



Categorical Exclusion Approval and Decision to Implement - DRAFT

Project Name: Ocean Beach Fire Program

PEPC Project Number: 59097

Project Record Location: GGNRA Environmental Compliance Office Fort Mason, Bldg 101 S.F. 94123

Proposal Description: See Attachment A

Introduction: This memorandum with attachments, and the information in the project record, documents and completes the National Environmental Policy Act (NEPA) review and requirements for implementing the Ocean Beach Fire Program.

Categorical Exclusion: On the basis of the impact assessment in Attachment A, park interdisciplinary review, Public Review and Comment, and the information in the project record, this project is Categorically Excluded (CE) from further NEPA analysis in accordance with D0-12, Sections 3.4:

D.3 Minor changes in programs and regulations pertaining to visitor activities.

Additional supporting information for this determination is in the following attachments and administrative record:

- Attachment A: Ocean Beach Fire Program Proposal (Project Information, Background, Purpose and Need, Development of Proposal, NPS Preferred Ocean Beach Fire Program Proposal, Options Under Consideration, Pre-Proposal Public Feedback, Applicable Law and Policy, Impact Assessment, Summary of Public Comment, Decision/Implementation Process)
- Attachment B: Proposed Sign Changes and Possible Fire Ring Designs
- Attachment C: Proposed GGNRA Compendium Amendment (*Not yet available*)
- Attachment D: Pre-Proposal Public Scoping Summary

Final Agency Action: *TBD after public review and comment*

CE Approval and Decision to Implement: On the basis of my review of the environmental impact analysis, public comment, and all information in this compliance file, I am categorically excluding the Project from further NEPA analysis. No exceptional circumstances or conditions in Section 3-5 of Director's Order 12 apply. I approve this action to be implemented per 36CFR 1.5 and 1.6,

To be signed after public notification period

Christine Lehnertz, General Superintendent
Golden Gate National Recreation Area

Date



ATTACHMENT A (DRAFT)

Ocean Beach Fire Program Proposal

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A. PROJECT INFORMATION

Park Name:	Golden Gate National Recreation Area
Project Title:	Ocean Beach Fire Program
PEPC Number:	59097
Project Location:	Ocean Beach, San Francisco, CA
County, State:	San Francisco County, California
Administrative Record Location:	Fort Mason, Bldg 201; San Francisco, CA 94123

B. BACKGROUND

Ocean Beach is a 3.5-mile long oceanfront that is extremely popular with local residents as well as tourists visiting from a wide variety of places. Visitors enjoy the beach for walking, running, picnicking, surfing or just appreciating the expansive views of the ocean landscape. The beach also has natural occurring sand dunes and is a resting site for the federally threatened Western Snowy Plover.

When Golden Gate National Recreation Area (GGNRA) was established in 1972, the park inherited a longstanding San Francisco tradition of beach fires along the 3.5-mile Ocean Beach corridor. Code of Federal Regulations Section 2.13(a)(1) promulgated on June 30, 1983 empowered individual Park Superintendents to designate or restrict open fires within National Parks. From 1983 through January 2002 open fires were permitted at Ocean Beach.

In early 2002, the City and County of San Francisco Commission on the Environment passed resolution 001-02, which recognized, "...there are safety hazards and a large amount of trash and debris that result from bonfires, residual burning logs and nails" at Ocean Beach, and subsequently requested GGNRA to reduce the negative effects the fires were having by encouraging the park to "...create an effective system that reduces those impacts."¹ As a result of this request, as well as from information received at several public meetings and complaints about smoke from neighbors north of Golden Gate Park, in 2004 the National Park Service (NPS) limited fires to the area between stairwells 15 and 28. Despite this reduction in space where beach fires were allowed, NPS continued to experience a large amount of trash and debris, and frequent violations of rules prohibiting glass bottles and alcohol.

After consideration of various proposed alternatives and recommendations made by several community groups and at public meetings in 2005, the NPS proposed banning fires on Ocean Beach. From February 28 - May 31, 2006 the park accepted public comments on this proposal. More than 3,000 individual comments were received, largely in opposition to the ban, although there were also a number of individuals who supported the ban; citing safety, air quality, natural resource and aesthetic concerns.

In 2007 the NPS elected to institute a one-year Pilot that limited fires to newly installed pits between stairwells 15-20, capped group size at 25 people, except by permit, and instituted a 10:00pm curfew. The Pilot also included collaboration with Burners Without Borders to create artistic fire pits and with Surfrider Foundation to host post-fire cleanups. Following conclusion of the one-year pilot program in 2008, NPS continued the program for one additional year. The intent was to reevaluate the program in 2009 and make a long term decision for fires on the beach. However, this review did not occur until 2013. Maintenance staff continued to clean the pits and the beach, removing pits that became hazardous or non-functional, and Park Rangers continued to educate visitors about the existing regulations.

During the 2007-2013 period, there continued to be a high volume of law enforcement calls, observed violations of rules, some criminal activity, and a constant accumulation of debris, hot coals, nails and other refuse, along the beach.

In early 2014, NPS instituted another Revised Pilot Program intended to address concerns with public and staff safety, visitor experience, park operations, and air quality the program consisted of:

1. Twelve new fire rings installed
2. Revised fire curfew of 9:00 PM
3. Data collection and monitoring program
4. Success indicators
5. Public outreach campaign
6. Evaluation of the Program
7. Prohibition of Fires on Summer Spare the Air Days

A monitoring program was conducted during the summer of 2014 to gauge compliance with Ocean Beach fire rules and the condition of the beach on mornings after nights with multiple fires.

Monitoring revealed that the 2014 Revised Pilot Program was unable to address the majority of concerns associated with recreational fires at Ocean Beach. However, the program was able to provide rich, insightful data from law enforcement and maintenance staff, as well as valuable additional input from the public.

¹ City and County of San Francisco Commission on the Environment. (2002, January 15). *Resolution No. 001-02-COE Ocean Beach*. Retrieved from San Francisco Public Works: <http://www.sfdpw.org/ftp/uploadedfiles/sfdpw/director/resolution2002.pdf>

Community engagement was deepened during a public meeting held on February 5, 2015 with 81 people in attendance to summarize the findings from the 2014 Revised Pilot Program and discuss what a sustainable ocean beach fire program would look like. Possible concepts for the future were discussed, which included: a year round ban on fires, an implementation of a permit system, a winter rest period, an earlier curfew and a partnership with the City of San Francisco. The NPS presentation as well as a transcription of all the notes written on the easel charts can be found on the project website at <http://parkplanning.nps.gov/oceanbeachfires>. NPS staff reviewed the feedback that was received during the public meeting and other comments received. A final follow up communication was sent out to the public by email in April 2015.

A public meeting to further discuss the future of Ocean Beach fires was held on September 24, 2015 with 26 people in attendance. At this meeting, NPS reiterated the objective for a sustainable beach fire program and described a series of program elements that could enable a sustainable program for beach fires at Ocean Beach. Program elements discussed included a permit system, a maintenance and educational partnership with the San Francisco Recreation and Parks Department, a 4-month (November-February) rest period for the beach, enhanced signage, and new fire rings. Those in attendance raised concerns about various elements of the program NPS outlined. As a result of evaluation and learnings of the 2014 Revised Pilot program, and the comments and discussion at the September and February meetings, NPS has prepared the proposed Ocean Beach Fire Program that is being issued for 30-day public review and comment.

C. PURPOSE AND NEED

The purpose of the proposal is to develop a safe, manageable, and sustainable Ocean Beach Fire Program. A successful program would substantially reduce the unsafe conditions caused by fires on Ocean Beach; improve compliance with regulations; reduce the management burden on the NPS caused by the large amount of time and resources expended to maintain the beach surrounding the fire rings; decrease law enforcement incidents related to beach fires and reduce overall negative ecological and social impacts to the beach and its visiting public associated with beach fires. Integral to achieving these outcomes is an Ocean Beach Fire Program that would help users take responsibility, including planning appropriately for the materials to burn and a 'leave better than you found' mentality. Finally, a successful proposal would create a community that will care for and share the Ocean Beach fire experience, as well as its associated opportunities and effects.

The Ocean Beach Fire Program addresses the ongoing impacts and challenges described below:

Public Safety

The debris left behind from beach fires poses a great safety hazard to visitors of the beach. The abundant amount of small, sharp objects that are left on the sand (such as splintered wood, rusty nails, glass fragments, etc.) can, and have injured visitors. The harmful chemicals that can be released when certain inappropriate materials are burned can also be a hazard to those who are present when such materials are being burned. During the 2014 Revised Pilot Program, maintenance staff collected data from 7:00a – 10:00a on 54 mornings from May 28 through October 16, 2014. The three most common types of hazardous materials present were hot coals found 87% of mornings, broken glass found 78% of mornings, and nails/screws found 63% of mornings. In addition, the individuals who participate in criminal activities on the beach can endanger other visitors.

