

GOGA Special Mandates

Note: Items highlighted in yellow are true mandates where the park is required to perform some special action. Items not highlighted are worthy of notation because they affect park administration, but they do not require specific action.

Easements: The park is required to recognize a whole host of title encumbrances, including easement rights for roads, utilities, etc.

Tidelands lease: The park leases tidelands and submerged lands from the California State Lands Commission through July 31, 2036. Under the terms of the lease, the park “shall notify Lessor within 10 days in the event that the public is charged any direct or indirect fee for use and enjoyment of the Lease Premises.” The lease also specified that hunting is not allowed.

PL 92-589 (enabling legislation)

- Any lands or interests owned by the State of California, or any political subdivision thereof, may only be acquired by donation.
- Sec. 4(d)- The Secretary “shall make a study for a coordinated public and private transportation system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties.”

PL 94-389

- The Secretary shall cooperate in Tule elk preservation on federal lands; report annually to Congress on the matter; and develop a conservation plan.

PL 95-625

- Sec. 6- A land acquisition ceiling was set at \$61,610,000 and a development ceiling at \$58,000,000.
- Sec. 317(e)- The Secretary “shall accept and manage any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions.”
- Sec. 317(f)- No fees or admissions shall be charged, except to portions under lease or permit for a specific purpose. The Secretary may authorize reasonable charges for public transportation.

PL 96-199

- Sec. 103(b)- Ceilings for land acquisition were changed to \$46,110,000 and development to \$48,000,000.

PL 98-28

- The Secretary shall erect and maintain a memorial to Phillip Burton at Fort Mason; and inform the public, through maps, signage, programs, etc., of the contributions of Phillip Burton.

Central California Coastal Biosphere Reserve

- A signed MOU mandates, though voluntarily, that the park cooperate with the reserve partners and promote reserve activities.

PL 102-299

- Sec. 2(b)(2)(b)- A new map including the Phleger Estate property shall be created and displayed.

Advisory Commission

- PL 92-589 (enabling legislation), Sec. 5- Established an Advisory Commission for a period of 10 years consisting of 15 members with 3-year terms; required to meet at least once a year.
- PL 96-344, Sec. 4(3)- Advisory Commission shall now last a period of 20 years (revised from 10 years).
- PL 102-525, Sec. 303- Advisory Commission shall now last a period of 30 years (revised from 20 years). [Note- charter of Commission expired in October 2002.]

SPECIAL MANDATES AND ADMINISTRATIVE COMMITMENTS

Special mandates and administrative commitments refer to area-specific requirements. These formal agreements are often established concurrently with the creation of a unit of the national park system. Special mandates generally require the NPS to perform some particular action. Muir Woods National Monument has no special mandates. The ongoing legislative and administrative constraints for Golden Gate National Recreation Area are described below. Those mandates and commitments that have been completed or addressed are listed at the end of this section.

Land Acquisition

Several pieces of legislation dictate how GGNRA shall conduct land acquisition activities:

- The recreation area's enabling legislation, PL 92-589, specified that "any lands or interests owned by the State of California, or any political subdivision thereof, may only be acquired by donation."
- PL 95-625, Sec. 317(e) specified that GGNRA (through the Secretary of Interior) "shall accept and manage any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions."
- PL 96-199, Sec. 103(b) specified that funds spent on land acquisition shall not exceed \$46,110,000.

Recreation Area Management and Administration

- PL 95-625, Sec. 317(f) specified that "no fees or admissions shall be charged, except to portions under lease or permit for a specific purpose. The Secretary [of the Interior] may authorize reasonable charges for public transportation."
- PL 96-199, Sec. 103(b) specified that funds spent on park development shall not exceed \$48,000,000.
- GGNRA signed a Memorandum of Understanding (MOU) for the Central California Coastal Biosphere Reserve that requires the recreation area to cooperate with the reserve partners and promote reserve activities. Although the MOU is voluntarily, it created a special administrative commitment. GGNRA has continued to promote the significance of resources within the recreation area and the reserve.

