

Comments regarding the Ranch CMP:

- BMPs should include carbon-beneficial practices

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2014 MAY -7 AM 9:17  
POINT REYES NS

Your Name: \_\_\_\_\_

Mailing or email address: \_\_\_\_\_

Organization (if applicable): \_\_\_\_\_

Member                      Official Representative                      (circle one)



## Providing Comments

Please provide your comments online using the NPS's Planning, Environment, and Public Comment (PEPC) web site at: <http://parkplanning.nps.gov/ranchcmp> or use the reverse of this page to record your comments and ideas about the Ranch Comprehensive Management Plan/Environmental Assessment (Ranch CMP).

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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

2015 is too long to wait to solve this problem. You need to move / eliminate the elk in the problem areas now.

They moved 30 elk in 1998 to limanton, so they can move them back - or cull them.

Consider hunting the elk.

Ranchers could sell a bull elk tag for at least 5000<sup>+</sup> / a piece. 10 Elk = minimum of 50,000 + - This money could be put to a habitat restoration / wilderness project.

We now have a local slaughterhouse. Consider the value of local, wild raised elk, locally slaughtered - steaks + sausage - yum! People would support it -

Your Name:

Laura Arnett

Mailing or email address:

Point Reyes Station

Organization (if applicable):

Member

Official Representative

(circle one)

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POINT REYES S.S.



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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

I LIKE THE IDEA OF THE ELK  
 BEING ALLOWED TO GRAZE FREELY  
 ON ALL PARK LAND IN POINT REYES  
 I BELIEVE THEY CAN BE MANAGED IN  
 A WAY THAT WOULD BE BENEFICIAL  
 TO NOT ONLY THE COASTAL ZONE  
 BUT ALSO IN FORESTED AREAS AS  
 THEY ARE ALREADY IN THE MUDDY  
 HOLLOW AREA. TO KEEP THE NUMBERS  
 DOWN MAYBE CULLING NOW AND AGAIN  
 FOR SOUP KITCHENS OR INDIVIDUALS  
 WITH SPECIAL HUNTING LICENSES TO  
 SHARE WITH THE COMMUNITIES HERE IN  
 WEST MARIN AND BEYOND.

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 2011 MAY -7 AM 9:17  
 POINT REYES NS

Your Name: WALTER HOFFMAN

Mailing or email address: [REDACTED]

Organization (if applicable): EAC

Member       Official Representative       (circle one)



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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

IT WOULD BE GOOD AND FAIR TO ALL TO  
 KEEP AN EYE (AND TEST IT) ON THE  
 PULSE OF THE WATER QUALITY ON THE  
 RANCHES ON THE POINT REYES PENINSULA  
 SO THAT ALL THE WILDLIFE AS WELL AS  
 THE CATTLE GET GOOD CLEAN WATER  
 TO DRINK BY NOT OVERGRAZING THE  
 RANCH LANDS. I'VE NOTICED IN THE FALL  
 THE STREAMS AND DRAINAGES IN THE  
 POINT REYES AREA RANCHES TURN GREEN  
 WITH THE LARGE AMOUNTS OF BOVINE  
 WASTE BEING WASHED INTO THESE  
 WATERWAYS. THERE IS SO MUCH MANURE  
 IN THE WATER EVEN THE SURF IS  
 GREEN FROM THE RUNOFF.

Your Name: WALTER HOFFMAN  
 Mailing or email address: [REDACTED]  
 Organization (if applicable): EAC

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Member       Official Representative      (circle one)



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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

① <sup>Response</sup> food security is a real looming issue. Please be as progressive as possible in considering all ways to support healthy food production on all reasonable productive land. We have young farmers willing to grow, people who are willing to not own the land or even have controlling interest in the land. This ~~is~~ is a naturally occurring paradigm shift happening all around us. Diversify land use.

② The federal government, as well as the park service, appears to work something like a giant sloth. It lumbers and moves slowly. Business, especially the dairy business, by necessity is a fluid, fast moving balance of many variables - weather, feed prices, gas prices, milk prices, etc. It is hard to understand how these two models can work together and support both. In the last 7-10 years the Park Service has seemed to be a big, unresponsive, uninterested entity, mostly concerned with its process and ~~its~~ mission and less interested in <sup>not ~~able~~ to be</sup> a very good ~~ne~~ neighbor.

③ Any plan that comes out of this needs an escape ~~plan~~ clause. "If we change this, and it doesn't work as we imagined, we can go back to where we were and start again". This needs to be articulated in many ways and ensure that a fix like the present situation with the tule elk <sup>does not</sup> happens again. The process is too slow the way it is now.

Your Name: Jenefer Merrill (I also signed in)

Mailing or email address: [Redacted]

Organization (if applicable): community member

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21/MAY/17 AM 9:17  
POINT REYES NS

Member

Official Representative

(circle one)



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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

④ If we are to develop as a culture we have to learn how to find community solutions. That means dialogue. This process is good in that people can talk but in a way it is too one sided. All sides need to be heard and to speak up. Fancy graphics and nice people in uniforms <sup>who listen well</sup> don't really leave you with the sense that you can believe you have a shared interest, vision and commitment at the end of the day.

⑤ Shoot those elk and sell the meat to support more visitation to the park from communities who have a hard time getting here.

⑥ Is there a way for the park service to influence the wages and fair housing of the workers in the businesses in the park. I ~~am~~ am sure wages and housing are fair for park employees. <sup>How</sup> to influence the businesses is a question. The underclass that is necessary to support the food industry (and maybe any animal handling like the stables) needs to be acknowledged and supported to help us all become better people.

Thanks for listening.

Your Name: Jenefer Merrill #2

Mailing or email address: \_\_\_\_\_

Organization (if applicable): \_\_\_\_\_

Member

Official Representative

(circle one)

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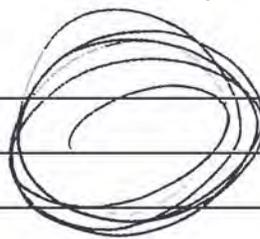
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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:



- Why NOT CONTINUE HAZING efforts?  
They seem to be effective.

- MORE hazing, more reinforcement, leads to  
elk trained to stay out of   
where they don't belong.

Use some of lease-money to hire additional  
elk wranglers?

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Your Name: Devon O'Rourke

Mailing or email address: 

Organization (if applicable): \_\_\_\_\_

Member

Official Representative

(circle one)



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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

## Comments regarding the Ranch CMP:

It is a terrible idea to increase lease periods

Cattle ranching is a terrible operation to have in a public park

Ranching should stop ASAP. It is the leading cause of global warming, beef production is all about killing cows + its wrong for this to occur on public land.

Dairy is even more cruel, cows are regularly raped to keep them pregnant/lactating. Their babies are taken away at 24hrs old to be sold as veal or they are killed outright at 1 day old! The dairy + meat are leading causes of chronic disease in the country + consumption of animal products is the main reason our healthcare system is going bankrupt.

We do not have an obligation to make ranching viable for these ranchers just because they've been here for generations. Do what's best for the environment, people + the cows themselves and stop this ranching madness. If necessary, buy them out or let them maintain residence for 20 years. Animal agriculture is a DYING industry, get with the program!

Do not kill any elk, do not sedate them for any reason (this results in deaths). Let the elk be wild. If necessary, use non-harming methods to encourage them to stay away from the ranches, but ~~do~~ trump ranchers. It's a park not a ranch!

Removing the ranches will also be best for all wild elements of the park. It will limit the terrible problem of invasive species.

Your Name:

Erin Pinto

Mailing or email address:

Organization (if applicable):

Member

Official Representative

(circle one)

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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

① The review process needs shortening

② Please set December 31, 2014 as the date for the end of the "Prepare and Release Ranch CMP"

③ Please set March 30, 2015 as the date for the Decision Document

Too much damage occurs because this process is so drawn out

Your Name: Robert Steinberg

Mailing or email address:

Organization (if applicable):

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POINT REYES N

Member

Official Representative

(circle one)



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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments regarding the Ranch CMP:

My understanding is there is protection for the ranches around the Puice Point Elk herd as part of that initial plan. Since the park relocated elk without a plan to protect the ranches at the southern section of the peninsula, the park is obliged to take responsibility for the damage the elk are doing to these ranches. Immediately. Initiating a plan is good, but the ranches are in immediate danger financially, possibly losing organic certification and physical harm to their herds and structures. These issues cannot wait for a new study.

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Your Name: S. MELANIE STONE

Mailing or email address: [REDACTED]

Organization (if applicable): W.M. Community Services  
W.M. Chamber of Commerce  
Member Official Representative (circle one)  
of Point Reyes National Preserve



## Providing Comments

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Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

Comments of Bill Wigert  
 National Park Service  
 Public Scoping Meeting  
 Ranch CMP  
 May 6, 2014

I am a long time resident of West Marin. I founded the Blackthorne Bed & Breakfast Inn in 1982. I am presently the owner, with my wife, of the Black Heron Bed & Breakfast Inn. As an attorney I have represented the Sierra Club and the Environmental Defense Fund in environmental litigation.

The very first chapter in NPS's Environmental Assessment should be titled: "How the NPS plans to maintain the economic viability of the ranches and ranchers within the Point Reyes National Seashore".

Saving and preserving the ranches and agriculture was the very bedrock of the formation of the PRNS. The NPS has a social contract not only with the ranchers but with the general public as well to uphold its obligation.

Too often the NPS has forgotten these obligations. Too often the NPS has been an impediment and a roadblock to the ranchers.

The ranchers have demonstrated to those of us who live in West Marin that they are fine stewards of the land – in fact they are the best stewards of the land. Regrettably the NPS has not maintained a very good record on ranch land stewardship within the PRNS.

Agriculture in PRNS is intricately woven into the West Marin landscape and plays a fundamental role in our region's role a national leader in sustainable, organic, local agriculture. Nothing should be done to alter this relationship. The NPS should act with flexibility and encouragement in dealing with the ranchers.

The first item in the first chapter of the NPS's Environmental Assessment should state what the NPS has **done** to remove unwanted elk from rancher's lands. Note: I said what they have done, not what they will do. Action needs to be done now to remove elk from ranches where they don't belong. This should not wait until this Environmental Assessment process is finished.

The NPS brought the elk into the Point Pierce Ranch originally and they can take them out now. We know how quickly and firmly the NPS can get rid of unwanted animals. A case in point is the removal of the fallow and axel deer. The park hired rifle men to gun down these animals from helicopters. We've learned that slaughter is not necessary and that animals can be captured by dropping nets from helicopters and by other techniques

Unless the NPS works co-operatively to promote economically viable ranches it will find itself surrounded by a hostile community indeed.

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To: Point Reyes Ranch CMP/EA  
Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

From: Edward Loosli  
President, The Wildlife Trust  
120 La Bolsa Road  
Walnut Creek, CA 94598  
email: Ed-L@sbcglobal  
Cell-Phone: (503) 437-3005

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2014 MAY 28 AM 11:26

POINT REYES NS

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**Point Reyes National Seashore (PRNS)**

**May 27, 2014**

**SCOPING TOPICS and COMMENTS - the Point Reyes Ranch CMP/EA**

**1. Legal Issues concerning commercial grazing leases/permits within PRNS:**

**The purpose of the U.S. National Park System under law:**

*"In national parks, the supreme law of the land is the 1916 Organic Act that identifies a single priority holding sway above all other factors: Conserving park wonders unimpaired by harm caused by incompatible uses. Upheld by later court rulings, the Organic Act is crystal clear: the NPS's first obligation is to resource protection, and commercial or recreational uses may be precluded if they impair park resources or values." - Robert B. Keiter; natural resource legal scholar, attorney, founding director of the Wallace Stegner Center for Land, Resources and the Environment at the University of Utah's Quinney Law School, eminent American authority on national park policy. -*

Nowhere is it stated that there is an inherent right of individuals or corporations to secure permanent or long-term use, favors or benefits within the National Park Service system units. After the National Park Service bought all the private inholdings within the designated boundary of PRNS, agreements between the former land owners and the NPS allowed for the temporary leasing/permitting of certain pastoral lands within PRSN for livestock grazing and dairy operations.

**1a. Length of Grazing Leases/Permits within PRNS:**

The NPS must explain in the Scoping/EA process the statutory authority that would allow the Secretary of Interior and the NPS to issue up to 20 year grazing leases/permits within PRNS.

**1b. Short term leases/permits revert to the NPS:**

At the expiration of the each current short-term lease/permit, the land should revert to the NPS and these former commercial grazing lands should be restored to native coastal prairie and costal scrub for the use of native wildlife, scientific study and passive recreation by the general public.

**1c. Up to 20 year leases/permits revert to the NPS:**

Since former Secretary of Interior, Ken Salazar stated he wanted to see commercial cattle leases/permits extended for up to 20 years, if this directive and time-frame is found to be legal and is then included in the Ranch Management Plan, then it must also be stated in the Ranch Management Plan that, all the extended commercial leases/permits will revert to the NPS after their time has expired. The formerly leased/permited land will then be restored to coastal prairie and coastal scrub for use by native wildlife, scientific study and for passive recreation and enjoyment by the general public.

## **2. Endangered Species Act compliance and enforcement:**

### **2a. Establish critical habitat in PRNS for all threatened and endangered species of plants and animals listed under the California and Federal Endangered Species Acts:**

Unfortunately, there are now approximately 292 species of non-native exotic plants within PRNS, including a wide variety of non-natives within the Pastoral Zone. Over 50 plants at PRNS are currently listed by the Federal government, State government, or the California Native Plant Society as being rare, threatened, or endangered. The required establishment of critical habitat for the listed threatened and endangered species is vital to their recovery at PRNS in general and within the Pastoral Zone in particular.

### **2b. Remove non-compliant uses within PRNS, including its Pastoral Zone, that are in conflict with the recovery and restoration of listed threatened & endangered species:**

The non-compliant uses include, but are not limited to; domestic livestock grazing, cultivation-agriculture and the growing of exotic non-native plants within PRNS. The DEIS (p198) for the Drakes Bay Oyster Company case prepared by the NPS states that - the primary source of bacterial pollution affecting the water quality of Drakes Estero is from cattle waste originating from the six cattle ranches within the watershed. The Drakes Bay Oyster Company lawyers concurred with this finding by the NPS.

### **2c. Restoration of native plant communities and native wildlife:**

A pro-active approach should be undertaken by the NPS within PRNS in general and in the coastal-prairie lands in particular, including the Pastoral Zone, to restore native plants to their endemic habitats. Because the native pronghorn antelope were eliminated from the Pt. Reyes peninsula by ranchers and hunters by the late 1800s, it is important that the Ranch Management Plan include a detailed plan and schedule outlining a program to re-introduce this iconic and popular species to PRNS.

## **3. Methods for retiring leases/permits upon their expiration and including buy-out methods for lease/permit holders who are willing to relinquish their leases/permits:**

### **3a. Retiring non-conforming or non-compliance leases/permits:**

To fulfill the long term goals of the NEPA and other environmental laws and NPS regulations and to maintain the important adaptive management abilities of the National Park Service, there must be a method of retiring leases/permits within PRNS before their expiration dates, if they are determined to not be supporting the goals and rules of the Ranch Management Plan, including the inheritance/lineage requirements or otherwise are shown to be harming PRNS natural resources belonging to the American public and managed by the NPS. Land leases/permits within PRNS should not be permanent and should automatically terminate at the expiration of the lease/permit. An optional exception can be made to lease/permit termination if the NPS chooses to clearly demonstrate that a specific individual lease/permit is an essential and positive addition to the natural resources of PRNS.

### **3b. Buy-outs of leases/permits from willing leasees and permittees:**

If any lease/permit holders wants to voluntarily be bought-out of their lease/permit, they should be facilitated in this request by the NPS. National and state wildlife conservation non-governmental organizations are also willing to help negotiate and help fund buy-outs of PRNS leases/permits from willing sellers.

### **3c. Inheritance of PRNS lease/permits:**

The Ranch Management Plan must explicitly hold to the original intent of the PRNS founding principles:

- \* Current and succeeding lease/permit holders must have a direct blood-line connection to the owner of the assigned ranch at the time of the founding of PRNS in the year 1962.
- \* Lease/permit parcels must include a residence for the exclusive use of the leasee/permittee.
- \* The leasee/permittee must live in this residence on a full time basis, as their official residence.
- \* Failure of any leasee/permittee to comply with any of these conditions shall terminate the associated lease/permit.

### **4. Environmental Assessment (EA) vs. Environmental Impact Statement (EIS):**

Because of the severe long term documented environmental damage and pollution caused by livestock within PRNS to native plants and wildlife including species that are Threatened and Endangered, and the distinct possibility that at least one of the Alternatives in the PRNS Ranch Management Plan will call for the removal of tule elk from the 28,000 acre Pastoral Zone, it will be legally appropriate for the NPS to engage in a full EIS for the PRNS Ranch Management Plan.

### **5. Co-existence between livestock and tule elk until commercial livestock leases/permits are discontinued:**

Much is made by today's PRNS commercial leasees and permittees of the "historic" cattle grazing that has taken place on the Pt. Reyes peninsula over the last couple of hundred years. However, it must be understood that the real historic grazers in this area and over much of the rest of California are tule elk, along with deer and pronghorn antelope. For at least 10,000 years, even before the Coast Miwok arrived, tule elk have grazed the grasslands of California, including the coastal prairies and brush-fields of what has become Pt. Reyes National Seashore thousands of years later. This historic grazing by tule elk has been constant except for the relatively short period in the 1800s and 1900s, when market hunters and ranchers eliminated them from the most of California, including along the Coast.

"Historic" designations are important cultural references, however, it must be clear that the "historic" designation still allows for entirely different uses of these historic structures and lands. For example, the Ghirardelli Square historic designation in San Francisco honors the Ghirardelli Chocolate Factory, however, now it's use is for various retail shops and not for making chocolate. The historic Pierce Point Ranch within PRNS is honored even though its new use is a Tule-Elk Sanctuary. Likewise, the entire PRNS Pastoral Zone and historic ranches should become a wildlife sanctuary coastal prairie, that includes free ranging tule elk and re-introduced pronghorn antelope, and it still can keep the "Historic Ranch" designations.

Because the tule elk were re-introduced to PRNS, they fortunately have been given a second chance and the NPS must do all in its power and authority to assist their comeback and facilitate the peaceful co-existence between wildlife and the commercial leasees/permittees, as well as to help reduce their opportunity costs.

### **5a. Definition of the "Pastoral Zone":**

In the founding documents of PRNS there was no mapped Pastoral Zone and there were no instructions that commercial cattle operations were to be a permanent fixture at PNSN. The Pastoral Zone was first mapped and incorporated into later PRNS Management Plans and it allowed for specific regulated commercial cattle businesses within the Pastoral Zone and rightly, it did not exclude native wildlife from the Pastoral Zone.

Any Pastoral Zone included in the new Ranch Management Plan must make it clear that this zone is also not for the exclusive use of private commercial cattle operations, but instead, that these businesses must co-exist with and be complimentary to the natural resources of PRNS, including tule elk. Therefore, in the new Ranch Management Plan, the definition of any Pastoral Zone should read: *"The designated mapped area within PRNS where, if commercial cattle grazing is to take place, it can take place only within this zone alongside native wildlife."* The word "if" here is the operative word, for there should be nothing in the new Ranch Management Plan requiring commercial cattle grazing in the Pastoral Zone --- Only that commercial cattle grazing "may" take place in the Pastoral Zone.

### **5b. Adjustment of lease boundaries for Co-existence, if leases/permits are allowed:**

Basically, the free-ranging tule elk at Pt. Reyes Nat. Seashore are telling us humans where they want to spend most of their time. The research and mapping done by David Press and colleagues greatly helps us to understand the whereabouts of the preferred tule elk locations within PRNS.

The U.S federal government owns every acre of PRNS and these acres are under the supervision of the National Park Service including all the lands under any kind of a lease/permit. Therefore, since the National Park Service controls what specific acres in PRNS will be put out for a private grazing lease/permit, the National Park Service can and should adjust these boundaries to better manage the natural resources of PRNS.

Currently, since the leases/permits expire every year or in the short-term, the new Ranch Management Plan should re-draw certain lease boundaries to include different coastal prairie land for the leasees/permitees in the two main areas where the tule elk are not generally congregating. For Example, the current boundaries and lease/permits for the Drake's Beach region includes an area highly prized by tule elk. This favorite tule elk habitat is based around the defunct D Ranch and as a result, cattle leases/permits for this area should revert back to the NPS as wildlife habitat. The same type of lease boundary adjustment should be made in the popular tule elk area near the "Home Ranch", where cattle lease/permit boundaries can be adjusted to nearby grazing land that are little used by tule-elk.

These preventative boundary changes will greatly help to keep tule elk and cattle from being on top of each other. The number of acres under lease/permit and the forage quality can remain the same as under the original lease/permit boundaries for each of the vested historic ranch families. Costs for making these boundary re-adjustments can be funded by the NPS which will quickly be recovered because of less damage repair expenses, no costly hazing operations and other headaches now involving the NPS and its overworked personnel.

### **5c. Re-designing the mapping of PRNS lands under lease/permit:**

The approximate 28,000 acre "Pastoral Zone" created in the 1998 PRNS Management Plan is exceptionally vague and not precise in mapping exactly where lease/permits are located. This lack of mapping clarity causes confusion and misinterpretations about the "Pastoral Zone" with general public and also within the scientific community. The specific map of the Pastoral Zone should include not only the boundary of each lease/permit, but also number of acres associated with each lease/permit, as well as the name of the lease/permit holder.

### **5d. Fencing for Co-existence:**

There are many types and styles of fencing developed that allow elk to jump over, and yet prevent cattle from getting out. Employing more of these co-existence type fences in strategic locations will keep allowing for the relative free movement of elk within the Pastoral Zone and help prevent fence damage and repair expenses at the same time.

### **5e. Eliminating negative Co-existence options:**

To pass legal muster, the Ranch Management Plan must demonstrate that it will not have an adverse impact on the environment or natural resources of PRNS. Clearly, removing tule elk from the 28,000 acres Pastoral Zone (over 1/3 of PRNS) or any other part of PRNS, would have an adverse and negative impact on the environment and natural resources of PRNS, all for the benefit of private commercial interests.

For these reasons, therefore, it must be stated in the scoping process and eventually in the final Ranch Management Plan that, certain management options are counter-productive to co-existence and would be in conflict with NEPA and other federal laws and NPS regulations. These inappropriate unlawful wildlife/land use management options within PRNS, include: hunting, cropping, culling, internal elk-proof fencing, forced removal/relocation of tule elk within PRNS, and the conversion of grazing lands, including coastal prairie grasslands into cultivation-agriculture.

Note: The Maasai rancher pastoralists in Kenya, East Africa have been co-existing with wildlife for many hundreds of years. If they can do it, so can we. (photo E. Loosli)



06 May 2014

United States Department of the Interior  
National Park Service  
Pt. Reyes National Seashore  
Pt. Reyes, California 94956

RECEIVED

2014 MAY 16 AM 11:26

POINT REYES NS

Reference: L7617, Ranch CMP

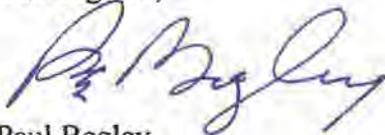
To whom it may concern:

A short time ago I realized that I've been enjoying Pt. Reyes Seashore for 50 years. During that time I've enjoyed backpacking, enjoyed beach combing, enjoyed the lighthouse, enjoyed the oysters at Drakes Bay Oyster Farm, enjoyed the elk and history of the Pierce Ranch, and finally the peace and quite that can be experienced in the park. By now you understand that Pt. Reyes Seashore provides a great deal of pleasure for us. My wife and I live in Sacramento and as a result the driving time to reach the park is 6 or 7 hours (round trip). Not a small effort and yet we do it several times a year. It's that good an experience!

During the decades that Pt. Reyes Seashore has been a part of our life the farms and ranches have always been part of the fabric and experience at the park. The farming and ranching uses that you are now considering have always been consistent with the region and Pt. Reyes history and therefore should remain unchanged. If the elk herds become too large, then culling can keep them in balance within their designated areas and not become an issue for the farm and ranching operations. To alter the existing uses, ie, ranching, farming, oyster farming would alter the exceptional experience that I've enjoyed for 50 years.

Pt. Reyes Seashore is not broken and doesn't need to be repaired.

Best regards,



Paul Begley

[Redacted]  
[Redacted]

Comments regarding the Ranch CMP:

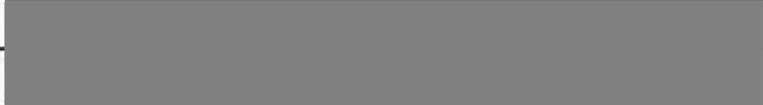
More Tule Elk please! I'VE LIVED IN WEST MARIN ALL MY LIFE AND TULE ELK ARE THE WAY TO GO! THEIR AMAZING AND UNBELIEVABLE IN THEIR BEAUTY AND REGAL ENHANCEMENT OF THE ECOSYSTEM.

THE MOO MOO'S SHOULD BE HERDED UP AND HEADED OUT! TO SEE THE OVER GRAZING AND THE STREAMS RUN GREEN IN THE FALL IS INEXCUSABLE. I DON'T GET IT. ITS OBVIOUS EVEN TO CITY SLICKERS THAT THERE ARE TOO MANY COWS FOR THE AREA BEING GRAZED. HEAD EM UP AND MOVE EM OUT!

THANK YOU FOR YOUR KIND ATTENTION TO THIS MATTER.

RECEIVED  
2014 MAY 21 AM 11:32  
POINT REYES NS

Your Name: WALT HOFFMAN

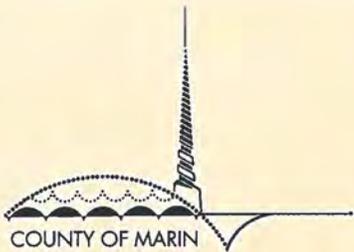
Mailing or email address: 

Organization (if applicable): EAC

Member

Official Representative

(circle one)



COUNTY OF MARIN

DEPARTMENT OF

# AGRICULTURE, WEIGHTS AND MEASURES

Promoting and protecting agriculture, environmental quality, and ensuring equity in the marketplace.

RECEIVED

2014 JUN -2 AM 11:58

POINT REYES NS

Stacy K. Carlsen  
 AGRICULTURAL COMMISSIONER  
 DIRECTOR OF WEIGHTS AND  
 MEASURES

May 30, 2014

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 Novato, CA 94947  
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 415 473 7543 F  
 CRS Dial 711  
[www.marincounty.org/ag](http://www.marincounty.org/ag)

Cicely A. Muldoon, Superintendent  
 Point Reyes National Seashore  
 One Bear Valley Road  
 Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

I greatly appreciate the opportunity to comment on the Ranch Comprehensive Management Plan/ Environmental Assessment (Ranch CMP).

### **Point Reyes National Seashore Agriculture – A model and necessity**

Marin County agriculture is recognized as a leader in California's agricultural sustainability movement and local food security. Marin County gross agricultural production in 2013 was valued at greater than \$84 million. Milk production accounts for 40%, cattle for 13%, poultry for 12%, pasture for 11%, aquaculture (oysters) for 6.5% and vegetables, lamb, silage, grapes, and nursery products make up the balance of the value. Marin is principally a grass based agricultural system where livestock and livestock products accounts for greater than 72% of the gross values equaling \$60 million.