Visitor Experience

The safety hazards described above also contribute to a negative experience for the many people attempting to enjoy Ocean Beach. The piles of debris and scattered garbage are extremely unsightly, and may even deter some visitors from going to the beach at all. During the 2014 Revised Pilot Program data collection period the three most common types of debris found were unbroken glass bottles, wooden

pallets, and drink cups; all found between 52-56% of mornings. The National Park Service strives to ensure that visitors have a positive experience at the park so that they would like to share their experience with others, and visit GGNRA and Ocean Beach again.

NPS Staff Safety

The health and welfare of park employees is a high priority for the NPS.

Many of the fires that occur on Ocean Beach include the burning of inappropriate materials such as wooden pallets, furniture, Christmas trees, glass, toxic materials, etc. Often times these materials do not burn completely and a significant amount of debris is left for NPS Maintenance staff to pick up. This debris poses a safety hazard for the people who must clean it up due to the potential toxins in the material, the large size of some of the items, and the broken glass and nails/spikes left over. It is also common for staff to discover that fires have not been extinguished properly and therefore have to properly remove still-burning embers from the beach.

NPS Law Enforcement Rangers and United States Park Police (USPP) officers are responsible for patrolling the beach regularly and responding to the numerous calls they receive regarding incidents at Ocean Beach. During the 2014 Revised Pilot Program data collection period law enforcement rangers gathered data from Ocean Beach on 48 evenings between May 23 and September 9, 2014. When rangers were on the beach recording observations, 3,996 total violations were observed. 79% of the violations observed were for individuals with alcohol or glass, and commonly, these individuals congregate in large groups. Generally, the most violations occurred on Friday and Saturday nights, with the highest peaks on or around holidays. The third highest violation was for fires outside of rings, with an average of 16 on Saturday nights, and a peak of 29 on Sunday 8/31/14, the day before Labor Day. Violations were also recorded for fires unattended, fires after curfew, burning inappropriate/illegal materials, and individuals with drugs. In total, 1,392 warnings were issued with 6 tickets given and 2 arrests made. When conflict occurs within or between large groups in a general environment of underage drinking and disorderly conduct, it creates a high risk environment for the law enforcement officers.

Park Operations

NPS Maintenance staff must dedicate a large amount of time and resources to cleaning up after the fires at Ocean Beach. Some of this work must be contracted out due to the large quantities of debris that need to be removed, and special equipment is required at times. This equipment has occasionally been damaged due to the types of waste it has encountered, which adds to the clean-up costs. Currently, nearly half of the resources dedicated to maintenance of the entire Ocean Beach corridor are taken up by the fire program. The resources spent on cleaning up after fires are an especially difficult burden given the lack of staff and available funding for ongoing park maintenance.

NPS Law Enforcement and USPP officers are frequently strained to enforce laws and regulations on Ocean Beach when fires are happening. They are often called to the area to respond to reports of individuals drinking alcohol, consuming drugs, disturbing nearby residents and other visitors, vandalizing property, and/or burning hazardous materials. They have a large area to protect in GGNRA and must prioritize the calls they receive.

Air Quality

When visitors burn inappropriate fuels such as wet wood, plastics, rubber, or treated wood, the open fires on the beach can produce odors that are unpleasant and/or emissions that are unhealthy to other visitors and nearby residents. Wood smoke contributes heavily to air pollution, especially in winter months, and according to the Bay Area Air Quality Management District (BAAQMD), "small particles and toxic chemicals from wood smoke can cause serious health problems, especially in children, older adults, and

those with heart or respiratory problems”². NPS has regularly received complaints from nearby residents, as well as from the City and County of San Francisco, regarding smoke coming from the beach.

D. DEVELOPMENT OF PROPOSAL (PRE-PROPOSAL SCOPING)

Following the February 2015 public meeting held to review the results of the 2014 Revised Pilot Program, NPS staff reviewed the feedback and comments that had been received. Discussion was wide-ranging, but there were some clear themes. There was support for continuing beach fires, a willingness by many people to consider a permit system tempered by concern that it not become too complicated or too costly, a broader understanding of the challenges of enforcing rules and cleaning up after fires, and some understanding of the value of a period of winter closure to coincide with the BAAQMD Winter Spare the Air Season and to give the beach a break.

Over the following months, NPS staff further developed the ideas presented as possible next steps during the February 2015 public meeting. An interdisciplinary park team held discussions to determine the feasibility of a permit system, winter rest period, and support from the City and County of San Francisco (CCSF). From these discussions, a set of proposed actions were developed for a presentation to the public.

On September 24, 2015 the NPS hosted a public meeting discussion and listening session to present and hear feedback on the proposal for changes to the Ocean Beach Fire Program, including the permit system, winter rest period, CCSF support, and new fire rings and signage. There were 26 people in attendance, and following a presentation of the proposal a panel of park staff hosted an extended question and answer period where concerns were raised, comments were heard, and questions were answered. Along with the feedback heard during the meeting, the public also provided comments through correspondence such as letters, email, and by comment card. See “Attachment D – Pre-Proposal Public Scoping Summary” for a detailed account of the feedback received and park responses to the questions, comments, and concerns submitted for each theme.

E. NPS PREFERRED OCEAN BEACH FIRE PROGRAM PROPOSAL

The NPS has developed a proposal to regulate fires at Ocean Beach. NPS preferred Ocean Beach Fire Program proposal is based on what it believes best meet the program’s purpose, need and objectives.

Using the discretionary authority of the Superintendent, the final program decision could be different than presented herein based on substantive comment from the public. For some of the elements listed below, the NPS is still considering implementing options that were brought up during pre-proposal scoping (see section “F: OPTIONS UNDER CONSIDERATION”).

The NPS Preferred Ocean Beach Fire Program proposal consists of the following main elements:

1. Permit System

The NPS proposes to require all visitors, regardless of group size, to obtain a permit prior to burning a fire on Ocean Beach. The permits would be offered through Recreation.gov, which offers a familiar, user friendly, simple interface to park visitors wishing to use the provided fire rings. Permits would be available online through the desktop and mobile websites or over the phone using a toll free number. The Recreation.gov system would use an existing infrastructure with adequate reservation capabilities already utilized within the park. The system would significantly reduce NPS workload by automatically sending out each permit. It also offers the ability to add easy and

² Bay Area Air Quality Management District. (2015, September 3). *Wood Smoke Pollution*. Retrieved from BAAQMD: <http://www.baaqmd.gov/rules-and-compliance/wood-smoke>

clear messaging to the website calendar when needed for Spare the Air Days and seasonal closures. The Recreation.gov system would offer a single permit per fire ring per day, which would be made available 30 days in advance.

Permits would initially cost \$35, which equates to as little as \$1.46 per person for a group of 24 people. The NPS would also offer a limited number of “Free Permit Days” to the public. These days would align with NPS entrance fee-free days; for more information visit <http://www.nps.gov/findapark/feefreeparks.htm>. To obtain a free permit, visitors would be directed to contact GGNRA’s Office of Special Park Uses. The proposed permit system would also direct youth and other fee-free groups to contact the Office of Special Park Uses for accommodation.

Permits would be required to be obtained by a signatory of at least 18 years old. Current Ocean Beach fire regulations would be retained, which require that “Minors must be supervised. A responsible leader, 21 years or older, must be present for every 10 children under 18 years of age.”³

Permit users would be required to agree to the rules of use before being granted a permit. The permit conditions would include:

- Permits are required for all fire pits at all times
- Groups are limited to 25 persons, larger groups would be required to go through the existing Special Use Permit (SUP) process
- Permits are non-transferable
- Permit holder is required to be present at all times
- Full permit cost is due upon reservation
- When a Spare the Air day is in effect, existing permits would be cancelled and no further permits made available
- Permit holders are assigned additional liability to the furthest extent permissible by law
- Per Recreation.gov refund policy (if applicable), while permit cost would be refunded upon cancellation, processing fees would not be refunded
- No forfeited permits: fire rings remain reserved for permit holder for the entire reservation period, whether used or not

2. Winter Rest Period

Fires would not be allowed on Ocean Beach from the first day in November to the last day in February. This winter rest period aligns with a period of low demand for fires at Ocean Beach and with the Bay Area Air Quality Management District’s (BAAQMD) Winter Spare the Air season. During this time period fire rings could be removed from the beach or remain with locked lids affixed for the season. A comprehensive cleaning of the affected beach area would occur at the beginning of the season followed by a reduced maintenance schedule for the remainder of the period. A thorough evaluation of the beach fire season would also occur during the rest period.

