

# Chapter 1 Introduction, Purpose, and Need

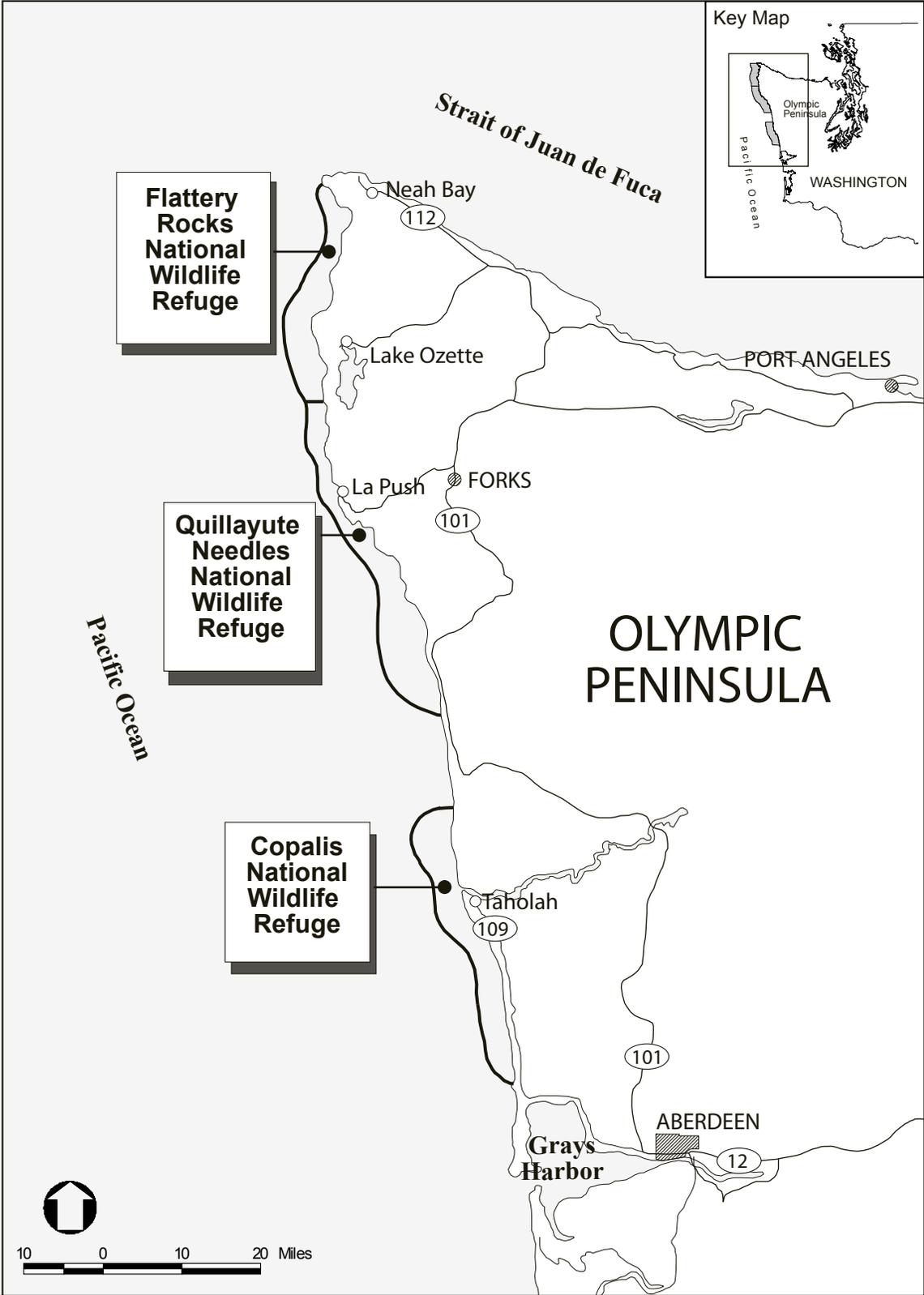
## 1.1 Background

The U.S. Fish and Wildlife Service (Service) has prepared this Draft Comprehensive Conservation Plan/Environmental Assessment (Draft CCP/EA) to guide its management of the lands and resources of the following three national wildlife refuges (NWRs): Flattery Rocks NWR, Quillayute Needles NWR, and Copalis NWR. Located along the outer coast of Washington State's Olympic Peninsula (Figure 1-1), these three national wildlife refuges are collectively called the Washington Islands NWRs or Refuges throughout this document. The Service has primary jurisdiction and management authority over the offshore rocks and islands located within these three Refuges except for offshore islands included within established Native American reservation boundaries.

The Service prepared a management plan for the Washington Islands NWRs in 1986 (revised in 1989). To better manage refuge resources and comply with Federal law, the Service is now preparing a comprehensive conservation plan (CCP) that will address resource management at the Washington Islands NWRs for the next 15 years. Alternative B, the Proposed Action presented in this Draft EA is also the Draft CCP. Alternative B presents the goals, objectives, and strategies for the long-term management of the Washington Islands NWRs. The strategies for achieving refuge goals will guide management decisions over the 15-year life of the plan. The Draft EA describes the effects of each alternative for managing the Washington Islands NWRs. This integrated document is divided into four primary chapters:

- Chapter 1 Introduction, Purpose, and Need
- Chapter 2 Alternatives, Goals, Objectives, and Strategies
- Chapter 3 Affected Environment
- Chapter 4 Environmental Consequences

Additional material is included as appendices at the end of the document, as necessary. Remaining sections in Chapter 1 include the following: 1.2 The Purpose of and Need for Action; 1.3 An Overview of the History of the Washington Islands NWRs; 1.4 the National Wildlife Refuge System mission, refuge purposes, and vision statement; 1.5 A Discussion of the Related Actions and Activities; 1.6 A Review of the Legal Mandates Applicable to the Washington Islands NWRs CCP; and 1.7 A Summary of all Relevant Issues and Opportunities.



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Sources: FWS 1986; NPS 2000; Pers. Comm. Jim Thomas, Realty Dept, WDNR, April 30, 2000.

# Washington Islands NWRs And Vicinity

## 1.2 Purpose of and Need for Action

### 1.2.1 Proposed Action

The Service proposes to adopt and implement a CCP for the three Washington Islands NWRs: Flattery Rocks NWR, Quillayute Needles NWR, and Copalis NWR. Because a CCP is a Federal action, the National Environmental Policy Act (NEPA) of 1969 requires an assessment of the potential environmental effects of the proposed action and any alternatives (including the “no action” or status quo alternative). The two alternatives evaluated in this EA are Alternative A, the no action alternative; and Alternative B, the proposed action. Alternative B would fulfill the vision and purposes of each Refuge and is consistent with the mission of the National Wildlife Refuge System and the goals of the National Wilderness Preservation System. Alternative B addresses the significant issues identified in the CCP planning process and is consistent with principles of sound fish and wildlife management.