Point Reyes National Seashore ranches and dairies operating in the Point Reyes National Seashore (PRNS) account for nearly 20% (\$16.8 million) of all gross agricultural production in Marin County. These ranches and dairies play a critical role in maintaining the viability of Marin County's agricultural system. There are 16 livestock ranches and 7 dairy operations in the PRNS. Ranching and farm culture in "West Marin Point" has gone on for over 150 years. Their history stems from the "Gold Rush-49er Era" and framed by the "Shafter Era" giving way to today's multi-generations family operations. Interestingly, all dairies in the Seashore area are Certified Organic under the USDA National Organic Program, certified by the Marin County Agricultural Commissioner and other accredited organic certifiers demonstrating the progressive nature and willingness to support animal health, and environmental protection. Collectively, the entire Pastoral area of the Seashore Agricultural region represents one of the largest contiguous organically certified areas in California, possibly the nation. This is a pinnacle in terms of production model and land sustainability.

The National Seashore should actively support, including financial support, the entire Pastoral Zone to maintain and grow Certified Organic farm operations and “showcase” this success story of partnership and collaboration to the public.

The Point Reyes National Seashore should acknowledge ranchers for their land management and stewardship. This productivity coupled with the high biodiversity, ecological quilt, edge effect of multiple habitats, and topography gives exceptional resiliency for both agriculture and natural systems to flourish. This Environmental Assessment should merge farm sustainability, marketing, and local production and consumption for the regional agricultural products and to educate the public about the compatibility of farming and nature.

Historically, farms in the “Seashore” have practiced all forms of agriculture. County of Marin Agricultural Crop reports show during the 1930-1950 a diverse production of fruits and vegetables in addition to today’s livestock, poultry, and dairy operation. Diversification is a key aspect that PRNS ranchers need to remain economically viable. The Park Administration should support diversification, value added practices, and limited amount of processing consistent with regional allowed activities generally accepted outside the National Seashore boundary. Models for allowing these activities are identified in the Marin County General Plan and the subtending “Agricultural Element” and guidelines identified in various Marin County development codes. Additional guidance is also available in the Marin County Local Coastal Plan.

Seashore ranchers are commercial operations competing with regional farming operations. They need the flexibility to create an identity for their regional products, a collaborative Seashore-Rancher Brand, i.e., “Seashore Rancher Cheese”, etc. and the National Seashore should endorse and support such efforts. The local food movement has reshaped our views of agriculture by reinvesting in local grown and consumed product, knowing your “farmer” and recognizing the important local efforts to closing the gap on carbon emissions and global warming. Allowing farms in the National Seashore to produce, value add, and sell local will demonstrate the willingness to “walk the walk” and lighten our own carbon footprint. Farmers of all types simply want to farm, make a decent living, raise their families, live a decent life and pass the farm on to their children. Losing any family farm operation, or limiting their ability to remain competitive, jeopardizes the economic viability of our entire agricultural system in Marin County.

### **Administration, Policies and Communication**

The ranchers in the Seashore have basically the same challenges. They are trying to maximize the Coastal Prairie Grassland (Pastoral Zone) to produce livestock and dairy products for sale. Ranchers are asking the PRNS Park Administration to recognize their operations as Historical Ranching Operation, Food Production Zones, or Permanent Agricultural Zones. These terms better reflect the nature of the activities and importance of their economic contribution

to the County of Marin. I believe the National Seashore Superintendent should harmonize with USDA Mission, Vision, and Goals and acknowledge that ranching is ever changing, market driven, and must be sustainable. It changes with weather, by season, and by generation: all partners have to be flexible and understanding of these events. The National Seashore family support of these activities and events is clear.

On August 25, 1916, President Woodrow Wilson signed, interestingly enough the "Organic Act" creating the National Park Service, a new federal bureau in the Department of the Interior, with a "Mission" that "the Service thus established shall promote and regulate the use of Federal areas known as national parks, monuments and reservations ..... by such means and measures as conform to the fundamental purpose of the said park ..... strives to meet those original goals, while filling many other roles as well: guardian of our diverse cultural and recreational resources; environmental advocate; world leader in the parks and preservation community; and pioneer in the drive to protect America's open space.

In our case, the "Mission" includes the Agricultural/Pastoral Region of the National Seashore, which historically was farmed long before National Park was establishment in 1962. Every effort to promote and protect this agricultural resource should be considered in order to further the "Organic Act Mission" of the Department of Interior.

Some actions to further the "Mission" may include developing long term lease documents. Ranching is a commitment that requires day-in and day-out activity, year after year. Marin family farmers are trying to stay competitive, but shifts in farm production costs and the loss of farming neighbors can have a cascading affect. Family farms rely on neighbors so they may together generate a collective economy of scale to yield economic benefits, as well as provide a buffer against hard times. Allowing long term rolling 20 year leases are necessary to maintain long term farming operations, commitments from farm supply business, lenders, and other community support organizations.

Additionally a need exists for consistent policies and procedures for resources management: capital improvements, on site infrastructure (rock quarries) and roads, maintenance of buildings; including farm labor housing, fencing, vegetative and natural resources management, and water improvement projects.

Ranchers and dairies should be given equal protection and treatment, allowed to adopt similar activities, and use the best available science and management practices. An example is the ability to produce silage for livestock feed, brush and weed control, fencing repairs, and selective least toxic herbicide use to control invasive species, etc. Currently some ranches are allowed an activity and others are prohibited. The finished Environmental Assessment document and resulting policies should be vetted with the Point Reyes Seashore Ranchers Association who should be allowed to be a partner in the discussion

on implementation. The Ranchers Association should be the venue Park Superintendent uses to announce, discuss, and direct how the EA will be utilized once certified by the National Seashore. Collectively ranchers need to understand what the Park can do that may be beneficial so they can individually and/or collectively make sound decisions. These activities should be shared with "all" ranches and freely discussed within and between the Park and the ranchers. Applying "Best Ranching Practices" should be celebrated and recognized; learning from each other should be a primary goal.

### **Federal, State, and Local Agency Resources**

Many existing Federal, State, and local agencies are available to work in a cooperative manner with PRNS administration, field staff, and ranchers to maximize productivity, resources management, and conservation practices. The United States Department of Agriculture - Natural Resources Conservation Services (NRCS), California Resources Agency, and Marin County Resources Conservation District (RCD), University of California Cooperative Extension (UCCE), and Marin County Agricultural Commissioner are great examples of locally available resources to assist with farm plans and project assistance. NRCS offers voluntary programs to eligible landowners and agricultural producers to provide financial and technical assistance to help manage natural resources in a sustainable manner. Through these programs the agency approves contracts to provide financial assistance to help plan and implement conservation practices that address natural resource concerns or opportunities to help save energy, improve soil, water, plant, air, animal and related resources on agricultural lands. The RCD has regional expertise in soil and waterway management and conservation practices, UCCE has expertise in farm sustainability, livestock and rangeland management, the Agricultural Commissioner is the regulatory agency overseeing pesticide use and USDA Accredited Organic Farm Certification Agency. These agencies could enhance, improve, and benefit the NPS in land use, conservation, and resources management and marketing activities.

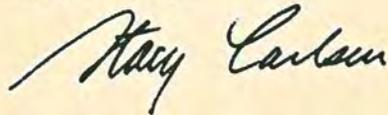
Ranchers identify the need for USDA assistance through an Environmental Quality Incentive Program (EQIP) project or conservation support programs. These activities have been evaluated within the agency of origin and comply with existing National Environmental Standards. The NPS should embrace and implement valuable projects without requiring a separate National Environmental Policy Act (NEPA) or other lengthy review before a project can be undertaken. The National Seashore Environmental Assessment should harmonize with other Federal and State agencies that have complied with EA procedures and allow for their utilization without further scrutiny. Many USDA projects are granted on an annual basis and delays in administrative approval eliminate the Seashore rancher to access while other ranchers in the region enjoy support and financial assistance. Between the PRNS, RCD, USDA, and other noted agencies a very successful and collaborative approach could be reached benefitting everyone. Ranchers in the Park want to be recognized as "Class A" and have access to all available resources.

### **Tule Elk Impacts on Ranching**

Tule Elk are impacting ranchers because they have migrated beyond the fenced wilderness boundary area onto ranch land, competing for feed and water resources intended for livestock, disrupting operations, and increasing operating cost while potentially exposing the livestock to disease pathogens. Wilderness designated lands, and Pastoral/Ranch leased lands should be given equal protection corresponding to their intended use and purpose. Wilderness Areas are intended for displaying nature and "Resources Specialist" to manage whereas the Pastoral Areas are intended to be managed for agricultural use by the "rancher". There should be little allowance for commingling resources use and management styles between them. When livestock are found in Wilderness, they are removed. Likewise, when Elk are found in Pastoral Zones they too should be removed: not really that complicated to manage. A quickly designed and implemented plan to move Elk back to "Wilderness Zone" is a priority of ranchers. There are approximately 70+ Tule Elk that have migrated into the Pastoral Zone disrupting several ranching operations. Removing three (3) Elk a week and returning them to a fenced wilderness area would solve the problem in half a year. There are Park Biologists and ranchers that could manage the movement using great care to protect the Elk.

There are many opportunities and success stories waiting to be told by this and future generations of ranchers if Park Officials embrace, partner, assist, and recognized the value that ranchers bring to the Point Reyes National Seashore Working Landscape and to the Mission of the National Park Service.

Respectively,



Stacy K. Carlsen  
Marin County Agricultural Commissioner  
Director of Weights and Measures

RECEIVED

James Coda

MAY 16 AM 11:26

POINT REYES NS

May 14, 2014

Superintendent Cicely Muldoon  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Re: Request for Scoping Comments on a Grazing Management Plan

Dear Superintendent Muldoon:

I write in response to your request for public comments on a grazing management plan for Point Reyes National Seashore (hereafter "the park").

#### PREFACE

Before discussing what the Park Service should address in its draft management plan and environmental assessment, it is helpful to take a look at the legal framework which governs management of the park. The Point Reyes National Seashore legislation provides, in pertinent part, as follows:

#### **§ 459c-6. Administration of property**

##### **(a) Protection, restoration, and preservation of natural environment**

Except as otherwise provided in sections 459c to 459c-7, ... the property ... shall be administered by the Secretary without impairment of its natural values, in a manner which provides for such recreational, educational, historic preservation, interpretation, and scientific research opportunities as are consistent with ... the maximum protection, restoration, and preservation of the natural environment within the area, subject to the provisions of sections 1, 2, 3, and 4 of this title ... and in accordance with other laws of general application relating to the national park system as defined by sections

1b and 1d of this title....

16 U.S.C. § 459c-6. (Emphasis added.)

With respect to ranching and dairying, the Act states only that:

.... Where appropriate in the discretion of the Secretary, he or she may lease federally owned land ... which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of sections 459c to 459c-7 of this title ....

16 U.S.C. § 459c-5(a). (Emphasis added.)

From the above it is clear that the Park Service is required by law to manage the park in such a way as to not cause “impairment of its natural values.” The law goes on to make clear that even traditional uses of national parks, namely “recreational, educational, historic preservation, interpretation, and scientific research opportunities” are allowable [only] to the extent “consistent with ... the maximum protection, restoration, and preservation of the natural environment within the area ....” The highest priority is to not impair natural values. Recreation, historic preservation, etc. are all subject to that highest priority.

Ranching and dairying are only allowable where deemed “appropriate” in the “discretion” of the Secretary. In making that discretionary decision the Secretary must determine that such use will not impair the park’s “natural values.” Further, such use is subject to “restrictive covenants” necessary to carry out the “purposes” of the park’s statute. One purpose is that, like the traditional uses of recreation, education and historic preservation, ranching has to be conducted in such a way as to not conflict with the highest priority which is the “maximum protection ... of the natural environment” of the park. Wildlife is part of the natural environment of the park. Conserving wildlife is also a “fundamental purpose” of the national parks.<sup>1</sup>

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<sup>1</sup>The Park Service’s Organic Act provides, in pertinent part, that the fundamental purpose of the national parks “is to conserve the scenery and the natural and historic objects and the wild life therein ....” 16 U.S.C. § 1. (Emphasis added.)

Thus, to the extent some ranchers speak of the grass and water on the ranches as “theirs,” as if they own the grass and water, they don’t. In fact, they can ranch only to the extent it doesn’t harm the park’s resources. This is a national park, not a national ranch.

## SCOPING COMMENTS

Given the legal framework above, the Park Service has to make a determination, in its discretion, as to whether grazing is “appropriate.” This must be done as to each ranch. The Park Service then has to determine the extent of grazing (where appropriate) and what conditions or restrictions are necessary.<sup>2</sup> To those ends the Park Service should consider the following:

Carrying capacity. The Park Service should discuss how much forage there is as a first step in authoring grazing on each ranch.

Allocation of forage. The Park Service should discuss how the amount of forage on each ranch should be used, keeping in mind the Park Service’s obligations to protect and preserve the natural resources of the park, including wildlife.

Fencing. Fencing is necessary to contain cattle (assuming there will be no “open range”), but it is harmful to wild animals because it restricts their natural movements to varying degrees and occasionally injures or kills them. However, there are fencing methods that are adequate for restricting cattle that are “wildlife-friendly.”

Attached hereto as Exhibit 1 is a 14-page portion of a paper on wildlife-friendly fencing entitled “A Landowner’s Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind.” The document was published by the Montana Fish, Wildlife and Parks Department. It can be found at <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCsQFjAA&url=http%3A%2F%2Ffwp.mt.gov%2FfwpDoc.html%3Fid%3D34461>

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<sup>2</sup>The Park Service also needs to decide the number of years for the authorization and the fee. The fee must be the fair market value of the use according to many Comptroller General decisions.



from causing erosion by damaging the banks and beds of streams and would reduce the amount of cattle urine and feces that contaminate the streams. Water troughs can be used to provide water to the cattle away from the watercourse. The same discussion should be had as to ponds. Troughs can be provided at a reasonable distance from the ponds. For a paper that discusses providing cattle with water sources away from streams and ponds, see: “Developing Off-Stream Water Sources,” Ron Sheffield, North Carolina State University, attached hereto as Exhibit 2. A copy of this paper is available on-line at [www.bae.ncsu.edu/topic/animal-waste-mgmt/program/cattle/developing-off-stream-water-sources.pdf](http://www.bae.ncsu.edu/topic/animal-waste-mgmt/program/cattle/developing-off-stream-water-sources.pdf)<sup>4</sup>

Exotic plants. The Park Service should discuss the extent to which exotic plants exist in the ranch areas, how they got there, and how the Park Service intends to deal with them.

Endangered and Threatened Animals and Plants. The Park Service should discuss endangered and threatened animals and plants that exist in the grazing areas, the threats to them in those areas from cattle and other causes, and how it will remediate the impairment and “achieve maximum protection, restoration and preservation” of them as part of the “natural environment within the area” as required by the park’s statute.

Johne’s Disease. The Park Service should discuss the extent to which this disease occurs in the park, the cause or causes of it, including whether it existed in the park before the introduction of elk, and how the Park Service intends to reduce and, ultimately, eliminate it to the extent feasible.

Diversification of Ranching and Dairying. There is mention in the Point Reyes Light that some ranchers and dairy operators want the Park Service to allow them to expand their ranching and dairying operations to include such things as growing row crops and raising chickens. Raising sheep and goats would seem to be other uses some may want to pursue now or in the future. Other uses might include operating B&Bs and subleasing housing to employees and third parties and boarding horses and dogs. Growing row crops and raising chickens may lead

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<sup>4</sup>This link may be broken. If so, it can be found by using a search engine, such as google, and searching for “developing off-stream water sources.”

to ranchers wanting to sell produce and eggs direct to park visitors. Apparently, some of these activities already occur in the park and some have already been allowed by the Park Service.

All of this diversification is an expansion from past use. Any of these uses needs to be fully discussed in the environmental assessment and in keeping with the Park Service's duty to not impair natural values and to give maximum protection to the natural environment.

Some of these uses will require much more restrictive fencing than is needed for cows which will further restrict the movement of wildlife in the park. It will cause conflicts between farming/ranching and wildlife as smaller domestic animals will become tempting prey for coyotes, bobcats, raptors, badgers, weasels and other predators. Growing vegetables will also attract wildlife and create pressure to control such wildlife.

The Elk Controversy. Some ranchers want all elk removed from any ranches where they now exist all or part of the time and moved to the wilderness area where they were released in 1998. They claim the elk destroy their fences, eat their grass, drink their water and even kill their livestock.

As stated above, the Park Service will need to discuss and determine how much forage exists and make a decision as to each ranch as to how to allocate it between cattle and wildlife. It may be appropriate to remove some cattle or elk or both. This will involve some difficult decision making on the part of the Park Service. However, there is no requirement to remove all elk in the pastoral zone. Furthermore, Point Reyes is not unique. Tens of thousands of elk exist on much of the millions of acres of public grazing lands administered by BLM, the Forest Service and other federal agencies throughout the west.

With respect to the claims by some ranchers that the elk destroy fences, if the fences were built and maintained to the standards described in the Montana Fish and Wildlife document, there would be few, if any, broken fences. Cattle also break fences. With respect to statements that the elk are eating the ranchers' grass and water, the ranchers don't own the grass and water. The Park Service needs to discuss and decide how to apportion the grass and water in light of its statutory responsibilities. Ranchers should not be charged for grass set aside for

elk in the forage allocations. Claims of bull elk goring calves are unsubstantiated.

To the extent the Park Service decides, after discussion in the forage allocation stage, that there are excess elk and that some need to be removed, the Park Service will need to discuss how it will do so. The ranchers' demand that they be returned to the wilderness should be discussed, but seems unworkable in that the elk are likely to do what they did when they were introduced into the wilderness, namely return to where they were captured.

Length of Authorization. The Park Service needs to discuss and decide how long an authorization should be. Secretary Salazar's statement several months ago that the ranchers should be given 20-year permits was made without NEPA compliance and thus should not be treated as legally binding. Any decision to extend the terms of the leases to 20 years would need to be made again. The Park Service is apparently dealing with that issue in this EA.

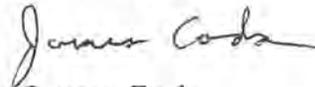
Terms and Conditions. The Park Service also should discuss and develop standard terms and conditions appropriate for all grazing in the park and special terms and conditions appropriate for specific ranches. The Park Service should keep in mind the park's legislation which states that grazing is authorized only "[w]here appropriate in the discretion of the Secretary" and that any grazing authorization "shall be subject to such restrictive covenants as may be necessary to carry out the purposes" of the park. Subleasing any portion of a lease or permit should be prohibited without the permission of the Park Service. Violations of authorizations should carry appropriate penalties, including termination of the authorization. A copy of the standard and special terms and conditions should be included in the draft plan and EA.

Use Fee. The Park Service also needs to determine the fee for authorizing each ranch operation. The Comptroller General has held in many cases that whenever a federal agency transfers a public asset of some sort to a private party it is required to obtain fair market value for the item. That would apply to any ranching authorization here. This determination should be accomplished using a licensed appraiser. The appraisals should be in writing.

The park's legislation also provides that any lease "shall be offered first ... to the person who owned such land or was a leaseholder thereon immediately

before its acquisition by the United States.” 16 U.S.C. § 459c-5(a). (Emphasis added.) Thus, the Park Service must offer any lease first to any former owner or lessee of the land the lease covers. If that person is unwilling to pay the fair market value for that ranch then the Park Service should announce that the ranch is open to offers and should consider all offers that meet fair market value.

Sincerely,



James Coda

Enclosures

# A Landowner's Guide to Wildlife Friendly Fences:



## *How to Build Fence with Wildlife in Mind*

SECOND EDITION  
REVISED AND UPDATED  
2012

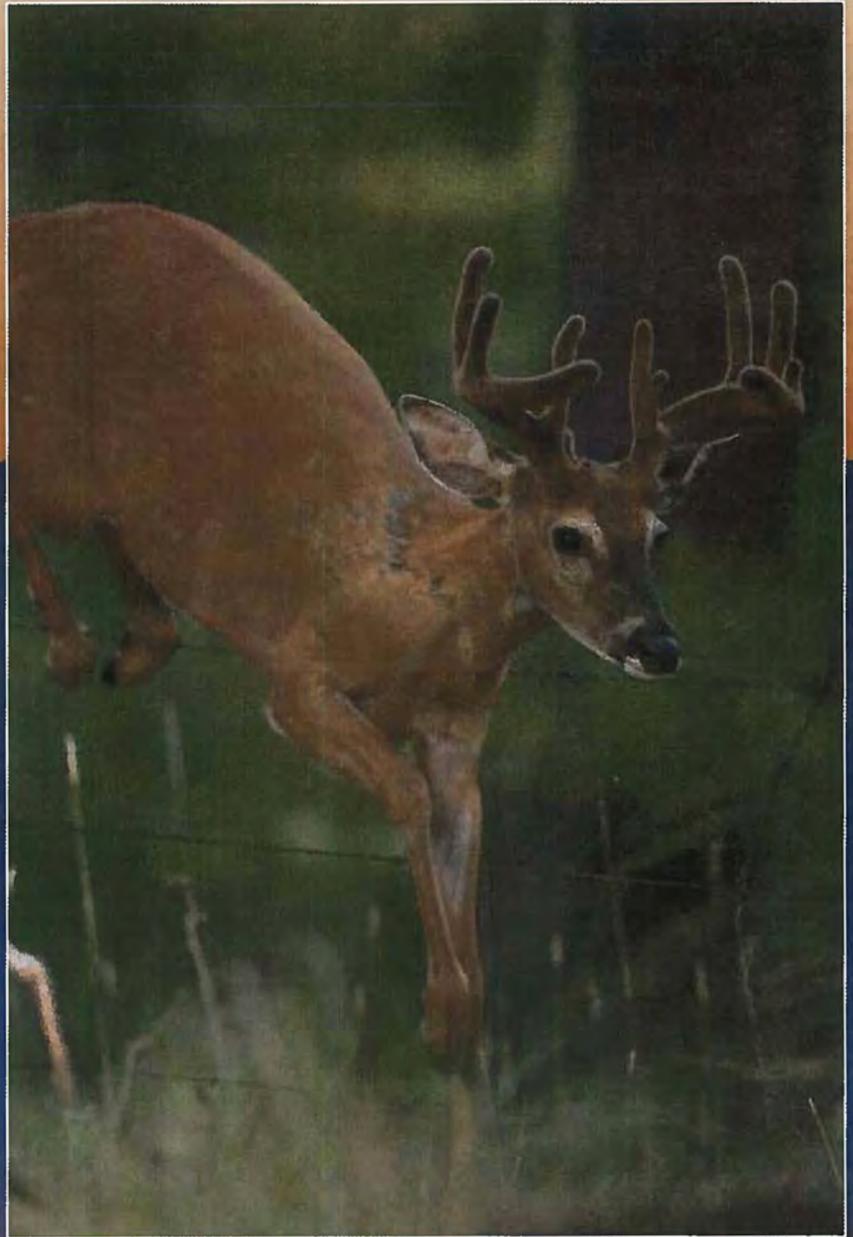


EXHIBIT 1



Montana Fish,  
Wildlife & Parks



# Acknowledgements

## Acknowledgements

Since the original publication of *A Landowner's Guide to Wildlife Friendly Fences* in 2008, the idea of "building fence with wildlife in mind" has taken off like wildfire across the West. Other states have built on that original publication and produced their own fence manuals, and this author wrote a companion volume for Wyoming, *A Landowner's Guide to Fences and Wildlife*, published by The Wyoming Land Trust.

For this second edition, the material has been revised and updated, benefitting from the creative ideas and practical experience of landowners and resource professionals who have adopted a wildlife friendly approach to their operations. Joe Weigand, Montana Fish, Wildlife & Parks private land wildlife specialist, provided department funding and personal guidance for the project, as well as his extensive expertise from testing various fence solutions with landowners.

A special thanks to everyone who contributed their insights, research, photographs and manuscript reviews. Chris and Leo Barthelmess, Ralph Burchenal, John Kountz, Jeff Laszlo, Marina Smith, Wayne Ternes, Juanita Vero, the Anaconda Gun Club and the Rocky Mountain Elk Foundation partnered with Montana Fish, Wildlife & Parks to test fence designs in various livestock and wildlife situations and offered invaluable insights and suggestions. FWP biologist Jay Kolbe provided fence specifications, photos and other invaluable contributions to the project. Steve Primm and Seth Wilson of People and Carnivores, and FWP bear biologists Kim Annis, Tim Manley, and Mike Madel, contributed their expertise on fencing to exclude predators. Shawn Cleveland and Andrew Jakes shared their experiences and photos from the Trans-boundary Pronghorn Project. Montana Department of Transportation provided



Montana Fish, Wildlife & Parks



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photos, specifications, and experiences with highway right-of-way fence.

Bryce Andrews conducted interviews and wrote many of the profiles detailing landowner and ranch manager experiences. Many other landowners, biologists, and resource professionals in Montana and throughout the U.S. also

contributed their expertise, references, and photographs, considerably adding to the breadth of innovative ideas.

My deep appreciation to Ed Jenne for his wonderful illustrations and to Nancy Seiler for her beautifully creative talent in layout and design. Any errors in this manual are mine alone.



Christine Paige

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## Why build wildlife friendly fences?

Fences are essential for controlling livestock and trespass, and countless miles of fence crisscross the West like strands of a spider's web. Fences define and separate ranches and farms, outline property boundaries, enclose pastures and rangelands, and prevent livestock from straying onto highways.

Yet those miles of fence can also create hazards and barriers for wildlife, from big game animals to birds. Fences can block or hinder daily wildlife movements, seasonal migrations, and access to forage and water. Wildlife may avoid areas with too many fences to negotiate. For example, pronghorn choose seasonal ranges with lower fence densities (Sheldon 2005). When animals collide with or become entangled in fences they can be injured or killed, and wildlife damage to fences can be costly and frustrating for landowners.

MANY WILDLIFE FRIENDLY FENCE DESIGNS ARE EASY AND LOW-COST, OR SAVE MONEY BY REDUCING FUTURE FENCE REPAIR.

Not all fences create problems for wild animals. By tailoring fence design and placement, you can reduce wildlife injuries and decrease damage to your fence. Many of these methods are low-cost or can save money in the long-run by reducing the need for future fence repair.

This guide will help you construct and modify fences and crossings that are friendlier to wildlife while still meeting fencing needs. It will also help you with sources for technical assistance and possible cost-share opportunities.

## Fence Law in Montana

### Fence In or Fence Out?

Most of Montana is classified as open range, which means that by law landowners are responsible for "fencing out" neighboring livestock, and a livestock owner is not liable for trespass or damage if a property is not adequately fenced. This custom has deep roots in Montana's history and ranching traditions. However Montana's open range law applies only to cattle. Bison, sheep, and other livestock must be fenced in (Mont. Code Ann. § 81-4-201).

If the area you live is classified as "closed range," however, the livestock owner is responsible for "fencing in" all livestock. Incorporated cities and towns are classified as closed range. Counties may also create "herd districts" in unincorporated rural areas that are classified as closed range. If you're unsure if your area is open or closed range, contact the Montana Department of Livestock (MDOL; [www.liv.mt.gov](http://www.liv.mt.gov)).