3. Partnership with San Francisco Recreation and Parks Department (SFRPD)

Supervisor Eric Mar and the City and County of San Francisco (CCSF) have allocated \$185,000 in the FY2015-2016 budget to support the Ocean Beach Fires Program. This financial support would

³ Golden Gate National Recreation Area. (2014, June 2). *2014 Superintendent’s Compendium*. Retrieved from Laws & Policies:
http://www.nps.gov/goga/learn/management/upload/2014_Superintendent-s-CompendiumV2_access.pdf

facilitate a partnership between the NPS and SFRPD, where SFRPD would provide support for maintenance, trash removal, and cleaning associated with the fires, and would also provide for a continuation of support for public outreach and education which began with the 2014 Revised Pilot Program.

4. Replace Fire Rings

The 12 fire rings that are currently in use at Ocean Beach were installed, or replaced from those that were installed in association with the 2014 Revised Pilot Program. They had in turn replaced the five previous fire rings which were all that were left from the 2007 Pilot Program. The current rings are made of solid pre-caste concrete, 3.5 ft. wide, and have suffered severe damage in the harsh coastal environment, including multiple failures. These rings would be replaced with 12 new heat and corrosion resistant rings modeled after designs based on successful installations at other coastal beaches. See Attachment B for examples of possible fire ring designs.

5. Replace Signage

Replace existing complex signage associated with the fire program with a simpler design which could read “FIRES BY PERMIT ONLY – Information: <http://go.nps.gov/beachfires>”. A plan for the number and location of replacement and/or additional signs would be approved by the GGNRA Sign Committee with consideration of the possible impacts to the historic nature of the seawall, promenade, and stairwells. The feasibility of signage immediately adjacent to or attached directly to the fire rings is also being explored. See Attachment B for examples of possible replacement signs.

6. Increased Enforcement

The NPS, Law Enforcement Rangers, and United States Park Police (USPP) recognize the need for additional enforcement arising from a change in the Ocean Beach Fire Program. While the 2014 Revised Pilot Program was focused on gathering data and reassessing the state of fires on Ocean Beach, Law Enforcement Rangers and USPP will work to contribute to the success of the Ocean Beach Fire Program by:

- a) Contacting visitors who are having, or demonstrate interest in beginning a fire at Ocean Beach.
- b) Asking visitors for proof of permit and verification by picture ID.
- c) Verifying the responsible party’s understanding of permit conditions, and otherwise informing permittee of fire rules and regulations and their associated responsibilities.
- d) When feasible and appropriate, providing visitors in violation of rules, permit conditions, regulations, or laws guidance and instruction on how to rectify the situation.
- e) Upon finding of a significant infraction, a repeat of a previously observed violation, or other appropriate situation, issuing a formal citation.

7. Public Outreach and Education

To contribute to the long term success of the Ocean Beach Fire Program, a comprehensive community engagement, outreach, and education plan would be developed and could include the following:

o Interpretation

In partnership with Law Enforcement Rangers, USPP, and Maintenance staff providing information to visitors and beach users, Interpretive Rangers or docents will also work to include the local history of fires at Ocean Beach and other nearby beaches into their communication with park visitors.

▪ City Partnership

As part of the support provided by City and County of San Francisco (CCSF), the NPS would continue to work with the volunteer management and outreach staff of the San Francisco Recreation and Parks Department (SFRPD) to provide interpretive and educational information and materials for volunteer programs at Ocean Beach. The NPS could also coordinate with SFRPD to create co-hosted programs and provide opportunities for stakeholder or community organizations to volunteer at Ocean Beach.

As an expansion of the support provided by San Francisco, the NPS and SFRPD would explore the possibility of hosting cleanups with supervised work crews provided by the Sheriff's Work Alternative Program (SWAP).

The NPS could also work with partners such as SFRPD and others to create a short, simple, informative, and interactive online learning program available to inform permittees of the proper way to create, manage, and extinguish a fire at Ocean Beach.

o Traditional Media

▪ Press Release

The NPS will disseminate a press release to local media contacts and will remain open to requests for further information or interviews. Visitors will be directed to the park's website for more information.

▪ Flyer

An informational flyer would be created for distribution among visitors, local residents, business, and schools. The flyer would also be available to visitors at multiple locations throughout the Golden Gate National Recreation Area (GGNRA), including the Roving Ranger.

o Online Information

The NPS maintains a robust website at www.nps.gov/goga with information on many aspects of the GGNRA. The NPS would update and maintain a page with information specifically about Ocean Beach Fires and the associated rules, regulations, and laws at http://www.nps.gov/goga/learn/management/fire_beachfireregs.htm. The public can also participate in and provide comments about this Ocean Beach Fire Program proposal at <http://parkplanning.nps.gov/OBfireprogram>.

▪ Social Media

The NPS would also post information regarding the Ocean Beach Fire Program through its social media accounts which include Facebook, Twitter, YouTube, Flickr, Tumblr, Pinterest, and Instagram.

▪ Email Notification

The NPS will leverage its existing, large email database to spread the word about the Ocean Beach Fire Program to individuals, organizations, and agencies who have expressed interest in GGNRA updates.

8. **Curfew Time**

The 2014 Revised Pilot Program changed the fire curfew from 10:00pm to 9:00pm. This change would be retained in the Ocean Beach Fire Program, and would be reflected in the new signage and language of the permits themselves.

9. Summer Spare the Air Days

While the BAAQMD does not prohibit fires on summer Spare the Air days, the NPS would continue to prohibit them. Under a permit system, permits which had been previously granted would be revoked and the permittee would be provided a refund, not including processing fees, on summer Spare the Air Days.

10. Revised Data Collection and Monitoring

The data collected during the 2014 Revised Pilot Program provided a baseline for evaluation of the success of the fire program at Ocean Beach. Data collection would continue under the Ocean Beach Fire Program in a revised manner.

- Law Enforcement Rangers and USPP would consolidate their data collection efforts to Friday and Saturday nights, with additional evenings gathered by Ranger discretion which could include holidays and good weather days.
- Maintenance staff would consolidate their data collection efforts to Saturday and Sunday mornings, with additional reports provided at staff discretion, especially upon evidence of hazardous materials or excess amounts of debris.

11. Ongoing Program Evaluation

In an effort to ensure the continued success of the Ocean Beach Fire Program, the NPS would evaluate the program on an annual basis during the Winter Rest Period. Successes and opportunities would also be identified through comparison of data collected with the baseline formed during the 2014 Revised Pilot Program. Park staff would develop a plan to appropriately address new or continuing issues. The NPS would host annual public meetings to communicate to the public the information gathered and any associated proposals for change before the beginning of the following year's fire season.

F. OPTIONS UNDER CONSIDERATION

Based on public comment received prior to release of this proposal (See Attachment D - Pre-proposal scoping comments) the following options are under consideration for implementation. NPS can dismiss these options from consideration if they do not meet the purpose and need of the program or are technically infeasible to implement. Following the 30-day public review and comment period, NPS will consider all substantive comments before making a final decision on the Ocean Beach Fire Program.

The options listed below (and any additional options, variations, or modifications raised during the 30 day period), will be reviewed for: feasibility; environmental impact; and how well they meet the Purpose, Need, and Objectives of the Ocean Beach Fire Program. Based on these criteria, the Superintendent will select the Final Ocean Beach Fire Program. The Final Ocean Beach Fire Program could include all, a selection from, or a modification to, any of the NPS Preferred Program elements; and/or any of the below listed options; and/or any additional options, variations, or modifications raised during the 30-day comment period.

- Permit System

The NPS is investigating the feasibility of allowing for permits to be purchased immediately on site upon arrival at the beach. This could involve implementation of an 'iron ranger' device which would allow for cash payments without the requirement of additional staff and complex facilities. The feasibility of an electronic permit dispenser, which would accept more diverse methods of payment, is also being explored. Under the on-site option, multiple permits per fire ring per day could be offered, dependent upon the length of each group's occupation of the fire ring.

The NPS is also exploring the feasibility of creating additional opportunities within the permit system that would allow youth under 18 to enjoy the Ocean Beach fire experience without providing their own guardians. This option could significantly increase the level of risk exposure associated with the Ocean Beach Fire Program.

- More Fire Rings

The NPS is investigating the feasibility of providing 20 fire rings instead of the 12 which are currently on the beach. These fire rings would also be of a new heat and corrosion resistant design. This would provide additional availability of a recreational resource and meet the fire ring number communicated during the 2007 Pilot Program. This option could require significantly higher implementation costs, both during the initial phase due to purchase costs and over the long term due to maintenance needs.

- Curfew Time

The NPS is investigating the feasibility of implementing a 10:00 pm curfew. This would reflect a reversion to the regulation which was in place prior to the 2014 Revised Pilot Program. This option would require an increase in operational costs to account for an additional hour per night of law enforcement staff time.

- Firewood Sales or Other Comprehensive Concession Opportunity

The feasibility is being explored of providing a method for visitors to purchase appropriate burning materials. The sale of burning materials or any other products would likely occur in the parking area of Ocean Beach which is under the jurisdiction of the SFRPD. The NPS is willing to cooperatively work with SFPRD if it is determined that a concession opportunity is viable. It would be expected the retailer would provide educational information about the rules, regulations, and laws associated with beach fires.

