plants and animals colonize the mountain lakes after the ice age? How did the lake environments come to have introduced plants, animals, and fish? Many people think that have always been there. Some people think that stocked fish are interfering with "native" fish, not knowing that all the fish were introduced. How human use of the lakes has changed with our social development. So many things will be of interest to managers, scientists and the public in the future.

Thank you for all the effort you and the NPS staff have put into the development of this EIS. It is without a doubt the most comprehensive study of a high lake fishery ever done. Although some of my comments at first might not be considered substantive because they describe feelings or desires, it is the deeply felt feelings that drive my desire to maintain a mountain lake fishery. While a deeply felt armchair philosophy about wilderness values is important in helping preserve those values, through contributions to organizations that promote those values through science, education and legal action, I believe people who have actually spent a lot of time on the ground in the wilderness should be listened to very carefully. Also, the armchair wilderness philosopher and the wilderness user who fishes, and eats the berries and mushrooms have a lot more in common than either of them may realize. Because it is through the very acts of walking and climbing and catching and picking and eating and drinking and breathing and seeing and listening and feeling and smelling and sleeping on the land that many wilderness advocates are made.

Mike Swayne



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Milt Tanggard

I've been in the Trail Blazers, one more year and it will be 50 years, and I've had the good privilege to plant a lot of lakes in the North Cascades National Park. And I remember sitting in at hearings in 1968, I guess that sounds right, the year, Hearing Director Hartzog along with the great Senator Henry M. Jackson "Oh, no, fishing will go on in this park. There will be no problems with that." Henry Jackson went on. He had gone to a lake which is just east of Everett, it was a Boy Scout camp. He had gone there as a young man. It was a making of a young man, in that sense, but this wouldn't curtail any fishing in the park. There would be fishing in the park. This was all concurred with in these hearings in '68, but nothing was ever definitive legislative-wise. We've been -- Bill Paleck has said we've been arguing over this or looking at this for 35 years and something should be resolved. Other parks, I guess, have retained or restricted fishing to some extent, whether because of disease or people overrunning the country or just what, I don't know.

I remember in '68 the loggers or the timber companies and the Forest Service had gone overboard on selling timber and upset a lot of conservation groups. Well, that instigated a lot of what's going on to create the park in the first place, besides the scenic beauty, but I always contended one brokered timber and the other brokered people.

Now they are both kind of stuck in the same notch. I don't know. It would seem, though, the park would live up to its expectations when they guaranteed fishing would continue, at least to some extent, in some lakes. Naturally, this has to be done in each lake with each species and let lakes do what they do as far as growth and the rest. I remember years ago, if you go to a lot of remote lakes that are very seldom visited, there would be a faint trail around the lake from animals, and of course, fishermen or hikers getting a drink or needing water or camping near water who would use the same trails, so they would expand in the sense that they would get walked on. So there's no shutting down the fact that people would use it, even a primitive park like Olympic National. This is the smallest state west of the Mississippi River. We have three huge national parks, which is fine, if they generate money and tourism, but we have the Glacier Peak Wilderness Area, we've got the Henry M. Jackson, we've got Alpine Lakes. We've effectively -- along with Goat Rocks and on down to the William O. Douglas Wilderness, and I can see where the backbone of the Cascades has effectively been stopped from logging anymore, which is probably good in and of itself. Tree farms exist, that way they will build better timber anyway, but it would seem that the hunter and fisherman haven't been restricted. I quit hunting 25 years ago, probably got buck fever. Thank you. I might submit a written report later.

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Jamie VanEtten

Jamie Van Etten, and I started in the North Cascades about 60 years ago. My father planted lakes in the North Cascades under Mr. Thornton who was the ranger in those days when it was national forest. He planted Blum Lake, so we had a long start.

I've been the trailblazer for about 25 years and had planted quite a few lakes up there, but one thing we've always done is we understand about fish and we try not to put fish in that will overpopulate and that kind of stuff.

A good example of a lake that I planted is Willow Lake. It's a lake of about 18 acres, however, we only put a couple hundred fish in it every year, and there's no problem whatsoever, no population problem.

Another lake near Willow Lake is Ridley. When you go there early in the year you'll see lots of northwest salamander eggs and everything like that. A lot of people say we don't have a problem with -- the fish are wiping out the salmon; it's not true at all. Every year you go there early in the year, they're there.

Those salamanders don't live in the lake all year and people don't understand that. Also there are about 20 lakes in the inland park. We only plant some 49 total, so we certainly don't hurt that. Also, only areas -- we took very good and careful care of and we don't want to see overpopulated lakes. However, Hozomeen Lake is overpopulated, but it does have loons in it, a beautiful bird, and it's the southern edge of their northern migration to be in the state of Washington. And when people say "Oh, the loons will go someplace else," not true. They are born in the lake and they will die at the lake, and we have to let those loons be. Thank you.