In practice, many livestock operators fence their property and pastures to better manage their livestock and range resources. Where their pastures adjoin federal lands, livestock owners are also responsible for preventing their livestock from illegally trespassing on those lands.

Along railroads, the railroad company must build and maintain fences to keep livestock from wandering onto the tracks. Similarly, the Montana Department of Transportation (MDT) can construct fences along highways to prevent livestock from wandering into the right-of-way.

### Legal Fence

Montana Code defines a legal fence as one of several possible designs (Mont. Code Ann. § 81-4-101). Generally, a legal fence is one constructed well enough to keep out or contain livestock. While the code defines heights for a legal fence, it also stipulates that "all other fences made of barbed wire, which shall be as strong and as well calculated to protect enclosures" as the standards specified are also legal. All "rivers, hedges, mountain ridges and bluffs, or other barriers over or through which it is impossible for stock to pass" are also included as legal fence.

### Posting Against Trespass

In Montana, notice against trespass on private land must be placed on a post, structure, or natural object, either by written notice or with at least 50 square inches of fluorescent orange paint. For metal fence posts, the entire post must be painted. Notice must be placed at each outer gate and normal point of access to the property, including both sides of a water body wherever it intersects an outer boundary line (Mont. Code Ann. § 45-6-201).

### Other Regulations

Check your local covenants and county and city offices for specific fence regulations. If your property adjoins a state highway, contact MDT regarding options for modifying highway right-of-way fences for wildlife ([www.mdt.mt.gov](http://www.mdt.mt.gov)).

Climate Page





## Problem Fences

Deer, elk, moose, bighorn sheep, and pronghorn are all capable of jumping fences, but many common fence designs and situations can snare and injure these and other wildlife.

Wire strands can readily entangle legs, especially if wires are loose or spaced too closely together. Deer, elk, and other wildlife often bear scars from wire barbs. A torn ligament, strained leg, or infection can reduce an animal's chance of survival, and if animals can't pull free at all, they die slowly of trauma and dehydration.

Animals can be blocked by fences that are too high, impermeable, buried in deep snow, or on steep slopes. Young, pregnant, or winter-stressed animals may have a particularly difficult time clearing fences.



Cory Lotzker

Some fences, especially woven wire fence, can be a complete barrier to fawns and calves even if adults can still jump over. Separated from their mothers and stranded from the herd, the youngsters often curl up and die of exposure and dehydration. Woven wire can snare and strangle medium-sized animals and livestock if they push their heads through the wire mesh, and may block animals such as bears and bobcats that are too large to slip through.

If woven wire is topped with one or more strands of barbed wire, the fence becomes a complete barrier, especially for fawns, calves, pronghorn and other animals that are incapable or



Colorado Parks and Wildlife

WINTER-STRESSED, PREGNANT AND YOUNG ANIMALS MAY ESPECIALLY HAVE TROUBLE CLEARING FENCES. AN INJURY OR INFECTION FROM TANGLING WITH FENCES CAN REDUCE AN ANIMAL'S CHANCE OF SURVIVAL. IF ANIMALS CAN'T PULL FREE AT ALL, THEY DIE OF TRAUMA AND DEHYDRATION.

unwilling to jump over such a fence. Animals trying to leap a woven wire fence topped by barbed wire are even more likely to tangle a leg between the top barbed wire and the stiff woven wire.

In urban areas, fences topped with barbs or pointed spikes, such as decorative iron fences, can trap or impale leaping deer and other animals.

Large, low-flying birds, too, may collide with fences and break wings, impale themselves on barbs, or tangle in wires. Ducks, geese, cranes, swans, grouse, hawks, and owls are especially vulnerable. Waterfowl fly into fences that run near or across waterways, and hawks and owls may careen into fences when swooping in on prey.



Mark Gueke



Sheila Lamb



# Problem Fences



Jack James



Chery Mayne



Jeremy Roberts, Conservation Media

## What kinds of fence cause problems for wildlife?

Fences that:

- are too high to jump;
- are too low to crawl under;
- have loose or broken wires;
- have wires spaced too closely together;
- can impale or snag a leaping animal;
- are difficult for running animals or birds to see;
- create a complete barrier;
- create a 3-dimensional obstacle.



Frugg Wood

Above: This peregrine falcon died when it collided with a fence while diving on killdeer. Many birds are vulnerable to fence collisions.



Tom Campbell



Tom Koenig, Colorado Parks and Wildlife



## The Bottom Line: Hard Numbers

Recently, researchers at Utah State University completed a study of wildlife mortality along more than 600 miles of fences in the rangelands of northeastern Utah and northwestern Colorado (Harrington 2005, Harrington and Conover 2006). By repeatedly driving and walking fencelines over two seasons, they tallied the number of mule deer, pronghorn, and elk carcasses they found caught in fences and lying next to fences. They also studied which fence types caused the most problems.



The Jackson Hole Guide

Here are their key findings:

### Snared and Entangled

- On average, one ungulate per year was found tangled for every 2.5 miles of fence.
- Most animals (69% of juveniles and 77% of adults) died by getting caught in the top two wires while trying to jump a fence.
- Juveniles are 8 times more likely to die in fences than adults.
- Mortalities peaked during August, when fawns were weaned.
- Woven wire fence topped with a single strand of barbed wire was the most lethal fence type, as it easily snared and tangled legs between the barbed wire and rigid woven wire.
- 70% of all mortalities were on fences higher than 40".



Steve Primm

### TIP:

IF YOU ATTEMPT TO RESCUE A TANGLED AND STRUGGLING ANIMAL, AND YOU CAN SAFELY DO SO, COVER ITS HEAD WITH A CLOTH OR COAT TO HELP CALM IT.



Bryce Andrews

Above: This badly tangled pronghorn was fortunately freed by the photographer, who was able to clip the wires.

Elk, deer, and other ungulates often die if their legs tangle in wire fences. Woven wire topped with barbed wire was found to be the most lethal type of fence, especially for young wild ungulates.



Randy Grady

### Blocked and Stranded

- Where ungulates were found dead next to but not in fences, on average one ungulate per year died for every 1.2 miles of fence.
- 90% of these carcasses found near fences were fawns lying in a curled position – probably separated from their mothers when they could not cross.
- Most of these indirect mortalities were found next to woven wire fences.



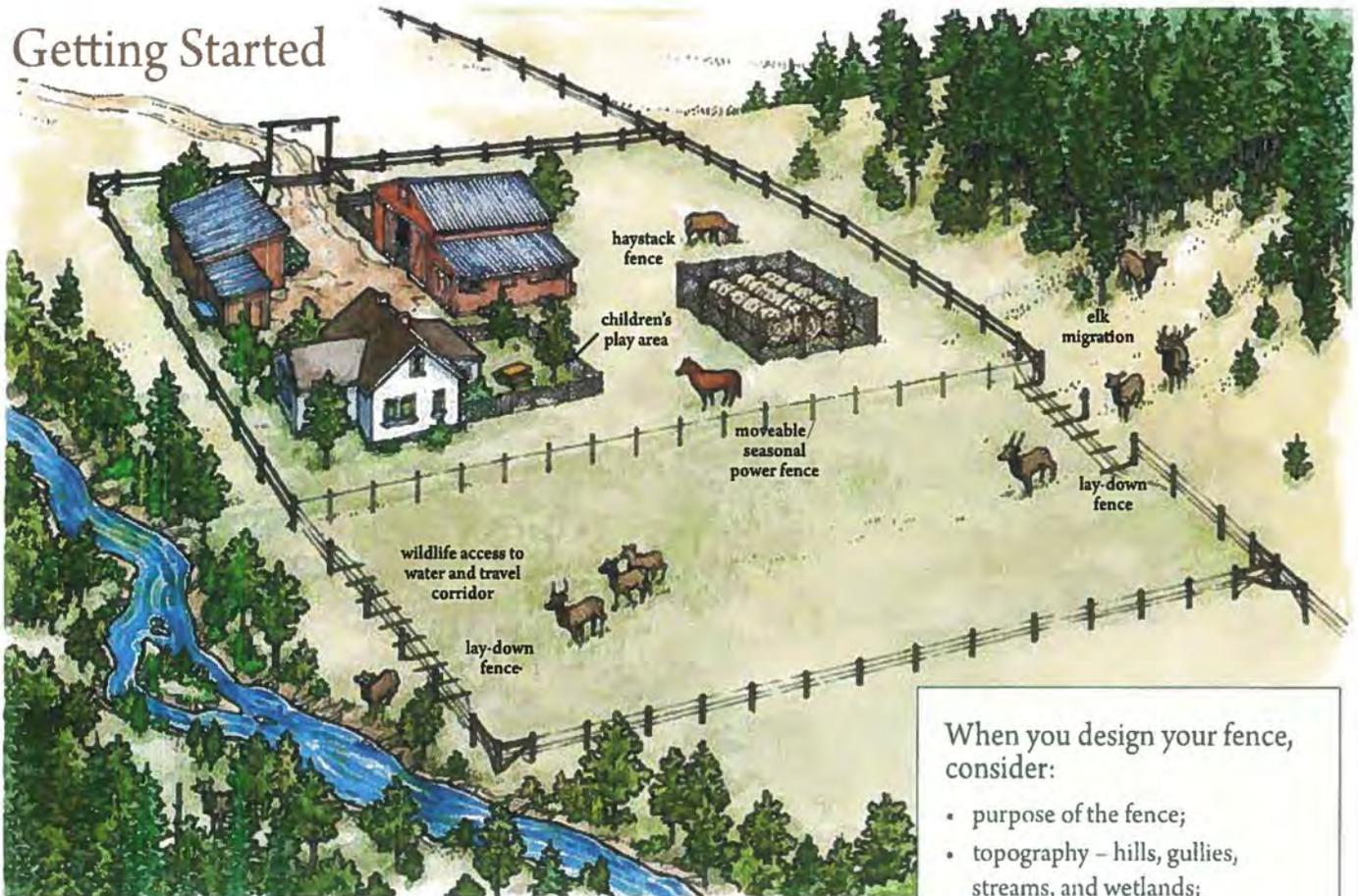
Tim Stevens

Antlered animals can become fatally tangled in poly rope fence and loose barbed wire. Maintaining fence tension and using high-tensile wire for electric fences can help prevent such losses.



# Wildlife Friendly Fences

## Getting Started



*The best situation for wildlife is open habitat with no fences at all. Wherever possible, remove obsolete fences that are no longer needed.*

*Where you need to fence, less fence is better. Established fences can be modified to allow easier passage, and new fence can be designed with wildlife in mind.*

*To get started, consider your needs and create a plan. You can tailor any of the designs in this guide to your specific needs.*

*First consider these questions:*

- 1. What is the purpose of the fence?**  
Do you need to mark a boundary? Deter trespass? Enclose or exclude livestock? If your fence is for livestock, what kind, in what seasons, and for how long?  
*Your purpose should determine your fence design and placement.*
- 2. What is the topography?**  
Are you fencing on hills, in rocky country where posts cannot be driven, or near or across streams or wetlands?  
*Design your fence to avoid creating traps for wildlife.*
- 3. Which wildlife species are in your area?**  
*Build fence or crossings that both young and adult animals can negotiate.*

When you design your fence, consider:

- purpose of the fence;
- topography – hills, gullies, streams, and wetlands;
- species of wildlife present;
- daily or seasonal wildlife movements in the area;
- presence of water, food, and cover for wildlife;
- presence of young animals.

- 4. What are the daily or seasonal wildlife movements in the area?**  
Do animals calve or nest nearby? Does wildlife migrate through to winter or breeding areas?  
*Allow movement and access through natural corridors and habitats.*

MOST FENCES CAN BE DESIGNED OR MODIFIED TO ALLOW EASIER AND SAFER PASSAGE FOR WILDLIFE.



## Fence and Crossing Placement

*Placement of fences is just as important as the type of fence used.*

Fences need not restrict wildlife movement everywhere on your property. Wherever possible, design your fence to provide wildlife free travel to important habitats and corridors, as well as access to water. Wetlands and riparian habitats are especially important for all wildlife.

Watch for daily and seasonal wildlife movement patterns and look for trails. Use impenetrable, special-purpose fence only in specific areas where it is critical, such as calving or lambing pastures, haystacks, gardens, orchards, children's play areas, or kennels.

Design property boundary fence so wildlife can easily cross, or with gaps or lay-down sections for wildlife passage whenever and wherever livestock are not present.

Work with your land's topography. Swales, gullies, ridges, and stream corridors can funnel wildlife through an area. Keep these open to allow wildlife passage and avoid topography traps.

**A fence of any height is more difficult to cross when placed across a steep slope or next to a deep ditch.** As ground slope increases, the height



Christine Page

Tailor your fences to specific needs and allow wildlife access to water, important habitats, and travel corridors.



Christine Page

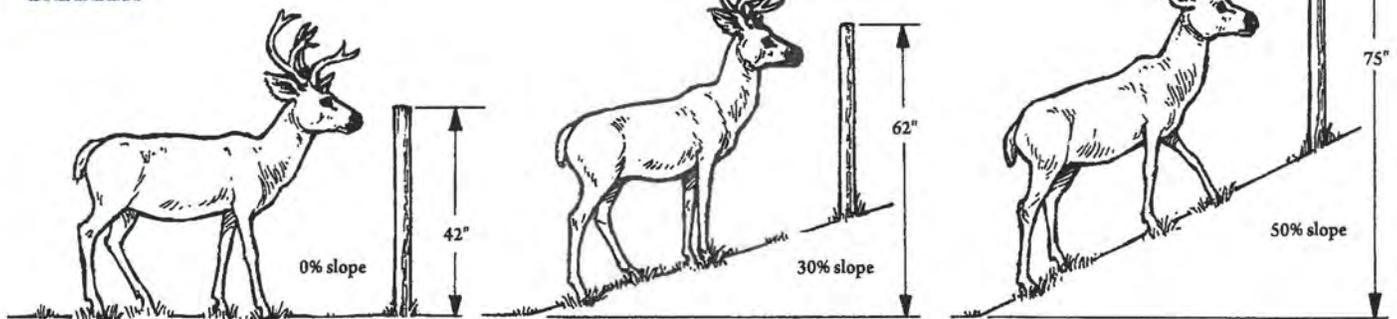
an animal must jump to clear the fence increases considerably. For instance, a 42" fence may be passable on level ground, but a slope of only 10% increases the

### Good Fence Placement Tips

- Look for wildlife trails and watch for seasonal patterns.
- Provide wildlife access to riparian habitats, water holes, and other high quality habitats.
- Provide passage along swales, gullies, ridges, and stream corridors.
- Use the appropriate fence design for each activity.
- On slopes and in natural travel corridors, plan for wildlife crossings.

effective fence height to 48.6"; a slope of 30% increases effective height to 62"; and on a 50% slope animals encounter an obstacle 75" high. **Fences on steep slopes become nearly impossible for animals to jump over without injury.**

### SLOPE INCREASES BARRIER





## An Ideal Fence

*A fence that is friendly to wildlife should:*

- Allow animals to jump over and crawl under easily without injury;
- Be highly visible for both ungulates and birds.

You can combine or tailor many of the ideas presented in this guide to your specific situation.

The top wire or rail should be low enough for adult animals to jump over, preferably 40" or less, and no more than 42" high. The distance between the top two wires should be no less than 12" apart. Deer and elk easily tangle their back legs if the top wires are closer together.

The bottom wire or rail should be high enough for adult pronghorn and young wild ungulates to crawl under. The bottom wire should be a minimum of 16" from the ground and preferably at least 18." Take advantage of small dips, swales, and gullies to provide a slightly larger gap below the fence and allow animals to pass under easily. Many cattle ranchers have found that although a small calf may slip under the higher bottom wire, it can also easily slip back again to its mom and not be stranded on the wrong side of the fence.

### IDEAL WILDLIFE FRIENDLY FENCE

ALTHOUGH CALVES MAY SLIP UNDER A HIGHER BOTTOM WIRE, THEY CAN ALSO SLIP BACK AGAIN TO MOM AND NOT BE STRANDED.

Increasing visibility using a top rail, high-visibility poly-wire, flagging, or other markers can help ungulates and birds better avoid or navigate fences. Using smooth wire – such as barbless twisted wire – for the top and bottom strands will prevent snagging and injuries.

Use electric tape or braid only for temporary applications. It should be removed or lowered to the ground when livestock are not present.

In some situations, fence stays can help maintain distance between strands,

prevent sagging, and reduce the chance of entanglement. However, wire stays are easily bent over, collapsing the fence and creating a three-dimensional hazard, and need to be regularly maintained. An alternative is a stiff plastic or composite stay or fiberglass post that flexes but maintains its shape.

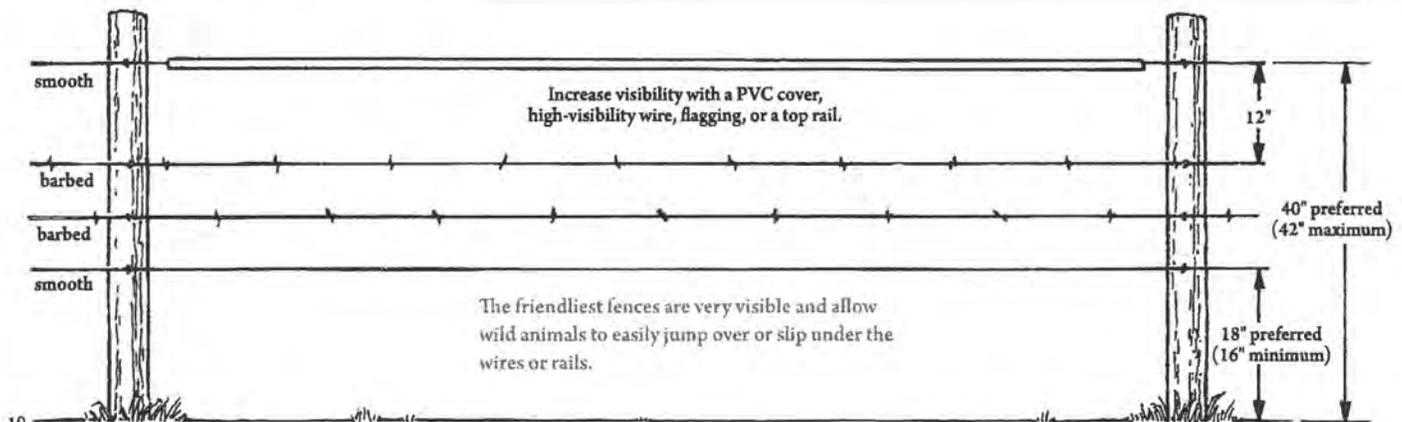
In wildlife migration areas, drop-down fence, lay-down fence, or other crossings can be incorporated into fence sections for seasonal wildlife passage. **Good husbandry practices go hand-in-hand with wildlife friendlier fences. Livestock that have good forage and the security and companionship they want are much less likely to test or challenge fences.**

### The Wildlife Friendly Fence: A Livestock/Wildlife Compromise

These standards will control cattle in most situations and allow for easier wildlife passage.

Fences should have top wires low enough for adult animals to jump, bottom wires high enough for wildlife to crawl under, and minimize the chance of tangling. We recommend:

- A top wire or rail preferably no more than 40" and a maximum of 42" above the ground;
- At least 12" between the top two wires;
- A bottom wire or rail at least 16" and preferably 18" above the ground;
- Smooth wire or rail for the top, smooth wire on bottom;
- Preferably, no vertical stays. If used, consider stiff plastic or composite stays, or regularly maintain wire stays that are easily bent;
- Posts at 16.5-foot intervals;
- Gates, drop-downs, or other passages where wildlife concentrate and cross.





Christine Page



Jay Kolbe

## Visibility

Running animals and low-flying birds may not see a wire fence clearly against the landscape. Making a fence highly visible prevents collisions, and can help animals judge the height of a fence for jumping.

One solution is a top rail. A rounded rail is preferable as it sheds snow more easily – heavy snow buildup can sometimes deter elk and deer from crossing. For wire fences, an inexpensive modification is to slip sections of small-diameter PVC pipe over the top strand.

Smooth wire fences, especially high-tensile wire, may be essentially invisible to animals. Depending on the type of fence, these can be made more visible by adding PVC pipe, flagging, fence markers, or highly-visible polywire or polytape on the top strand. Twisted barbless cable is more visible than a single wire strand, and high-visibility wire is available in many

forms – tape, braid and polymer-coated wire – many of which can be electrified if needed. White wire is the most visible in summer, but black and white wire or tape makes the fence visibly obvious against both summer vegetation and snow.

High visibility helps wildlife negotiate fences. It is especially important in grasslands and near creeks and wetlands to protect low-flying birds, such as grouse, owls, and swans. PVC pipe, flagging, or black and white wire or tape all help wildlife see fences.



Montana Fish, Wildlife & Parks



## Fence Flags for Grouse and Other Birds

Fence flags or markers dramatically increase visibility of wire fences for wildlife, especially birds, and help animals avoid and negotiate fences.

RESEARCH ON SAGE-GROUSE IN WYOMING, IDAHO, AND MONTANA HAS SHOWN THAT FENCE MARKERS CAN REDUCE FENCE COLLISIONS BY 70% TO MORE THAN 80%.

Research on sage-grouse and other prairie grouse has shown that fence collisions are common and widespread, especially near breeding areas.

Grouse fly fast and low into their mating areas (called "leks") just before dawn and, in the dim light, are vulnerable to colliding with nearby fences.

However marking fence for visibility can dramatically reduce collisions by 70% to 83% (Christiansen 2009; Stevens et al. 2012b).



Mark Goeke



Jeremy Roberts, Conservation Media

### Markers for Wire Fence

#### For barbed or woven wire fence:

- Cut several 12' strips of "undersill" or trim strips of white vinyl siding, available at home hardware centers.
- Cut strips to 3" pieces. Use tin snips for small projects or, with proper ventilation, use a 10" miter saw with a 200-tooth blade to cut up to 16 pieces at a time for larger projects.
- One 12' siding strip yields 48 pieces.
- For extra visibility, add reflective tape to both sides of the markers, which increases detection in low light. Or use both black and white markers for visibility against snow and vegetation.

- Snap pieces onto fence wires – they are held in place between barbs.

**Wyoming Game and Fish has found that, for each 16' section of fence, a minimum of two pieces with reflective tape on the top wire is effective. Or, alternate four pieces of black and white markers on the top wire. Marking a lower or bottom wire will increase visibility for pronghorn and other wildlife.**

#### For smooth wire fence:

- To keep the vinyl siding markers from sliding, crimp a ferrule, twist a small spring, or tighten a UV-resistant zip-tie (tie-wrap) onto the wire on each side of the marker. Although this adds time to installation, it keeps the markers in place. Crimping the marker itself causes the marker to wear and break.
- An alternative is to make flags from reflective tape that can adhere to the wire. (Note, however, that reflective tape will conduct power on a hot wire.)
- Some commercially made markers available online or in ranch supply outlets may work better on smooth wire.
- Place a minimum of two flags per 16' section of fence on the top wire; or up to four on the top wire and three on the middle or bottom wire.



**Not every mile of fence needs to be marked for grouse.** Marking is most important where there are high densities of birds: within 1.2 miles of a lek and in wintering areas. Also, sage-grouse are most vulnerable to collisions in open, flat, or rolling country, and in areas with many fences (>1.5 miles of fence per square mile; Stevens et al. 2012a, 2012b).

A relatively inexpensive and durable marking technique uses 3" flags cut from vinyl "undersill" or trim siding strips. The undersill siding has a lip that can be snapped onto barbed wire fence, with the barbs keeping the markers from sliding.

As an alternative, commercially produced fence markers can be purchased through a number of retail and mail order outlets.

For example, the Firefly Diverter ([www.fireflytechproducts.com](http://www.fireflytechproducts.com)) has UV-visible reflective tape. Fly Safe ([www.flysafellc.com](http://www.flysafellc.com)) works on barbed wire. The See-A-Fence marker ([www.knifedgellc.com/seeafence.html](http://www.knifedgellc.com/seeafence.html)) and Fence-flag ([www.fenceflag.com](http://www.fenceflag.com)) work on smooth wire fence.

While marking the top wire only is effective for grouse, adding markers to lower wires may also help pronghorn and other wildlife that slip under fences.

Durable and lightweight fence markers can be cut from strips of vinyl siding trim. The trim strip has a lip that easily snaps onto fence wires.



Toni Christensen

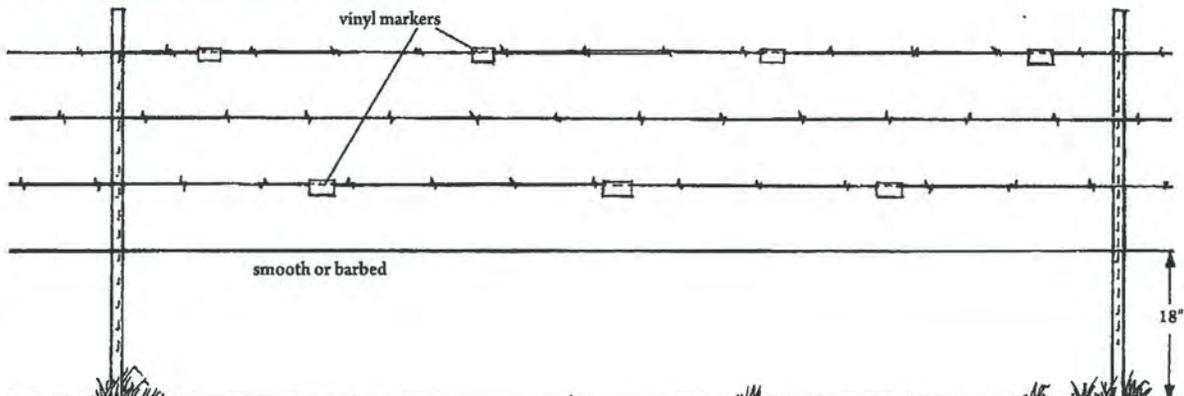


Bruce Waage



Christine Page

## DURABLE MARKERS ON WIRE FENCE





# Remedies for Existing Fences

## Remedies for Existing Fences

**How can you make existing fences more wildlife friendly?**

**Fence maintenance, modifications, and removal can all help wildlife.**

**You can modify nearly any existing fence to be friendlier for wildlife. If you do not plan to completely replace an existing fence, you can alter individual sections to wildlife friendly standards to create crossings and easier passage.**



Scott Nicholas

### Remedies for Existing Fence

#### Maintenance:

- Keep wires tight. Sagging wires and neglected fences create a hazard for both domestic animals and wildlife. Loose wires can snare animals as they attempt to cross; tight wires reduce the chance of entanglement.

#### Modifications:

- Replace barbed wire with smooth wire, particularly for top and bottom strands. Smooth wire reduces the chance of animals getting snared on barbs and fatally entangled.
- Adjust the height of the top wire: preferably no more than 40" and a maximum of 42" above the ground.
- Increase the distance between the top two wires to 12" to reduce entanglements.