### 1.2.2 Purpose and Need

Under the National Wildlife Refuge System (NWRS) Administration Act of 1966, as amended by the Improvement Act of 1997 (Public Law 105-57), the Service is required to develop CCPs for all NWRs outside Alaska. The purpose of this CCP is to update management direction so that it is consistent with the Improvement Act and with the Washington Islands Wilderness designation under Public Law 91-504. The CCP will provide the refuge manager and staff with a 15-year management plan for the conservation of seabirds, marine mammals, other wildlife, and their related habitats and for the protection of wilderness values. A CCP is needed to address significant problems that may adversely affect refuge wildlife, plant populations, and habitats. Specifically, the problems, concerns, and opportunities for the Washington Islands Refuges include: (1) a lack of public awareness of the Refuges’ valuable and sensitive wildlife resources; (2) the need to improve coordination with other managing agencies and Tribes; (3) wildlife disturbances from aircraft overflights and people on or near breeding sites; (4) the need for additional scientific research, surveys, and monitoring; (5) the existing occurrence and potential threat of contaminants and debris; and (6) concerns related to exotic species. The goals, objectives, and strategies included in Alternative B were developed to address coordination and cooperation opportunities, and external threats to the biological diversity, biological integrity, and environmental health of the Washington Islands NWRs.

## 1.3 Location and Historical Overview of the Washington Islands National Wildlife Refuges

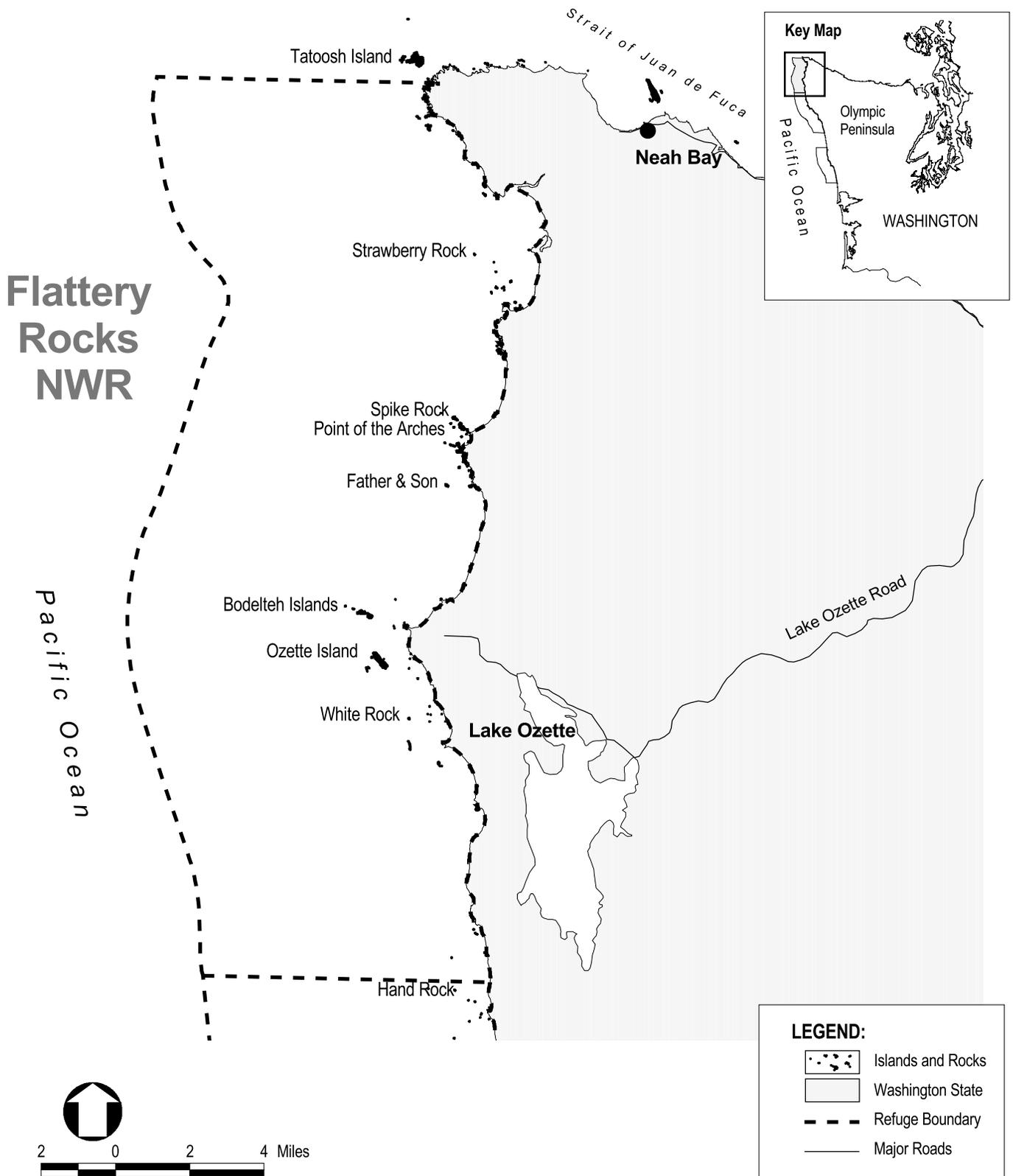
### 1.3.1 Location of Washington Islands NWRs

The Washington Islands NWRs, located along 100 miles (161 km) of the outer coast of the Olympic Peninsula, encompass more than 600 islands, sea stacks, rocks, and reefs (Figures 1-2, 1-3, and 1-4). The total land area above the line of mean high water of the rocks, reefs, and islands which comprise the Refuges is approximately 486 acres (0.8 sq miles) (196.7 ha [2 sq. km]). Only about 40 of the islands are named. The legal descriptions for each Refuge are as follows: Copalis NWR is between Latitude 47°08' North and 47°29' north; Quillayute Needles NWR is between Latitude 47°38' North and 48°02' North; and Flattery Rocks is between Latitude 48°02' North and 48°23' North. The Refuges do not include islands that are part of designated Native American reservations, such as James Island.