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Jamie VanEtten

My name is Jamie Van Etten. I was born in Seattle, Washington a few years ago, and part of my life I was a colonel in the United States Army Corps of Engineers. I went to Vietnam, I went to Korea and I came back because I love our mountains.

I'd like to say in your book there's nothing about culture. Well, I'm going to tell you about culture. It means me. My aunt, her name was Edith, was the first woman customs officer in the United States at the Blaine border.

She went to that park all the time before it was a park, and they started talking about a park, and they said "Well, people don't go there."

Well, she had a picture of her and her kids who were eight to 14 years old, and they were at Berdeen Lake. That can speak for itself how they got places.

My father planted fish. He worked for Walter Thornton. Before there was a park, it was forest service land and he worked for Walter Thornton and planted some lakes, because they had to plant the lakes or they didn't get paid. So your EIS has nothing to do with that kind of stuff, and believe me, that's what we ought to look at is a culture of being there and doing things.

We go to those mountains, and when I see a fish, it's like if I see an eagle; my heart stops. And when I see a fish in a lake, the same thing is true. So believe me, I think that we should continue to have fish in the lakes and plant them at a reasonable amount. Like Liss & Larson said, it would not hurt anything. Thank you.

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Jamie VanEtten

Good evening. Jamie Van Etten. I am a retired colonel, Corps of Engineers United States Army. I grew up in Bellevue, Washington. I went to the University of Washington. And I was a young lieutenant and I went to Korea and Vietnam but I wanted to come back to these mountains. These mountains are very important to me. My family, as I said before, started in those mountains many years ago.

My Aunt Edith, who was the first Customs lady officer in the United States, Blaine border, took her children into Berdeen Lake. Go to Berdeen Lake, and you find out you've got to be a good person to make it in there and out with children. We've always done things. My father planted Plumb Lakes in 1936. And I planted many, many lakes in the North Cascades Park. And we have learned more than we knew to begin with, and we're getting smarter and smarter about planting.

Today we're planting fish, and we're not ruining the water or anything else. At the same time, there is lots of frogs, there's lots of fresh water shrimp, everything. They're still there. We're not destroying anything. So I think that if everybody looks at things, we should be able to continue to plant and it will not hurt anything whatsoever.

My last comment is that I don't know about these people like WW or N triple C. They have not shown up in four meetings. In four meetings, the Trailblazers have been here and I see them. And I'm kind of disgusted at that because they can have a comment equal to our comment without going to the important fact in coming to the meeting.

Thank you very much.



Bill Paleck, Superintendent
 Mountain Lakes Fishery Management Plan/EIS
 North Cascades National Park Service Complex
 810 State Route 20
 Sedro-Woolley, WA 98284-1239

RE: North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan Environmental Impact Statement (EIS).

These comments are in support of “Alternative D: All 91 Lakes Would Be Fishless (Environmentally Preferred Alternative)”. Non-native fish would be removed from all naturally fishless lakes and fish stocking would be discontinued.

While science and legislation both support the return of the lakes to their natural condition (the Environmentally Preferred Alternative), NCNP officials instead prefer to allow the practice of artificial stocking of non-native fish species to continue within numerous lakes in the Park Complex (so-called “Alternative B” Preferred Alternative).

As is well stated in the EIS, the scientific consensus on the impacts of fish stocking of naturally fishless mountain lakes is that both biodiversity and the qualities of wilderness are adversely affected by the presence of non-native fish.

Especially notable are fish-predation related impacts to populations of alpine amphibian species, doubly so given their sensitivity to stresses associated with global climatic change.

Absent is assessment and analysis of adverse impacts to shoreline and lakebed vegetative environments caused by concentrated fisherperson use. I know that some lakes nurture rare populations of sensitive plant species, either right along the lake shore or just below its surface. I don’t see a lake by lake list in the EIS of plant surveys and thus conclude that the Park has not carried out such work and is unable therefore to answer the fundamental question of whether fisherperson use is adversely affecting lake shore and near-shore habitats.

All relevant federal legislation and regulation argues against the artificial stocking of fish in these lakes: Collectively, the Organic Act of 1916, National Park Service Management Policies, the Wilderness Act of 1964, the North Cascades National Park Complex Enabling Act of 1968, and the Washington Park Wilderness Act of 1988 make clear that fish stocking is generally to be prohibited in naturally fishless lakes.

Both facts are well recognized in the EIS. Indeed, the NCNP realizes that it is currently in a legally untenable situation with respect to fish stocking. In order to implement its preferred alternative (continued fish stocking), the NCNP is therefore requesting that the U.S. Congress re-write the 1968 Enabling Act in order to weaken its requirements for the protection of biodiversity.