- Reduce the number of wires to three, or at most four.
- Add a top rail, high-visibility top wire, a PVC cover on the top wire, or flagging to increase visibility and prevent collision or entanglement.
- Raise the bottom wire to at least 16" and preferably 18" above the ground to allow animals to slip under.
- In selected fence sections, raise the bottom wire to the level of the third wire and secure with a staple lock.
- For pronghorn, gather bottom wires in a PVC pipe to create a "goat bar" underpass.
- Add wildlife crossings where wildlife trails cross fences by using dropped wires, dropped rails, lay-down fence, or underpasses, as described earlier.
- When livestock aren't present, secure gates open to allow free passage for wildlife.

- Provide wildlife access to rivers, streams, wetlands, and water holes, and through seasonal migration areas.

#### Removal:

- Remove old fences that are in disrepair or no longer in use. Remove any unnecessary interior fences.
- Bale and carry away piles of wire. Some recycling centers will recycle old wire. Never leave wire on the ground.
- Many volunteer groups are interested in helping with fence removal projects to help wildlife, such as local chapters of sportsman's groups, scout troops, 4-H, and others.

# Developing Off-Stream Water Sources

Ron Sheffield, Animal Waste Extension Specialist  
Biological & Agricultural Engineering, North Carolina State University

The view of cattle drinking from streams is largely seen by two distinctively different sets of eyes. One group of people sees a serene landscape of rolling pastures while cattle take a sip of water from a crystal clear stream. Another set of eyes envisions the sediment, nutrients and potential millions of bacteria from the cattle polluting the waterways where their children fish, swim and paddle. These two different pictures are equally valid and foster passion and vigor whenever the involuntary fencing of cattle from streams is mentioned.

Cattlemen have traditionally depended on ponds, streams, creeks and rivers to satisfy their cattle's water needs. These water sources are both convenient and reliable. However, in recent years, these conventional practices have come under scrutiny. Many livestock producers, who have installed these practices to protect the environment, are finding other benefits through developing off-stream water sources.

Cattle access to streams, ponds and rivers can lead to the degradation of our waterways. Cattle damage banks of ponds, streams, creeks and river leading to increased erosion and the deposition of sediment in downstream waters. Deposited sediment may bury fish, amphibian and insect eggs or larvae, decreasing productivity and the value of the water resource. Nutrients, such as nitrogen and phosphorus, from the direct deposition of urine and feces may lead to unnatural enrichment of waters. This enrichment, known as eutrophication, results in the rapid growth of waterweeds and algae. Bacteria from cattle feces may cause the spread of water borne diseases to both humans and cattle. These examples of degradation have lead to the identification of cattle access to streams as a potential source of non-point source pollution. Several organizations and local agencies throughout the county have responded to this potential environmental threat by mandating cattle to be fenced from streams and ponds.

In addition to satisfying a legal mandate, developing off-stream water sources is one of the biggest hurdles to overcome before a producer can upgrade his/her pasture management systems. Systems such as rotational stocking may require additional subdivision of pastures. Water development needs to be considered and planed into the design and management of any pasture management

## Allowing Cattle Direct Access To Surface Waters Can Lead To<sup>1</sup>:

- Environmental Degradation
  - Damage to banks of ponds, streams, creeks and rivers
  - Erosion, sediment loading and increased turbidity in water source and downstream
  - Nutrient enrichment of waterways
  - Rapid growth of weeds and algae
- Heald Health Problems
  - Spread of water borne diseases
  - Foot Rot
  - Mastitis
  - Leg Injuries

<sup>1</sup> Adopted from: F. Henning & B. Segars. Alternative Livestock Watering Systems. Georgia Cattleman. Oct. 1997.

## How much water do you need?

	<u>Penned</u> <sup>2</sup>	<u>Pasture</u> <sup>3</sup>
Beef cows	12 - 20	8 - 13
Growing beef	6 - 15	4 - 10
Dairy		
(400-800 lbs)	6 - 15	4 - 10
(800+ lbs)	20 - 35	13 - 23
Sheep & Goats	1 - 3	0.5 - 2

\* Gallons of water needed per head each day

\*\*Low values are for temperatures near 35 °F, high values reflect for temperatures near 95 °F.

<sup>2</sup>P.Q. Guyer, Univ. Nebraska and Mid West Plan Service, beef housing and Equipment Handbook.

<sup>3</sup>G.J. Harrington. Water Consumption of sheep and cattle in NZ. NZ Agricultural Engineering Institute. Lincoln College and R. Quillim, personal communication

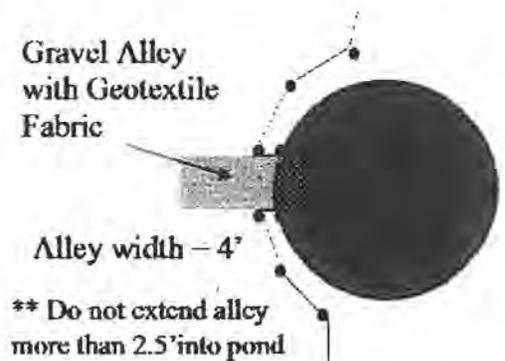
system. Many times off-stream sources will need to be utilized in order to receive any other benefit such as increased forage utilization, average daily gains and ultimately profitability.

Recent research is developing options to mandatory streambank fencing. Researchers from North Carolina State University and Virginia Tech have shown that over 90% of the time, cattle will prefer to drink from an off-stream water source as compared to an unfenced stream. This study showed that when cattle are given an off-stream water source streambank erosion and the concentrations of nutrients and fecal bacteria entering the stream would be reduced without resulting to mandatory streambank fencing. Other studies are underway at North Carolina State University investigating the ability to manage fenced streambanks using high-intensity low-frequency grazing and its impact on vegetative growth and ultimately water quality.

### Off-Stream Water Sources

**Access Ramps.** Cattle prefer watering sites, like access ramps, that offer a good base and footing. Access ramps allow limited access to ponds, streams and rivers while limiting free access to water bodies. Cattle are given access to only a portion of the water through a sloped stabilized bed to prevent erosion and direct deposition of urine and feces. Improved access to water has been shown to increase water intake and may help prevent leg injuries. Access ramps (Figure 1) need to be constructed with relatively low slopes (6-8 feet of run for every foot of rise) with an alley width of 4 feet. Each ramp should serve at least 30 cows. If the ramp will serve more cattle, construct additional alleys beside each other utilizing the same stabilized bed. Construction is simple, a 1.5 - 2 foot thick run of gravel should be laid into a narrow bank and compacted. Geotextile fabric placed under the gravel will provide additional support and will reduce the amount of stone required.

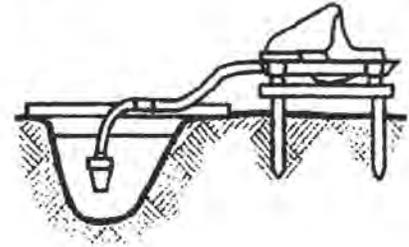
Figure 1. Schematic of Access Ramp



**Gravity Flow Systems:** systems that use springs, streams water tanks or reservoirs located at a higher elevation to supply tanks by gravity flow. Gravity flow systems can either be continuous flow or controlled flow systems. Continuous flow systems (also known as spring/stream developments) utilize water collected from a spring or stream. Water flows from the spring or stream through a strainer or collection bed, into a trough, and through an overflow pipe. Spring/stream developments are relatively inexpensive (\$1200, depending on site layout) and extremely reliable low-maintenance water system. Systems can easily be designed for one spring/stream development to deliver water to three or four trough in series and downhill of each other. Siting of continuous flow systems are often limited by stream slope and pasture topography. Even with limitations, a continuous flow spring development may be the best choice for producers who are blessed with available springs. In controlled flow systems, low-pressure float valves located in troughs are used to control water levels. These systems are extremely effective for supplying water from farm ponds. Local Natural Resource Conservation Service and Soil & Water Conservation personnel can provide technical assistance in the design and siting of both continuous and controlled flow systems.

**Nose Pumps.** Cattle and horses can be trained to pump their own water using a nose or pasture pump (Figure 2). Cattle use their nose to push a pendulum that pumps water through a pipe whose other end located in a stream or pond. Livestock learn quickly how to operate the pump effectively. Manufacturers recommend one pump for every 30 dry cows. Pumps have the ability to lift water 25 feet for a horizontal distance of 125 feet. In areas where lift is not a concern, pumps may deliver water up to a distance of 300 feet. Pumps can easily be moved with cattle, utilizing quick-couples or fixed delivery pipes. Producers may also consider mounting the pump on a frame 22 inches above the ground for cattle and 36 inches for horses.

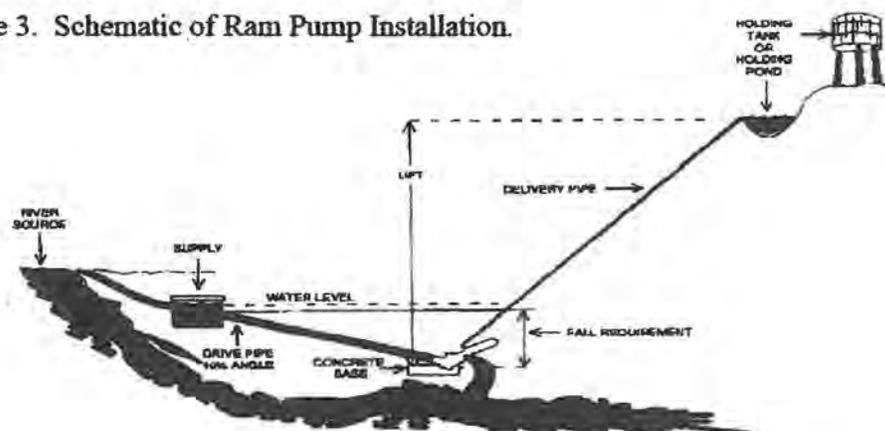
Figure 2. Nose/Pasture Pump with Foot Valve.



**Solar Pumps:** pumping systems that are comprised of an array of solar panels and submersible or non-submersible pumps. Sunshine is converted into electricity and powers a pump to lift water to a reservoir. Solar pump systems are extremely effective in delivering water to heights as great as 240 feet. When coupled with a gravity flow system from a reservoir, a livestock producer has the ability to deliver water to almost anywhere on a farm. Solar panels may be placed on tracking systems to get the most out of the sun even on the cloudiest of days. However, to accommodate variations in sunshine, a minimum of three days of water or electrical storage is recommended. Solar pump systems range in price from \$1,175 to over \$5,000 depending on water delivery requirements, lift (elevation), and cost of reservoir. Although costly, solar pumping systems can reliably deliver water out of steep draws to grazing areas high on a ridge top.

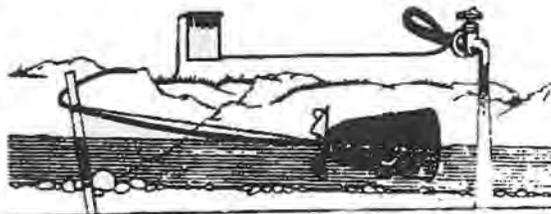
**Hydraulic Ram Pumps.** Ram pumps use the kinetic energy of falling water from a spring, pond or creek to pump water to a higher elevation, without the need for an external energy source. The fall from the water source must be at least 2-3 feet, and a minimum flow of 1 gallon per minute is required for streams. The performance of ram pumps is highly site-specific. Factors such as pump efficiency, stream slope, stream flow, feet of lift to reservoir and the distance to reservoir effect the amount of water that can be delivered over a 24-hour period. Ram pumps are either constructed out of PVC material or metal (cast iron or aluminum). Prices (not including delivery pipes and troughs) range from \$108 to \$2000 depending on performance level and material. Ram pumps lack some of the portability offered by other pumps, but make up for it in reliability. Many pumps installed over 50 years ago are still working today.

Figure 3. Schematic of Ram Pump Installation.



**Sling/Propeller Pumps:** pumps that move water from a flowing stream, creek or river without the aid of electricity or fuel. These devices utilize a propeller attached to the upstream side of a pump. Sling pumps (Figure 4) can lift water 25 to 80 feet (depending on the design). Depending on the pump design, velocity of the stream or river and the pumping distance, these pumps can deliver as much as 4,000 gallons of water per day. A minimum of 1 to 2 feet of flowing water is required to power the pump. Opposite from ram pumps, propeller pumps are very portable, and can be used on swiftly flowing stream with low slopes. Pumps range in cost from \$550 - \$750.

Figure 4. Diagram of Sling Pump Operation.



### Partial List of Manufactures

#### Nose/Pasture Pumps

Blues Skies West  
110 Michigan Hill  
Centralia, WA 98531  
800-NOSEPUMP

Farm Trol  
409 Mayville St.  
Theresa, WI 53091  
920-488-3221

Rife Hydraulic Engine Mfg.  
Co.  
P.O. Box 70  
Wilkes-Barre, PA 18703  
717-823-5730

#### Hydraulic Ram Pumps

B&L Associated Industries  
Rt. 1, Box 118-B  
Rusk, TX 75785  
903-743-5555

Folk Water Powered Ram  
Pumps  
2770 White Cour, N.E.  
Conyers, GA 30207  
770-922-4918

Rife Hydraulic Engine Mfg.  
Co.  
P.O. Box 70  
Wilkes-Barre, PA 18703  
717-823-5730

The Ram Company  
HCR 61  
Lowesville, VA 22951  
800-227-8511

#### Sling Pumps

Rife Hydraulic Engine Mfg.  
Co.  
P.O. Box 70  
Wilkes-Barre, PA 18703

#### Solar Pumps

Atlantic Solar Products, Inc.  
P.O. Box 70060  
Baltimore, MD 21237-4114  
410-686-2500

Energy Outfitters  
136 S. Redwood Hwy.  
P.O. Box 1888  
Cave Junction, OR 97523

The Ram Company  
HCR 61  
Lowesville, VA 22951  
800-227-8511

Comments regarding the Ranch CMP:

DON'T GET ME WRONG. I LOVE COWS  
THERE SO CUTE WHEN THERE BABYS AND  
THE WAY ~~THEY~~ THEY STAND AROUND  
LOOKING CONFUSED AND OUT OF PLACE  
IS ADORABLE AND THE AMOUNT OF MANURE  
THEY PRODUCE IS MAGNIFICENT!

LET'S FACE IT - THEY GOTTA GO.  
I GUESS THE BEST WAY IS TO FAZE  
THEM OUT OVER THE NEXT HUNDRED  
~~YEARS~~ BUT I CAN'T WAIT THAT LONG.

MAKE SOME KIND OF ARRANGEMENT  
WITH THE RANCHERS (MONEY, TRADE FOR  
LAND SOMEWHERE ELSE, ETC) AND LET  
THE TULE ELIZ ROAD FREELY TO BOLINAS  
AND BEYOND!

Your Name: \_\_\_\_\_  
Mailing or email address: \_\_\_\_\_  
Organization (if applicable): \_\_\_\_\_

WALT HOFFMAN



RECEIVED  
2014 MAY 21 AM 11:32  
POINT REYES NS

Member

Official Representative

(circle one)

RECEIVED

I have been leasing a cattle ranch in the Point Reyes National Seashore for 50 years. Everything was going fine until the superintendent turned the surplus elk from the elk range in the wilderness. They have left the wilderness and are now on the pastoral zone and multiplying fast.

Elk are very destructive on fences and water sources, carry disease and destroy pasture. They don't get along with cattle. If these elk are not permanently removed from the pastoral zone a 20 year lease will do no good because there will be no ranchers left. Elk are presently on 10 ranches. Cattle and elk don't mix!

Ranchers need to maintain ranch roads and cattle crossings. Most ranches have their own gravel source and must be allowed to use it.

Ranchers need to be allowed to develop water sources and clean sediment from stock ponds and dams in the fall.

Ranchers must maintain the land by clearing brush and invasive weeds.

*Thank you*

*Merv McDonald*

# APHIS finalizes chronic wasting disease interim rule

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) issued the final version of a regulation last week, establishing a herd certification program for farmed and captive deer, moose and elk to help identify and stop the spread of chronic wasting disease (CWD).

CWD, a neurological disease that can destroy herds, affects primarily deer and elk. The disease belongs to a group of diseases known as transmissible spongiform encephalopathies, or prion diseases, a relative of bovine spongiform encephalopathy (BSE), creating some concern in the cattle industry.

CWD eventually produces enough damage to the brains of affected animals to result in death. Although CWD is similar to BSE in cattle and even scrapie in sheep, to date there is no known relationship.

The disease has been found in both wild and captive elk and deer in multiple states, and captive animals in Korea, affecting both markets and causing Korea to suspend elk and

deer imports. Canada no longer allows elk imports from Colorado and Wyoming and requires other imports of moose and deer to come with a certificate stating the animals are free of CWD.

It is caused by an abnormal protein called a prion that attacks the brains of infected animals, causing them to lose weight, display abnormal behavior and lose bodily functions, according to the Iowa Department of Natural Resources (IDNR). Signs include excessive salivation, thirst and urination, loss of appetite, progressive weight loss, listlessness and drooping ears and head. The only reliable test requires testing of lymph nodes or brain material.

Iowa saw its first case of CWD in a deer harvested from the December shotgun season.

APHIS finalized a 2012 interim rule on CWD that establishes a voluntary herd certification program (HCP) to control the spread in farmed cervids (deer, elk and moose).

The CWD interim final rule has been in effect since

August 13, 2012 and the final rule, which was published in the Federal Register on April 29, makes only minor changes based on public comments.

The agency explained in the final version that it "decided to allow state and local laws and regulations with respect to CWD to be more restrictive than our regulations for multiple reasons. One of those reasons is that it is more difficult to determine with certainty what restrictions are justified for CWD than for other diseases, given our relative lack of knowledge about CWD."

Since APHIS began accepting applications for its national CWD herd certification program in April 2012, a total of 29 states with farmed cervid populations have joined the voluntary program and adopted consistent herd certification requirements.

The rule requires a full five years of continuous mortality testing with no evidence of CWD before herd owners can achieve

certified status and be eligible to move their animals interstate.

In addition, farmed cervid herd owners are required to have fencing in place, individual animal identification tags, and conduct regular animal inventories. All animals over 12 months of age that die for any reason must also be tested for CWD. Over time, participation in the national CWD herd certification program should further reduce the incidence of disease in farmed cervid populations.

"Other gaps in the available science about CWD

also impair our ability to achieve eradication of CWD, including the lack of certainty regarding the disease status of individual live animals and the lack of knowledge regarding effective cleaning and disinfection measures for premises on which CWD has been found," the agency wrote.

APHIS' CWD Program Standards offer optional guidance to facilitate compliance with the CWD final rule requirements. Revised program standards were published in the Federal Register in December 2013, and APHIS accepted comments through March 31,

2014. Comments are currently under review and are expected to be posted on the APHIS website sometime later in May.

There is currently no evidence that humans can contract chronic wasting disease by eating venison. However, the National Institute of Health and the Center for Disease Control and Prevention recommends that hunters do not eat the brain, eyeballs or spinal cord of deer, and that hunters wear protective gloves while field dressing game and boning out meat for consumption. — Traci Eatherton, WLJ Editor

## GRAZING CORN

Plant with grain drill • Harvest on hoof or windrow for winter

Possible to double crop following oats or triticale if you plant by mid-July

After frost — No grazing delay as with sudans

Alan Greenway

Cell: 208-250-0159 • Office: 208-454-8342

GREENWAY SEEDS • Caldwell, Idaho • Call us also for pond and tank liners

## Watch the bulls closely

The first of May is typically a date planned for turning bulls into the breeding season.

first part of each breeding season.

If problems are apparent, the bull can be replaced

LONE MOUNTAIN CATTLE COMPANY

TAKE YOUR HERD BEYOND PRIME

**TO: Point Reyes National Seashore (managed by the National Park Service, U.S. Department of the Interior)**

**FROM: Julie Phillips, Executive Director, Tule Elk Foundation (TEF)**  
310 El Alamein Road, Felton, CA 95018  
[tuleelkfoundation@yahoo.com](mailto:tuleelkfoundation@yahoo.com)

RECEIVED  
2014 MAY -9 AM 11:38  
POINT REYES NS

**RE: Ranch Comprehensive Management Plan Initial Public Scoping  
Ranch CMP in accordance with the National Environmental Policy Act  
(NEPA)**

**Tule Elk Foundation (TEF) comments & identification of topics and concerns that should be addressed in the Environmental Assessment**

**Attached please find our comments on the above-referenced Public Scoping Ranch CMP effort.**

*Mission of the TEF: The purpose of the Tule Elk Foundation (TEF) is the preservation and conservation of Tule Elk in California as well as public education about Tule Elk. The Tule Elk (*Cervus canadensis nannodes*) are a California endemic (found only in California) as well as a flagship and umbrella species for North America.*

*The TEF shall provide education about landscape connectivity and habitat protection for Tule Elk and other wildlife; provide education outreach; train future conservationists; provide volunteer and internship programs; and form partnerships with conservation groups to help protect Tule Elk in the wild in California.  
(Established April 23, 2013)*



**Point Reyes National Seashore (managed by the National Park Service, U.S.  
Department of the Interior)  
Ranch Comprehensive Management Plan Initial Public Scoping  
Ranch CMP in accordance with the National Environmental Policy Act (NEPA)**

**Tule Elk Foundation (TEF) comments & identification of topics and concerns that  
should be addressed in the Environmental Assessment**



**Submitted via Mail 5/8/14**

**The Tule Elk Foundation's (TEF) perspective on the Ranch CMP Environmental Assessment and public scoping process:**

***Tule Elk should be the #1 priority on National Park/National Seashore lands (NPS).*** If Tule Elk are not fully protected on National Park lands, then where will Tule Elk be protected in the State of California? Just a reminder, that Tule Elk (*Cervus Canadensis nannodes*) once numbered 500,000 throughout their native habitat in California. Tule Elk now number only about 4,000 in California. With the long-term concerns of the genetic health of the Tule Elk – every elk population is critical for the long-term health and viability of Tule Elk statewide. One of the important traits of Tule Elk is their incredible “adaptability” to changes in their environment but that adaptability has its limits especially as the Tule Elk are “managed” by humans. ***The Tule Elk's long-term health is dependent upon free-roaming populations that live “unimpaired by human influence”.***

***Tule Elk, including all native wildlife, should be the #1 consideration and long-term vision for the NPS.*** The pastoral lands for dairy cattle/grazing operations that have been given special leases over the last nearly 50 years by the NPS should not take priority over native habitat and species within a National Park and specifically within the Pt Reyes National Seashore. The NPS should develop a phase out plan for dairy/grazing operations possibly in a maximum of 10 year lease agreements. It appears some of the ranches including the buildings/facilities are in poor condition with heavy grazing and very degraded lands on their leased land. Numerous cattle trails in the pastoral lands are creating erosion challenges throughout the park pastoral lands. There are little, if any, native forbs or shrubs in the heavily grazed lands. From our understanding, the original pastoral lands owners were given fair market value (according to original statutes) for

their lands and then allowed to continue to graze the lands under special agreements/leases with the federal government.

*The Pt Reyes National Seashore educational and outreach materials promote the public viewing of sustainable dairy/grazing operations working compatibly with the land in Pt Reyes (about 26,000 acres and covering about 1/3 of the park/seashore). From our observations in the Pastoral lands in early May, there was no interaction with the public and we watched the ranchers separating many of the young dairy calves from the cows and loading the young calves into white plastic crates. The spectacle of hearing and watching the young calves crying and confused - waiting to be shipped off the ranches – was not a pleasant park experience. There were no members of the public observed stopping and enjoying the ranching operation that is right off the public access road. It was disturbing to watch. Many people did stop to see the FEW free roaming tule elk bulls and cows on the pastoral lands though. People were out taking photos and viewing the elk.*

There are many opportunities throughout much of California (right off of most freeways and other public roads) to observe dairy/cattle grazing. *In fact, most California citizens, residents and numerous visitors over the last nearly 80 years have seen European cattle and dairy operations on a daily basis. These dairy/grazing operations have replaced most natural processes in the California landscape. It is far more rare, if not nonexistent, to see a restored landscape with native species grazing and browsing relatively undisturbed by the human presence.*

*California is a biodiversity “hotspot” one of the most important places to be protected of the 25 or more hotspots globally! California is only second to Hawaii in the number of endemic species (species found nowhere else on Earth).*

National Park lands should focus on the protection, preservation and restoration of the native landscape of California and permanent protection and/or restoration of those native species that inhabit those protected lands.

Tule Elk, a California endemic species, are considered an “umbrella” or focal species for North America. *Tule Elk represent the long-term efforts by the State of California, Federal Government (Tule Elk Preservation Act of 1976), the public and nonprofits to restore this large free-roaming native herbivore to the landscape over the last nearly 80 years. The reintroduction of tule elk may be one of the largest restoration efforts in the history of California and possibly the nation.*

Since the original efforts to reintroduce tule elk throughout its native habitat over nearly 80 years - the citizens of California, leadership and resource agencies are at a crossroads! When will Tule Elk take priority over European cattle/dairy grazing practices - which were integral in destroying much of the native landscape of California? Cattle/dairy operations still dominate the California native landscape - found throughout California and as well as nationwide. Our National lands, and specifically restricted-use lands such as a National Park, must be a safe haven for free-roaming Tule Elk in

California! And we are only talking about ONE National Park within California where free-roaming Tule Elk ARE NOW FOUND (only since 1998- a mere 16 years)!

**The Tule Elk Foundation (TEF) insists that Tule Elk remain the top priority in Pt Reyes National Park – specifically as free-roaming herds - which are an integral component of the "core" mission of the National Park Service! Free-roaming Tule Elk herds throughout the Pt Reyes National Seashore (including the pastoral lands) must take priority over any other "uses" of these federal restricted-use lands. A reminder that a National Parks are not considered "multiple use" lands - as are National Forests and other federal lands managed under the Department of Agriculture. *National Parks are to be managed "unimpaired for present and future generations" and restore and protect the ecological processes and natural systems.***

### **Ranch CMP Scoping Questions – Responses by the Tule Elk Foundation (TEF)**

1. What do you think the NPS should be considering as it develop this Ranch CMP?

**Tule Elk Foundation (TEF) Response:** We believe that the Pt Reyes National Seashore should adhere to its published statement cited from the Pt Reyes National Seashore website: *“Further conservation efforts (of Tule Elk) resulted in an additional free-ranging herd being established at Point Reyes. In 1998, 28 animals taken from the Tomales Point preserve were released in the wilderness area south of Limantour Beach. Reintroduction of tule elk to the National Seashore and the further establishment of the free-ranging herd has been an important component of the restoration of the natural systems historically found in this unique and treasured place.”* ([http://www.nps.gov/pore/naturescience/tule\\_elk.htm](http://www.nps.gov/pore/naturescience/tule_elk.htm))

Based on the National Park mission and your documented efforts to restore free-roaming Tule Elk in the Point Reyes National Seashore (PRNS), **the TEF recommends that the #1 priority in PRNS needs to remain the preservation and restoration of native, free-roaming Tule Elk (and other wildlife) including the pastoral lands.** The continuing restoration of the Tule Elk, a native endemic herbivore, will further the mission of restoring the native landscape including native perennial bunchgrasses and other native plants that co-evolved with Tule Elk. Tule Elk, as an umbrella species, will be integral in the long-term restoration of the native landscape. Its presence will also benefit the restoration of other native animal species which have been degraded and/or lost in these historic sites as a result of grazing/browsing by non-native European cattle and the eventual establishment of many exotics throughout this park.