Peninsula Watershed Conservation Easement

On January 15, 1969, the United States of America was granted a conservation easement on watershed lands owned by the City/County of San Francisco. Two separate easements, a scenic easement and a scenic & recreation easement, were granted by San Francisco and accepted by the Secretary of the Interior. As the local federal land management agency, GGNRA was charged with the responsibility of monitoring for compliance with the terms of the easement. The scenic easement generally includes all lands (and waters) west of the eastern shorelines of the Crystal Springs and San Andreas Reservoirs. The primary purpose of this easement is to preserve the property in its natural state while expressly permitting "the collection, storage and transmission of water and protection of water quality for human consumption." The scenic & recreation

easement generally includes all lands east of the eastern shorelines of the Crystal Springs and San Andreas Reservoirs. The primary purpose of this easement is to preserve the property in its natural state while expressly permitting “the collection, storage and transmission of water and protection of water quality for human consumption; outdoor recreation; and other [compatible] uses.” Both easements contain numerous restrictions on use of the property. The scenic & recreation easement also grants the general public “the right, subject to rules and regulations as may be imposed and published by [the Public Utilities Commission], to enter the premises for recreational purposes.” GGNRA has the right and obligation to monitor use of the land for consistency with the terms of the two easements.

Other Easements

GGNRA is required to recognize numerous title encumbrances, including easement rights for roads, utilities, etc. These privately held rights can affect park operations.

Tidelands Lease

GGNRA leases tidelands and submerged lands from the California State Lands Commission through July 31, 2036. Under the terms of the lease, the recreation area is required to notify the State within 10 days in the event that the public is charged any direct or indirect fee for the use and enjoyment of the leased areas. The lease also specified that hunting on leased lands is prohibited.

Mandates and Commitments Already Completed

Transportation Study

PL 92-589, Sec. 4(d) required GGNRA to “make a study for a coordinated public and private transportation system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties.” The Golden Gate Recreational Travel Study (GGRTS) was completed in 1979? and its recommendations were incorporated into the 1980 GMP. Addressing transportation issues was a major focus of the original GMP and the recreation area continues to review and revise their approach to transportation needs. Transportation and visitor access is again a prime topic for this GMP.

Advisory Commission

Section 5 of GGNRA’s enabling legislation (PL 92-589) established an advisory commission for a period of 10 years from the date of enactment (October 27, 1972). It was to consist of 15 members with 3-year terms and the commission was required to meet at least annually. In 1980, PL 96-344 extended the charter of the advisory commission to a total of 20 years, increased the number of members from 15 to 17, and increased a member’s maximum term length from 3 to 5 years. Three months later in 1980, the membership of the commission was increased from 17 to 18. The charter was extended again in 1992 to a total of 30 years by PL 102-525, Sec. 303. The commission’s charter officially expired on October 26, 2002. Although the commission is no longer in place, GGNRA has continued their commitment to public involvement by holding quarterly issue meetings that are open to all members of the public. The Superintendent’s office meets regularly with elected officials and staff

from other agencies to update them on park projects and listen to their concerns. The recreation area also hosts numerous public meetings and workshops to gather and incorporate public input into NPS projects.

Tule Elk Plan

PL 94-389 required GGNRA to cooperate in Tule elk preservation on federal lands; report annually to Congress on the matter; and develop a conservation plan. The conservation plan was completed in 19xx and GGNRA has been cooperating with Point Reyes National Seashore to monitor Tule elk populations.

Phillip Burton Memorial

PL 98-28 required GGNRA to erect and maintain a memorial to Phillip Burton at Fort Mason; and inform the public, through maps, signage, programs, etc., of the contributions of Phillip Burton. The memorial was constructed in 1990 and includes a wayside exhibit that informs the public about Phillip Burton's contributions.

Phleger Estate Map

PL 102-299, Sec. 2(b)(2)(b) required that a new map including the Phleger Estate property be created and displayed. GGNRA periodically revises its maps to reflect recent land acquisitions. The Phleger Estate property is included in the recreation area's main brochure and on NPS signs.