### 1.3.2 Historical Overview

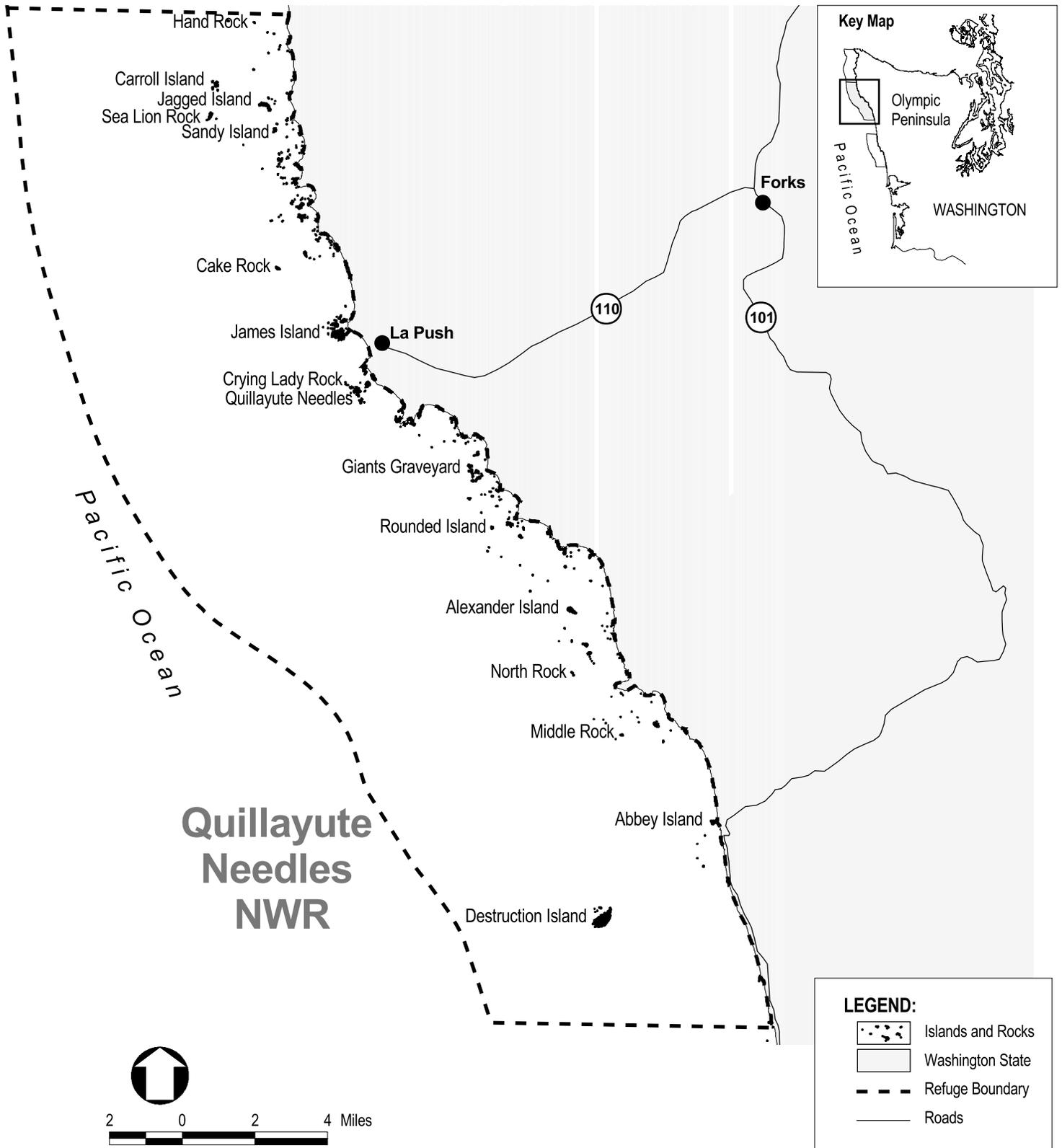
The Washington Islands NWRs have long been considered remote and isolated areas. At least seven groups of Native Americans—the Makah, Ozettes, Quileutes, Hoh, Queets, Quinalts, and Copalis—occupied the outer coast of the Olympic Peninsula adjacent to the present day Washington Islands Refuges. They depended on the natural resources of the Pacific Ocean as well as the rivers and forests for their subsistence (Ruby and Brown 1992). Washington coastal development by European-Americans began during the late 1800s, but the area remains relatively undeveloped and sparsely populated. There has been little private ownership of any of the islands. Today the population of Forks, the largest town on the west side of the Olympic Mountains, is estimated at 3,500 people (Forks Chamber of Commerce 2000). The Native American populations living on or near the four local Indian reservations are estimated at 1,752 for the Makah Reservation, 2,951 for the Quinalt Indian Reservation, 784 for the Quileute Reservation, and 86 for the Hoh Reservation (Northwest Portland Indian Health Board 2003).

The U.S. Coast Guard (USCG) was given authority to operate a lighthouse on Destruction Island in 1866 by an Executive Order. The lighthouse is currently fully automated and unstaffed; however, the USCG retains authority over the facilities and conducts maintenance activities, including servicing lighthouse batteries quarterly, under a Memorandum of Understanding (MOU) with the Service. The USCG facilities include the lighthouse, a helicopter/generator pad, several buildings, a network of tramcar tracks, a tramcar shed, a water tower, two underground cisterns, several old house foundations filled with rubbish, and remnants of docking facilities (USFWS 1986).



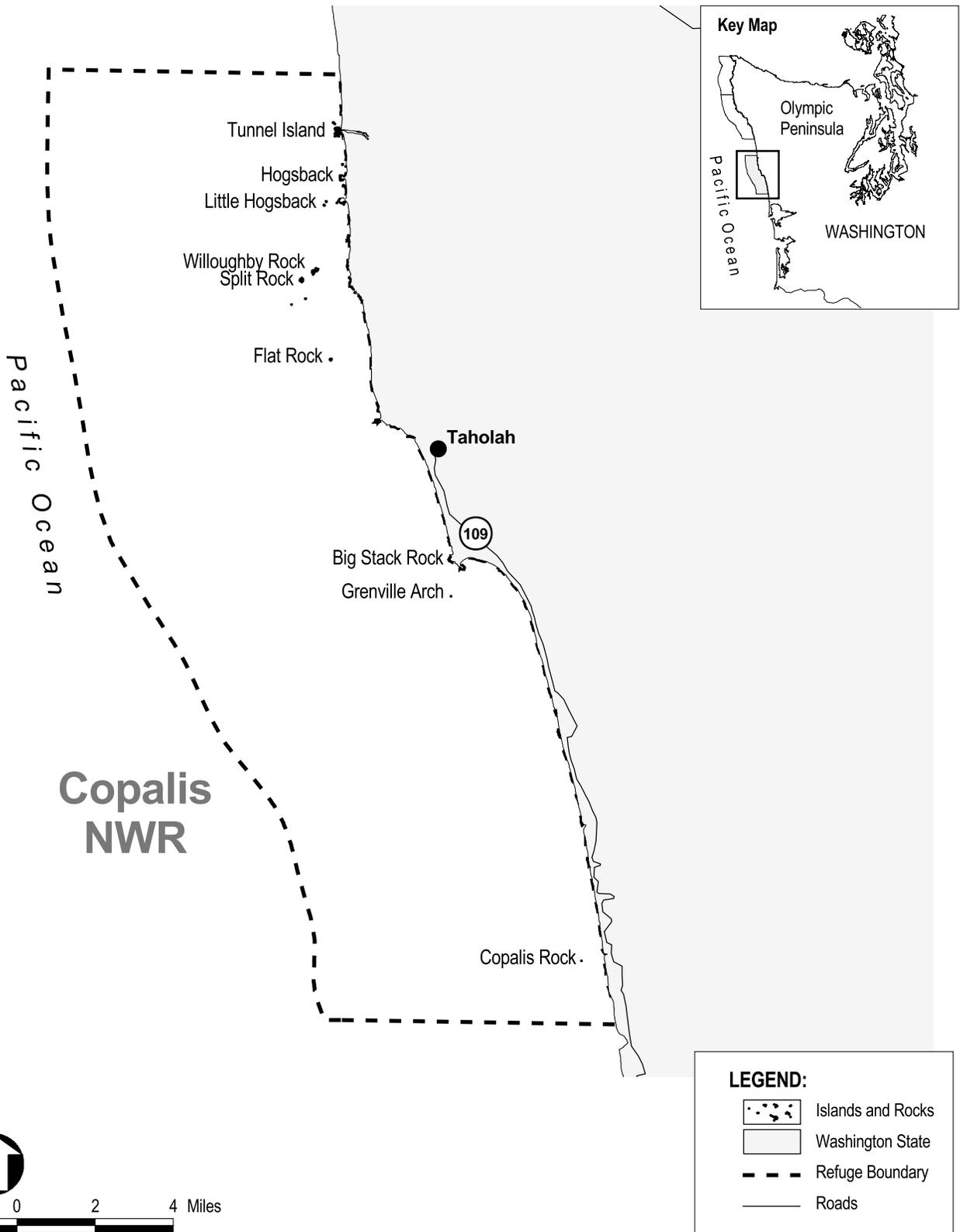
Source: U.S. Fish and Wildlife Service GIS, EDAW, Inc. 2001. P:/9E41801/GIS/APR/ISLANDS.APR