**The NPS should also consider its historical role and involvement in the early 1970’s as a key stakeholder in the reintroduction of Tule Elk into Point Reyes National Seashore.** According to your website statement and the historical record: “State and Federal legislation in the early 1970’s, authorized the California Department of Fish and

Game (now the Cal Dept of Fish & Wildlife), in cooperation with the U.S. Fish and Wildlife Service and the National Park Service, *to reintroduce the extirpated Tule Elk to Tomales Point*. As a result, 10 animals (8 females and 2 males) were transplanted from an existing reintroduced herd in the San Luis National Wildlife Refuge near Los Banos to a 2,600 acre fenced enclosure on Tomales Point in 1978.”  
([http://www.nps.gov/pore/naturescience/tule\\_elk.htm](http://www.nps.gov/pore/naturescience/tule_elk.htm))

These initial historical restoration efforts were an essential step in **restoring the Tule Elk as a public good and a part of the Public Trust Doctrine movement**. These early pioneers and the dedicated efforts to restore the native California landscape were instrumental in the eventual public policy and practices of restoration ecology, landscape ecology, ecosystem management, sustainable studies and wildlife science. These newly practiced disciplines are now widespread throughout the outstanding academic institutions within California and nationwide. Students and the public embrace and support these practices as “core” to the mission of National Parks, State Parks and other public lands. These practices are also being adopted on private lands. This vast movement supports the Public Trust Doctrine that wildlife are held in trust for present and future generations.

2. What are the most important issues regarding the lands under agricultural lease/permits that you believe need to be addressed in this plan?

**Tule Elk Foundation (TEF) Response:** Sustainable practices must be an integral component of any dairy/grazing operations within a National Park. The core mission of the Point Reyes National Seashore must be to manage the lands in its natural and original state. Only those dairy/grazing operations that support this mission should be allowed to continue within the park. Those original leases must now be reviewed to assess if those operations can be compatible with free-roaming Tule Elk throughout the entire PRNS lands. **Any leases granted must include in the lease agreements a clause that states that** free-roaming Tule Elk, a California endemic species, are a natural and integral component of the natural California landscape. Free roaming Tule Elk cannot be harassed, chased, herded, moved or killed in the pastoral lands including any lands with sustainable dairy/grazing leases. The leasees must manage their lands in accordance with guidelines provided that incorporate practices to eliminate any negative impacts on the native Tule Elk within the pastoral lands. The leases should be short-term, maybe in 10 increments so that the NPS with public input can reassess the impacts of the dairy/cattle operations on the free-roaming native Tule Elk herds throughout the pastoral lands.

It should be the long-term vision of the PRNS and the NPS to establish free-roaming Tule Elk herds throughout the park as an example of long-term sustainable and restoration ecology practices for restoring and maintaining the natural landscape as a “textbook example” for present and future students and the public as was envisioned by the next generation of leaders and stakeholders.

Free-roaming Tule Elk herds will bring more visitors to the PRNS than sustainable dairy/grazing practices. The public needs to see a restored and “natural” landscape

within their parks including PRNS. Schools, colleges, universities and the public can participate in the long-term practices of restoring the landscape to support native species historically found as a part of California's new Common Core Standards and newly established disciplines in the Environmental Sciences, Natural Sciences, Ecosystem Management Studies and the Wildlife Sciences. A new vision for Ecotourism can emerge from this effort where millions of visitors each year (as well as students) can view a natural landscape that exemplifies the best of our National Parks.

**Point Reyes National Seashore will become the model for a park in transition from past practices which resulted in a moderately degraded landscape integrated with stands of the native landscape to a fully restored native landscape that embraces using native umbrella species, such as Tule Elk, in the restoration process.** The next step being the restoration of the historical native grassland and other historical communities found currently or historically in the park boundaries.

3. What are the reasonably foreseeable future ranching activities that should be considered and reviewed as a part of this plan?

**Tule Elk Foundation (TEF) Response:** Only those ranching activities that fully support and are compatible with free-roaming Tule Elk herds throughout the park lands (including the pastoral lands) should be given leases. (See comments above in Question #2 as well).

This is an opportunity to integrate sustainable ranching practices in NPS lands that actually model sustainable practices with regard to a large, free-roaming, native (endemic) herbivore, which is integral to the native landscape. In this case, the Tule Elk are given priority over non-native exotic European species and the exotic plants that continue to thrive with a cattle operation.

The Tule Elk are the native "grazer and browser" that become an integral component of the long-term plan to restore the native landscape including the pastoral lands over time (some period to be determined).

4. What are the reasonably foreseeable actions related to the management of tule elk affecting park ranch operations that should be considered as a part of this plan?

**Tule Elk Foundation (TEF) Response:** Free-roaming Tule Elk herds should be seen as an integral and natural component of the native landscape throughout the park including the pastoral lands as are all native species within the park. The Tule Elk should be fully protected and supported in an effort to successfully restore the native landscape in the park. **Free roaming Tule Elk movement and use of the land should be seen as an integral component of the natural processes and educational mission of this National Park.** The restoration of the natural landscape should be documented and studied by students of all ages, the public and the resource agencies as a model of sustainable practices in restricted use lands (National Parks).

The non-native European dairy/cattle operations should be managed continuously to be sure that no impacts on the free-roaming Tule Elk occurs. The monitoring and documenting of this transition from non-native uses of the park to a restoration of natural process model should be thoroughly documented as a model for other public lands in California and nationwide.

**No hunting, herding or harassing of native free-roaming Tule Elk should be allowed on any National Park lands including Point Reyes National Seashore.** The past statute Section 459c-6. Administration of Property, Section (b) Hunting and Fishing regulations – that allows the Secretary to permit hunting on lands under her/his jurisdiction should be immediately removed/revised to specifically eliminate hunting on National Park lands. The public would be shocked and disturbed that these practices may be allowed on public lands specifically restricted-use lands like a National Park.

*The permanent restoration of a large free-roaming native herbivore to the landscape is the next natural step in a legacy of bringing an umbrella species back from the brink of extinction in California and nationwide.* These efforts will be applauded and praised by present and future generation as the right thing to do on public lands managed under the mission of “leaving the lands unimpaired for present and future generations and restoring the natural ecological process in those lands.”

5. What are potential park actions related to the management of cultural and natural resources on ranch lands that should be considered as a part of this plan?

**Tule Elk Foundation (TEF) Response:** Any cultural and/or natural artifacts and resources including native species are the priority of the National Park lands and should be protected to the fullest extent as an integral component of the NPS mission. No harassment, destruction or take of these cultural and natural resources (including Tule Elk and all native species) shall be allowed at any time. Any operations and/or activities that impact these cultural and natural resources should be phased out over time and eventually eliminated as a part of park activities.

Restoration of the harmony between the humans and native species found in a National Park should be a core objective and serve as a model.

6. What do you, as a member of the public, need from the NPS to meaningfully engage in the planning process?

**Tule Elk Foundation (TEF) Response:**

\*We would like a clear understanding of the discussions that are or have occurred between the Point Reyes National Seashore leadership and staff and the current pastoral lands ranching operations over this next phase.

It appears from the media that discussions/decisions have already taken place. For example a quote from the [Santa Cruz Sentinel news article entitled Point Reyes National Seashore ranches begin planning processes](#) dated 4/23/14 states:

*“Ranching is integral to our history and to our future here at Point Reyes National Seashore” by Cicely Muldoon, Park Superintendent. It continues . . . “This plan will set a strong foundation for ranching now and into the future” . . .*

And additional quotes in the news article: *“The focus is on keeping ranching going and taking a look at these lease agreements”, said Stacy Carlsen, the county’s agricultural commissioner who has talked with ranchers about the process. “We also want to look at the ability for ranchers to diversity and to make that easier”.*

It appears, to the general public, that there are already preliminary agreements or at least discussions about preliminary agreements in place between the NPS and ranching operations.

\*We would like the NPS to consider its very visionary approach to **“Preparing for a Second Century of Stewardship and Engagement” A CALL TO ACTION 2016** – to be an integral consideration in this Ranch CMP Comprehensive Management Planning Process. This process “rallies employees and partners to advance a shared vision toward 2016 – it describes specific goals and measurable actions that chart a new direction for the NPS as it enters its second century.” Source: <http://www.nps.gov/calltoaction/index.html>

This vision and mission should be used as an integral component of creating a new vision for the Point Reyes National Seashore and its historic use of sections of the park.

\*Clearly define “sustainable operational practices” listed in the Ranch CMP document. Again the priority should be to fully protect and restore the native landscape as the top priority and guiding principle.

\*Relook at the former Secretary’s Memo of November 29, 2012 – setting the objectives for this scoping process. With a new Secretary of the Interior in leadership now, this should be revisited. It also should be based on a thorough review of the “science” and landscape connectivity/ecology issues that are an integral component of the mission of the NPS.

**\*The Point Reyes National Seashore Website seems to focus on:**

- Educational Outreach and Programs
- Tule Elk Education
- Nature & Science *(with a very extensive overview of the rich biological diversity of the park highlighted including nearly 18% of California’s plant species found within the park and 38 threatened and endangered species existing within the Seashore).*
- Parks as Classrooms

- Additional Education Resources . . . and more

These appear to be an integral and “key” component of the PRNS mission and outreach to the public.

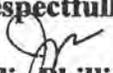
**\*\*There needs to be a open and scientific-based discussion of the real impacts of non-native European dairy/cattle operations** (as well as the exotic species associated with cattle) on these public lands and within a National Park. **That should be the central discussion – not “establishing long-term management approaches for Tule Elk affecting agricultural lease/permit areas”!**

**We believe the discussion should be re-worded to the following as a part of a 2014-2015 mission and vision for our National Parks:**

**Establishing short and long-term management approaches (including a tentative phase-out plan) for nonnative European cattle and the related operations that occur as a result extending the agricultural lease/permits on pastoral lands.**

**Tule Elk, a California endemic species, is an integral and important natural component of the park including the pastoral lands. That must have priority over past practices within the pastoral lands.**

Respectfully submitted,

  
**Julia Phillips Executive Director and Tule Elk Biologist for over 30 years  
Tule Elk Foundation (TEF)**

***Mission of the TEF: The purpose of the Tule Elk Foundation (TEF) is the preservation and conservation of Tule Elk in California as well as public education about Tule Elk. The Tule Elk (*Cervus canadensis nannodes*) are a California endemic (found only in California) as well as a flagship and umbrella species for North America.***

***The TEF shall provide education about landscape connectivity and habitat protection for Tule Elk and other wildlife; provide education outreach; train future conservationists; provide volunteer and internship programs; and form partnerships with conservation groups to help protect Tule Elk in the wild in California.  
(Established April 23, 2013)***



RECEIVED

2014 MAY 13 AM 11:20

POINT REYES NS

May 6, 2014

Cicely Muldoon  
Park Supervisor  
PRNS  
1 Bear Valley Road  
Point Reyes, CA 94956

Dear Cicely Muldoon:

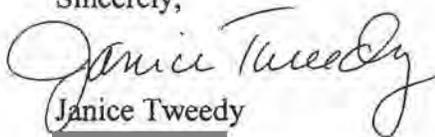
Yesterday on my walk out to Abbotts Lagoon I witnessed many Grasshopper Sparrows dropping down into the tall grasses in the fields adjacent to the trail. On my return that field and many others within my view had been mowed down. There were many Crows feeding on these freshly mowed fields. Being breeding season I presume that the Crows were feeding mostly on eggs or chicks of the Grasshopper Sparrow and other ground nesting birds.

I am a longtime and devoted bird watcher. This was a very heartbreaking event for me to witness.

I realize that the mowing for hay is a time sensitive business. Never the less, I wanted to bring this to your attention in the hopes that a solution to this horrible problem could be achieved.

Thank you for your attention to this matter.

Sincerely,



Janice Tweedy

[Redacted address information]

[REDACTED]

May 18, 2014

Ranch CMP c/o Superintendent  
 Point Reyes National Seashore  
 1 Bear Valley Road  
 Point Reyes Station, California 94956

RECEIVED  
 2014 MAY 27 PM 12: 11  
 POINT REYES NS

Dear Superintendent Muldoon:

Thank you for the opportunity to comment on Point Reyes National Seashore's proposed Ranch Comprehensive Management Plan/Environmental Assessment ("Ranch CMP").

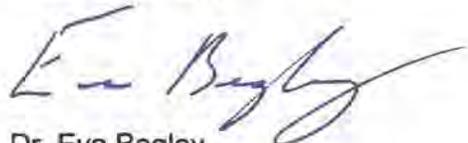
A primary objective of the proposed Ranch CMP should be to ensure that the ranches are and continue to be economically viable. They are an integral part of Point Reyes' historical, rural landscape, and as a professional biologist I firmly believe that any attempts to "restore" Point Reyes to some sort of pre-Columbian, "pristine" paradise are misguided. To ensure that the ranches do in fact continue to be economically viable, please take the following points into consideration:

- Your April 21, 2014 notification indicated that ranch leases/permits can be issued for terms up to 20 years. Please investigate whether, with appropriate statutory and/or regulatory changes, it would be possible to issue even longer-term leases. (After all, the Federal Energy Regulatory Commission issues 50-year licences.) The longer the term of the lease, the greater the ranch operators' vested interests in keeping the land in good, productive condition and in being good stewards.
- The Ranch CMP should give ranchers reasonable flexibility in managing their leased lands; they should not be required to get National Park Service (NPS) approval for every minor modification of their operations. It is bad enough that NPS seems to be micromanaging the Drakes Bay Oyster Company (for example, taking it to task for setting out a few "unauthorized" picnic tables); please don't micromanage the dairy ranches as well.
- The Ranch CMP should avoid imposing so many regulatory, monitoring, and reporting requirements on the dairy ranches that they become economically unviable.
- With regard to elk management: I recommend that you investigate how other public agencies with elk on their lands are dealing with conflicts between elk and adjacent ranchers. For example, I believe that the California National Guard actually maintains one or more alfalfa plots at Camp Roberts to "encourage" its elk to stay on military lands and not stray onto adjacent agricultural property.

If the Point Reyes dairy ranches fail, we all lose.

I look forward to seeing the Environmental Assessment when it is released for public review and comment.

Yours sincerely,



Dr. Eva Begley

Nancy Gates  
[REDACTED]  
[REDACTED]

RECEIVED

2014 MAY 30 AM 11: 28

POINT REYES NS

Point Reyes Ranch CMP/EA  
c/o Superintendent Cecily Muldoon  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

May 23, 2014

Re: Ranch Comprehensive Management Plan/Environmental assessment (Ranch CMP)

Dear Superintendent Muldoon,

Ranching operations have historically led to environmental, socioeconomic and cultural benefits to the public in the Point Reyes National Seashore.

In order to ensure a longtime viability and security of ranching operations there, please:

- Implement 20-year leases
- Put leases on a rolling basis that renew each year as long as all the parties agree
- Streamline the lease process
- Manage the tule elk to keep the elk out of the domestic livestock grazing pastures and away from ranch infrastructure
- Reimburse ranchers for any and all damage by the elk to fencing and other infrastructure
- Protect ranch operations and privacy from visitor and recreational trespass
- Allow diversification into other types of agriculture
- Allow ranching families to live on the land even if a rancher decides to cease agricultural operations

Thank you for your consideration,



Nancy Gates

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2014 MAY 29 PM 1:00

## RANCH COMPREHENSIVE MANAGEMENT PLAN

POINT REYES NS

This ranch (M Ranch) has been in the Grossi family since 1939. There are four generations currently living on the ranch. Everything that was accomplished was done with a lot of hard work and plenty of thought. In order for this ranch to continue to be sustainable we must be able to have the ability to continue agricultural practices and create new ones. We are every bit the environmentalist. We must preserve the landscape in order to be able to operate our business. The following issues are necessary to maintain our ability to ensure our future and protect our heritage.

## PASTURE MANAGEMENT

We buy pasture-grass-from the NPS. Over the years because of our inability to control encroaching brush, iris, thistles, tules and a multitude of noxious weeds our pastures have diminished dramatically. We have to have the ability to clear the land of these undesirable plants. We might need to plow and reseed the pastures with productive grasses (grasses that are palatable to animals). Without productive pastures we cannot raise animals-herbivores.

## ELK

The ever increasing herds of Tule Elk are severely impacting the availability of grazable pasture land. These elk must be removed from the pastoral zones and some type of herd management must be put in to place-also for the elk on the Pierce Ranch. This is an extremely important issue!

## LEASES

It does not make any difference in the length of the ranch lease terms, if the leasee cannot produce enough income to pay for the lease. Each time a new appraisal is done the rent is increased. There should be some consideration of the amount of income the land can produce. When will the cap on rent increases come into play-when 100 % of the lands production is taken? There has to be a better way of determining lease/rent terms-perhaps a percentage of gross income or a similar factor. If the leasee cannot have the ability to make a product of his choosing, and if the elk are not removed, and if we cannot enhance pasture lands, the lease is not important.

#### PREDATOR CONTROL

We had three calves eaten by coyotes this year; we have pictures of them. If coyotes are found to be the culprit, we should be able to protect our livestock without fear of reprisal. This is primarily a seasonal problem-when the cows are calving in the early fall to mid-winter.

#### GRAVEL

The gravel from the borrow pits that were closed is the best type of gravel for us to use. It packs like cement and does not injure the bovine hoof. Regular gravel with any size of rock simply puts small cuts and scratches into the hoof and makes a pathway for the malady termed "hoof rot" to enter the hoof wall. This causes lameness; in severe cases the infection enters into the leg bone and the animal has to be put down. Each ranch was promised gravel to compensate for the closures-but none was delivered. We need the local gravel for areas of heavy cattle concentration (feeding and watering areas). Other gravel can be used on road maintenance, repair ditches, and small erosions caused by winter rains. Gravel is a very important commodity on a ranch.

#### PONDS AND SPRINGS

We need to be able to maintain/repair and create water sources with a streamlined process. Time is usually of the essence for repairs and in drought years. Animals need water to survive.

#### PERMIT PROCESS

The time it takes to acquire project approval is far too long. Many times several trips with several different personnel occur. All persons required to approve a project should schedule their site visit at one time. It is extremely difficult to keep making the same trip to the same site time and time again. It is very frustrating to make phone calls to the headquarters and not have them returned. Once a project is approved the approval should be good until the project can be accomplished. Sometimes money or time can cause delays. We know Davii is trying to streamline the permit process, we hope it works!

#### DIVERSIFICATION

We need the ability to try a new venture if we so choose. Sometimes a younger family want to add a new product; they should be able to try.

We believe all of the above are very important to agriculture succeeding within the NPS. It would, certainly, be more helpful if more of the NPS employees had a better knowledge of agriculture. We have such a difficult time explaining the need for most of the practices we need to survive. Some of the smallest items are of such great importance to succeeding in producing a product. It seems like we are always explaining a process and just about the time a NPS employee finally understands-they move on to another position in another park and we are left to start the job all over again. There is a word of significant importance in this process

COMPROMISE

JARED HUFFMAN  
MEMBER OF CONGRESS  
2<sup>ND</sup> DISTRICT, CALIFORNIA



RECEIVED

2014 MAY 27 PM 12:11

POINT REYES NS

May 21, 2014

Cicely Muldoon, Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon:

For over 150 years, agriculture has been a vital part of the fabric of West Marin. That includes the historic ranches and dairies in the Point Reyes National Seashore, which contribute to the special history, character and appeal of this magnificent national park. The National Park Service recognized this in designating the ranches on the Point and in the Olema Valley as vernacular cultural landscapes, landscapes that evolved through use by the people whose needs and activities shaped them. While ranching has caused change, and ranching practices continue to evolve, the fundamental distinctive characteristics of these landscapes have existed for many generations and, we believe, must be retained.

These ranches and dairies also provide broader benefits: they help preserve agriculture outside the park boundaries by ensuring that our regional agricultural economy, consisting almost entirely of small-scale agricultural operations, remains large enough to support the facilities and services that are necessary for most of these ranches, dairies and farms to stay viable. Congress showed great vision by providing for ranching to continue within the Seashore to ensure that future generations would be able to experience the park's unique working landscapes. That vision, and the many benefits it represents for the park and our region, is worth protecting.

That's why we are writing to express our firm commitment to ensuring that environmentally and economically sustainable agriculture remains a permanent part of the Point Reyes National Seashore.

Towards this end, we have been closely following your plans to embark on a planning process to create a Ranch Comprehensive Management Plan and environmental assessment relating to long-term agricultural operations in the Seashore. It is our expectation that this process will include constructive, good faith engagement from all stakeholders and the NPS to ensure that the voices, concerns and the needs of the many stakeholders who share our commitment to economically and environmentally sustainable agriculture in the Seashore are heard and fully considered.

Essential to the success of this planning process is reducing conflicts between the reintroduced elk herds and the park's historic ranches and dairies. The successful return of the majestic elk to the Point Reyes National Seashore is good for park visitors and speaks to the health and abundance of the park's natural environment – but the growing number of elk taking up permanent residence on working ranches and dairies, mingling with cattle and potentially acquiring and spreading cattle-borne diseases, damaging fences and equipment, and competing with cows for carefully managed organic forage on ranch lands is a serious problem for ranchers now and will certainly lead to impairment of historic values of the working ranches.

Parallel with its planning process, the Park Service should endeavor to protect both the elk herds and the historic ranches and dairies through strategies to ensure permanent, effective separation of the elk from the working ranches in the Seashore. The options include relocation of animals off the ranches, sterilization, and installation of "elk fencing" to prevent the Limantour herd from continuing to stray out of the wilderness area and into the ranch lands.

Additional benefits of a good planning process should include a framework for improving the time it takes for ranchers to get permission from the Park Service to undertake routine activities such as fencing, facility maintenance, and clearing non-forage vegetation that invades grazing land, as well as a more expeditious and consistent process for addressing proposed changes to silage areas, production of agricultural products other than milk and beef, and other related requests that are currently being considered on a case-by-case basis.

An important outcome will be a Ranch Plan that analyzes these kinds of land management questions in the context of the interconnectedness of all the ranches. That makes sense from an environmental perspective and should result in swifter, more efficient and consistent decision making that will benefit ranchers and uphold the park's high environmental standards.

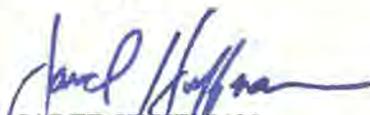
This process should also provide a good opportunity for the ranchers to showcase stewardship practices to the community at large and educate them about the challenges facing small family ranchers, most of whom now operate organic ranches and farms.

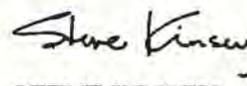
We encourage you to take advantage of existing local expertise provided by the Natural Resource Conservation Service as well as our Marin County Agricultural Commissioner, the Resource Conservation District, and UC Extension who have worked extensively on developing elements of the Countywide Plan and Local Coastal Program concerning environmentally-sound agricultural practices.

We understand there are concerns within the agricultural community that the Ranch Comprehensive Management Plan and environmental assessment could lead to outcomes that reduce or eliminate agriculture in the Seashore – an outcome we would oppose, and we believe would contravene Congress's intent. As this process moves forward, we will engage to ensure this process leads to a long-term agricultural management plan and long-term leases that protect the park's environmental values while respecting and sustaining the historic ranches and dairies as an essential part of our Seashore. Building credibility with the ranchers during the planning process by exercising the full extent of your existing authority in the short term to address their problems with the Tule Elk should remain a high priority.

With constructive, good-faith engagement from all stakeholders and the NPS, we believe the Ranch Comprehensive Management Plan can be a significant improvement over the status quo and an important step toward rebuilding trust and cooperation between the ranchers, environmentalists, and the NPS in West Marin. Our district office staff will be present and available throughout the planning process. Please ask for their help as needed.

Sincerely,

  
JARED HUFFMAN  
Member of Congress

  
STEVE KINSEY  
Marin County Supervisor, 4<sup>th</sup> District

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
POINT REYES NATIONAL SEASHORE  
POINT REYES, CA. 94956  
May 26, 2014



NPS Scoping Process :

Page 1

What do you think the NPS should be considering and what are the most important issues regarding the lands under agricultural lease/permits that you believe need to be addressed in this plan?

Lease permit terms of up to 20 years do not take into consideration of the changes that may take place during those years:

- \*An uncertain economy
- \*Competition from Central Valley corporations
- \* Loss of farming interest among heirs
- \* Public need
- \*Preservation of natural resources
- \* Negative scenic impact
- \*Overgrazing
- \* Rising feed costs
- \* Additional costs to taxpayers to support these private businesses.

Ranching within the seashore may not be economically feasible in the future and a twenty year commitment by the park may become an expensive burden.

The ignoring of repeated written requests by former park superintendents to some ranchers asking them to maintain their structures in a visually pleasing manner is another concern. It affects visitors and may be a future financial burden on the park service.

The leases should remain as they are with annual renewals. The ranchers should be compensated for any financial losses that closure of private business operations at Pt. Reyes would cause. Still, the ultimate goal should be to phase out all livestock grazing within the national seashore for the purpose of prairie restoration and the enjoyment of the public.

**The National Park Act of 1916** that created the National Park Service states that its purpose “is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same and in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations.”

Most of the original ranch buildings are gone from the working dairies and beef operations therefore the historic objects if there ever were any, have been removed.

The ranches do not represent a cultural landscape. They are private business' operating within a national park and as such; do not fall within the scope of the mission of the NPS. Reservations were created to expire between 1991 and 2005. At this time no reservations of ranches within the Pastoral Zone appear to be in effect. Currently some 18 ranchers are operating on the prairie at Point Reyes National Seashore.

The General Management Plan of 1980 says that Point Reyes adjacent to a major population center offers a rare opportunity and an obligation to convey an environmental message to millions of people by facilitating and interpreting a unique outdoor experience.

With the creation of the park in the 1960's Congress allocated funds for the southern 2/3rds encompassing Inverness Ridge and the north coast to Limantour. The most important part, the coastal prairie was left out. Nine years later, additional funding (over 57 million dollars) was released for the purchase of the prairie and other properties to complete park acquisitions. During those nine years, the ranchers came up with a plan to allow them to remain after they sold their property for millions of dollars. Most settled for twenty year leases and hired lobbyists for the purpose of remaining in perpetuity.

**The visitor experience** of ranching includes unpleasant odors and visual blight especially in regard to dairy operations. Corralled areas of mud and fecal and urine waste are disgusting to those seeking a wilderness experience. This problem of confinement is conducive to disease conditions.

National parklands are not compatible with dairy and beef operations. Case in point: the killing of 1,000 deer at the behest of the ranchers at Pt. Reyes and the continuing complaints by the cattle operators about elk within the park.

Cattle operations within the national seashore are in conflict with the mission of the National Park Service.

Twenty percent of this park is under lease and special use permits, which denies any attempt to restore the prairie grasslands. This Twenty percent formerly had the greatest biodiversity within what is now a national seashore.

Original perennial grasses were of two types: bunchgrasses and sod forming grasses.

“The coastal Prairie at Pt. Reyes probably developed under light grazing pressure by elk and with frequent fires set by native peoples...The shift from elk to cattle that accompanied European colonization changed the grazing pattern from seasonal to year round, increasing the intensity of the grazing pressure and favoring a shift from prairie to range land.