G. APPLICABLE LAW AND POLICY

The NPS regulations allow superintendents to implement public use limits to protect park resources, equitably allocate use of areas, protect public health and safety, and avoid conflicts among user groups. Public use limits may be adopted following a written determination and publication of the use limitation in the park's Compendium. Under 36 CFR § 2.13, Fires, lighting or maintaining a fire is prohibited, except in designated areas or receptacles and under conditions established by the superintendent. In addition, under 36 CFR § 1.6, Permits, the National Park Service may adopt a permit system to implement a public use limit enacted under 36 CFR §1.5.

Each year fires are allowed to occur on Ocean Beach through the conditions outlined and approved by the Superintendent in the Compendium. The process for which NPS proposes to implement the proposed actions are consistent with 36 CFR § 1.5, Closures and public use limits, which allows the Superintendent to create public use limits "...based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities..."⁴

In addition, this proposed use limit is consistent with NPS Management Policies, which allow the issuance of permits for special park uses that provide a benefit to an individual, group or organization rather than the public at large; that require authorization and some degree of management control to protect resources and the public interest and that are not prohibited by law or regulation.

⁴ Office of the Federal Register. (1999, July 1). *36 CFR 1.5 - Closures and Public Use Limits*. AE 2.106/3:36/

NPS Management Policies allow NPS to encourage visitor activities that:

- are appropriate to the purpose for which the park was established; and
- are inspirational, educational, or healthful, and otherwise appropriate to the park environment; and
- will foster an understanding of and appreciation for park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
- can be sustained without causing unacceptable impacts to park resources or values.

This action is not of a nature or magnitude such that it would result in a significant alteration of the public use patterns of the park. While a significant reduction in fire related use of a noncompliant nature is expected, fire related use within the limits of park rules, regulations, and laws would experience a minor expansion during the proposed fire season. A minor alteration in use would also occur during the Winter Spare the Air season when fires would not be allowed, which is already a period of low demand. The scope of this proposed action is limited, applying only to recreational fires on Ocean Beach; beach fires, camp fires, and charcoal fires in other locations within GGNRA would not be affected. In addition, this proposed action would only affect visitors interested in having a fire at Ocean Beach.

This action would not adversely affect the natural, aesthetic or cultural values of park lands in San Francisco County. The intent of this program is to largely reduce the existing adverse impacts that occur as a result of recreational fires on Ocean Beach.

The proposed action is also consistent with the park's resource management objectives and broadly follows the goals and objectives of the updated GGNRA General Management Plan, particularly in the Ocean Beach Diverse Opportunities Zone (Along the O'Shaughnessy Seawall):

“Park managers would continue to provide a diversity of recreational beach use and preserve the natural setting and resource values, including shorebird habitat. The vital community stewardship activities that are part of the successful management of the beach would be promoted.

“The park would preserve the historic O'Shaughnessy seawall and collaborate with the City of San Francisco to enhance the Ocean Beach corridor with improved amenities that support enjoyment of the beach, including the promenade, parking areas, and restrooms.”⁵

The proposed action is not highly controversial. Land management agencies across the Bay Area recognize the need to impose reasonable restrictions on fires through permitting. Point Reyes National Seashore and Cape Cod National Seashore also requires permits for beach fires. This action was proposed based on data gathered during both previous pilot programs and further developed with public feedback received during the pilot programs and prior to the development of this document.

Finally, this action is not expected to significantly displace visitors to adjacent lands managed by other agencies. Within the Bay Area, beach fires are only otherwise allowed at Muir Beach and Point Reyes, both managed by the NPS.

H. IMPACT ASSESSMENT

The following section describes the impacts of the NPS proposed action and options under consideration. The NPS has preliminarily determined the actions proposed herein would not cause “significant adverse effects” requiring an Environmental Assessment (EA) or Environmental Impact Statement (EIS) and

⁵ Golden Gate National Recreation Area. (2015, May). *2014 GGNRA & Muir Woods National Monument General Management Plan Summary*. GOGA 641/128449

meets the requirements of a Categorical Exclusion under NPS NEPA guidelines Directors Order 12 (DO-12).

1) Baseline Condition

Recreational fires are currently occurring on Ocean Beach within GGNRA under the conditions outlined in the 2014 Revised Pilot Program. These conditions are also partially based on regulations from the 2007 Pilot Program, as well as those found in CFR Section 2.13(a)(1) and the GGNRA Superintendent’s Compendium.

In addition to the program elements described in the table below which could change in association with this proposal, recreational fires on Ocean Beach also are expected to meet the regulations found in the Superintendent’s Compendium:

- Fires permitted from 6:00am-9:00pm only
- Fires only in fire rings provided by the park between stairwell # 15-20
- All firewood must be brought into the park. No gathering, cutting or scavenging of firewood or kindling is permitted in the park from any source.
- Fires must be above ground (no pit fires) and attended at all times.
- Chemically treated wood, painted wood, wood with nails or staples shall not be used in any fire
- Debris burning is not permitted, including Christmas trees.
- Refuse must be removed from beach.
- Ceramic pit fires are prohibited.
- No Beach Fires are allowed when fire danger is high, very high, or extreme.

2) Summary of Proposed Changes from Baseline (Existing) Condition

The table below summarizes the program elements that would change with this proposal.

Program Element	Existing Condition (2014 Revised Pilot Program - Baseline)	Proposed Change
Permits	Only for groups 25 or larger	Required for all groups, Groups under 25 cost \$35
Minimum Age	18, 21 if minors present	NPS Preferred Action: No change.
		Option: Explore feasibility of additional opportunities for youth
CCSF Support	\$60,000 Education & Outreach	\$185,000 Maintenance, Education & Outreach
Fire Rings	12; precast concrete	NPS Preferred Action: 12; heat and corrosion resistant
		Option : 20; heat and corrosion resistant
Fires Not Allowed	Spare the Air Days (Winter and Summer)	November – February, and Summer Spare the Air Days
Monitoring	Daily Monitoring	Strategic, Weekend Based Monitoring
Signs	Limited placement, complex message	Additional signs, simple message
Enforcement	Focus: Monitoring and education	Focus: Education and compliance
Curfew	9:00pm	NPS Preferred Action: No Change
		Option: 10:00pm

The additional requirement of permits for all group sizes would have a minor beneficial impact on ecosystem integrity, visitor experience, and public & staff safety. The impact would result from additional compliance with rules and regulation due to the permit system's promotion of personal responsibility and proper planning associated with having a fire.

The option to explore feasibility of providing additional opportunities for youth could result in a negligible beneficial impact on recreational resource availability to a diverse audience.

The support provided by CCSF in the form of SFRPD assistance with maintenance and public education and outreach would have a minor beneficial impact on ecosystem integrity and visitor experience as a result of debris being less present on the beach and promenade.

The change in fire rings would have a negligible beneficial effect on visitor use and experience resulting from fewer fire ring failures and a reduction of the time when the beach has fewer than 12 pits due to replacement time.

Expanding the restriction on fires from just Spare the Air Days to also encompass the entire low demand Winter Spare the Air Season would have a minor beneficial impact on air quality, ecosystem integrity, visitor use and experience, and staff health and wellbeing. These impacts would result from the rest period providing an opportunity to comprehensively clean the beach, allow the ecosystem to recover, and allow the park to more effectively marshal resources for the higher demand period.

Strategic monitoring and data collection as opposed to daily monitoring and collection would cause a negligible beneficial impact to staff health and wellbeing due to the reduced strain on staff capacity.

Additional signs and enforcement would both contribute to causing minor beneficial impacts to ecosystem integrity, visitor experience, and public & staff safety resulting from implementation of the permit system.

3) NPS Screening Form (ESF)

The NPS uses the ESF to conduct a screening level impact assessment to identify environmental impacts that may require an Environmental Assessment (EA) or Environmental Impact Statement (EIS).

A. Resource Effects to Consider:

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Less Than Significant Effect	Data Needed to Determine/Notes
1. Geologic resources – soils, bedrock, streambeds, etc.		Yes	Beneficial long term local minor impacts to sand on Ocean Beach would result from a reduction in fires outside of rings which leave debris and hazards such as hot coals in the sand.
2. From geohazards	X		
3. Air quality		Yes	Beneficial minor impacts associated with reduced suspended particulate matter due to wood burning fires, especially on Spare the Air days. Fewer fires year round when limited to permit holders. Less burning of toxic and inappropriate materials expected with implementation of permit requirements.

