



United States Department of the Interior

NATIONAL PARK SERVICE

Point Reyes National Seashore
Point Reyes, California 94956

IN REPLY REFER TO:

L3019

NOV -6 2017

Nancy Scolari
Marin Resource Conservation District
Box 1146
Point Reyes Station, CA 94956

Dear Nancy:

This is in response to inquiries from you and others regarding the Marin Resource Conservation District (RCD) consideration of Carbon Farm Plans/grants for ranch operations on National Park Service (NPS) lands. In September, park staff discussed with you the current situation with regard to the Settlement Agreement and consideration of potential practices under the carbon farm program. Subsequently, it is our understanding that the RCD decided to hold on applications within the park due to uncertainty about the interpretation of the Settlement Agreement with potential plans. Because questions continue to arise about how the Settlement Agreement affects the ability of park ranchers to participate in programs such as the Carbon Farm Plan initiative, I want to provide some clarification on the considerations that the park must take into account for such requests.

On July 14, 2017, the Court approved the multi-party Stipulated Settlement Agreement and Order (Settlement Agreement) to resolve litigation in the case of RRI v NPS [Case No. 4-16-cv-00688-SBA(KAW)]. Signatories to the Settlement Agreement include nearly all park ranchers, Point Reyes Seashore Ranchers Association, and County of Marin, in addition to plaintiffs and the NPS. The NPS has issued Interim Leases to ranchers who signed the Settlement Agreement, with terms ending July 14, 2022. The activities authorized under the Interim Leases are defined in Paragraph 5 of the settlement agreement:

"The Interim Leases shall allow existing ranching operations to continue under current terms and conditions, but shall not allow for expanded or new uses (e.g. additional or new types of livestock or crops, or other commercial operations like bed and breakfast or processing facilities)."

While the Interim Leases are in effect, the NPS must ensure that activities and practices on park ranches are consistent with the requirements of the Settlement Agreement. A determination by the NPS regarding a proposed activity during the interim period should be interpreted only as a judgment for consistency with the conditions of paragraph 5 of the Settlement Agreement. It is not a judgment on the validity, effectiveness, benefits or impacts of any proposed practice in the future should the NPS authorize continued ranching in the park through the General Management Plan Amendment process. The NPS initiated the General

Management Plan Amendment process in October 2017, which when complete will provide the overall guidance for management of approximately 28,000 acres of NPS land, including all lands currently leased for ranching within Point Reyes National Seashore (PRNS) and the north district of Golden Gate National Recreation Area (GGNRA).

If the RCD is interested in pursuing applications Carbon Farm Plans/grants on park ranchlands while the Interim Leases are in effect, please provide a list of specific practices proposed for each ranch and any other information that would assist the NPS in determining whether the practice is consistent with the requirements of the Settlement Agreement.

In an effort to help the RCD understand how some of these practices may be interpreted, we have grouped them into general categories for discussion.

Practices that have been implemented on most permit areas and are generally consistent with current permits:

- Riparian Restoration
- Riparian Forest Buffer
- Critical Area Planting (specific to erosion control or riparian planting using approved species)
- Riparian Herbaceous Cover (using approved species)
- Wetland Restoration
- Tree/Shrub Establishment (natural establishment and riparian restoration)
- Combustion System Improvement (Farm Equipment is personal property)

Practices that may be consistent with current authorized uses in certain areas:

- Forage Biomass Planting (generally limited to permitted silage areas)
- Conservation Cover (generally limited to permitted silage areas)
- No Till (generally limited to permitted silage areas)
- Field Border / Filter Strip / Grassed Waterway (generally limited to permitted silage areas and dairy or feed area impact lots)
- Improved Nutrient Management (improvement/refinement of locations for current manure spreading practices would be considered).
- Prescribed Grazing (if practice does not exceed current authorized annual and maximum stocking rates)

Potentially new activities or activities that are not defined enough to judge at this time:

- Silvopasture Establishment on Grazed Grasslands
- Windbreak/Shelterbelt Establishment
- Hedgerow Planting
- Restoring Degraded Rangeland w/ Compost
- Range Planting
- Anaerobic Digester (RCD would need to clarify if this new equipment would change field operations, applications, etc.)

Should you have any questions regarding the status of the Settlement Agreement and planning process, please contact the park Management Assistant Brannon Ketcham at 415-464-5192. If you have questions regarding the specific practices discussed above, please contact the park Range Program Manager Dylan Voller at 415-464-5216.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia MacLeod". The signature is written in a cursive style with a large initial 'C' and a long, sweeping tail.

Cynthia MacLeod
Acting Superintendent