As early as 1793, a Spanish lieutenant named De Goyecha described the peninsula as ‘very good pasture and springs in all parts, very appropriate for raising of cattle of all kinds and very extensive’; the fate of the pristine prairie was sealed.

As a result of grazing pressure and intentional plowing, burning and planting, most native perennial grasses were replaced by immigrants.

The disappearance of antelope and elk soon followed.

Where grazing has ceased or not occurred, the combined influence of climate and soil types favor perennial plants...however this natural advantage is overcome by domestic livestock. Intensive grazing causes a reduction in plant vigor and removes a critical amount of mulch, thereby tilting the balance in favor of exotic annual species. When cattle are removed the community tends to revert to native perennials, although it may never recover completely”.

Jules C. Evens, *the Natural History of the Point Reyes Peninsula*.

There are over 2.8 million visitors to Pt. Reyes a year, most of who are not there to see cattle but to see this wild place and the spectacle of the elk so close to a major metropolitan area.

The NPS is **authorized**, not mandated, to extend ranch leases to 20 years and into the foreseeable future. This indicates that there is leeway to maintain the leases as they are or to terminate as the need arises.

**A comprehensive ranch management plan should include allowing groups like the Nature Conservancy to buy the leases from willing sellers for the purpose of returning these lands to its former wild status. Additionally, businesses should be allowed to be bought out only for the same purpose.**

**Which are:**

- \* Restoration of the coastal prairie native grasses.
- \* Gradual removal of beef cattle from prairie lands to be restored.
- \* All ranch lands that have been abandoned should be returned to wild lands and included in the Phillip Burton Wilderness or else a newly created California Coastal Prairie Wilderness.

\* Memorandum, L7617, does not **mandate** the extension of ranch leases for 20 years; rather, the Secretary directed that the superintendent **PURSUE** extending permits for 20 year terms.

This memorandum is inconsistent with the mandate of the National Park Service. These state:

*The National Park Service preserves, unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations.*

Upon signing The Wilderness Act in in 1964, President Lyndon Johnson said: ***If future generations are to remember us with gratitude rather than contempt, -----we must leave them a glimpse of the world as it was in the beginning, not just after we got through with it.***

Secretary Salazar stated when he refused the renewal of the oyster farm lease that ***Sec. 124 grants me authority and discretion to issue DOBC a new special use permit, but it does not direct me to do so.***

Public Law 96-199 (1980) gives the Secretary of Interior authority to disallow ranching land use when deemed necessary for resource management or other seashore activities.

**Grazing regime adaptations:**

Grazing should be reduced on lands where conflict with native wildlife, Tule Elk, other wild animals, or endangered plants occur.

**Manure management:**

Manure must be trucked from the seashore. (A current activity such as spreading manure across the land threatens to introduce livestock diseases to native wildlife).

**Production of other domestic livestock:**

This is a terrible idea and should be prohibited. If implemented, this will cause greater conflict with park wildlife and could introduce new diseases.

**Diversification (small scale row crop, value added operations within existing structures, etc.)**

This is another bad idea. Wild animals can threaten these crops increasing demand for park action to remove the offending animals. Please do not allow increased farming that can and probably will introduce more exotic plants to the seashore.

It appears that some of the ranchers within the seashore are already planning to leave beef and dairy production in recognition of corporate competition and reduced demand for these products and enter into diverse organic or other local farming on these national park lands. This must be prohibited within Point Reyes National Seashore. **In the past; efforts were made to farm on these lands. All met with failure.**

**Process for ranchers to request new activities:**

Why? No private business ventures should be operating within the park.

**Floodplains, wetlands, Riparian Areas:**

Livestock must be kept out of watercourses and wetlands, yet barriers must allow wildlife access. Runoff from dairies must be channeled away from wetlands and watercourses, especially in winter when the rains can allow contained animal waste to run into watercourses and wetlands.

**Species of Special Concern:**

These include animals and plants of the coastal prairie. The Tule Elk are a grassland animal and they are rare throughout their former range, but ground squirrels, gophers, jack rabbits, bush rabbits, burrowing owls foxes, coyotes, badgers and a plethora of grassland birds, reptiles and amphibians are all threatened by the commercial operations within the park because of overgrazing causing the removal of cover and grasses and forbs needed for their survival and reproductive success.

**Vegetation:**

**Restoration of native prairie:**

This is very important especially in light of the conflict between the dairies and elk. Areas that should be free of grazing are the 1,192 acre D Ranch which had been abandoned. This acreage has been divided into thirds. One third is in wilderness and the other two thirds are grazed by adjacent ranches. This is an area is especially favored by the elk which come into conflict with the adjacent ranchers who want to graze their stock there. Other areas that should be made attractive to the elk due to prairie restoration would be lands around Drakes Head. If these lands were restored as much as possible to its natural state, the elk might find this as an alternative to the dairy lands. Dairies have a long history of Johnes disease which is a disease of confinement.

**Non-native species management:**

Non-native species are as much a part of the historical landscape as we are. No management is needed. Species self-regulate according to the carrying capacity of the land as has been shown with the vast majority of wild animals around us, coastal mule deer, raccoons, skunks, badgers, foxes, bobcats, coyotes, the bird life, etc.

**Brush Management:**

**Pasture improvement/increased forage production/silage.**

No silage should be grown on NPS lands.

**Fire regime:**

The Indians used fire when they struck camp for the season as a way to make areas near their village sites attractive to wild animals. Fire management is a way to maintain the grasslands of the prairie.

**Visitor Use/Recreation:**

**Interpretive/education programs regarding historic and contemporary ranching operations:**

We have that already outside of the national seashore.

People don't come to Pt. Reyes to see cows; they come to enjoy the wildness of this spectacular place.

**Recreational opportunities:**

Hiking, horseback riding, nature studies, and natural history education that could be taught by rangers or teachers on field trips. Human history should emphasize the Miwok and 16<sup>th</sup> century arrival of Francis Drake (1579) and the wreck of the Manila Galleon, San Agustin in 1595).

**Privacy protection for ranchers:**

These lands belong to the people of the United States; those living on national park lands are not entitled to privacy beyond that which every American has a right too.

**Planning & Protection of Ranch Complexes:**

There is an historic ranch complex at Tamales Point which should be developed to show the brief history of ranching at Point Reyes.

**Historic structures:**

The only true historic structures within the seashore are the ranch buildings at Tamales Point which have already been addressed. These should be improved for visitor information. As formerly stated, most original structures are gone.

**Evaluate opportunities for development or placement of new structures in the context of cultural landscape.**

No new construction should be permitted that does not serve the visiting public.

**Cultural Landscapes**

The Shafter era is a good story but a brief one. It does not serve the public to designate lands as historic as it relates to the Shafter's because all these land dealings were speculative ventures, buying, selling and leasing. Many people have come and gone and they all have colorful stories that include rip offs, murder, one hanging and multiple evictions that should be put down in a book for sale at the gift shop in Bear Valley. Originally, under the Shafter's, tenants only had leases for one to three years and soon left following which the Shafter's leased the land again for a higher price. None put down roots there.

D.S. Livingstone, *Ranching on the Point Reyes Peninsula*

What are reasonable foreseeable actions related to the management of Tule Elk affecting park ranch operations that should be considered as part of this plan?

**The Tule Elk:**

Public Law 94-389 sets forth the goal of:

*The Secretary of the Interior, The Secretary of Agriculture, and the Secretary of Defense shall cooperate with the State of California in making lands under their respective jurisdictions reasonably available for the preservation and grazing of the Tule Elk in such a manner and to such extent as may be consistent with Federal Law.*

The law goes on to say:

*The Secretary of Interior, in coordination with all Federal, State, and other officers having jurisdiction over lands on which Tule Elk herds are located or lands which would provide Suitable Tule Elk habitat shall develop a plan for the Tule Elk restoration and conservation, including habitat management, which shall be integrated with the comparable plans with the state and local authorities of California.*

- \* People come to the prairie to see the elk!
- \* The above law mandates that federal lands be made available to the elk!
- \* Ranching has introduced Johnes Disease to elk and deer!

Johnes Disease is a major issue. The disease came from Europe and is not generally endemic among wild animals in America because it is a disease of confinement and occurs mainly in dairy herds. If this disease occurs among the elk, it was introduced to them by cattle. One infected cow can spread millions of pathogens from this disease into the soil. If the infected land is set aside, the pathogens will die in approximately a year and then the land will again be safe for grazing.

The elk have shown the park personnel where they want to be as can be seen on the elk distribution map. (See below) The abandoned "D" Ranch is one big area and the entire 1,192 acres should be given over to elk with livestock grazing removed. Compensation should be considered for any hardship that this might cause to those currently using these lands as may be provided in Public Law 91-646.

Dairy businesses should be purchased and the livestock removed on lands surrounding D Ranch. Alternatively, the presence of elk on their leased lands should be the cost of doing business within a unit of the NPS.

At the conclusion of the hearing by a committee of the 94<sup>th</sup> Congress that passed Joint Resolution 738 that, in turn, became Public law 94-389, providing federal participation in preserving the Tule elk, **the committee stated that it expects the federal agencies involved to de-emphasize grazing permits for livestock and to re-introduce (elk) herds in those areas.**

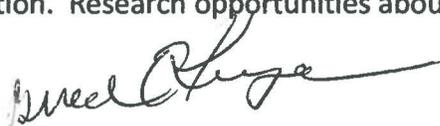
The concern of the Tule Elk overpopulating at Point Reyes mentioned in the Draft Tule Elk Management Plan of 1997 seems to have been unnecessary in light of current observations that some of the elk herds have declined to within the carrying capacity of the range that they use.

**Dairy subsidies:** Citizens Against Government Waste issued an alert in 2011 regarding the billions of dollars being wasted to shore up the dairy industry. The United States has too many dairies with the largest herds being in California.

In short:

- \* The leases must **not** be extended to 20 years but rather renewed on an annual basis.
- \* Historic classification of the existing ranches is bogus. There is nothing historic about them.
- \* The NPS at Point Reyes should **de-emphasize** the leasing of NPS lands to private dairy and cattle businesses' and concentrate on natural resources management
- \* Federal law mandates that the Tule Elk be given priority over livestock grazing rights.
- \* The National Park Act of 1916 must be adhered to.
- \* Grazing should be phased out for the purpose of prairie and wildlife restoration and visitor recreation.
- \* Throughout the history of the Point Reyes Peninsula, dairies have been summarily evicted by the Shafter Brothers, The National Park Service, a Land speculator and even RCA without compensation and for a variety of reasons. I think that those livestock operations that can show that they suffer real harm from removal should be compensated by the Congress which upon purchasing these lands failed to evict those operatives when they were paid for their lands.
- \* If this issue is settled in favor of restoration, this park will rise to become one of the best in the nation, with a future of public enjoyment and a growing prairie wildlife spectacle during and after restoration. Research opportunities abound for students seeking college degrees and much more.

Bruce Keegan



Committee for the Preservation of the Tule Elk

[Redacted contact information]

# Free Range Tule Elk Herd Locations

U.S. Department of the Interior  
National Park Service  
Point Reyes National Seashore



RECEIVED

2014 JUN -2 AM 11: 57

POINT REYES NS

From Wendy King  


Dear PRNS:

I use to love to hike along the coast line, near the Lighthouse, but I have always resented the ranching out there. They are such a painful eyesore of overgrazed muddy areas and the smells are putrid.

I use to love to ride my horses around Bear Valley, but have been told several times "to stay off my land" by lessees.

This is all very disturbing – what should be a National Park for the people to enjoy is now hijacked by ranchers and is becoming a horrible nightmare.

All of these ranchers have been paid millions back in the 60's and 70's and were supposed to leave. I suppose they have expensive lobbyist in Washington DC to pay off and push around those in charge (using money that they were paid for by the millions they already received) – to ensure they "stay forever". Now they are more aggressive and arrogant and feel quite confident to push the people off "their land". And that is what they call the PRNS - "their land.

And the people, the wild animals need to get out.

They also want to kill "every animal in sight – the elk, the deer, the coyotes etc." because they encroach on "their land". Plus they chase off humans on "their land". This problem is bad and it is only going to get worse.

I love looking at the elk and the ranches are an unsightly disgrace.

**GET RID OF THE RANCHERS, NOT THE ELK!**

These people have gotten their millions and are free loading off the PRNS. A national seashore is not supposed to have all these private ranches. They are bad news.

Please listen to the people,

Thank you

  
Wendy King

MAY 27, 2014

To Park Superintendent;

Enclosed is a copy of a letter sent to Sec. of the Interior, Sally Jewell by Ms. Brahma Stone, whose family has lived in this area for many years. This letter articulates the concern that many long-time local residents have regarding this important issue.

For generations the ranching families in West Marin have been and continue to be the most essential element to our quality of life here. I believe that the elk could be humanely moved by the Park to an area where they would thrive in a healthy environment and cease to impact dairy and cattle ranching.

I'm a 45-year resident/home owner in the Pt. Reyes area and I'm keenly aware that these hard-working ranchers make a key contribution to our good rural lifestyle. Thanks for your attention.

Bruce Larmer

PT. REYES

***Plea for elk management***

**To: U.S. Secretary of the Interior-  
Sally Jewell**

**Department of the Interior**

**1849 C Street, N.W.**

**Washington DC 20240**

**RE: Elk Forum and Ranch Comprehensive Management Plan/Environmental assessment, Point Reyes National Seashore**

***Dear Secretary Jewell,***

I am writing to you and others to show my support for the ranchers and their desire to relocate the elk safely off the Pastoral Zone, located in the Point Reyes National Seashore, Point Reyes, California that is intended for cattle grazing and to preserve historic ranching for future generations. The elk, as of now, are seriously impeding the livelihood of the ranching community, which has worked hard to be great docents for the park and keep healthy businesses local, and in most cases, organic. They help draw tourists and educate them, they send their children to our local schools, keep our stores and local medical facilities open and support many other local businesses, thus keeping a healthy foot print and not out sourcing and keeping local what is a basic food group.

Elk are large creatures who have taken over the organic grazing fields and clean water intended for the dairy and beef cows. The ranchers have worked very hard to create a healthy and low impact supply for their animals and the elk are literally depleting this balance and in some cases, killing the live stock as they are not intended to live side by side.

Roaming elk ideally should be moved to an area for public viewing enjoyment, permanently, that is well sectioned off, with stable fencing that the park can maintain, not to mention provide an area where they have enough food and room to grow into given their quick reproduction rate. Doing this ideally will stop elk damage and their negative impact on working ranches and ranchers who then ideally will be able to continue their historic best management practices that they have practiced for over 100 years.

Local ranchers just want to continue ranching the way they have done it for years using their updated and healthier practices. Ranchers take care of the land or the land will not take care of them. They are stewards of the land and have a love for their animals and a passion for raising a quality product to feed the world."

I hope you expedite this process as you are in grave danger of losing some of your best docents who potentially cannot wait another year or two for a lengthy deciding process. The ranchers are there, love the land and take good care of it, plus create another great draw to an area already struggling with the Park and its own ability to maintain what is already on their watch.

Please support the ranchers, their homes, livelihoods and their futures.

*Thank you,  
Brahna Stone  
Sausalito, California*

The following are important item that need to be considered in the ranch planning process:

1. **Elk** The elk have to be removed from the pastoral zone. If they are allowed to stay the ranchers will have to leave. Each year the elk multiply leaving less grass for livestock. Soon there will be no grass for livestock.
2. **Gravel Pits** The ranchers need to be allowed to take rock from the ranch to save roads from eroding. Bringing in outside rock will bring in non-native plants.
3. **Communication with PRNS** The ranchers need answers from the PRNS – whether favorable or not. Just a **TIMELY** answer!
4. **Water Sources** The ranchers should be able to clean out dams and ponds and improve existing springs as needed.
5. **Pasture Improvement** The rancher needs to be able to remove brush and seed.
6. **Pastoral Zone** The Pastoral Zone needs to be treated as a **PASTORAL ZONE**. We believe the definition of pastoral zone is for pasture use. Pasture use on the pastoral zone should be considered first.

*David + Kathy Zuercher*

RECEIVED  
2014 MAY 27 PM 12: 12  
POINT REYES NS

RECEIVED

2014 MAY 28 AM 11:25

POINT REYES NS

Dear Superintendent Muldoon,

There are some points that I would like to call to your attention regarding the future of the Park. Ranching has been the primary use of the parklands since the 1850's. As has been pointed out many times before, Marin County owes its spectacular landscapes to the ranching families that have ranched the landscape for over a hundred years. Ranching is dependent on its natural resources and these vary from year to year depending on the rainfall, climate and many other natural factors that have to be accounted for. As every ranching family knows there are years of plenty and years of barely scrapping by. If you factor in the rising costs of feed and water the margins get even slimmer. I have raised livestock for almost 40 years and have seen most of my neighbors stop dairying and move away. The ideal is having the right amount of feed to feed what you are raising and to buy as little as possible. If one manages their land wisely there is a balance to the carrying capacity and one's herd.

I clearly hear what the Pt. Reyes ranchers are saying in regards to the elk and their lands. The elk's introduction to the Park is an experiment that hasn't been clearly thought through. Why wasn't there an original maximum herd size that was determined at the time that they were released and a plan that took in to account what to do with the surplus elk? Since some of the elk carry Johnes disease why not quarantine those into a herd that is not intermingling with the existing dairy herds. The existing 8' fence could keep those with the disease away from the cows. Nicola Spaletta's suggestion of returning the rogue elk back in their own territory would be a tenable solution. How can the Park expect the ranching families not to be upset when the elk tear down fencing, eat up their pastures, drink the limited cattle's water. Meanwhile the Park is doing yet another "study" until 2015. How can anyone who is already dealing with the stresses and unpredictability of Mother Nature factor in 45 elk into their ranch equation?

To not have the ranches actively ranching those lands would present another scenario of thick brush, poison oak taking over the fields that have been used by the cattle. How hospitable would that be to the Public as it

would become so dense that it would be impossible for anyone to hike through it.

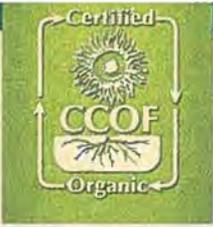
The Park should NOT REWRITE the history of the land as it is its historic cultural heritage. Farming and ranching have made this landscape what it is and to call it "wilderness" is a misnomer. "Wilderness" has no roads through it, no habitations and this has never been the case here. The ranching community of West Marin should be supported with their stewardship instead of being unsure of whether or not their leases will be renewed. These are families that have been part of this landscape for generations who probably now wish that they had never sold to the Park and are being told by Washington how to run their lands.. As far as I can tell they are good stewards of the land and the oyster farm has been there as far back as I can remember. To shine a light on the oyster farm is just the start in getting everyone off of the land. I was involved in saving Lairds Landing and at that time it became obvious that the Park did not want to manage anything but land.

I ask that ASAP the elk be relocated and a plan be implemented. The pastoral zone was created to be just that a pastoral zone. Those of us who know the history of this place will not let you rewrite it to suit your needs. I am sure in the state there are places where the elk could be relocated and repopulate .There should always be a plan in place that addresses the issue of managing the herd..

Pt. Reyes National Seashores ranches produce organic food for the Bay Area populations. To take these ranches out of production as well as the oyster farm would hurt the public's food sources. If the Urbanites can't see cows and mariculture at work how will future generations know how and where their food comes from. Let the cultural and historic ranching heritage of Pt. Reyes remain for many future generations. It serves to educate the Public of who settled there and of a lifestyle that has all but disappeared.

Susie Schlesinger  
Brown Bag Farms . Petaluma, California

PS. I ask that you do NOT do what you did with the white deer !



# CCOF

Organic Certification

Education &amp; Outreach

Political Advocacy

Promotion

JUN 02 2014

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2014 JUN -3 AM 11:55

POINT REYES NS

Cicely A. Muldoon  
 Superintendent  
 Point Reyes National Seashore  
 Point Reyes, CA 94956

Re: L7617  
 Ranch CMP

May 29, 2014

Dear Superintendent Muldoon,

Thank you for the opportunity to comment on the initial outline of the Ranch Comprehensive Management Plan/Environmental Assessment (Ranch CMP) for Point Reyes National Seashore.

CCOF is the oldest and largest organic certification agency in the United States. Its trade association represents more than 2,700 organic operations in North America, most of them located in California.

Two of our certified organic members ranch in Point Reyes National Seashore. Together they lease 2,210 acres from the Park Service. There are an additional 4 organic dairies and 4 organic beef ranches located on Park Service land. We have been informed that the tule elk that escape from the near-by elk reserve encroach upon their leased land and consume the forages and water on the land. Tule elk grazing reduces the amount of forage available for the lessees' animals. Particularly in this time of drought, it can make a significant difference to a rancher who relies on forage to feed their cows.

It is worth noting that certified organic livestock producers are required by federal law to adhere to the "pasture standard," which specifies that "Organic ruminant livestock—such as cattle, sheep, and goats—must have free access to certified organic pasture for the entire grazing season. This period is specific to the farm's geographic climate, but must be at least 120 days. Due to weather, season, or climate, the grazing season may or may not be continuous. **Organic ruminants' diets must contain at least 30 percent dry matter (on average) from certified organic pasture.** Per the USDA organic regulations, the grazing season is the period of time when pasture is available for grazing due to natural precipitation or irrigation."

The tule elk consume forage that organic ranchers need to meet the pasture standard. Any supplemental feed or hay must be certified organic, which is much more expensive than their conventional counterparts. Therefore, loss of forage to elk could potentially threaten a rancher's

ability to comply with the federal organic standards and could cost the rancher money to supplement their cows' diets.

We join with our certified organic members in requesting that the Ranch CMP contain a specific plan to humanely remove tule elk from leased lands and return them to their designated refuge areas. We also support developing a plan to keep them on the refuge and prevent their return to the leased land.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy Calfo". The signature is fluid and cursive, with the first name being more prominent.

Cathy Calfo  
Executive Director and CEO



Western  
Watersheds  
Project

Michael J. Connor, Ph.D.  
California Director  
P.O. Box 2364, Reseda, CA 91337-2364  
Tel: (818) 345-0425  
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Web site: [www.westernwatersheds.org](http://www.westernwatersheds.org)



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2014 JUN -9 AM 11: 51

Working to protect and restore Western Watersheds

POINT REYES NS

By Internet and US Mail

May 30, 2014

Ranch CMP  
c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

MAY 31 2014

**Re: Scoping Comments for the Ranch CMP, Point Reyes National Seashore.**

Dear Supervisor:

Western Watersheds Project is pleased to provide the following scoping comments as Point Reyes National Seashore ("Park") embarks on the preparation of a Comprehensive Management Plan for Lands under Agricultural Lease/Permits ("Ranch CMP") and the associated National Environmental Policy Act ("NEPA") analysis. The scoping letter for this project gives a deadline of June 2, 2014 for the submission of comments so these comments are timely. Please incorporate and address our comments in your planning for this massive livestock grazing project.

Western Watersheds Project works to protect and conserve the wildlife, vegetation, wilderness, and natural and cultural resources of the public lands of the American West through education, scientific study, research, public policy initiatives, and litigation. Western Watersheds Project and its staff and members use and enjoy the National Park lands at issue here, for health, recreational, scientific, spiritual, educational, aesthetic, and other purposes.

Western Watersheds Project strongly urges the NPS to take a second look at its scoping letter for this grazing plan. The general impression we received from reading your scoping letter is that the Park has already predetermined what it is going to do and is simply embarking on a NEPA process that will rubber stamp its pre-decision in clear violation of the law. The scoping letter itself reads as though it was written for the Park by a pro-ranching interest group. Western Watersheds Project fully expects that the NPS will need to complete a full Environmental Impact Statement for this highly controversial grazing plan.

The Park should address the following specific issues in the environmental analysis for this grazing project.

### ***Issue 1: Public Involvement***

The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment. 40 CFR § 1500.1. Agencies are to “Encourage and facilitate public involvement in decisions which affect the quality of the human environment.” 40 CFR § 1500.2. For reasons that were not explained in the scoping notice, the Park will not accept emailed comments. The Park has provided a limited electronic portal but that will not accept formatted comments or attachments. This makes it difficult for the public to provide copies of scientific papers and reports that will be useful to the Park Service in this analysis. This limiting of the ability of the public to provide input into a project that will impact one of their National Parks is something the Park Service should be deprecating not adopting. In her scoping letter, the Supervisor asked “What do you, as a member of the public, need from NPS to be meaningfully engaged in the planning process?” This is 2014 - providing an email address for commenters would be a good start.

### ***Issue 2: Purpose and Need for Action***

The Park must clearly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including any proposed action. 40 CFR § 1502.13. Here, the so-called “Draft Project Need” stated in the Park’s scoping letter is so narrowly crafted that it ensures that only the continued grazing of cattle under 20 year leases would meet the purpose and need. This is a clear violation of NEPA.

The Secretary of the Interior may, under such rules and regulations and on such terms as he may prescribe, grant the privilege to graze livestock within a national park when in his judgment such use is not detrimental to the primary purpose for which such park. 16 U.S. Code § 3. Point Reyes National Seashore was established “to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped”. PL 86-657. Sadly, the Point Reyes peninsula and adjacent National Park Service lands have had a long history of livestock grazing to the detriment of the area’s natural and cultural resources. In the pastoral zone, the visiting public who the Park was established for, are not treated to a vibrant landscape as befits a National Park but instead are faced with a blasted landscape littered with rancher paraphernalia, cattle pats, and fences that restrict their access to the extent that parts of the Park do not even look like they are open to the public. The fact is that although that grazing may be authorized by the Secretary when it serves to preserve a Park’s purpose it is a discretionary act that requires justification, there is no congressional directive to authorize commercial grazing.

Irrespective of any Memorandum from an ex-Secretary of the Interior that promotes the continued presence of dairy and beef ranching operations on these NPS lands, the Park is considering here whether or not to authorize continued livestock grazing, and if so, at what levels, at which locations, for how long, and under what management.

### ***Issue 3: Consistency with the Federal, Regional, State, and Local Land Use Plans, Policies and Controls***

The NEPA implementing regulations require that any possible conflicts between the proposed action and the objectives of any other Federal, regional, State, and local land use plans, policies and controls for the area concerned be reviewed and analyzed. 40 CFR § 1502.16 and § 1506.2(d). Therefore, the Park must evaluate the compatibility of each alternative with all the applicable controlling agreements and plans.

The Park is required to ensure that the proposed action is based on best available science and that it complies with the Point Reyes National Seashore Establishment Act Public Law 87-657, the Park Service Organic Act, the National Historic Preservation Act (“NHPA”), 16 U.S.C. 470 et seq. 1980 General Management Plan, the NEPA, the Clean Water Act, the Endangered Species Act, and other state and federal laws concerning public lands and public resources.

The Park is also required to ensure full consideration of all connected actions in the same NEPA process. Connected actions are those that are “closely related” to the proposal and alternatives. In this case, if the proposed action authorizes livestock grazing this will directly impact the management of Tule elk and other significant Park resources. The Park cannot simply aver that the management of these other resources is outside the scope of the project planning process. Similarly, the Park must consider all livestock grazing-related infrastructure as part of this process. It cannot make a decision to graze separate from any new fencing or new water developments etc. are needed to support that activity since those developments would have no independent utility.