4. Soundscapes		Yes	Beneficial negligible impacts could result from enforcement of permit curfew limiting visitor noise associated with fires.
5. Water quality or quantity	X		
6. Streamflow characteristics	X		
7. Marine or estuarine resources		Yes	Beneficial minor impacts would result from less beach trash associated with permit requirements leading to less infiltration of waste into the marine environment.
8. Floodplains or wetlands	X		
9. Land use, including occupancy, income, values, ownership, type of use	X		
10. Rare or unusual vegetation – old growth timber, riparian, alpine	X		
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat		Yes	Fires at Ocean Beach are already limited to between stairwells 15 and 20, outside of the protect Snowy Plover habitat. Further enforcement of permit requirements could have a negligible beneficial impact.
12. Unique ecosystems, biosphere reserves, World Heritage Sites	X		
13. Unique or important wildlife or wildlife habitat		Yes	Fires at Ocean Beach are already limited to between stairwells 15 and 20, outside of the protected Snowy Plover habitat. Further enforcement of permit requirements could have a negligible beneficial impact.
14. Unique or important fish or fish habitat	X		
15. Introduce or promote non-native species (plant or animal)	X		

16. Recreation resources, including supply, demand, visitation, activities, etc.		Yes	Enforcement of permit requirements, limiting fires to established rings, Spare the Air day bans, and groups of less than 25 could result in a long term, local, minor adverse impact on recreational resources. Implementation of a permit system could provide a sustainable long term program for the continuance of fires on Ocean Beach, which would have a long term, local, minor beneficial impact on recreation resources in comparison to the possibility of revoking allowance of fires on Ocean Beach. Installation of new, high quality fire rings designed to withstand the rigors of Ocean Beach use would provide short term, local, minor beneficial impacts to recreational resources.
17. Visitor experience, aesthetic resources		Yes	Long term, local, beneficial impacts to visitor experience and aesthetic resources would result from limiting fires to established pits and limiting beach trash and hazardous materials by enforcing permit requirements.
18. Archeological resources	X		Installation of new fire pits would not impact archeological resources.
19. Prehistoric/historic structure		Yes	Changes and additions to signage along the promenade, stairwells, and sea wall could have a negligible adverse effect on those historic structures.
20. Cultural landscapes	X		
21. Ethnographic resources	X		
22. Museum collections (objects, specimens, and archival and manuscript collections)	X		
23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure		Yes	Additional park income associated with the permit fee could be used for funding of additional staff or staff time to facilitate maintenance and continued operation of the fire program at Ocean Beach. Partnership with City and County of San Francisco (CCSF) could also fund additional staff or staff time. Negligible beneficial socioeconomic impacts could result.
24. Minority and low income populations, ethnography, size, migration patterns, etc.		Yes	Negligible, local adverse impacts to low income populations could result from implementation of a permit fee to utilize a previously free recreation resource. Groups ranging in size from 5-25 purchasing a permit at the proposed price of \$35 would pay from \$1-\$7 per person.

25. Energy resources	X		
26. Other agency or tribal land use plans or policies	X		
27. Resource, including energy, conservation potential, sustainability	X		
28. Urban quality, gateway communities, etc.		Yes	Negligible, local, beneficial impacts would result from the continuation of allowing fires on Ocean Beach to an urban community which has limited access to outdoor recreational fires.
29. Long-term management of resources or land/resource productivity		Yes	Continuing allowance of recreational fires at Ocean Beach would cause a local, long term, minor beneficial impact to the recreational resource provided by permitting of fires. The continued allowance of fires could also cause a long term, local, minor adverse impact to the natural resource of the beach environment. Implementation of the permit conditions and winter rest period in conjunction with increased enforcement would mitigate those impacts to negligible levels.
30. Other important environment resources (e.g. geothermal, paleontological resources)?	X		

4) Issues and Concerns

Consistently the following issues and concerns have been raised regarding the Ocean Beach Fire Program. This section provides an assessment of the impacts of how NPS proposed action and options compare to the baseline existing condition. This draft assessment informs NPS decision-making. This assessment will be updated based on substantive public comment following public review and comment.

Public Safety

A combination of the elements found within the proposed Ocean Beach Fire Program would represent a collective change to public safety from the baseline conditions which existed under the 2014 Revised Pilot Program. The combined permit system, signage, enforcement, and outreach/education elements are expected to result in an overall increase in visitor compliance with regulations which would result in a reduction of hazardous waste and materials brought to the beach. A reduction is also expected of the dangerous conditions resulting from non-compliant activities associated with fires such as alcohol consumption and oversize groups. A reduction of hazardous waste and materials, and a reduction in non-compliant activities would result in an increase in the safety of all visitors.

The partnership with SFRPD would provide additional maintenance for beach fires compared to the level experienced during the 2014 Revised Pilot Program. Additional maintenance would more successfully remove hazardous waste and materials such as hot coals, broken glass, and nails/screws

from the fire rings and surrounding beach. Less hazardous waste and materials on the beach would create safer conditions for the public.

Curfew time under the NPS Preferred Action would remain at 9:00pm, representing no change from the 2014 Revised Pilot Program baseline conditions, therefore causing no impact. The option to revert to the 10:00pm curfew time could affect public safety. Law enforcement personnel more commonly encounter increasing levels of non-compliant, dangerous, and/or illegal activities later in the evenings. Likelihood of public exposure to these activities could increase if the curfew were set to 10:00pm which would represent an adverse impact to public safety.

The number of fire rings available to the public under the NPS preferred alternative would remain at the current level of 12. This represents no change from baseline conditions, and therefore would cause no impact. The option to increase the number of fire rings to 20 would reduce conflict for the limited amount of fire rings present. A reduction in conflict between visitor groups would represent an increase in public safety and therefore a beneficial impact.

Visitor Experience

The issue "Visitor Experience" is a broad category. NPS evaluated the visitor experience impacts based on the following:

- Permit system - Experiencing a fire at Ocean Beach (non-permit to permit)
- Cost associated with permit system
- Age limitations
- Number of Fire Rings Available
- Enactment of a winter rest period

Permit System. Would the mere enactment of a permit system affect Visitor Experience? NPS evaluated this by evaluating whether a reservation system would limit availability or opportunity to experience a fire at Ocean Beach.

- No Permit vs Permit – Currently anyone wanting to experience a fire at Ocean Beach could build a fire in a designated pit, or ask to join a fire pit occupied by others as there is no reservation or permits required under the existing situation. Under the proposal, a permit would be required – and there would not be a guarantee that a person without a permit/reservation would be able to experience a fire. However, given the norms of Ocean Beach fire users, it is likely that a permit holder would allow someone to join, although the permit holder is not required to share.
- Total Number of People Around Designated Fire Pits - Under the current system, regulations specify that "Groups over 25 people require a permit."⁶ Under the proposal, all groups would require a permit, regardless of size. Visitors who want to experience a fire at Ocean Beach and venture out to Ocean Beach without a permit/reservation could be turned away. The permit system regulation would not represent a change in carrying capacity of the fire rings. However, dependent upon the discretion of permit holders in sharing use of a fire ring, fire ring usage could change and therefore represent a decrease in visitor use.
- Walk-up Visitors – Under the existing program, walk-up use is common and most of the time a walk-up user can build a fire in an open designated fire pit or join a group already at a fire. As has been conveyed to NPS, there is fire user norms where sharing a fire pit is normal.

⁶ Golden Gate National Recreation Area. (2014, June 2). *2014 Superintendent's Compendium*. Retrieved from Laws & Policies:
http://www.nps.gov/goga/learn/management/upload/2014_Superintendent-s-CompendiumV2_access.pdf

Under the permit/reservation proposal, a walk-up user could be turned away without being able to experience a fire. However, NPS expects the norms of sharing a fire to continue, though not required. NPS expects some visitor use conflict where permit holders do not allow others to share their reserved designated pit.

- Community Aspect – It has been conveyed to NPS that a reservation system would diminish the sense of community the fire users feel when they join others around fires at Ocean Beach. This aspect could be diminished if permit holders choose to not share their designated reserved fire pit. Since NPS would not require the names of the people in the party of the permit holder, it allows flexibility for the permit holder to allow others to join the fire up to 25 people. Although sharing of a fire pit is not required, it could be accommodated under the NPS proposed permit system. It would be the responsibility of the permit holder to ensure the rules of fire use are adhered to by anyone joining the permit holders designated fire pit.
- Guaranteed Availability – For those who wanted more of an intimate experience at Ocean Beach with only their exclusive party, having a reserved fire pit would be a benefit. Or, for those who have a special occasion and have a large party up to 25, having the ability to guarantee a site is looked upon favorably for groups in this situation.

One option under consideration would allow permits to be obtained immediately on site (Iron Range concept). Such a system could allow multiple permits per fire ring per day, and therefore would increase availability better than NPS's preferred approach, but still less availability than the existing no-permit requirements.

Cost. Would the cost associated with the permit system element have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)? Under an expected use case based on observations of current usage conditions, when fire rings are in use they would accommodate groups of 5-25 people a majority of the time. This would equate to per person costs between \$1.40 and \$7.00 per person for \$35 permits. These costs are considered low in comparison to other paid recreational resources in the Bay Area and therefore would not be considered to have a disproportionately high and adverse effect on low income or minority populations.