This proposed alternative is unnecessary, expensive, counter to best available science, and would set a dangerous and embarrassing precedent. Our National Parks and Park Wilderness Areas are - and must remain - our most natural, biologically diverse, and important national treasures.

As a citizen acting in good faith to participate in the public planning process, I believe that it is my responsibility to understand both scientific and regulatory principles behind the planning process, and to offer substantive comments based upon such an understanding. Having done so to the best of my limited abilities in the case of this EIS, I can only note the irrelevance to the process of any and all comments when the stated plan of the EIS document itself is a congressional revision of Park legislation. The public process is obviously ill-served when all facts and laws point towards one decision, yet a clearly untenable decision is chosen as “preferred” and the Park is willing to ask the US Congress to weaken its rules in pursuit of this decision. An EIS is not a place for re-writing the Enabling Legislation of a National Park. In short, I feel cheated.

Steve Walker

North Cascades Draft EIS Comments

The North Cascades Draft Fish Management EIS, while an extensive and elaborate document, is remiss in not providing adequate protection for the fishing heritage that was very influential in the original formation of the park. Specifically, none of the alternatives provides the proper level of present and future quality fishing opportunity (QFO) so necessary in maintaining the unique characteristics of one of the finest national parks in our country.

Alternative A, while providing the highest level of QFO via periodic stocking of low densities of non-reproducing (LDNR) fish, a practice which has no discernable affect on the non-fish biota, fails to address the egregious problem of lakes with over-reproducing fish and the subsequent negative biotic affects and poor fishing (yes, fisherman also hate small, stunted fish, no matter how easy they are to catch).

Alternative B, given adequate funding, solves the stunted fish problem, but allows the QFO to fall below an acceptable level due to the immediate cessation of stocking in so many lakes. In a relatively short time these lakes will be fishless, while a much longer time will be necessary to rehabilitate the stunted lakes and replant them in such a way as to provide quality fishing. Temporary cessation of stocking in many lakes deemed to have insufficient data for proper placement will also contribute to lowered QFO. The resulting dismal QFO will concentrate use on the decreasing number of quality lakes which will surely result in overuse issues.

Alternative C is even less acceptable for the same reasons as for Alternative B.

Alternative D completely ignores the responsibility entrusted to the park's managers to uphold generations of tradition that the bond of fishing in the high lakes so uniquely has provided and will continue to provide.

I therefore propose Alternative B-QFO (the fisherman's preferred alternative). Lakes shall be managed as called for in Alternative B with certain timing considerations that allow QFO to be maintained above a desirable level. Lakes scheduled to be permanently or temporarily dropped from the stocking cycle will be dropped ONLY as replacement lakes are made available. Replacements can come from two sources. 1) lakes that have had the stunted fish removed and been subsequently stocked with LDNR fish. 2) Lakes on the insufficient-data list receive the research necessary to allow continued stocking of LDNR fish.

Finally, provision shall be made such that any lake which through natural means currently is maintaining quality fishing without stocking, but in the future turns fishless, shall be added to the stocking cycle in order that adequate QFO is maintained.



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Don Wicklund

The primary (and only) reason I go to the North Cascades National Park area is to hike up to a beautiful mountain lake and go fishing.

In order for me to enjoy a wilderness experience it is necessary for my family, friends and I to drive up to the area on man made roads, hike into the mountains on man made trails and fish in the lakes stocked by man. (and women)

A properly managed lake stocked with fish does not take away from anyone's wilderness experience anymore than a trail through the forest would. Both enhance the experience while making it possible and worthwhile.

I tend not to get too much into legalities or extremism in any direction. The human experience is usually optimized simply using logic and reasonable common sense. In that vein: Please continue properly managed fish stocking in the NCNP.

Thank you for your attention.

Don Wicklund, Current Vice President of the Hi-Lakers Club of WA
Belinda Wicklund

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Allison Woods

Here are my comments on the Fisheries EIS:

Why is the Wilderness Act being cited as a compelling reason to discontinue stocking? If stocking in the Mather were to be discontinued on the basis that stocking contravenes the Wilderness Act, then every Wilderness in the country would have to be considered for elimination of stocking. Stocking is permitted under the current interpretation of the Act, and should thusly continue until such time as a legislative act or judicial decision prohibits it. Elimination of stocking in the Mather based on Wilderness status could lead to massive unforeseen consequences in the rest of the Wilderness system.

The EIS states that Congressional clarification will be required to continue stocking in the Park. This is unreasonable, illogical, and puts the historically-performed activity of stocking at an extreme disadvantage. This matter should be resolved through the EIS process, and will (hopefully) be clarified enough to not require a project of this scale in the future.