## Flattery Rocks NWR



Source: U.S. Fish and Wildlife Service GIS, EDAW, Inc. 2001. P:/9E41801/GIS/APR/ISLANDS.APR

### Quillayute Needles NWR



Source: U.S. Fish and Wildlife Service GIS, EDAW, Inc. 2001. P:\9E41801\GIS\APR\ISLANDS.APR

### Copalis NWR

The U.S. Coast Guard (USCG) was given authority to operate a lighthouse on Destruction Island in 1866 by an Executive Order. The lighthouse is currently fully automated and unstaffed; however, the USCG still retains authority over the lighthouse facilities and conducts maintenance activities under a Memorandum of Understanding (MOU) with the Service. The USCG facilities include the lighthouse, a helicopter/generator pad, several buildings, a network of tramcar tracks with tramcar shed, a water tower, two underground cisterns, several old house foundations filled with rubbish, and remnants of docking facilities (USFWS 1986). Batteries in the lighthouse are serviced quarterly by USCG staff.

Along much of the coastline adjacent to the islands lies the Olympic National Park, which officially became a National Park on June 29, 1938. This park encompasses 922,651 acres (373,396 ha), and includes some of the beaches and headlands along the coast.

The islands that make up the Washington Islands NWRs were first granted Federal conservation protection under a seabird reserve system, designated in 1907 by President Theodore Roosevelt (Executive Orders No. 703, 704, 705). The three reservations were renamed Flattery Rocks, Quillayute Needles, and Copalis National Wildlife Refuges in 1940 (Presidential Proclamation, July 30, 1940, President Franklin D. Roosevelt as granted under 50 Stat. 917). All three are managed together as the Washington Islands NWRs.

In 1944, the U.S. Navy was granted use of a number of rocks within the Washington Islands Refuges for bombing and strafing activities (USFWS 1986). White Rock, North Rock, North Sea Lion Rock, South Sea Lion Rock, Carroll Island, Split Rock, Rounded Island, and possibly other islands were all utilized for this purpose until 1949, when bombing was continued only on South Sea Lion Rock. In 1993, the U.S. Navy's use of this area was rescinded by the Secretary of the Interior (NOAA 1993).

In 1967, the Washington Department of Natural Resources (WDNR) signed a resolution prohibiting the "prospecting, mining, and/or oil and gas exploration activities within one-quarter of one statute mile of any island, islet, reef, or rock within the boundaries of said Refuges" (Resolution Number 76).

The Department of the Interior removed James Island, near La Push, Washington, from the Quillayute Needles NWR in 1966 (Public Land Order 4095), when it was determined that the lands were set aside for the Quileute Reservation in 1889.

In 1970, all three of the Washington Islands NWRs were designated as Wilderness Areas through Public Law 91-504, except for Destruction Island in Quillayute Needles NWR. This action was undertaken to promote and protect the pristine and remote nature of the islands. In 1986, Public Law (99-635) expanded and adjusted the boundaries of Olympic National Park. The bill effectively transferred land management authority for Flattery Rocks and Quillayute Needles NWRs to the National Park Service (NPS). As a result of pressure from Washington

State's scientific and environmental community, another bill to restore the two Refuges to the Service was introduced. In December 1987, Public Law 100-226 restored Flattery Rocks and Quillayute Needles to full NWR status, although both are now located within the boundary of the Olympic National Park. The bill also called for a cooperative agreement between the Service and the NPS. The Service and NPS signed a MOU in June 1988 (Agreement No. 9500-80001) which outlines the objectives for the Washington Islands NWRs and the obligation of both agencies. Under this agreement, the Service maintains management and administration responsibilities; regulates the Washington Islands NWRs' uses; monitors wildlife; works with the NPS in developing educational information; notifies NPS of site visits; and exchanges information and training pertinent to the Washington Islands NWRs. As a result of the agreement, the NPS is obligated to: develop informational and educational programs about the Washington Islands NWRs; provide law enforcement training for park rangers; monitor trespassing activity; support the Service's restriction of public and agency access to the NWRs; and conduct cooperative scientific research as needed.

The waters surrounding the Washington Islands NWRs were designated a National Marine Sanctuary in 1994. The Olympic Coast National Marine Sanctuary (Sanctuary), encompasses 2,111,992 acres (3,310 sq miles) ( 854,696 ha [8547 sq km]) of marine waters and extends along 135 miles (217 km) of coastline, thereby incorporating the entire area surrounding the islands and rocks of all three Refuges. The jurisdiction covers most of the continental shelf and varies between 25 to 40 miles (40 to 65 km) offshore (NPS 2000). The National Oceanic and Atmospheric Administration (NOAA) manages the Sanctuary through guidance contained in the May 1993 Olympic Coast National Marine Sanctuary Management Plan.

### **1.3.3 Washington Islands NWR and Regional Management Jurisdictions**

The management jurisdictions as they apply on and around the Washington Islands NWRs' region are complex. The Service is responsible for most of the islands, rocks, and seastacks above the mean high water line. As with other national wildlife refuges, the Service is responsible for any wildlife, fish, and plants that occupy the Washington Islands NWRs whether they are seasonal or permanent residents. This includes seabirds, shorebirds, and marine mammals that use the Refuges' islands and shoreline. Although Service jurisdiction covers terrestrial environments, the Refuges are vitally linked with the surrounding marine environment and its resources. As an agency, the Service is mandated to enforce Federal wildlife laws, manage migratory bird populations, conserve and restore wildlife habitat, and administer the Endangered Species Act (ESA).

Along the Washington Coast, the NPS, several Tribes, and the State of Washington exercise jurisdiction along the shoreline. The NPS manages Olympic National Park, which includes expanses of mainland coastline (CFR 15- IX-922). As described in Section 1.3.2, the Service manages the Quillayute Needles and Flattery Rocks NWRs under an agreement with the NPS.

The Washington State Parks and Recreation Commission maintains Pacific State Park, Griffith Friday State Park, and Ocean City State Park, which are all adjacent to the Copalis NWR (pers. comm., Karmen Martin). The Quileute, Makah, Hoh, and Quinault Tribes manage reservation lands that border the Washington Island NWRs. These Tribes also have off-reservation access to “usual and accustomed grounds and stations” for activities reserved by treaties (fishing, shellfishing, and in the case of the Makah, whaling and sealing) which overlap with State and Federal jurisdictions. Jurisdiction around the islands below the Refuge boundary is varied and administered by Federal, State, and tribal governments. As stated in Section 1.3.2, the surrounding marine waters are managed by NOAA as part of the Sanctuary. The Washington Department of Fish and Wildlife is responsible for management of fish and wildlife in State waters around the Refuges.