Age Limitation. The minimum age requirement associated with the permit system element would limit the availability of the resource for youth under 18. This represents no change from the existing regulations found in the Superintendent's Compendium and therefore no change/effect. The option to explore feasibility of providing additional opportunities for youth (yet to be determined) could marginally be beneficial for youth under 18 as the NPS would provide some additional opportunities.

Number of Fire Rings. The replaced fire rings element could affect the quality of the visitor experience if a failure to meet demand for fire rings results in a continuation of large numbers of non-compliant fires. The NPS Preferred Action includes additional enforcement and education associated with the Ocean Beach Fire Program. That increase is expected to result in a reduction of non-compliant fires. The proposed action also includes additional maintenance provided by the support of SFRPD. The combination of these actions would provide a cleaner, safer, and more attractive beach, resulting in a beneficial impact to visitor experience. The option to investigate the feasibility of raising the number of provided fire rings to 20 increases the availability of the resource, but also increases the maintenance responsibility. Providing additional fire rings could improve compliance with regulations because demand is better met, resulting in improved availability of the resource. Raising the number of fire rings to 20 would more closely meet demand on summer weekend times when demand for fires is greater.

Winter Rest Period. Not allowing fires during the four month Winter Rest Period (November through February) would affect the availability of the recreational resource, although the four months of the Winter Rest Period coincides with period in the year when there is the lowest demand for fire rings.

The Winter Rest Period also coincides with the BAAQMD Winter Spare the Air Season, which legally precludes fires for an average of 14 days each winter season. Not allowing fires during this entire period would represent a decrease on the availability of the recreational resource. The NPS must balance logistical administrative and enforcement concerns when there are likely to be many cancellations, air quality impacts, staff safety and morale, and the availability of providing this resource for visitors.

NPS Staff Safety

The combined permit system, signage, enforcement, and outreach/education elements are expected to result in an overall increase in visitor compliance with regulations which would result in a reduction of hazardous waste and materials brought to the beach. With less hazardous materials present, there will be less risk to maintenance staff when cleaning the fire rings and surrounding beach. The presence of dangerous conditions resulting from non-compliant activities associated with fires such as alcohol consumption and oversize groups would be reduced. A large number of non-compliant visitors, especially those consuming alcohol can create a dangerous environment for law enforcement personnel, therefore fewer non-compliant visitors reduces the risk of enforcement activities for rangers and USPP. A reduction of risk for maintenance and law enforcement personnel results in an increase in NPS staff safety.

Constant exposure to high risk activities such as hazardous materials removal and unsafe enforcement operations can reduce employee health and wellness. The winter rest period element would provide an opportunity for personnel to operate under lower risk conditions for four months out of the year. A reduction of constant exposure to high risk activities would benefit employee health and wellness and increase NPS staff safety.

Park Operations

The permit system, partnership with SFRPD, replaced fire rings, replaced signage, and public outreach & education elements would have one time costs associated with implementation of the Ocean Beach Fire Program. The permit system, increased enforcement, revised data collection/monitoring, and ongoing program evaluation would have increased continuing costs associated with implementation of the Ocean Beach Fire Program compared to the baseline conditions under the 2014 Revised Pilot Program. Increased one time and continuing costs introduce an additional burden on strained NPS fiscal resources which could impact operations and projects park-wide. The winter rest period, partnership with SFRPD, and replaced fire ring elements would reduce ongoing costs associated with the Ocean Beach Fire Program when compared to the baseline conditions. Reduced ongoing costs help to offset other program elements while increasing the financial sustainability of the program. While detailed line item analysis cannot be completed until implementation details are determined based on the Superintendent's final decision, it is expected that both one time and continuing costs of the Ocean Beach Fire Program could be absorbed without undue burden under current funding realities.

The combined permit system, signage, enforcement, and outreach/education elements are expected to result in an overall increase in visitor compliance with regulations which would result in a long term reduction of maintenance and law enforcement efforts required to sustain the program. A reduction in required staff effort and increase in program sustainability would result in a decreased burden on park operations.

Air Quality

According to the BAAQMD, "Wood smoke is the #1 source of wintertime air pollution."⁷ The introduction of the winter rest period element would reduce PM2.5 (fine particulates) pollution during

⁷ Bay Area Air Quality Management District. (2012/2013). *Winter Spare the Air - English Fact Sheet*. Retrieved from Wood Burning Fact Sheets:

the four month period from November through February in comparison to the 2014 Revised Pilot Program conditions. Reduced PM2.5 levels would result in an improved local air quality.

The combined permit system, signage, enforcement, and outreach/education elements are expected to result in an overall increase in visitor compliance with regulations which would result in a reduction of hazardous gases released from inappropriate burning materials. Less hazardous gas pollution would improve local air quality.

I. NATIONAL HISTORIC PRESERVATION ACT (NHPA) SECTION 106 COMPLIANCE

In a preliminary review (Sept 2015) of the proposed changes to the Ocean Beach Fire Program, Golden Gate's Cultural Resource Assessment Team anticipates reviewing the project under Section 106 of the National Historic Preservation Act as having No Adverse Effects to Historic Properties provided that the Project Manager for the implementation of the project coordinates sign placement with Park Historical Landscape Architect to avoid or minimize impacts to the historic Ocean Beach (O'Shaughnessy) Esplanade and Seawall.

J. SUMMARY OF PUBLIC COMMENT (POST PUBLIC REVIEW AND COMMENT)

To be completed after public review and comment.

K. DECISION / IMPLEMENTATION PROCESS

This draft proposal and environmental compliance document for the Ocean Beach Fire Program is released to the public for a 30-day comment period from October 22, 2015 to November 21, 2015. The public will be notified of this document's availability by email, press release, and social media outlets. The public is encouraged to submit comments during the 30 day period using the project website at <http://parkplanning.nps.gov/OBfireprogram> or by mail to:

Golden Gate National Recreation Area
Attn: Ocean Beach Fire Program
Fort Mason, Building 201
San Francisco, CA 94123

Following the 30-day review and comment period, the NPS will review the comments received. With consideration of the public's feedback, a final implementation decision would be made by the discretionary authority of the Superintendent, and could include a combination of any of the listed elements and options.

http://www.sparetheair.org/~media/sta/files/1/particulate-matter/wood-smoke/wsta_factsheet_12-13.pdf?la=en



ATTACHMENT B

Proposed Sign Changes AND Possible Fire Ring Designs

Sign currently displaying fire regulations:

OCEAN BEACH

No Glass or Alcohol

Leash Pets
July 1st to May 15th

No Fires

- Fires Allowed From Stairwell 15 thru 20 in Rings ONLY Information: 415-561-4741
- Pet Litter and Garbage Pick-up Required
- Dogs Must Be On Leash July 1st to May 15th in Snowy Plover Protection Area - Stairwell 21 to Sloat Blvd
- Info 415-561-4728

Golden Gate National Recreation Area

Proposed replacement sign:

FIRES BY PERMIT ONLY

Information:
<http://go.nps.gov/beachfires>

Fire Ring Option A:



Fire Ring Option B:



Fire Ring Option C:





National Park Service
U.S. Department of the Interior

Golden Gate National Recreation Area
Date: 10/22/2015

Attachment C:

Proposed GGNRA Compendium Amendment (Not yet available)

Not yet available



ATTACHMENT D - DRAFT

Pre-Proposal Public Scoping Summary

A. PRE-PROPOSAL PUBLIC SCOPING BACKGROUND

Following the February 2015 public meeting held to review the results of the 2014 Revised Pilot Program, NPS staff reviewed the feedback and comments that had been received. Discussion was wide-ranging, but there were some clear themes. There was support for continuing beach fires, a willingness by many people to consider a permit system tempered by concern that it not become too complicated or too costly, a broader understanding of the challenges of enforcing rules and cleaning up after fires, and some understanding of the value of a period of winter closure to coincide with the BAAQMD Winter Spare the Air Season and to give the beach a break.

Over the following months, NPS staff further developed the ideas presented as possible next steps during the February 2015 public meeting. An interdisciplinary park team held discussions to determine the feasibility of a permit system, winter rest period, and support from the City and County of San Francisco (CCSF). From these discussions, a set of proposed actions were developed for a presentation to the public.

On September 24, 2015 the NPS hosted a public meeting discussion and listening session to present and hear feedback on the proposal for changes to the Ocean Beach Fire Program, including the permit system, winter rest period, CCSF support, and new fire rings and signage. There were 26 people in attendance, and following a presentation of the proposal a panel of park staff hosted an extended question and answer period where concerns were raised, comments were heard, and questions were answered. Along with the feedback heard during the meeting, the public also provided comments through correspondence such as letters, email, and by comment card. See section “G. PRE-PROPOSAL PUBLIC COMMENT (SCOPING COMMENTS)” for a detailed account of the feedback received and park responses to the questions, comments, and concerns submitted for each theme.

