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The Coalition To Protect America's National Parks

Voices of Experience

Mr. P. Daniel Smith
Acting Director
National Park Service
1849 C Street NW
Washington, DC 20240

Dear Mr. Smith:

I am writing to you on behalf of nearly 1,600 members of the Coalition to Protect America's National Parks (Coalition), a non-profit organization composed of retired, former, or current employees of the National Park Service (NPS). The Coalition studies, educates, speaks, and acts for the preservation of America's National Park System (System). As a group, we collectively represent more than 35,000 years of experience managing and protecting America's most precious and important natural and historic places. Our Executive Council is comprised of retired superintendents at places like the Everglades, Olympic, Shenandoah, the Outer Banks, and the Blue Ridge Parkway (Parkway) and several retired members of the Directorate responsible for operations, resources, administration, external programs and legislation for the entire National Park Service.

The purpose of my letter is to express our concern about the Atlantic Coast Pipeline and the permit that the National Park Service has granted to allow a natural gas pipeline to cross the Appalachian Trail and the Blue Ridge Parkway. As the former superintendent of the Parkway, I and behalf of the Coalition, we are deeply concerned over the decision to permit the pipeline crossing without public input or an environmental assessment conducted to determine the impacts associated with such a decision. There is no evidence that impacts to the critical views enjoyed by millions of Parkway visitors were considered in this decision. There also is no indication that the Service considered the cumulative effects of this action on visitors' enjoyment of Parkway resources, the impact to the hundreds of businesses that benefit from the millions of visitors with an economic impact exceeding \$1 billion annually, or the precedent that this decision would create that could lead to further deterioration of Parkway views. This decision is contrary to decades of past decisions made by superintendents of the Parkway, and the National Park Service.

During my tenure as superintendent of the Parkway and after numerous public meetings held in adjacent communities, the Parkway's first General Management Plan (GMP) was completed in 2013. One of the key components of the GMP is the recognition that one of the important reasons over 15 million visitors come to the Parkway each year is to enjoy spectacular views afforded from the Parkway. We referred to these views as the "borrowed landscape" as

ownership of the lands contained in the viewsheds is held by the U.S. Forest Service and over 4,000 neighbors.

The GMP summary states, “The parkway is many things to many people. It is the longest road planned as a single park unit in the United States. It is an extremely elongated national park system unit that protects significant mountain landscapes far beyond the shoulders of the road itself. It is a series of parks providing visitors access to high mountain passes, splendid natural “gardens” of flowering mountain plants, waterfalls and water gaps, deep forests, and upland meadows. It is a continuous series of panoramic views, the boundaries of its limited right-of way rarely apparent and miles of the adjacent countryside seemingly a part of the protected scene. It is a “museum of the managed American countryside,” preserving the rough-hewn log cabin of the mountain pioneer, the summer home of a textile magnate, and traces of early industries such as logging railways and an old canal. It is the product of a series of major public works projects that provided a boost to the travel and tourism industry and helped the Appalachian region climb out of the depths of the Great Depression. It is an important neighbor that links 29 counties through two states and shares boundaries with other national park system units, national forests, tribal lands, and state parks.”

The road prism and the viewsheds, along with the cultural and natural resources are the essence of the Parkway. Visual resources are a critical component to visitor enjoyment of the park. Visual resources, along with the park’s cultural and natural resources, its recreational facilities, and its interpretive programs represent the section of the NPS Organic Act that requires the Park Service to “provide for the enjoyment of the same by such means and in such manner as to leave them unimpaired for future generations.”

Parkway staff have worked long and hard to protect these park values. Using the enabling legislation found in Title 54 of the U.S. Code, they have consistently ensured that decisions about the Parkway are consistent with the Parkway enabling legislation, the NPS Organic Act, NPS Policy, and other laws such as the National Environmental Policy Act, the Clean Air Act, and many others. For example, when Progress Energy applied for a permit cross the Parkway in Asheville, N.C., with power lines mounted on towers to ensure adequate redundancy for the power grid, permission was not granted until an environment assessment was completed at the expense of the applicant and a positive determination made that the crossing was consistent with Parkway purposes. This was accomplished by removing other power line crossings owned by Progress Energy so that the net impact benefitted the Parkway by reducing the impact to visual resources and the Parkway’s natural resources.

There are other examples where superintendents of the Parkway and the National Park Service acted to protect scenic views of land not owned by the Parkway. One example was the proposed construction of wind turbines outside of the Parkway. A detailed analysis was performed to determine the visual impact from the Parkway. Another example was in 1998, when then Superintendent Gary Everhardt (former NPS Director) wrote the Federal Communication Commission to ensure that the Parkway views were protected by insisting environment assessments be performed whenever communication towers were planned within one of the Parkway viewsheds. As can be seen, the Parkway has routinely worked with adjacent

communities and developers to prevent incremental damage to the Parkway views in order to provide for their enjoyment by Parkway visitors.

The Parkway has a long history of working with neighboring communities to protect the Parkway and the tourism economy. The Parkway has worked with the 12 metropolitan planning commissions to manage development so that the Parkway is protected while recognizing the importance of the Parkway to the regional economies. For example, during the years surrounding the 75th Anniversary of the Parkway, Parkway staff, working with a consulting firm, developed voluntary architectural guidelines that could be used by developers and Parkway neighbors to protect their Parkway while making capital improvements to their respective properties. Working with universities such as North Carolina State, the Parkway has developed maps of its viewsheds and rating criteria to allow the Parkway to focus its efforts to protect scenic views.

Not only is the National Park Service charged with protecting the scenic values of the Parkway, on June 20, 1941, an agreement was established with the U.S. Forest Service to establish procedures for determining the boundaries of the Parkway where it passes through national forests and for protecting the scenic values of these lands and to identify the management responsibilities of each agency to meet these goals. Title 16 of the U.S. Code § 460a-2 [needs new citation] states “ That the Secretary of Agriculture is authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: And provided further, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes.” It is clear that the intent has been from the beginning that the U.S. Forest Service and National Park Service both have responsibility as partners to ensure that the Parkway is protected for future generations as is indicated by the words “special treatment.” The decision to authorize the pipeline crossing has not been made with the kind of detailed review, coordination and analysis envisioned by this provision.


Nothing should be done in derogation of park values. Decisions that adversely affect Parkway scenic views are actions that result in derogation of park values, which impact visitor experiences and potentially have an adverse effect to the economies of at least the 29 counties in Virginia and North Carolina. The Park Service has failed to properly administer the requirements provided by NPS policy and law, and the use of a categorical exclusion under the National Environmental Policy Act to authorize this permit for the pipeline is inappropriate and appears to have been made to accomplish political goals instead.

The Park Service should uphold its traditions of resource protection and providing for the enjoyment of parks by its visitors. The Redwoods Act states that with regard to national park units that “the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directed and specifically provided by Congress.” The Coalition respectfully requests that the National Park Service reconsider its

decision on the Atlantic Coast Pipeline by, as an initial matter, holding a scoping procedure to consider what level of NEPA compliance is necessary and obtaining the input of the public. Such an action will make it possible to meet Secretary Zinke's own mandate to bring federal decision-making into line with the concerns of local affected communities. The Coalition is prepared to engage in such a public dialogue, if the opportunity is provided to do so.

Thank you for considering these comments. Please contact me if you have any questions about the Coalition position or would like to take advantage of our offer to provide assistance.

Sincerely,

A handwritten signature in cursive script that reads "Philip A. Francis, Jr.".

Philip A. Francis, Jr., Chair
Coalition to Protect America's National Parks

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