## **1.4 National Wildlife Refuge System Mission, Refuge Purpose, and Vision**

The Service's mission for the NWRs is to “administer a national network of lands and waters administered for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of the present and future generations of Americans” (National Wildlife Refuge System Improvement Act 1997; Public Law 105-57). The CCP for the Washington Islands NWRs is being developed in accordance with this mission statement and the guidelines as delineated in the Improvement Act.

Based on the guidance provided in the Improvement Act (Section 7), the CCP for any refuge must identify and describe the following: (1) the refuge purpose; (2) the distribution, migration/dispersal patterns, and abundance of fish, wildlife, and plant populations and their habitat on the refuge; (3) the archaeological and cultural values; (4) areas that are suitable for use as administrative sites or visitor facilities; (5) problems that may adversely affect fish, plant, and wildlife populations and habitats on the refuge and potential corrective actions; and (6) opportunities for compatible wildlife-dependent recreation.

Originally, when established in 1907, the stated purpose of the three Washington Islands Reservations was to establish “a preserve and breeding ground for native birds and animals” (Executive Order No. 703, 704, and 705). The inclusion of these Refuges into the Wilderness System in 1970 placed added emphasis on the purpose of wilderness preservation for these refuge islands (Public Law 91-504). Section 5 of Public Law 91-504 directs the administration of the Washington Islands Wilderness to be carried out in accordance with the provisions of the Wilderness Act. The purposes of the Wilderness Act are to secure an enduring resource of wilderness and to administer designated areas in a way that protects and preserves wilderness character. Wilderness is an additional purpose for all lands within the Washington Islands NWRs except Destruction Island. In the 1986 Washington Islands NWR Management Plan, the

Service stated that the management direction for the Refuges is to protect the natural resources in an undisturbed and wilderness nature, with special emphasis on seabird nesting colonies.

The Refuges' vision is a broad statement of how the Service intends to manage refuge resources over the 15-year life of the CCP. The vision statement for the Washington Islands NWRs follows:

Since 1907, critical resting and breeding grounds for marine wildlife off the outer Olympic coast have been protected and preserved by the National Wildlife Refuge System. The more than 600 rocks, reefs, and islands known as Flattery Rocks, Copalis, and Quillayute Needles National Wildlife Refuges, are designated wilderness (except Destruction Island), and all will continue to be preserved in a natural condition with minimal human intrusion. Management activities will focus on monitoring refuge wildlife and on protection and maintenance of a natural functioning ecosystem. The U.S. Fish and Wildlife Service will coordinate with other agencies and tribes to ensure the long-term health and viability of native seabird and marine wildlife populations. We will also work with others to provide wildlife viewing and interpretation at selected locations on the adjacent coastline. Fostering an appreciation for Pacific Coast wildlife will enrich people in a variety of ways and ensure that this outstanding legacy of wildlife is passed on to future generations.

## 1.5 Related Actions and Activities

A number of ongoing actions and activities pertinent to the development of the CCP for the Washington Islands NWRs are described below.

### 1.5.1 Research Activities

The Service, Washington Department of Fish and Wildlife (WDFW) and National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries) currently conduct research on the Washington Islands NWRs and surrounding area, focusing on seabirds, raptors, salmon, and marine mammals. Other Federal and State agencies and universities have also performed research on the Refuges.

### 1.5.2 Tribal Fish and Wildlife Programs

All four of the Tribes adjacent to the Washington Islands Refuges are active in a variety of fish and wildlife management programs. These include monitoring shellfish in cooperation with State and Federal agencies; developing tribal hunting regulations; seabird monitoring and research; and management of fisheries resources with the State. Most of these Tribes have natural resource professionals on their staff.

### 1.5.3 Olympic Coast National Marine Sanctuary

The Olympic Coast National Marine Sanctuary was established in 1994 because this marine environment was considered to be of special national significance. The Sanctuary is managed by NOAA with guidance from the Sanctuary Advisory Council. NOAA has established an Area to be Avoided (ATBA), which serves as a guide for navigating vessels safely along the Washington Coast. NOAA also regulates a number of activities within the Sanctuary boundaries. Restricted activities within the Sanctuary include: oil and mineral exploration; disturbances to cultural and historical resources; material dumping; seabed alterations; low-flying aircraft (under 2,000 feet [610 m]) over islands or coastlines; and disturbances to marine mammals, turtles, and seabirds (15 C.F.R. § 922.152). The intended effect of these regulations is to protect the biological, recreational, ecological, and historical qualities of the Sanctuary (NOAA 1993).

The Council's management mission is the protection of ecological and cultural integrity of the Sanctuary area. The Sanctuary Advisory Council is composed of 15 representatives from local Tribes, local county governments, Washington State Department of Ecology, WDNR, WDFW, tourism, commercial fishing, marine industry, research, education, conservation, and the general public. In addition, four Federal agencies (NPS, NOAA Fisheries, USCG, and the Service) participate as non-voting members, providing technical input.

### 1.5.4 United States Coast Guard Activities

The USCG is responsible for the Destruction Island lighthouse and the associated buildings. As stated earlier, this lighthouse was established in 1891, and is still considered an active aid to navigation. Maintenance on the automated lighthouse is the duty of the USCG and includes servicing the optics and light batteries quarterly, with occasional overnight visitations. There is no full-time USCG presence on the island. If problems are reported regarding lighthouse operation, the USCG will usually visit the island for repair work within 18 hours of the report time (pers. comm., Dan Kilburger). Travel to the island is conducted by helicopter. Methods of transportation to and activities on the island are guided by an MOU with the Service. Biological surveys and assessments of Destruction Island, conducted as part of a biological assessment of USCG activities, describe the sensitive areas of the island. The MOU states what types of activities are allowed and where they are allowed (Appendix C-10).

### 1.5.5 Environmental Education

Environmental education along Washington's Olympic Coast is currently carried out by a variety of entities, including the Service, NPS, NOAA, Tribes, and Olympic Park Institute. Each off-refuge program incorporates the Washington Islands NWRs in some way. Both NOAA and the NPS offer naturalist-led programs during the tourist season along the mainland coast that discuss coastal ecology. The Makah Museum and Cultural Center, in cooperation with the Sanctuary,

offers educational programs about the ecology and tribal aspects of the coast and islands. The Olympic Park Institute also offers coastal and island ecology seminars.

### **1.5.6 Northern Pacific Coast Regional Shorebird Management Plan**

The Northern Pacific Coast Regional Shorebird Management Plan establishes regional goals and objectives for western Oregon and Washington (Drut and Buchanan 2000). Regional goals under the plan are to: “(1) measurably increase populations, over the next 10 years, of species impacted by current or recent declines at population or flyway levels, and (2) stabilize and maintain current levels of breeding, wintering, and migrating populations of other shorebird species within the region/flyway.” The regional plan also identifies research and monitoring goals. Important shorebird habitats identified under this plan include coastal estuaries, beaches, rocky shorelines, and pelagic and freshwater systems. The Refuges are categorized under the rocky shores and pelagic systems. The Northern Pacific Coast Plan covers 40 shorebird species. High priority species which use the Refuges include black oystercatcher, ruddy and black turnstones, surfbird, rock sandpiper, and 19 others. The Refuges are known to host breeding populations of black oystercatchers and a large variety of migrating species.