B. PRE-PROPOSAL SCOPING SUMMARY

Public feedback on the Ocean Beach Fire Program was received during the September 24, 2015 public meeting and through correspondence sent prior to this proposal’s release. The public feedback received addressed the following broad themes. Each theme is followed by park responses which are meant to give additional details, remedy confusions, and provide further insight into the NPS’s motivations behind the proposal.

- **Theme 1 – Amount of Fire Rings**

A large majority of the comments received specifically addressed the number of fire rings that would be available on the beach. Commenters recommended that between 8 and 30 or more fire rings be made available. A majority of commenters felt that 12 rings would be too low to satisfy demand.

Concerns were raised that if the supply of fire rings did not meet the demand for fires that the number of fires outside of rings would continue, causing an increase in non-compliance, environmental impact, and enforcement issues. These concerns have been addressed in section “F. OPTIONS UNDER CONSIDERATION”.

- The 2014 Revised Pilot Program made it clear to the park and the public that the demand for beach fires can greatly exceed the 12 rings currently available, particularly on weekend evenings and during nice weather. The NPS must balance this demand for a recreational resource against the associated costs in staff time and materials for maintenance, as well as expected enforcement costs. These costs are expected to increase proportionately with the number of fire rings that are made available.
- The NPS also understands that due to the level of non-compliance, current conditions have a disproportionately high cost compared to those which would be expected under a sustainable program. It is also clear that no system is perfect, and under any program some level of non-compliance is expected, which will always carry a cost to the National Park Service (NPS).

- **Theme 2 – Requiring Permits for All Fires**

The proposed change to require permits for all groups, including those of less than 25 people, received mixed feedback. While many felt that permits were an undesirable tool, many commenters also felt that some method is needed to increase compliance in conjunction with other changes to the beach fire program.

- Following the 2014 Revised Pilot Program, the NPS spent many months exploring different possibilities for meeting the purpose, need, and objectives of a sustainable Ocean Beach Fire Program. After much deliberation, it was determined that a permit system in conjunction with other changes offered the best chance of increasing compliance and moving toward a program which was able to offer recreational beach fires sustainably in the long term.

- **Theme 3 – Permit Cost**

The proposed cost of \$25-\$35 per permit, which translates to about \$5 to \$2 per person, depending on the group size, was presented during the public meeting discussion and listening session held on September 24, 2015. The cost was met with concerns that it would place a disproportionate burden on low income populations. Many commenters sent correspondence to the park using a form letter which requested permits cost a maximum of \$5.

- During the February 2015 Public Meeting held to discuss the results of the 2014 Revised Pilot Program, a permit system was first proposed to the public as one option for the future. Under initial investigation, it was proposed permits could cost \$75 or more if they were to be used for cost recovery purposes. At that time it was acknowledged that while permits could be proposed in the future, it was unlikely they would ever be able to entirely provide for cost recovery of the fire program. Therefore, the public was presented with a cost range of \$25-\$75. During that meeting we heard the public’s distinct preference for the lower end of that range.
- Upon a more in depth investigation of the costs associated with the fire program, and working with Supervisor Eric Mar, the City and County of San Francisco (CCSF), and the San Francisco Recreation and Parks Department (SFRPD) to verify that \$185,000 was appropriated for support of the Ocean Beach Fire Program, it was determined that the NPS could feasibly propose a permit cost of \$25-\$35, which was presented at the September 24 meeting. This cost was based on the expectation of partial cost recovery, which was roughly estimated at \$60,000 annually, and an assumed affordability when the permits would average \$1-\$7 per person in groups between 5-24 people. That basis was balanced by a price point designed to be high enough to counter the

known high demand for the resource and influence behaviors toward increased planning and against 'no-shows' or forgotten reservations.

- As an urban park interested in attracting diverse visitors, the NPS wants to ensure this recreational opportunity is kept within reach for everyone. To accommodate low income populations the NPS included in the initial proposal four designated fee-free days in accordance with the NPS entrance fee-free days. The proposed permit system would also direct youth and other fee-free groups to contact the Office of Special Park Uses for accommodation.

- **Theme 4 – Methods of Issuing and Obtaining Permits**

A diverse set of comments and concerns were shared regarding the proposed Recreation.gov system for issuing and obtaining permits. Some commenters were concerned that only visitors who had access to the internet would be able to get a permit. To clarify, the Recreation.gov system which was included in the initial proposal has the ability to take permit reservations with both the online system using a computer or mobile device, and over the phone using the toll free number.

Concerns were also raised that a permit system would limit the spontaneity many people associate with having a beach fire. Many comments received in form letters recommended permits be made available immediately on site. Some recommendations were explicitly for the ability to pay with cash in an envelope (as with an "iron ranger"), and others for automated machines which would provide permits on site. These concerns have been addressed in section "F. OPTIONS UNDER CONSIDERATION".

- One impetus for the initial concept of the permit system was as a tool which would increase compliance with regulations by rewarding additional planning prior to having a fire. The Recreation.gov system was reviewed alongside multiple other options and was determined to best meet the logistical requirements of providing permits for beach fires. The Recreation.gov system would reward planning by allowing peak times to be booked up to 30 days in advance, while also accommodating a reasonable level of spontaneity by allowing unreserved fire rings to be permitted within a few hours of the permit time beginning.
- The Recreation.gov system was also chosen for its ability to meet the needs of all NPS visitors, many of whom have expressed a general movement toward looking for increasingly electronic and mobile means of permitting and communications.
- The NPS is aware that the Recreation.gov system, as with all permit systems, has some limitations. Most notably, the system allows only credit or bank card payments, and would be limited to one permit per fire ring per day. Under consideration of the public feedback asking for an on-site permit system allowing for more spontaneity, and to address some of the known limitations, the NPS has amended the initial proposal to provide for the possibility of an on-site permitting system in addition or instead of Recreation.gov.

- **Theme 5 – Permitted Fire Times, Curfew, and Number of Permits per Day**

Along with other concerns regarding the permit system, a majority of comments recommended a change in the proposed times which fires would be allowed on the beach. Some comments received by form letter called for fires to be "allowed anytime from dawn to 9pm", and some were changed to reflect "dawn to 10pm". A few comments were received asking for other curfew times, ranging from 12pm (noon) to 12am (midnight), with details including changes for weeknights versus weekends. The concern was also raised that a 9pm curfew requires fires to be out before darkness. These concerns have been addressed in section "F. OPTIONS UNDER CONSIDERATION".

The proposal presented to the public on September called for two permit periods per fire ring per day, during the times of 10am-3pm and 4pm-9pm. The public voiced concerns that the two permit times

would lead to confusion and conflict. There was also a question posed if the NPS was planning to clean the fire rings between the daily permit periods to provide a consistent experience for all groups. These concerns have been addressed in the NPS Preferred Action Proposal, element 1. Permit System.

- The initial proposal for a 10am start for fires reflected a desire to allow time for maintenance staff to arrive in the mornings and clean the fire rings. Cleaning of fire rings is a time consuming process, even for a dedicated multi-person crew. When considered with the fact that the early morning hours represent a period of very low demand, it is not safe or logistically feasible for maintenance crews to clean the beach in darkness during the hours before dawn.
- Law enforcement staff has been generally positive about the response to the 9:00pm curfew during the 2014 Revised Pilot Program, citing greater ease in gaining compliance with the 10:00pm parking lot closure. Rangers also expect to more readily be able to enforce non-compliance with a 9:00pm curfew.
- The initially proposed two time frames per day represented the NPS's attempt to provide additional utility from a limited resource. The system was envisioned to allow up to double the number of groups able to have a fire each day, and also increase permit revenues in order to help keep permit costs low. In reviewing public comment and working with law enforcement and maintenance staff, the NPS understands that there would be logistical concerns in implementing two permit time periods per day. To address this concern, the proposal has been modified to offer a single permit per fire ring per day under the Recreation.gov system.

- **Theme 6 – Allow Fires All Year Long**

A majority of the form letters the park received called for fires to be “allowed [...], year round”. Similar feedback was heard during the public meeting and in other correspondences. Some of the comments received spoke of fondly remembered winter experiences; others reasoned that fires make the most sense during the winter.

- The NPS believes the Winter Rest Period, which is the seasonal period of time from November to February during which fires would not be allowed on the beach, would be integral to the success of the Ocean Beach Fire Program. Principally, the rest period aligns with the Bay Area Air Quality Management District's (BAAQMD) Winter Spare the Air season, and has evolved from an initial request from the BAAQMD to consider not allowing fires during that season. In response, the NPS developed the proposed program with the understanding that the Winter Rest Period also aligns with an existing lower demand period and would provide a significant decrease in localized impacts to air pollution in the form of suspended particulate matter while avoiding significant impacts to public use.
- The Winter Rest Period also contributes to the success of the Ocean Beach Fire Program by improving the financial feasibility of the program. Reducing investment in a resource intensive program during the non-peak season enables more success during peak periods.
- A reduction of the impact to the integrity of the beach ecosystem would also be sustained through a function of the Winter Rest Period allowing for a comprehensive cleaning of the beach following the peak usage season.
- For internal operations, the Winter Rest Period provides for increased employee health and wellness as well as an ideal time for program evaluation, communication with the public, and program adjustment.