The scope of the analysis: The EIS states, (Volume 1, page 459) "The public also expressed a concern that the analysis occur on a landscape scale, so the Technical Advisory

Committee took a broad look at lakes in the NOCA and selected a representative number of lakes to remain fishless under each alternative." Then it goes on to say, (Volume 1, page 48) "A total of 245 mountain lakes are in the NOCA, and at least 154 of these lakes have always been fishless and would continue to be fishless under any alternative. Because they would remain fishless and because they have never been part of the managed fishery, these 154 lakes were not analyzed in this plan/EIS."

The problem with this should be apparent. If a lake is going to be removed from the stocking program on the basis of its "unique character", then all 245 lakes in the Park must be included in the study group, at least to create the standard for "unique."

Antimycin: While I appreciate that it represents an inexpensive method of fish removal, it is also known to kill other things living in the water, potentially causing unintended disruption/damage to the biota. For this reason, I strongly oppose the use of this chemical. The other methods described in the EIS are all acceptable.



Future Stocking: I'd like to see, when it becomes feasible, for stocking to be done with fish that are unable to reproduce, rather than "functionally sterile." Fish are highly adaptable organisms, and every precaution must be taken to prevent the overreproduction problem facing us in some high lakes today. Fish used to stock should also be true native species, such as the Ross Lake rainbow.

Conclusions: I support Alternative B, with continued adaptive management and research on the effects of stocking in these lakes. If future research proves that stocking is detrimental to a level considered to be unacceptable, stocking should be discontinued. The review process must be streamlined and standardized whenever possible.

Allison Woods
Hi-Laker Member
Washington Native

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Yanling Yu

My name is Yanling Yu and I live in the Seattle area, and I would like to take this opportunity to express my concerns over the newly drafted Mountain Lakes Fishery Management Plan/Environmental Impact Statement for the North Cascades Complex.

I have hiked to many popular remote places in the mountains of Washington state, including those in the national parks, and I'm keenly interested in preserving our wilderness and environment and I always try to do my best. However, I'm against a proposed environmentally preferred Alternative D and favor the preferred Alternative B, and please let me explain why I prefer Alternative B, not D. Reason No. 1, the park-sponsored research known as the Liss & Larson study has indicated that nonreproducing low density trout populations have no perceivable impact on high lakes' ecosystems. Based on this study, responsible stocking does not endanger the existing high lake biological integrity, and therefore is not in contradiction of wilderness values. These values do not mean to eliminate all existing human traces from the wilderness but are argued for minimal impact.

Number two, this EIS has not shown any hard evidence that anglers impair the park's ecological integrity. Based on my hiking experience, the impacts on lake environment are not only limited to anglers. It is an undeniable fact that hikers, climbers, boaters, and horse riders are drawn to the lake because all people need to access water. I have seen many lake shores damaged by the general public, especially by horses. An example is McAlester Lake, where many campsites are beaten by horses and we have even seen horse droppings in small streams to the lake. So apparently, if there are no responsible management plans in place, all regular activities that are currently allowed in the park can spoil the wilderness values and damage the ecological integrity.

Number three, fish stocking in the North Cascades mountain lakes took place for many years prior to the establishment of the North Cascades Complex in 1968 and the Washington Park Wilderness Act of 1988. Therefore, fish stocking is grandfathered in and should be allowed to continue so long as the stocking is responsible to meet the minimal requirement, which I believe it does.

An analogy can be drawn to the existing Ross Lake Dam and the road and trail systems that are apparently acceptable by the park. Furthermore, I believe that the revised stocking plan proposed in Alternative B poses no more damage on the wilderness values than the Ross Lake Dam, the roads, and the trail systems, and most certainly much less than horses.

I trust that the Park Service wants to make the right decision. Then, what is the right decision? In my opinion, it is not the one that is made under political pressure, but the one that is derived from hard facts and scientific studies.

In managing our wilderness, I believe we need to respect both wilderness values, the ecological integrity, and the wilderness experience, which are entitled to all park visitors, including anglers. No one wilderness value should take precedence over the other.



Finally, I would like to point out in the Wilderness Act it reiterates that “Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of several states with respect to wildlife and fish in the national forests.” All federal agencies, including the U.S. Forest Service, the National Parks and the Bureau of Land Management and the U.S. Fish and Wildlife Service are under this directive.

According to the language written in the Act, the WDFW clearly has the rights to manage fish population in the wilderness. Given Washington State's disputable and undiminished right to manage the fisheries in the wilderness, I do not understand why the Park Service needs to seek from Congress the unambiguous legal authority for fish stocking in the park complex. I applaud the past cooperation between the NPS and the WDFW and hope the spirit of this cooperation will continue so that we, the citizens of Washington state, will not become the victims of either extreme views on wilderness values or political winds, or both. Thank you for listening.