### **1.5.7 Regional Seabird Conservation Plan**

The Service completed a Regional Seabird Conservation Plan (USFWS 2005). This plan is providing an overarching review, discussion, and identification of regional seabird conservation priorities. The Service will identify key biological parameters and prioritize them for inclusion in the monitoring plan. All seabird species will be prioritized by conservation need. Threats and conflicts will be discussed and recommendations for actions and step-down plans will be included. Because the Washington Islands Refuges provide habitat for 80 percent of Washington State’s nesting seabirds and contain some of the largest seabird colonies in the continental United States, the Refuges will be integral to the successful implementation of this seabird plan.

### **1.5.8 Regional Waterbird Conservation Plan**

The Service, other Federal and State agencies, non-government organizations (NGOs), researchers, and other experts are also developing a Regional Waterbird Conservation Plan that addresses other waterbirds (e.g. herons and egrets). This plan is a regional step-down plan from the National Waterbird Conservation Plan which will provide an overarching framework for conserving and managing seabirds and other aquatic birds throughout North America (Kushlan et al. 2002). It aims to facilitate continent-wide planning and monitoring, national-state-provincial conservation action, and local habitat protection and management that when carried out together, will maintain healthy populations of these waterbird species. The goal of the plan is to ensure that the distribution, diversity, and abundance of populations, habitats, and important sites of seabirds and other waterbirds are sustained or restored and maintained throughout their

ranges in North America. Washington Islands NWRs support some of the largest and most diverse seabird colonies on the west coast and can contribute to the development and implementation of this plan.

### **1.5.9 Comprehensive Plan for Coastline Management**

In December 2000, NOAA, the U.S. Geological Survey (USGS), Department of Agriculture, and the U.S. Environmental Protection Agency (EPA) released the first comprehensive strategy for research and monitoring in national waters (NOAA et al. 2000). This strategy outlines plans for these Federal agencies to assess the health of the Nation's coastal resources. Recommended actions include enhancing and adapting existing monitoring programs to support an integrated national program, integrating interagency research efforts to fill data gaps, conducting periodic national and regional coastal assessments, improving data management, establishing mechanisms to assess and adjust monitoring and research to meet changing national coastal priorities, and developing an implementation plan for further action. These strategies could aid in the collaboration between NOAA and the Service along the outer Washington Coast.

## **1.6 Applicable Legal Mandates**

As stated previously, the National Wildlife Refuge System Improvement Act of 1997 mandates preparation of CCPs. The National Environmental Policy Act (NEPA) of 1969 requires environmental analysis for Federal actions, including comprehensive plans. Appendix C contains a list of other mandates, laws, and executive orders that may affect the CCP for the Washington Islands NWRs or the Service's implementation of the CCP. The list includes the: Coastal Zone Management Act (1972); Endangered Species Act (1973); Wilderness Act (1964); Treaty of Olympia (1856); Treaty of Neah Bay (1855); and Executive Order 13175 Consultation and Coordination with Indian Tribal Governments (2000).

### **1.6.1 Mandates Specific to the Washington Islands NWRs**

A subset of laws, executive orders, and agreements form the foundation for purpose and management guidelines for the Washington Islands NWRs. These "foundation" laws and agreements which specifically pertain to the Refuges include (see Appendix C for full text):

- Executive Orders 703, 704, and 705 (which designated the reservations);
- Presidential Proclamation by Franklin D. Roosevelt, July 30, 1940 grant under 50 Stat. 917 (proclamation renamed reservations to current national wildlife refuge names);
- Public Law 91-504 (act designated Washington Islands Wilderness);
- Public Land Order 4095 (order removed James Island from the NWRs);
- Public Law 99-635 (act expanded the boundaries of Olympic National Park to include Flattery Rocks and Quillayute Needles NWRs);
- Public Law 100-226 (act restored NWR status within Olympic National Park Boundary);

- MOU with National Park Service, 1993; and
- MOU with United States Coast Guard, 2003.

## 1.6.2 Service and Refuge System Policies

Several Service and Refuge System policies act as important guidelines for evaluating and directing actions and management of the Washington Islands NWRs. Policies that apply to the Refuges include:

- Refuge Planning Policy (guides process for developing refuge management plans);
- Regional Marine Bird Policy, revised 1985 (this policy guides seabird management actions);
- Biological Integrity Policy, 2001 (this policy provides guidance for preserving the biological integrity, diversity, and environmental health of refuge lands);
- Fire Management Policy, 2002 (outlines Service policy, authorities, and responsibilities for fire management on refuge lands);
- Wilderness Management Policy, 1986 (this policy, currently being updated, provides guidance to national wildlife refuges for the implementation of the Wilderness Act of 1964 and the National Wildlife Refuge Administration Act of 1966, as amended); and
- Native American Policy (guides government to government relationships in the conservation of fish and wildlife resources).

## 1.7 Planning Issues and Opportunities

Effective long-term management of the Washington Islands NWRs will require among other things, integration of the perspectives and concerns of numerous interested parties. To explore all refuge management issues and opportunities, the Service reviewed and considered comments received from the public, non-government organizations (NGOs), other agencies, and Tribes. Public involvement and tribal consultation for the Washington Islands NWRs CCP and EA was conducted with the purpose of identifying issues of concern, as well as potential opportunities related to future management direction.

### 1.7.1 Public Involvement

To incorporate public input, the Service developed a Public Outreach Plan with the following goals: (1) raise public awareness of the purpose of the Washington Islands NWRs; (2) inform the public about the mission and purpose of the National Wildlife Refuge System and the process of comprehensive conservation planning; (3) make the public aware of the threat to seabird populations from pollution, invasive species, disturbance, and habitat loss and degradation; (4) identify public concerns and desires for the Washington Islands NWRs; (5) build long-term community support for the Washington Islands NWRs and the conservation of marine wildlife resources; (6) build cooperation with the Tribes, NOAA, NPS, WDNR, Washington State Parks, and WDFW to conserve marine wildlife resources; and (7) develop off-site interpretive areas and

identify education opportunities to continue improving public knowledge of the Washington Islands NWRs mission and purpose. Involvement with local, State, and Federal agencies; local government entities; conservation groups; Native American Tribes; and the general public occurred through meetings and publications. The Service received written and/or verbal comments from the following agencies, groups, and individuals:

- Makah Tribe
- Quileute Tribe
- Quinault Indian Nation
- Washington Wilderness Coalition (Seattle, WA)
- Olympic Park Associates (Sequim, WA)
- Port Angeles Chamber of Commerce (Port Angeles, WA)
- Local and regional citizens
- Washington Native Plant Society-Olympic Peninsula Chapter (Poulsbo, WA)
- NOAA-Olympic Coast National Marine Sanctuary (Port Angeles, WA)
- Washington State Parks and Recreation Commission (Olympia, WA)

### Interagency Meetings

One interagency meeting was held to gather feedback from other agencies with interest in the Refuges. This meeting was held in conjunction with a Marine Sanctuary Advisory Committee meeting. Service representatives announced that the Service was initiating the CCP process for the Refuges and described the process to the Advisory Committee on March 3, 2000.