#### ***Issue 4: Resource Carrying Capacity***

One of the Management Objectives of the 1980 General Management Plan (“GMP”) is to “manage seashore activities in the pastoral and estuarine areas in a manner compatible with resource carrying capacity.” GMP at 2.

Clearly not all lands within the pastoral zone are suitable for livestock grazing; for example, exclosures have had to be installed to protect some natural and cultural resources from the direct effects of livestock. Additionally, many areas within the pastoral zone are not actually capable of supporting livestock at all on a sustained basis. This is quite clear even to the casual visitor driving through the Park; bare slopes, gullies and soil erosion are evident from the road through the pastoral zone.

The Park must determine the current carrying capacity and suitability of the lands in the pastoral zone for grazing by livestock, consider how these factors have changed since the 1980 GMP was produced, and analyze how these factors are expected to change over the next 20 years. Without this fundamental baseline data, the Park will not be able to determine if it can meet the GMP objective with continued livestock grazing and thus will not be able to authorize any continued livestock grazing. Development of a comprehensive management plan for livestock grazing would thus be unnecessary.

The NPS must also consider resource carrying capacity across the entire Park not just in the pastoral zone. Based on newspaper reports, in contrast to the portrayal in the scoping letter,

Point Reyes ranchers do not share the NPS interests in protecting important park resources such as Tule elk at all.<sup>1,2</sup> The Park needs to recognize that the commercial interests of already heavily-subsidize public lands ranchers is outside its concern. However, when those commercial operations interfere with the protection of important resources such as Tule elk, the Park's clear responsibility is with resource protection. The Park needs to consider the extent to which the pastoral zone will need to be decreased to assure that sufficient resources exist for the target population of Tule elk across the Park.

### ***Issue 6: Current and Desired Conditions***

The Park should clearly define the current and desired conditions for all lands within the pastoral zone including riparian and upland areas. The Park should offer grazing strategies that are capable of achieving those desired future conditions within a specific timeframe. The NEPA documentation should include maps showing soils, vegetation communities, wildlife habitats, all springs and riparian areas, and livestock use areas. The Park should map and tabulate all existing range-developments including fences and water developments.

The Park should also explain the background to grazing on the Park following the 1962 establishment. It should document the amounts of public money that was used to buyout the ranches in the pastoral zone and explain terms and conditions of those acquisitions.

### ***Issue 7: Monitoring***

The NEPA documents should summarize prior and proposed monitoring efforts in the Pastoral Zone. The NEPA documents should explicitly explain the entire suite of implementation and effectiveness monitoring activities that will be used by the Park for this project and provide specific schedules for these monitoring actions. Reliance on utilization monitoring is inadequate to determine direct impacts to the plant and animal species, cultural resources, soils, riparian systems, and other resources present in the project area.

The NEPA documents should also disclose all cultural resource, rare plant and wildlife surveys and any trends determined from that monitoring.

### ***Issue 8: Current Management***

The Ranch CMP should tabulate actual grazing use across the pastoral zone including cattle numbers, amounts of vegetation consumed, and seasons of use. Current grazing management should be disclosed including any reductions in authorized use that have been made in response to resource conditions. The documentation should include a complete inventory of range developments including miles of fence, number of corrals, number of water developments, use of supplements, movement of cattle onto and off these public lands, and the relationship between grazing here and on any other public lands allotments.

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<sup>1</sup> [http://www.marinij.com/marinnews/ci\\_24616807/tule-elk-causing-headaches-ranchers-west-marin-solutions](http://www.marinij.com/marinnews/ci_24616807/tule-elk-causing-headaches-ranchers-west-marin-solutions)

<sup>2</sup> <http://www.latimes.com/local/la-me-point-reyes-reconciliation-20140526-story.html#page=1>

The Ranch CMP should document how much of the grazed is covered in cattle pats, and the total effluent discharges associated with dairy operation.

### ***Issue 9: Alternatives***

The NEPA implementing regulations refers to the selection and review of alternatives as “the heart” of the environmental review. 40 CFR § 1502.14. Comparison of the alternatives will help in “sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public.” The regulations provide clear guidelines on how to select alternatives:

- (a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.
- (b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.
- (c) Include reasonable alternatives not within the jurisdiction of the lead agency.
- (d) Include the alternative of no action.
- (e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference.
- (f) Include appropriate mitigation measures not already included in the proposed action or alternatives.

The NPS should consider the following alternatives:

#### **A. Current Management:**

NEPA requires that an agency “succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration.” 40 C.F.R. § 1502.15. Without a stable and detailed description of the baseline environmental conditions, there is nothing with which to compare the alternatives being considered. Therefore, in order to make an informed decision in deciding whether to continue to authorize livestock grazing NPS must compare any proposed actions with current management (which provides the baseline conditions),

#### **B. No Commercial Grazing:**

In order to understand the impacts of any proposed livestock grazing action the NPS must consider a “no grazing” alternative under which no grazing authorizations would be made.

#### **C. No Permit Transfers or Renewals Alternative:**

Under this alternative no permit transfers or renewals would be allowed. This would allow existing ranchers to continue to ranch until they retire as was envisioned in the establishment act. It would also allow ranchers to sell out their permit interests to third party conservation groups and thus effectively retire those permits.

#### **D. National Park Management alternative:**

Under this alternative the pastoral zone would be eliminated and the degraded grazing lands allowed to recover to further the Park's mission to save and preserve the park's lands, and to further the Park's purposes of public recreation, benefit, and inspiration. This alternative would benefit the Tule elk and other resources that are being affected by ongoing livestock grazing.

For all action alternatives the NPS should consider issuance of grazing leases for 10 year periods so that the impacts of the issuance of 20 year permits can be evaluated.

#### **Issue 10: Biological Resources**

Like most of the park, the pastoral zone provide habitat for an enormous number of rare wildlife, plant species and plant communities. The California Natural Diversity Database ("CNDDDB") includes the following animal species many of which will be affected by the Ranch CMP:

*Agelaius tricolor*, tricolored blackbird  
*Antrozous pallidus*, pallid bat  
*Aplodontia rufa phaea*, Point Reyes mountain beaver  
*Ardea alba*, great egret  
*Ardea herodias*, great blue heron  
*Athene cunicularia*, burrowing owl  
*Caecidotea tomalensis*, Tomales isopod  
*Callophrys mossii marinensis*, Marin elf in butterfly  
*Charadrius alexandrinus nivosus*, western snowy plover  
*Cicindela hirticollis gravida*, sandy beach tiger beetle  
*Circus cyaneus*, northern harrier  
*Coelus globosus*, globose dune beetle  
*Corynorhinus townsendii*, Townsend's big-eared bat  
*Cypseloides niger*, black swift  
*Danaus plexippus*, monarch butterfly  
*Dendroica petechia brewsteri*, yellow warbler  
*Emys marmorata*, western pond turtle  
*Eucyclogobius newberryi*, tidewater goby  
*Fratercula cirrhata*, tufted puffin  
*Geothlypis trichas sinuosa*, saltmarsh common yellowthroat  
*Helminthoglypta nickliniana awania*, Peninsula coast range shoulderband  
*Hydrochara rickseckeri*, Ricksecker's water scavenger beetle  
*Ischnura gemina*, San Francisco forktail damselfly  
*Lasionycteris noctivagans*, silver-haired bat  
*Lasiurus blossevillii*, western red bat  
*Lasiurus cinereus*, hoary bat  
*Laterallus jamaicensis coturniculus*, California black rail  
*Lavinia symmetricus* ssp. 2, Tomales roach

*Oncorhynchus kisutch*, coho salmon - central California coast ESU  
*Oncorhynchus mykiss irideus*, steelhead - central California coast DPS  
*Pandion haliaetus*, osprey  
*Plebejus icarioides parapheres*, Point Reyes blue butterfly  
*Rana boylei*, foothill yellow-legged frog  
*Rana draytonii*, California red-legged frog  
*Speyeria zerene myrtleae*, Myrtle's silverspot butterfly  
*Spirinchus thaleichthys*, longfin smelt  
*Syncaris pacifica*, California freshwater shrimp  
*Taxidea taxus*, American badger  
*Vespericola marinensis*, Marin hesperian  
*Zapus trinotatus orarius*, Point Reyes jumping mouse

Livestock grazing and grazing related infrastructure may directly, indirectly and cumulatively impact all these animal species. Impacts include direct trampling and disturbance, habitat disturbance, loss of cover, changes in shrub density, loss of prey species, and changes in hydrology and water quality. Field research has shown that light to moderate grazing reduces rodent densities and diversity, rodents are important prey items for many of these species (for examples see Jones 2000; Moser and Witmer, 2000; Ward & Block 1995).

The CNDDDB includes the following rare plant species most of which will be affected by the Ranch CMP:

*Abronia umbellata* var. *breviflora*, pink sand-verbena  
*Agrostis blasdalei*, Blasdale's bent grass  
*Alopecurus aequalis* var. *sonomensis*, Sonoma alopecurus  
*Amorpha californica* var. *napensis*, Napa false indigo  
*Arctostaphylos virgata*, Marin manzanita  
*Astragalus pycnostachyus* var. *pycnostachyus*, coastal marsh milk-vetch  
*Blennosperma nanum* var. *robustum*, Point Reyes blennosperma  
*Calamagrostis crassiglumis*, Thurber's reed grass  
*Calystegia purpurata* ssp. *saxicola*, coastal bluff morning-glory  
*Campanula californica*, swamp harebell  
*Cardamine angulata*, seaside bittercress  
*Carex leptalea*, bristle-stalked sedge  
*Carex lyngbyei*, Lyngbye's sedge  
*Castilleja affinis* var. *neglecta*, Tiburon paintbrush  
*Castilleja leschkeana*, Point Reyes paintbrush  
*Ceanothus gloriosus* var. *porrectus*, Mt. Vision ceanothus  
*Chloropyron maritimum* ssp. *palustre*, Point Reyes salty bird's-beak  
*Chorizanthe cuspidata* var. *cuspidata*, San Francisco Bay spineflower  
*Chorizanthe cuspidata* var. *villosa*, woolly-headed spineflower  
*Chorizanthe robusta* var. *robusta*, robust spineflower  
*Chorizanthe valida*, Sonoma spineflower  
*Cicuta maculata* var. *bolanderi*, Bolander's water-hemlock  
*Cirsium andrewsii*, Franciscan thistle

*Dirca occidentalis*, western leatherwood  
*Erigeron supplex*, supple daisy  
*Erysimum concinnum*, bluff wallflower  
*Fritillaria lanceolata* var. *tristulis*, Marin checker lily  
*Fritillaria liliacea*, fragrant fritillary  
*Gilia capitata* ssp. *chamissonis*, blue coast gilia  
*Gilia millefoliata*, dark-eyed gilia  
*Hemizonia congesta* ssp. *congesta*, white seaside tarplant  
*Hesperevax sparsiflora* var. *brevifolia*, short-leaved evax  
*Hesperolinon congestum*, Marin western flax  
*Horkelia cuneata* var. *sericea*, Kellogg's horkelia  
*Horkelia marinensis*, Point Reyes horkelia  
*Lasthenia californica* ssp. *bakeri*, Baker's goldfields  
*Lasthenia californica* ssp. *macrantha*, perennial goldfields  
*Layia carnosa*, beach layia  
*Leptosiphon croceus*, coast yellow leptosiphon  
*Leptosiphon rosaceus*, rose leptosiphon  
*Lilaeopsis masonii*, Mason's lilaeopsis  
*Lilium maritimum*, coast lily  
*Limnanthes douglasii* ssp. *sulphurea*, Point Reyes meadowfoam  
*Lupinus tidestromii*, Tidestrom's lupine  
*Microseris paludosa*, marsh microseris  
*Monardella sinuata* ssp. *nigrescens*, northern curly-leaved monardella  
*Phacelia insularis* var. *continentis*, North Coast phacelia  
*Piperia elegans* ssp. *decurtata*, Point Reyes rein orchid  
*Pleuropogon hooverianus*, North Coast semaphore grass  
*Polygonum marinense*, Marin knotweed  
*Rhynchospora californica*, California beaked-rush  
*Sidalcea calycosa* ssp. *rhizomata*, Point Reyes checkerbloom  
*Sidalcea hickmanii* ssp. *viridis*, Marin checkerbloom  
*Sidalcea malviflora* ssp. *purpurea*, purple-stemmed checkerbloom  
*Streptanthus glandulosus* ssp. *pulchellus*, Mount Tamalpais bristly jewelflower  
*Trifolium amoenum*, showy rancheria clover  
*Triphysaria floribunda*, San Francisco owl's-clover  
*Triquetrella californica*, coastal triquetrella

These plants are susceptible to being eaten by cattle, being trampled by cattle, and to modifications of local hydrology and localized soil compaction induced by cattle and livestock operations and infrastructure.

In order to comply with NEPA, the Forest Service needs to perform a **site-specific** review and analysis of the effects of the proposed action and alternatives on all these plant and animal species. This should include documentation of all recent surveys. The NPS should ensure that adequate safeguards are in place in the Ranch CMP to protect these species and their habitats and that any impacts to them are adequately mitigated. The NEPA analysis should include

consideration of the direct, indirect and cumulative effects of the proposed action on these rare plants and their habitat.

### ***Issue 11: Tule Elk***

The ongoing restoration of the Point Reyes National Seashore Tule elk population is “a jewel in the crown” of NPS success stories. Yet, despite the national significance of the Tule elk restoration the NPS scoping letter states as an objective of the Ranch CMP: “Establish long-term management approach for tule elk affecting agricultural lease/permit areas.” That is an outrageous proposal. The National Park Service’s mission is to “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” 16 U.S. Code § 1. The National Park Service’s mission is not to promote the commercial/business interests of a handful of wealthy, private entities at the expense of treasured public resources.

There is an extensive pertinent literature showing that the presence of cattle alters the behavior of large ungulates including deer and elk, and that cattle compete with them for various resources (Kie *et al.*, 1991<sup>3</sup>; Loft *et al.*, 1991<sup>4</sup>; Stewart *et al.*, 2002<sup>5</sup>). The restored Point Reyes tule elk herd did not grow following initial translocation until after the removal of cattle from its habitat in 1980, whence the tule elk population began to dramatically increase (Gogan and Barrett, 1987<sup>6</sup>). The Park needs to incorporate objectives to promote protection for the tule elk and to promote its full recovery as an essential component of the ecosystem of the pastoral zone that has been so devastated by commercial cattle operations.

### ***Issue 12: Cultural Resources***

Livestock grazing may have profound harmful impacts to archeological resources and cultural sites (Broadhead, 1999<sup>7</sup>; Osborn *et al.*, 1987<sup>8</sup>). Livestock, especially cattle, are known to impact archeological and cultural sites through a number of mechanisms including mechanical or physical impacts such as trampling, wallowing, and rubbing, dislodging and crushing artifacts; chemical impacts resulting from urine and feces; and, erosion impacts (Foster-Curley, 2003<sup>9</sup>). The environmental review should explain how much of the pastoral zone has been surveyed for

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<sup>3</sup> Kie, J. G., Evans, C. J., Loft, E. R. and Menke, J. W. 1991. Foraging behavior by mule deer: the influence of cattle grazing. *J. Wild. Manage.*, 55: 665-674.

<sup>4</sup> Loft, E. R., Menke, J. W. and Kie, J. G. 1991. Habitat Shifts by Mule Deer: the Influence of Cattle Grazing. *Journal of Wildlife Management*, 55(1): 16-26.

<sup>5</sup> Stewart, K. M., Bowyer, R. T., Kie, J. G., Cimon, N. J. and Johnson, B. K. 2002. Temporospatial distributions of elk, mule deer, and cattle: resource partitioning and competitive displacement. *Journal of Mammalogy*, 83(1): 229-244.

<sup>6</sup> Gogan, P. J. P. and Barrett, R. H. 1987. Comparative dynamics of introduced tule elk populations. *Journal of Wildlife Management*, 51: 20-27.

<sup>7</sup> Broadhead, W. 1999. Cattle, Control, and Conservation. *Cultural Resource Management*, 22: 31-32.

<sup>8</sup> Osborn, A., Vetter, S., Hartley, R., Walsh, L. and Brown, J. 1987. Impacts of Domestic Livestock Grazing on the Archeological Resources of Capitol Reef National Park, Utah, pp. 1-136; Midwest Archeological Center Occasional Studies in Anthropology.

<sup>9</sup> Foster-Curley, C. 2003. Damage Assessment Report, Yankee Jim Ranch Property Report prepared for Alturas Field Office, Bureau of Land Management. Alturas.

cultural resources, review the existing inventory of cultural resources, and analyze the effects of each alternative on these. The Ranch CMP should identify specific modifications to grazing management that will avoid and protect these irreplaceable resources, and provide specific monitoring protocols and time-tables.

### ***Issue 13: Climate Change***

The NEPA documents should provide information about the changes that are likely to occur in the project area due to global climate change over the 20-year period of the proposed permit. In the western United States, both the frequency of heavy precipitation events and the frequency of periods of drought have increased over the past century (Christensen *et al*, Regional Climate Projections, IPCC Fourth Assessment<sup>10</sup>). While uncertainties remain regarding the timing and extent of impacts from climate change, modeling indicates that on average, California will likely experience higher temperatures in all seasons; longer dry periods; heavy precipitation events; more frequent droughts; and increased wildfire risk. These changes will affect the project area, especially riparian and water resources and the species that depend on them as well as the amount and availability of forage. These effects will obviously be more pronounced over a 20 year versus a 10 year permit period.

Global climate change is already impacting the project area. The NPS must evaluate the proposed decision in the context of climate change as both a baseline issue and a cumulative impact to the resources.

### ***Issue 14: Riparian Areas, Springs, Meadows, and Fens***

The NEPA documents should include maps showing all riparian areas, meadows, special aquatic features, and developed waters. The NEPA documents should fully document the condition of these important areas including water quality, and document any prior impacts and measures that have been taken to mitigate these impacts so that the public and the decisionmaker can evaluate the likely effectiveness of the proposed action.

Direct effects of grazing on riparian areas include increased sediment deposition in streams, water quality impacts such as elevated levels of fecal coliform bacteria, head-cutting and localized changes in hydrology, breakdown of stream banks, disturbance and/or destruction of streambeds, destruction of riparian vegetation, and impairment of the ability of riparian vegetation to recover. Indirect effects include alteration of fire intervals which affect plant reproduction, changes to microenvironments including nutrient cycling and thermal effects, and increase risks for spread and establishment of invasive species.

### ***Issue 15: Water Quality and Cumulative Watershed Effects***

The NPS should conduct a cumulative watershed effects analysis for the watersheds in the project area and should present this data in the NEPA documents. The Ranch CMP should also discuss the measures that will be taken to eliminate or reduce any effects. The documents should disclose when, and how many, surveys have been conducted in these watersheds and

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<sup>10</sup> Available on line at: <http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-chapter11.pdf>

whether or not these field surveys suggested upgrading the risk of cumulative watershed effects in the affected watersheds. The documents should consider the cumulative impacts of past, present, and future projects (including those on private land) within these watersheds and discuss ways to minimize or eliminate these impacts.

Cattle can severely impact water quality (Derlat *et al.*, 2010<sup>11</sup>) and livestock grazing and operations are significant sources of nonpoint pollution. The NPS must consider the impacts of the proposed action and each alternative on water quality, and address how it will control nonpoint source pollution.

### ***Issue 16: Air Quality***

The Park should document compliance of the Ranch CMP with the Clean Air Act and regional Air Quality Management District guidelines. Ammonia and noxious gas production levels from the beef and dairy facilities should be disclosed in the NEPA documents.

### ***Issue 17: Soils***

Primary grazing can lead to soil compaction, massive soil erosion, and sediment flows into streams, which will harm the fisheries habitats, fish, and aquatic invertebrates in those habitats. The environmental review should consider grazing impacts to all soils in the pastoral zone whether these are in primary, secondary, or incidental use areas.

### ***Issue 18: Invasive Species***

The NEPA review should document and analyze the effects of each alternative on invasive species. The distribution of invasive plant species in the pastoral zone should be mapped. Cattle are effective agents in dispersing exotic species and may disperse more than an order of magnitude more seeds than elk and deer per animal (Bartuszevige and Endress, 2008<sup>12</sup>). Cattle can break and degrade protective soil crusts and thus increase the ability of invasive species to become established. The contribution of historic and current cattle grazing on invasive species distribution should be analyzed including the role of livestock in damaging sensitive soil crusts that can retard the spread of invasive plants.

### ***Issue 19: Fire Risks***

There is an extensive literature showing that livestock may increase the risks of high intensity fires by altering the dominance of shrub and forb species, by increasing spread of non-native invasive plants, by compacting soil and reducing moisture content and infiltration, and by

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<sup>11</sup> Derlet, R. W., Goldman, C. and Connor, M. J. 2010. Reducing the Impact of Summer Cattle Grazing on Water Quality in the Sierra Nevada Mountains of California: A Proposal. *Journal of Water and Health*, 8(2): 326-333.

<sup>12</sup> Bartuszevige, A. M. and Endress, B. A. 2008. Do ungulates facilitate native and exotic plant spread? Seed dispersal by cattle, elk and deer in northeastern Oregon. *Journal of Arid Environments*, 72: 904-913.

increasing the fine fuels that carry fire. Cattle fecal pats readily ignite, are a common source of spot fires, and release extreme amounts of energy when burning (Scasta *et al.*, 2013<sup>13</sup>).

### ***Issue 20: Wilderness***

Section 4(d)(4)(2) of the Wilderness Act allows certain domestic livestock grazing operations to continue where established prior to wilderness designation. However, any allowed grazing is subject to reasonable regulations and must overall be consistent with preserving and restoring the wilderness character. The Act requires the NPS to administer wilderness to retain its primeval character and influence.

Wilderness character is a valuable resource and important use of Park lands. Values associated with wilderness character that should be analyzed include: naturalness and opportunities for solitude; scenic values; primitive recreation value, such as hiking, camping, hunting and wildlife viewing; plant and wildlife habitat values – due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, biodiversity, watershed protection and overall healthy ecosystems; cultural resource values – the lack of intensive human access and activity on lands with wilderness characteristics helps to protect these resources; and economic and quality of life values – recreation opportunities provided by wilderness quality lands also yield direct economic benefits to local communities and help define the character of the region.

Recent court rulings have set aside grazing decisions based on environmental analyses where agencies failed to address whether the wilderness values as they existed at the time the area was set aside for wilderness could be impaired by the agency's decision to allow grazing, and the cumulative effects of such decisions and other grazing permitted across a wilderness study area. cf. *Western Watersheds Project v. Rosenkrantz*, CV 09-365-E-BLW.

### ***Issue 21: Need for an EIS***

The purpose of an EA is to provide sufficient evidence and analysis for determining whether to prepare an EIS or issue a finding of no significant impact. 40 C.F.R. § 1508.9. The NPS cannot make conclusory assertions that an activity will not have an insignificant impact on the environment but must, instead, take a “hard look” at the potential impacts of a proposal, and put forth a “convincing statement of reasons” that explains why the project will have no more than an insignificant impact on the environment.

Here, the proposed Ranch CMP will directly, indirectly, and cumulatively impact rare and special status wildlife and their habitats, special status plants and their habitats, rare plant communities, wilderness, significant park resources such as tule elk, cultural resources and will continue to degrade about 28,000 acres of National Park lands all for the benefit of a few commercial interests. The extent of these impacts is in some cases extensive, and in other cases it is unclear or unknown but is not insignificant. In addition, the Ranch CMP is highly controversial because the basic precepts proposed by the Park go against the very founding

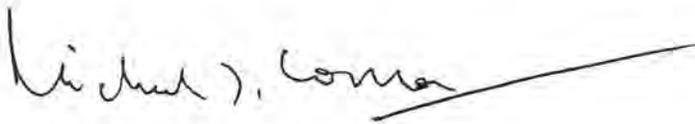
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<sup>13</sup> Scasta, J. D., Weir, J. R., Engle, D. M. and Carlson, J. D. 2013. Combustion of Cattle Fecal Pats Ignited by Prescribed Fire. *Rangeland Ecology & Management*, 67: 229-233.

principles enshrined in the National Park Service's Organic Act. Accordingly, we urge the Park to adopt "no grazing" as its preferred alternative or immediately embark on the development of an Environmental Impact Statement for this project.

Western Watersheds Project thanks you for this opportunity to assist the National Park Service by providing scoping comments for the Range CMP for Point Reyes National Seashore. Please add Western Watersheds Project to the list of interested public for the project and please keep us informed of all further substantive stages in the NEPA process for this and other planning processes. If you have any questions on our comments please feel free to contact me by telephone (818 345-0425) or by email at < mjconnor@westernwatersheds.org >.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Connor". The signature is written in a cursive style and is underlined with a single horizontal line.

Michael J. Connor, Ph.D.  
California Director  
WESTERN WATERSHEDS PROJECT  
P.O. Box 2364  
Reseda, CA 91337-2364  
(818) 345-0425  
< mjconnor@westernwatersheds.org >

JUN 02 2014

JAMES T. LINFORD  
[REDACTED]

TELEPHONE: [REDACTED]

June 2, 2014

Cecily Muldoon, Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes, CA 94956

**Re: L7617 -- Ranch CMP: Scoping letter**

RECEIVED  
2014 JUN -3 AM 11:55  
POINT REYES NS

Dear Superintendent Muldoon:

Thank you for your April 21, 2014, notification of the above-referenced scoping process. (I would appreciate your removing my personal identifying information –notably address, telephone number and email – from public review.)

### **Introduction**

First, and over-arching all else, is the importance of really understanding that the Point Reyes Peninsula has been a landscape managed by our species for twelve millennia and closely managed for the last four or five. Beginning a century and a half ago, there was an abrupt change in management practices, from those Sir Francis Drake saw in 1579, the traditional management practices of dozens upon dozens of generations, to the practices associated with the introduction of Eurasian herds. And with the introduction of Eurasian herds came exotic grasses and herbs that have come to dominate the pastoral landscape.

Second, the Point Reyes National Seashore's pastoral zone is similar to other California coastal pastoral zones where landscape management issues are also similar. For example, a Sonoma County California State organism, the Sotoyome Resource Conservation District, has produced an invaluable resource, its *Grazing Handbook: A Guide for Resource Managers in Coastal California*. (<http://www.carangeland.org/images/GrazingHandbook.pdf>) It demonstrates how a "Grazing Plan" could contribute to the broader challenges of Seashore management. For example, a decade ago, excessive brush fueled a catastrophic wildfire. That brush was no longer being kept in check by regular controlled burns, as had been the tradition for millennia, nor by grazing and browsing, largely ended upon wilderness designation.

Third, the National Seashore would not exist had the ranchers who loved their vocation and were working and living there a half century ago decided to sell their land to commercial real estate developers rather than to the National Park Service.

Letter to Superintendent Muldoon  
Point Reyes Nat'l Seashore  
Re: L7617 -- Ranch CMP  
June 2, 2014  
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This is the indisputable lesson of the film *Rebels With a Cause* (at least the full-length version, not the 20-minute truncated version I saw at the Bear Valley Visitor's Center). The inescapable implication: It is only equitable for ranching to continue in the Seashore pastoral zone.