- **Theme 7 – Minimum Age Requirement**

One concern that was heard from a number of parents was that the proposed program, which called for a minimum permit signatory age of 18, would prohibit their teenage children from enjoying a fire on

Ocean Beach. Some parents expressed their concern that recreational fires are one of the few remaining freedoms for teenagers to have an unsupervised experience in nature. These concerns have been addressed in section “F. OPTIONS UNDER CONSIDERATION”.

- Current regulations require that “Minors must be supervised. A responsible leader, 21 years or older, must be present for every 10 children under 18 years of age.”¹ The permit system in the NPS Preferred Action Proposal would keep this regulation in place. The minimum signatory age of 18 is also proposed to facilitate another proposed permit condition which states, “Permit holders are assigned additional liability to the furthest extent permissible by law.”
- Under consideration of public feedback, the NPS acknowledges that recreational beach fires represent a resource which should be made available to the most diverse range of visitors possible. In recognition of that objective, the NPS has added an option under consideration to explore the feasibility of offering additional opportunities for youth under 18 to enjoy the Ocean Beach fire experience.

- **Theme 8 – Maintenance**

A small number of the comments received provided recommendations for alternative options of contending with maintenance issues and supplementing maintenance activities associated with beach fires. One commenter recommended use of a mechanized beach rake, another recommended an ‘adopt-a-fire-ring program’ with local high schools, and others recommended working with the public to clean the fire rings. Maintenance of the beach is addressed partially in element 3. Partnership With San Francisco Recreation and Parks Department (SFRPD), and volunteer programs are addressed in element 7. Public Outreach and Education.

- GGNRA currently has a mechanical beach rake available for use at Ocean Beach. Resource limitations have dictated staffing levels which have not allowed the device to be utilized as had been intended. The dedication of additional park resources toward maintenance addressing the Ocean Beach Fire Program would be made possible through a combination of the revenue provided by the permit system, support provided by the San Francisco Recreation and Parks Department, and additional NPS funding requests. These measures would be expected to provide the additional resources and staffing levels to allow for use of the mechanical beach rake.
- During the monitoring period of the 2014 Revised Pilot Program hazardous materials were found by maintenance staff while cleaning the fire rings on 96% of occasions. These hazardous materials included hot coals, broken glass, nails/screws, syringes/sharps, batteries, and accelerant containers. Due to this high level of non-compliance with regulations, volunteers such as high school students or the general public are poorly suited to safely contend with the condition of the fire rings and would be put at an untenable level of risk if tasked with cleaning the fire rings.

- **Theme 9 – Enforcement**

Much of the feedback received during the public meeting and through correspondence related to the level of enforcement of current beach fire regulations. Some commenters had questions about current policies and requests for associated data. Others had concerns the small number of citations issued have been and would continue to be perceived as a lack of willingness to encourage compliance with regulations. These concerns are addressed in element 6. Increased Enforcement.

The park also received requests to consider an alternative in which enforcement was increased without other associated program changes. This request could be considered under the discretionary authority of the Superintendent.

¹ Golden Gate National Recreation Area, 2014

- Current rules, regulations, and laws for fires on Ocean Beach can be found on the Beach Fire and Campfire Regulations webpage at http://www.nps.gov/goga/learn/management/fire_beachfireregs.htm.
- The Superintendent’s Compendium and other enforcement related information can be found at the Laws & Policies webpage at <http://www.nps.gov/goga/learn/management/lawsandpolicies.htm>.
- The data gathered from the 2014 Revised Pilot Program can be found summarized in this document under section “C. PURPOSE AND NEED” and the Public Meeting Presentation from February 5, 2015 on the program webpage at <http://parkplanning.nps.gov/document.cfm?parkID=303&projectID=52123&documentID=64005>.
- The 2014 Revised Pilot Program was viewed as a short term opportunity during which emphasis could be placed on educational interactions with the public and on gathering data to determine the efficacy of the pilot program changes.
- It is standard practice for the NPS to enforce the regulations which are provided for in the Superintendent’s Compendium. Dependent upon the elements and options chosen under the discretionary authority of the Superintendent, the final action could represent a considered alternative in which enforcement would continue up to the level allowed by available resources with consideration for public and staff safety.

- **Theme 10 – Education and Outreach**

Feedback has been generally positive for the education and outreach initiatives which are currently in place and have been conducted in the past by the NPS and SFRPD. Many commenters raised concerns that although these programs have helped, there has been a lack in the amount of effort and in their consistency of education programs. Some suggested that having the NPS, a park partner organization, or concessionaire sell firewood and/or provide educational materials at Ocean Beach would help with rule compliance. These concerns are addressed in element 7. Public Outreach and Education.

- The 2014 Revised Pilot Program was facilitated by \$60,000 of support from SFRPD in the form of an education, outreach, and volunteer coordinator position. The position has continued to support the fire program and Ocean Beach subsequent to the end of the pilot. From January 2015 to September 2015 SFRPD has led 1,259 volunteers in completing 2,518 work hours. SFRPD has provided for a continuation of that support as part of the \$185,000 allocation provided for the Ocean Beach Fire Program. The work will continue to bolster and improve the outreach and education campaign at Ocean Beach. It will incorporate continued volunteer projects with information shared about proper and safe use of fire pits, and how to be a conscientious community member. Work will also continue with collaboration between the GGNRA/NPS volunteer program and the SFRPD volunteer program.

- **Theme 11 – Sharing Fires and Sense of Community**

A portion of the comments shared during the public meeting, and to a lesser extent in the correspondences, expressed concerns that permitting of fire rings would inhibit the sense of community that can be found, and is nurtured by, the shareable nature of the fire rings.

- The NPS respects and values the community of visitors fostered by the fire rings. The vision of a sustainable program includes “Creating a community that will care for and share the Ocean Beach fire experience, as well as its associated opportunities and effects.”
- The goal of a permit system is to foster a sense of personal responsibility for actions taken in relation to beach fires. None of the proposed options for permit systems would preclude sharing fire rings as long as the total number of visitors per ring is less than 25. The proposed permit

system options would however require that a permit holder is present at all times, who has agreed to be responsible for the fire ring and the actions of their group.

- **Theme 12 – Unused Reservations**

One major concern of the public about the initial proposal was how unused fire rings could be made available to the public. Concerns centered on the expectation that conflict would arise in situations where a ring was left empty or unused due to forgotten reservations, ‘no-shows’, unsold permits, or early departures. These concerns have been addressed in section “F. OPTIONS UNDER CONSIDERATION”.

- The initially proposed permit cost range of \$25-\$35 was expected to strike a balance between affordability and a price point which would preclude situations such as forgotten permits and ‘no-shows’. Similar to a lack of spontaneity, the Recreation.gov system has a recognized limitation in not being able to offer permits after the cut off time, which could allow for fire rings to go unused.

- **Theme 13 – Signs**

Some of the verbal feedback heard at the public meeting and in correspondence contended that there are currently not enough and/or not well enough designed signs to effectively communicate the existing rules, regulations, and laws about beach fires. Other commenters provided recommendations to include more signs, often in different configurations, location, or with different content. There was also a recommendation given to provide lighted signs. These concerns are addressed in element 5.

Replace Signage.

- The NPS is cognizant of the need to efficiently and effectively communicate regulatory guidelines through signage. Through the different iterations of the fire program on Ocean Beach, different techniques have been implemented, many proving to be ineffective. A major constraint of placing signage at Ocean Beach is that the stairwells, promenade, and O’Shaughnessy seawall are potentially eligible for the National Register of Historic Places, which make them culturally significant features and particularly susceptible to effects of signs.

- **Theme 14 – Smoke**

A major complaint of park neighbors and the BAAQMD is the presence of smoke from beach fires traveling into nearby residential areas. This issue is of particular concern to commenters when inappropriate and hazardous materials are burned, when a larger number of fires are present, during periods of high velocity onshore winds, and during the winter season when suspended particulate matter from wood smoke is more likely to be of concern. These concerns are addressed by element 2. Winter Rest Period and element 6. Increased Enforcement.

- The first step in addressing air quality concerns due to smoke, including suspended particulate matter, was for the NPS to go beyond compliance with regional BAAQMD laws and restrict burning during both summer and winter Spare the Air days. Following that change, which was made as part of the 2014 Revised Pilot Program, the NPS continued to receive complaints of smoke from Ocean Beach fires. To further address this concern, the NPS has included within this proposal, for the Ocean Beach Fire Program, the option to disallow fires completely during the Winter Spare the Air season.