### Planning Updates

In addition to meetings, information on the development of the Washington Islands NWRs CCP/EA was disseminated through Planning Updates. Planning Update #1 was published in March 2000 and provided an introduction to the Washington Islands NWRs, a description of the CCP/EA planning process, and a mail-in response form to provide input on major issues and vision planning. The second Planning Update was published in March 2001 and the third Planning Update will be available in the spring of 2005, and will announce availability of the draft EA/CCP for public review. The fourth and final Planning Update will be available in late 2005 to announce the final EA/CCP.

### Issues and Opportunities Identified

#### Interested Public

Public input received from the Planning Update response forms was used to identify the issues, concerns, and opportunities for use in developing the CCP. These are listed below in order of frequency of comment, with the most commonly reported concern first. Further details regarding this list of public concerns are provided in Appendix D, Written Public Input Related to Issues, Concerns, and Opportunities for the Washington Islands NWRs.

- Wildlife disturbances from aircraft overflights
- Wildlife disturbances from oil spills
- Wildlife disturbances from recreational boating
- Wildlife disturbances from marine invertebrate harvests
- Other wildlife disturbances
- Exotic species management
- Eco-tourism
- Interagency coordination of area management
- Law enforcement
- Research support

### Non-Governmental Organizations

Predominant issues reported in the response forms and letters are listed below.

- Wildlife disturbances from overflights
- Wildlife disturbances from commercial fishing
- Wildlife disturbances from shellfish harvests
- Wildlife disturbances from recreational boating
- Wildlife disturbances from oil spills
- General wildlife disturbance
- Invasive species management

### Other Agencies

Specific issues, concerns, and opportunities raised by Federal, State, and local agencies are summarized below.

- Management/enforcement opportunities with Olympic National Park (ONP) and the Washington State Parks and Recreation Commission for refuge areas where properties meet.
- Inventory of archaeological and historical materials and structure within the Refuges.
- Coordination of refuge interpretive signs on State lands with the Washington State Parks and Recreation Commission.
- Human disturbance to refuge plants and animals.
- Invasive and nuisance species management on refuge islands.
- Interagency cooperation, including cooperative research and monitoring efforts.
- Pollution threats to the Refuges and vicinity.
- Educational and visitor experience analysis and management.
- Cultural resource identification and management.

## 1.7.2 Tribal Consultation

The Washington Islands NWRs are important to the cultural of the Makah, Quileute, Hoh, and Quinault Tribes. These Tribes were individually contacted to conduct government-to-government

consultations. At each meeting, refuge staff presented the project and process to tribal representatives and asked them to identify their important issues and concerns. The Makah, Quileute, and Quinault identified the following issues. The Hoh Tribe was unavailable for meetings.

### Quileute Tribe

The Quileute Tribe met with Washington Islands NWRs staff on May 17, 2000 to discuss CCP issues and goals. They met again on August 29, 2003 and May 25, 2004 to discuss tribal comments on the Interim Draft CCP. They requested a meeting with the Service's Regional Director which took place on July 7, 2004. The Quileute described a number of concerns with regard to the Washington Islands NWRs, including:

- Development of baseline intertidal information that could be used to assess mainland intertidal disturbances.
- Interagency cooperation.
- Overflight disturbances.
- Treaty rights to maintain use of resources and access. Recognition of tribal role/interest in refuge management and fishing/hunting rights.
- Coordination of interpretive opportunities (e.g., seabird exhibit in marina).
- Seabird bycatch assessment.
- Commercial fishing impacts assessment.
- Destruction Island clean-up opportunities.
- Oil spill preparedness level.
- Annual meetings between the Tribe and the Service and more often when decision-making processes call for it.

### Quinault Indian Nation

The Quinault Indian Nation natural resources staff met with Washington Islands NWRs staff on October 25, 2000, to discuss CCP issues and goals. On August 28, 2003, the Service met with tribal leaders and natural resources staff to discuss the Tribe's comments on the Interim Draft CCP. The Quinault Indian Nation's representatives described a number of concerns regarding the Washington Islands NWRs, including:

- The Quinaults' tribal treaty rights to "usual and accustomed areas" extending from Grays Harbor to Destruction Island.
- How the plan would address treaty rights including fishing, hunting marine mammals, and gathering.
- What opportunities would be available for contract work for their natural resource staff.
- The Service providing prior notification for refuge staff presence on the Quinault Reservation.

### Makah Tribe

The Makah Tribe met with Washington Islands NWRs staff on June 20, 2000 to discuss CCP issues and goals, and again on November 25, 2003, to discuss the Tribe's comments on the

Interim Draft CCP. The Makah Tribe’s representatives described a number of concerns regarding the Washington Islands NWRs, including:

- How would the Sanctuary relate to refuge management?
- Access to Flattery Rocks NWR.
- Restrictions to fishing with gillnets.
- The Tribe states that gathering eggs, collecting sea foods, and subsistence hunting of marine mammals, are tribal rights they want to protect. The Tribe considers these islands subsistence resources in case of future need.
- The Service’s jurisdiction and management authority over certain islands, particularly Ozette Island.
- The Service’s position on the topic of a dedicated rescue tug.
- On the topic of boat tours, the Tribe implied that this type of activity could grow in the future.
- Threats to seabird habitat/populations from low flying aircraft.
- The Tribe doesn’t know how many common murrelets are taken each year, but they believe they have a right to gather them.
- The Tribe has observed an increasing trend of people launching boats and kayaks at the Neah Bay Marina. Related to the education issue, the Tribe has discussed the possibility of the Sanctuary leasing space at the Neah Bay marina kiosk to display education and interpretation materials.
- The Tribe has a research agreement with the Department of Commerce on Reservation lands and offshore waters and would like something similar with Service. The Tribe would like information on who is doing research and access to the data.

### Tribal Treaty Rights

The Service consulted with three of the four Native American Tribes in the vicinity of the Washington Islands National Wildlife Refuges (the fourth did not respond to the Service’s inquiries). While the Tribes and the Service discussed tribal treaty rights, the Service believes that defining the application of tribal treaty rights is outside the scope of this CCP planning effort. The Service will continue meeting with the Tribes independent of the CCP process to develop memorandums of understanding that are both respectful of the rights and needs of the Tribes and consistent with preserving the wildlife and wilderness values of the Washington Islands Refuges.

### 1.7.3 Summary of Key Planning Issues

The planning team reviewed the Refuges’ resource conditions, public comments, and input from NGOs, agencies, and the Tribes, to formulate the following list of key issues. The key issues have provided the basis for the formulation of the alternatives discussed in detail in Chapter 2.

#### Issue 1. Public Awareness

The hundreds of islands and rocks that dot the Washington coastline are one of the State’s most recognized symbols. However, the public does not generally identify them as National Wildlife

Refuges or designated wilderness nor adequately understand their importance as a critical resource to wildlife. Public awareness in the form of education and interpretative programs is currently being promoted by a variety of agency groups including the Service, NPS, Tribes, WDNR, U.S. Forest Service, and NOAA. The Service believes that this presents an opportunity for cooperative efforts among agencies and tribes. Currently, there is an interagency plan for a future interpretive site at Kalaloch Park Service Ranger Station.

## **Issue 2. Interagency and Tribal Coordination**

Interagency cooperation is needed to bring together State and Federal agencies to establish an understanding of and protocols for management and use of the NWRs, the surrounding marine environment, and shared fish and wildlife resources. Tribal consultation and coordination are necessary to conserve fish and wildlife resources and to fulfill the Federal government's trust responsibilities related to the four Tribes near the Refuges. Issues that need to be addressed in the CCP include island clean-up, use of Destruction Island, joint interpretative programs, law enforcement, off-refuge threats, tidal zone management, overflight disturbance avoidance, species management, and cooperative conservation efforts including the need for additional agreements with tribes and other agencies.

Cleaning up Destruction Island has been identified as a CCP issue. There is waste, debris, and unused structures associated with USCG and U.S. Navy activities. The USCG currently has an MOU with the Service regarding Destruction Island management. This MOU, signed in 2003, describes the responsibilities of both agencies for their work at Dungeness Spit, Destruction Island, and Smith Island. The document outlines protective measures that the USCG will undertake while performing their required duties to ensure that harm to wildlife and habitat is minimal. The USCG currently lands on Destruction Island for lighthouse maintenance, as described previously. The Service recognizes the lighthouse maintenance work for its value to both protecting human life and safeguarding wildlife along the outer Washington Coast. Oil spill threats are a significant issue along the coast, and the Destruction Island lighthouse is considered an important aid in safe tanker navigation. However, it is also important to address chronic disturbances to island wildlife caused by USCG activities. In addition, clean-up of U.S. Navy generated debris needs to be a coordinated effort.

Education and interpretative programs are currently being operated by a variety of agency groups including NPS, Tribes, WDNR, U.S. Forest Service, and NOAA. This presents the opportunity for cooperative efforts among agencies.

There are many off-refuge activities that threaten the integrity of the Washington Islands NWRs ecosystem that need to be addressed at an interagency level. These threats include oil spills, gill net fishing, and marine debris. In the past 15 years, oil and fuel spills from the Tenyo Maru and Nestucca vessels have killed over 70,000 seabirds (Tenyo Maru Oil Spill Natural Resources Trustees 2000; Momot 1995). Marine debris, such as plastic litter and fishing gear around refuge islands entangle seabirds and marine mammals (WDNR 1988). Agencies involved with these issues include the Service, NOAA, NPS, WDNR, WDFW, and the Tribes.

The overlap in jurisdiction that was identified in CCP comments is most extreme in the tidal zone, where the Service, NPS, WDNR, NOAA, and Tribes are all involved in management. The tidal zone is the gateway to the refuge lands. The management and health of this habitat is very important to the viability of the island habitats and species dependent on them. The CCP will need to address the opportunities for cooperation among agencies and Tribes for tidal zone management.

Marine mammal protection along the outer coast is managed by NOAA Fisheries, with the exception of sea otters which are the responsibility of the Service. The sea otter is the only marine mammal species within the boundaries of the Washington Islands NWRs for which the Service has primary responsibility. The WDFW conducts surveys of marine mammals in State waters. The WDFW, NOAA Fisheries, and the Service need to coordinate closely over sea lions and seals that use the refuge islands for haul-out sites. When on refuge lands, these mammals are also a wildlife resource responsibility of the Service.

There are many opportunities for more cooperation in terms of conservation and preservation programs. Tribes and Federal and State agencies should be consulted to explore possible collaborative efforts.

There are a number of spiritually significant sites for the Tribes along the Washington Coast. Destruction Island is culturally significant to the Hoh and Quileute Tribes (NOAA 1993). Additional opportunities are available to recognize and protect the spiritual and cultural aspects of the three Refuges.

### Issue 3. Disturbance

Biologists, agencies, Tribes, conservation groups, and interested members of the public have all brought attention to the serious issue of disturbance to sensitive seabirds and marine mammals. There are a variety of potential disturbance threats to the Washington Islands NWRs, ranging from aircraft disturbances to sea kayakers and fishing activities. The Service's goals for the Washington Islands NWRs are to minimize or eliminate disturbance to wildlife. Island trespassing from boats is rare. Due to the dangerous surf conditions, gaining access to the rocks and islands of the Washington Islands NWRs is difficult. Low tide provides more opportunity for people to gain access to these islands. Destruction and Ozette Islands receive the majority of trespassing incidents. Tribal access is outside the scope of this CCP and will be addressed by a MOU developed in a process separate from the CCP.

Trespassing is a larger issue from the air, with helicopters and other aircraft flying low over seabirds and marine mammal areas. Biologists, NPS staff, and conservation groups have all brought attention to the incidences of overflight disturbances on the refuge islands. Overflight disturbances disrupt seabird and marine mammal breeding and resting activities. Currently, there is a 2,000-foot (610 m) minimum flight altitude for aircraft travel over the islands (Sanctuary). However, this regulation is difficult to enforce due to the remote nature of the region and is often

violated. For the CCP, this issue will overlap with interagency cooperation, as work with NOAA and the Federal Aviation Administration (FAA) will be needed to address this concern.

#### **Issue 4. Monitoring and Research**

Scientific research, surveys, and monitoring are conducted by the Service and various other groups on the Washington Islands NWRs. The purpose is primarily to further the knowledge and conservation of the species the Refuges were established to protect. Other research groups which have conducted research on or near the Refuges include universities, other educational institutions, WDFW, NPS, WDNR, NOAA, other Federal and State agencies, Tribes, and private researchers. Research topics vary from archeological to natural resources. Intra-agency research generally focuses on wildlife species of special status, and long-term seabird and fisheries monitoring.

The Service manages the type and amount of research conducted on the Refuges through written agreements and special use permits. Based on its experience in managing research, the Service is concerned with unnecessary disturbance, unreliable methodologies, safety, and compatibility with wilderness designation. The Service supports cooperative research efforts, especially those that promote long-term monitoring efforts, and increase knowledge of species and populations. Objectives, strategies, and a draft compatibility determination for the research program have been prepared as part of this CCP.

#### **Issue 5. Contaminants**

Refuge staff, agencies, Tribes, conservation groups, and the public agree that the area is under significant threat from oil spills. It is within a heavy traffic area for ocean transport of oil and freight that can be treacherous because of severe weather and difficult navigation. In the past 15 years, oil and fuel spills from the Tenyo Maru and Nestucca vessels have killed more than 70,000 refuge seabirds in Washington and Oregon (Tenyo Maru Oil Spill Natural Resources Trustees 2000; Momot 1995).

Marine debris, such as plastic litter, fishing gear, gillnets, and other marine debris, have been documented around refuge islands and entangle seabirds and marine mammals (WDNR 1988). However, the inaccessibility of the islands makes removing contaminants/debris a difficult and dangerous task. It is not fully known what debris might remain on islands used for military activities during WWII. Refuge staff supports interagency and tribal education efforts to reduce introduction of debris in the marine environment.

#### **Issue 6. Invasive Species Management**

The effects of invasive nonnative species are not clear for the Washington Islands NWRs. Research and impact determinations are needed. Known invasive species include European rabbits on Destruction Island and a number of plant species on many of the islands (Barrett 1979; Cornelius 1982; USFWS 1989; NOAA 1993). Past research from other seabird nesting islands where rabbits have been introduced has shown mixed results in terms of adverse effects on seabird reproduction (Aubry and West 1984; Rodway, et al. 1990; Tomich, et al. 1968; Warner

1963). Based on Aubry and West's 1984 research on Destruction Island, the refuge staff deemed that rabbits are considered a threat to the island's indigenous small mammal populations (USFWS 1983).