### **Scoping issues and goals**

The following issues and goals should be among those considered in elaborating the Ranch Comprehensive Management Plan and Environmental Assessment:

- Favoring native annual wildflowers and perennial grasses
- Developing unique gastronomic resources
- Encouraging sustainable agricultural practices
- Providing a framework for cooperation between hikers and ranchers

### **Favoring native annual wildflowers and perennial grasses**

Perhaps the biggest single challenge is to reduce the presence of exotic grasses and herbs in the Seashore. Grazing can help.

In his comment on grazing at the Audubon Canyon Ranch's Bouverie Preserve, Habitat Protection & Restoration Specialist Daniel Gluesenkamp, Ph.D., noted "We want to favor native annual wildflowers and perennial grasses. We're trying to reduce competition and create some openings in the grass canopy. This will also ultimately reduce thatch." (See *Grazing Handbook*, p. 15.)

Certainly, elk can have a role to play in reaching this goal, as is apparently shown in Johnson & Cushman's 2007 Pierce Point tule elk study (*Conservation Biology*, Vol. 21.) And, one wonders whether the neo-native elk might be happier grazing and browsing on native plants than on exospecies. Certainly, to judge from the *Grazing Handbook*, elk and cattle can each have its role in re-establishing native wildflowers and grasses. Furthermore, we should remember that it was a legendary rancher, Henry Miller, who rescued the tule elk from extinction in the last quarter of the nineteenth century. Tule elk are no longer the "endangered species" they were at their introduction to the Seashore. They have far surpassed the population number that Peter Behr established as the threshold for being able to hunt them.

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Point Reyes Nat'l Seashore  
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Finally, goats and sheep, far better browsers than either cattle or elk, could also have a role in opening up the land to native annual wildflowers and perennial grasses.

### **Developing unique gastronomic resources**

My understanding is that the world-renowned Cowgirl Creamery can only produce its exceptional "Red Hawk" washed-rind cheese at their Point Reyes Station facility because only there can it benefit from the sea-breeze carried micro-organisms that characterize the Seashore. It may be that current commercial arrangements with the dairy distribution firm prevent milk actually produced in the pastoral zone from becoming cheese. If so, this obstruction to gastronomy should be removed. Like wine, cheeses can benefit from *terroir* and the pastoral zone gives every indication of being a world-class *terroir*. Certainly in the nineteenth century, Point Reyes butter was considered far better than any other in the state, and butter schooners plied a luxury trade between the Estero and San Francisco.

### **Encouraging sustainable agricultural practices**

"Sustainable agriculture" means food production that treads lightly upon the planet, that favors local sourcing and consumption, and that realizes the verity that quality costs no more than a bit of added care. Sustainable agriculture is healthy and wholesome agriculture.

The concept does not necessarily preclude the availability of outside forage to pastoral zone herds. Rather, it would minimize that forage to what is needed to sustain the herd during the dry months when local forage is insufficient.

### **Providing a framework for cooperation between hikers and ranchers**

Most of the open land in West Marin is private ranchland. Some is subject to non-development easements thanks to the Marin Agricultural Land Trust. Yet, as a rule, these lands are not open to public recreational use, specifically hiking. The National Park Service is in a unique position to coordinate multiple use of Seashore lands by both ranchers and hikers. It is reasonable to hope that whatever model develops from the Seashore's experience might be extended to other open lands nearby.

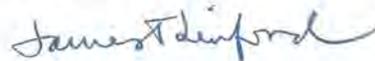
Letter to Superintendent Muldoon  
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We have already seen a magnificent collaboration with the 0.9 mile section of the Estero Trail between the Drakes Head Trail and the White Gate Trail. That section replaced a boggy swale with a gradual traverse, complete with modest culverts, for a wonderful hiking experience, through the cattle. It would be wonderful to see a similar effort to rejoin the Muddy Hollow trail with the old road where it crosses Home Ranch Creek. Perhaps a bypass trail around the Home Ranch homestead would assure the rancher's privacy while allowing a through hiking route. And perhaps, like the new stretch of the Estero trail, the stretch along the east shore of Home Bay could be moved away from the cattle paths and become more hiker-friendly.

Finally, it will be difficult to persuade ranchers to allow hikers across working pastoral lands unless hikers can be counted upon to respect the pastoral use of the land. This is the nub of what should be a major scoping issue and goal.

Very truly yours,



James T. Linford



# Marin Audubon Society

P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG

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2014 MAY 30 AM 11: 28

POINT REYES NS

May 27, 2014

Point Reyes Ranch CMP/EA  
 Superintendent  
 Point Reyes National Seashore  
 1 Bear Valley Road  
 Point Reyes Station, CA 94956

Re: Comments on the Ranch Comprehensive Management Plan

Dear Superintendent

The Marin Audubon Society appreciates the opportunity to comment on the Ranch Comprehensive Management Plan/Environmental Assessment (CMP). The preparation of a management plan is long overdue. As it will most likely be a long time before it is updated or revised, it is important that this plan be comprehensive and thorough. As described in the handout distributed at the public meeting, the comprehensive plan is not really comprehensive; rather it appears to be narrowly focused on range and tule elk management. We are concerned that this approach appears to neglect habitats and the many native species that depend on the park and rangeland resources.

Although in the hand-out there is a brief mention of protecting native wildlife and vegetation populations along with sensitive and rare natural resources (along with cultural resources), this appears to be a minor focus. Clearly the major focus of the CMP is on management of tule elk. In response to the scoping questions, we recommend a broader approach that would have as a clear overall focus the maintenance of the Seashore's natural resources, i.e. wildlife, habitats and natural resource heritage, along with ranching management. It is the NPS's responsibility to protect these natural resources in the interest of the public.

Our specific recommendations are:

1. Revise and broaden the purpose and scope of the plan.

We recommend that the scope be broadened to address all of the native species that depend on lands and habitats that are under ranching operations or influenced by them. It is the NPS responsibility to protect these resources by overseeing the ranching operations in a manner that ensures they are responsible stewards of habitats and wildlife, and that the two management objectives of wildlife/habitat and ranch operations coexist.

A CMP should not be based on one specie that may be causing problems at this time; there are many other native species of concern that could present problems/conflicts with ranching operations in the future. (see #3 below for further discussion)

The plan should describe and show on a map the natural habitats that exist on ranchlands and include management measures that ensure that these natural resources are protected. At minimum these should include wildlife that depends on the ranch habitats and wetlands, streams, riparian and other trees, and native grasslands and other vegetative habitats on rangelands. How these habitats are being and will be protected under future management should be described.

See #3 below for additional natural resource comments.

## 2. Responsible management of ranchlands

Marin Audubon advocates responsible management of all lands by all owners, private and public, and this should certainly extend to private ranch operations on public lands. Along with the ability to remain on the lands with 20-year leases, ranchers have a responsibility to be good stewards of those lands and their resources in their own interests as well as the public interest. In that light we submit the following issues and questions to be addressed:

Describe and identify on a figure, the location of all ranches including those that are being grazed. Discuss the current condition of each of the ranches on Seashore lands? Assess compliance with BMP's. This is particularly important with the extension of leases to 20-years.

What is the carrying capacity of the ranchlands in Marin County? Considering soil type and climate, discuss the number of cows/cattle that the ranch land at Pt. Reyes can support and not be overgrazed, i.e. remain viable and healthy without impacting soil, water and other natural resources. All uses of public land should be guided by maintenance of healthy vegetative systems.

Define high value pasture land. How much high value pasture is in the park and where it is located?

What measures will ensure the number of livestock will not exceed the capacity of the land to support? Do any ranches exceed that capacity now?

Describe and show on a figure and show where the impacts of the elk are occurring.

Describe how the elk are impacting the ranching operations. How much forage is lost to elk grazing? Describe the nature of and extent of the damage that is being caused to pastures? Discuss damage to fencing and how that is being addressed.

Describe how water is provided to cattle, how elk is accessing this water and how much water do the elk consume.

What are the hazing methods used to push elk off active ranchlands and how effective are they?

What are the BMPs for ranch management? Discuss current compliance with the BMP's, how these BMP's are implemented and how will they be implemented under the plan.

What is the oversight does the Park Service exercise over activities and management of the ranches now? For example, what assurances are there that the lands will not be overgrazed, stream resources are maintained in healthy state and the lands not overrun with invasive species? What is the oversight/supervision that would occur under the management plan? is planned for the future?

Changing to a more intensive crop than grazing is especially concerning as the habitat would be changed or lost with the potential for increased adverse impacts such as erosion, sedimentation and increased water use, etc. Discuss and identify ranches that may be interested in changing to an agricultural crop? How many ranchers have expressed an interest in changing to a more intense agricultural use and where are these? What habitats would be affected? How does the Park Service anticipate addressing such requests?

Provide a process for a ranch to revert to the NPS should a ranching family decides to no longer continue in agriculture. Specifically, what if they want the lands to revert to the NPS. What are the provisions or policies for succession of farm ownership? What if a ranching family wants to go out of ranching?

### 3. Maintaining natural resources

The plan should present a comprehensive analysis of the native species that depend on the park ecosystem for their survival; potential impacts on ranching and impacts of current ranching operations on those habitats. This is needed to determine whether there could be other management methods that could be more beneficial for coexistence. Included for example should be grassland birds that require low/grazed grasses and vagrants that depend on the vagrant trap trees that exist on some ranchlands.

Describe the habitat that ranchlands provide for native species that depend on Seashore lands. Discuss bird and mammal species that use the ranch grazing lands for forage and/or hunting.

What are the habitat needs of Elk. Discuss the feeding habits for the elk and the cattle. How do they overlap and where?

Discuss and define the habitat needs of other species that depend on park lands: grasslands, particularly those that depend on low grasses such as are supported by grazing activate, as opposed to high grasses, riparian habitats etc.

Discuss the use of the ranchlands not only by elk but also by species other than elk, mountain lion, bobcat, resident and migratory birds; deer etc. What are their feeding habitats? What species benefit from grazing and which do not? Are there conflicts with any other native wildlife? What is the condition of the native habitats, riparian resources in particular, on ranch lands?

The plan should identify and discuss avian and mammal predators, how they interface/interact with cattle/dairy and ranching operations now; whether there conflicts currently, and the potential for problems to occur or increase in the future. Predators such as mountain lion, bob cat, coyote and raptors not only need habitat space but could all be considered to cause problems.

What is the experience with the loss of farm animal's to coyote, mountain lion, bobcat, and free roaming dogs. Evaluate the potential for this being a problem in the future.

Discuss ranching interest in changing to smaller animals that would be more at risk for predation? How the management plan would address such problems should be discussed.

What endangered species exist on the ranchlands? Are endangered species red legged frog, endangered plants or any other endangered species present on any of the ranchlands? The potential for conflicts with endangered and special status species that depend on park habitats should be addressed in the plan.

Discuss the importance of the tree islands that attract and provide habitat for vagrant birds during migration? Include a plan to protect these resources.

What is the value of the elk herds to the ecosystem? What were their historic numbers? What were the historic numbers of elk? What ecosystem services do they provide?

Discuss the CDFW experience managing elk. Have they used methods to contain the elk that could be useful here? Are there interim solutions or possible long-term measures from their experience that could be taken here?

#### 4. Visitor Experience

The NPS pamphlet notes the "interpretive/education programs regarding historic and contemporary operations." Are there no interpretive programs about the Seashore's wildlife? If not there should be.

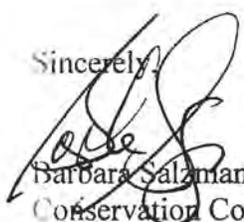
Discuss the importance of the elk, birds and other native wildlife for park visitors and the experience of visitors. Discuss use of the park by people coming to the park specifically to see elk, birds or other wildlife that occur on rangelands.

In conclusion, we would like to see a plan that ensures native species can continue to exist on these public lands and that the lands are managed in a manner that benefits the ranchers, the land and wildlife that depend on it.

In order to ensure public comments are heard, adequately considered and responded to, we suggest that the first draft of the CMP and its Environmental Assessment be considered a first draft, and be reissued after public comment. Otherwise the outreach would have to be extensive and much more thorough than two meetings with clipboards.

Thank you for responding to our questions.

Sincerely,

  
Barbara Salzman, Co-chair  
Conservation Committee

  
Phil Peterson, Co-chair  
Conservation Committee

RECEIVED

2014 MAY 30 AM 11: 27

POINT REYES NS

Point Reyes Ranch CMP/EA  
Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956  
May 27, 2014

Dear Superintendent:

Point Reyes National Seashore is a destination for me when I want to show visiting friends and family the sheer beauty and natural wonder that is available just three hours away. The problem is, that each time the experience is appreciably diminished by the barbed wire fencing that intends to keep cattle in and wild animals out of what ought to be natural grazing land and secure habitat for the tule elk and other wild creatures inherently entitled to be there.

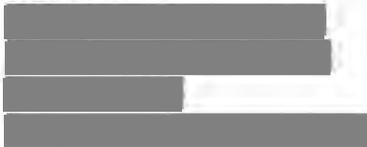
While it's quite remarkable to come upon a vista of elk grazing in the distance, it is equally disheartening to realize that they do so with ranch houses, barns, grazing cattle and barbed wire ... barbed wire ... barbed wire imposed upon their environment. It's the ultimate intrinsic contradiction, if you will.

In the distance, the Pacific surges and foams ... a perfect, natural backdrop for what ought to be a perfect, natural national park. Do not, please, allow 20 year leases to ranchers who should never have been there to begin with. Time to phase them out ... Period.

Most sincerely,



Ron Schmidt



May 25, 2014

Ranch Comprehensive Management Plan and Environmental Assessment, Point Reyes  
National Seashore

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2014 MAY 28 AM 11: 26

POINT REYES NS

- 1.) Remove all Tule Elk off Pastoral Zone permanently that is intended for cattle grazing as soon as possible. The historic ranches will be able to continue sustainable Best Management Practices with out further Tule elk impacts existing ranch operations. If elk are not permanently removed off working ranches in the seashore, these working operations will surely go out of business do to the competition of forage. We hope that it is not the intent of the National Park Service to keep roaming elk on these historic working ranches to eventually place ranchers out of business and let the elk take over their pastures.
- 2.) Ranchers should be able to improve pasture forage on permitted use leased lands for livestock at PRNS with seeding, mowing, weeding, plowing, fertilizing and crop options. This will allow ranchers to use historic practices to remain economically viable and keep in compliance as they have done in the past.
- 3.) PRNS needs to have in place an outlet for accessible rock provided for ranches. Rock quarries were closed down on ranches by PRNS. Rock is necessary maintenance upkeep for ranches. Ranchers need rock to repair access roads, protect cattle impact areas and control erosion.
- 4.) Diversification on ranches should be allowed to keep that ranch in active agriculture. Ranchers in the seashore need to be able to remain sustainable while being economically competitive along with today's technology.
- 5.) Emergency land repairs or building repairs should be streamlined processed to not cause further damage. PRNS phone list and optional yearly project ranch description priority lists may be helpful. This will guide both rancher and PRNS as to what improvements and repairs need to be addressed in a timely manner.
- 6.) The ranchers of PRNS have experience of running their business and know what works or needs to be done. The rancher's historic practices should be acknowledged. Let the rancher help educate the park staff that come and go so often with better communication. Our SUP/Lease permits should reflect ranching security that is vital to be handed down to the next generation.

C Ranch and D Ranch (A) Spaletta Dairy- [REDACTED]

*Spaletta Family - C Ranch*

From  
Concerned Students of the Wildlife Science Technician Program  
Kirsch Center for Environmental Studies  
De Anza College, 21250 Stevens Creek Blvd.  
Cupertino, California 95014

RECEIVED  
May 6, 2014  
2014 MAY 30 AM 11:29  
POINT REYES NS

To  
The Superintendent  
National Park Service  
Point Reyes National Seashore

Subject: Ranch Comprehensive Management Plan/Environmental Assessment

Dear Superintendent,

We are writing to express our concerns regarding the current and future status of Tule Elk in the Point Reyes National Seashore (PRNS).

As stated on the NPS website, the mission statement of the National Park Service (NPS) is to “preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations”. PRNS was created as a safe haven to preserve the local biodiversity. PRNS is the only National Park that has a Tule Elk population. If the NPS fails to protect a flagship species like the Tule Elk in PRNS, it is failing to live up to its mission statement.

Tule Elk have been historically present in the Point Reyes National Seashore (PRNS) area longer than current ranchers. In fact, they were driven to local extinction by ranchers and had to be reintroduced to the area in an extensive last ditch effort to save the species from extinction. Allowing cattle to have priority over the Tule Elk is counterintuitive to the conservation efforts spanning the past few decades.

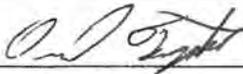
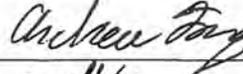
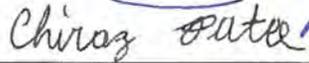
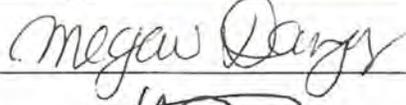
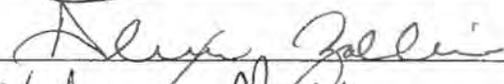
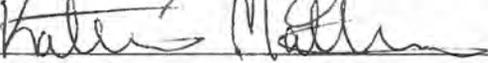
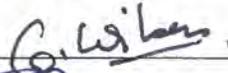
Are the ‘historical ranches’ described in the letter instituted for education and inspiration, or are they operating as a profit oriented industry? The leases need to be reevaluated according to statutes 459-459/C7.

Human use takes priority over other wildlife and the environment in many parts of California and our National Parks provide the last refuge for them. Ranching can have negative impacts both for watershed and air quality, and especially for biodiversity. Grazed lands severely degrade the grasslands of the PRNS. We would like the natural grassland ecosystem, with its variety of wildflowers, to regenerate alongside wild and free-roaming Tule Elk herds.

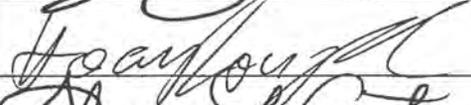
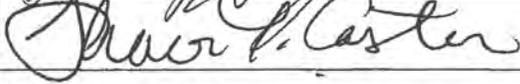
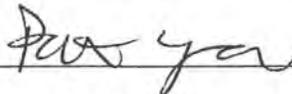
We highly recommend that the NPS utilize the enormous popularity of the Tule Elk to increase low impact eco-tourism of the area and to reconnect the people of the Bay Area to nature. We desperately need this connection if we are to solve the environmental problems we face today.

Sincerely,  
Concerned Students of the Wildlife Science Technician Program

Concerned Students of the Wildlife Technician Program, De Anza College, CA:

	Name (please print)	Signature
1	David Toyota	
2	Andrew Fong	
3	Michael Lam	
4	Kristin Quitoriano	
5	Edison John Magarin	
6	Robert DeRego	
7	Mike Quijano	
8	Chiras Patel	
9	Arjun Bhargava	
10	Megan Dazey	
11	Marcus Przyborowski	
12	Alexa Zollin	
13	Katie Martin	
14	Gavin W	
15	Eugenia Rendler	
16		
17	Neela SRINIVASAN	
18	Anna Spanjaart	

Concerned Students of the Wildlife Technician Program, De Anza College, CA:

	Name (please print)	Signature
1	Beau Senana	
2	Tino Le	
3	Sharon Castor	
4	Siobhan Harrington	
5	Patricia Yan	
6	Monica Matthews	
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Larry L. Wightman



May 22, 2014

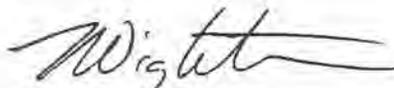
Superintendent Cicely Muldoon  
 Point Reyes National Seashore  
 1 Bear Valley Road  
 Point Reyes Station, CA 94956

RECEIVED  
 2014 MAY 27 PM 12: 12  
 POINT REYES NS

Dear Superintendent Cicely Muldoon,

- **Do not extend the current ranching leases.**
- Private ranching operations do not benefit the public for which this National Seashore was created.
- NPS needs to phase out the current leases and as they expire, take back and administer the approximately 20,000 acre "pastoral zone," on behalf of the American public who paid for it.
- During the time of phasing out ranching leases, the NPS must ensure a peaceful co-existence between cattle and wild animals, including tule elk.
- As the true historic grazer, the tule elk are native and belong in this area, not cattle.
- Ranchers have an obligation to co-exist and be complimentary to the native wildlife, not the other way around. Thus, there is no need for "relocation" or any other "removal of the tule elk."
- Should the need arise to reduce the tule elk population at some point, no lethal methods may be employed. Instead, cost-efficient and effective immunocontraception should be implemented as was done successfully between 1998 and 2000.
- I ask that you discontinue private ranching operations and restore the costal prairie to a large natural preserve in close vicinity to the San Francisco Bay area for the wildlife and people to enjoy.

Sincerely,

  
 Larry L. Wightman

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Mary M Wightman



2014 MAY 27 PM 12: 12

POINT REYES NS

May 22, 2014

Superintendent Cicely Muldoon  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent Cicely Muldoon,

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- NPS needs to phase out the current leases and as they expire, take back and administer the approximately 20,000 acre "pastoral zone," on behalf of the American public who paid for it.
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- I ask that you discontinue private ranching operations and restore the coastal prairie to a large natural preserve in close vicinity to the San Francisco Bay area for the wildlife and people to enjoy.

Sincerely,

Mary M. Wightman

May 31, 2014

Thomas Baty  


Cicely Muldoon  
Superintendent  
Point Reyes National Seashore  
Pt Reyes CA 94956

POINT REYES NS

2014 JUN -2 PM12: 11

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Dear Cicely &amp; staff,

Thank you for the opportunity to provide input as the Point Reyes National Seashore begins to consider the challenges and opportunities in updating the ranch management plan. Having lived in the area most of my life, I have the perspective of knowing the area since before there was a Park and have witnessed both the expansions to the Park(s) and the dynamic state of our community and the region. Having grown up here I know most of the ranching families and consider some to be good friends.

The following comments are good faith efforts to provide useful insight and opinion into some of the management options being considered. While many of my comments are critical of current practices or proposed new ones, I offer them with a genuinely constructive intent. I recognize that agriculture has a place in the Park and my comments are meant to help ranching exist within the context of NPS values and purpose. I hope that the ultimate product of this effort is a plan that is fundamentally simple and transparent, providing ranchers with a clear path forward and the Park with a better set of tools to more effectively manage the pastoral zone and surrounding ecosystems.

General ranch lease & management issues:

Leases need to reflect the overarching need for the NPS to effectively manage and preserve the natural resources of the Park. Preservation of natural resources is mandated within the founding and enabling legislation that created the Seashore and the GGNRA, whereas historic agricultural operations are an authorized use within the enabling legislation.

External pressures such as the fundamental economic realities of agricultural production and natural forces such as our current drought exist for all beef and dairy producers around the region. The NPS cannot and should not be considered responsible to 'guarantee' agricultural viability within the Seashore. Unless we are ultimately willing to pay agricultural producers to continue operations within the Park there must be recognition that there are practical limits to what the Park can do in supporting its agricultural partners. Perhaps as this planning process

responsibility. A better reflection of market rates for both grazing fees and housing rates could provide the Park with significantly more funds for housing and ranch infrastructure maintenance. Alternatively, continued subsidies at below market rates should be taken into consideration as the leases establish leaseholder responsibilities for maintaining fences, barns, houses, etc.

Maintaining historic footprints. Permitted alterations to ranch-steads should ideally be neutral in their footprints. Many ranches have derelict outbuildings, debris piles and outdated infrastructure that could be removed as any new structures are added. A full inventory of ranch structures and their uses should be undertaken in this planning process. Another inventory should be made of the non-agricultural businesses being conducted on ranches. For examples, should heavy (non-ranch) equipment and for-fee storage be appropriate uses on these lands?

Compliance. Some of the current problems with the Park's management of ranches can be attributed to the lack of compliance with Park regulations and policy. To the extent possible the new leases should provide clear guidance to ranch operators so that rules and roles are plainly understood. For its part the Park needs to provide adequate funding, staff, and resources to effectively manage the ranch leases as well as the surrounding environment. Developing an assembly of best management practices would be very useful, as would a continued (and hopefully expanded) commitment by the Park for water quality monitoring.

Sub-market grazing and housing rates: The elevation of the fees for agricultural leases could be a significant tool for the NPS to improve its management of the ranches. Increasing the fees to somewhere closer to market rates would provide an increased level of funding to offset underfunded ranch management programs. With near-market grazing fees, the Park could then provide incentives through of these fees through better (or "best") management practices. Grazing rights should not be transferable between private parties. With the below-market grazing fees, leaseholders have an economic incentive to work the margin and profit from subletting pasturelands. This seems a blatant misuse of the public trust and should not be permitted. Ranch housing should be for the leaseholder and for ranch workers. There should probably be a mechanism for providing "excess" housing on ranch leases to be preferentially offered to ag workers from other park ranches.

Rights of succession/transfer of leases need to be spelled out in the new leases. Transfers from generations and to branches of a family should not be automatically based on bloodlines. Considerable weight should be given to those that have demonstrated an active desire to participate in agricultural production. When there is no obvious "next generation" to take over a lease, the Park should establish a conceptual set of guidelines for determining if a lease should be continued and how to award any new leases on existing ranches. Perhaps a bidding process should be considered.

The park's legal capacities as landlord: The new leases need to provide the NPS the capacity to effectively manage its tenants. Specifically (and in consideration of some recent behavior by tenants) the leases need to provide redress for illegal (and particularly criminal) behaviors as well as unpermitted activities that are harmful to the Park. Recognize over-reach and chronic non-compliance by certain ag producers. Serial non-compliant leaseholders and those operating standards run counter to Park values and purpose should not automatically be given renewals when leases expire.

Best available science needs to be elevated and protected as a ranch management tool. There is an unfortunate current trend to second-guess scientific directives and to let politics play an outsized role in Park management. Ranch management planning needs to embrace the concept of a scientifically driven adaptive management.

20-year leases. The intention of the offer of these leases was in part to demonstrate to Pt Reyes ranchers a supportive commitment by the Park Service. These new long-term leases will clearly bridge most Park administrations and many staff assignments. One of the clear problems with our current ranch leases has been unwritten policy and stated memories of promises from bygone staff. To prove functional through these new terms, there needs to be considerably more development and documentation of policy and protocol.

The Point Reyes Seashore Ranchers Association is not a legal entity that can or should be recognized by park administration. Over the past few years letters from this group have been sent out to the Park and elected officials purporting to represent all the Seashore's agricultural leaseholders----when in fact subsequent inquiries find that many of the leaseholders had not seen a copy of the letter and occasionally were completely unaware that their "support" is being registered. As the NPS attempts to meet the challenges of managing working ranches within a national park, it must maintain a level playing field for access to park administration and policy makers. Park policy on agricultural land issues needs to have a balance of voices---including but not limited to environmental, recreational, as well as leaseholder and ag worker representation. The elevation of the Ranchers' Association to a recognized entity would perpetuate the potential for misrepresentation and unfairly give more weight to just one sector of the interested parties.

#### Specific ranch management issues

Silage production really should not be allowed in the Park. I understand the desirability of silage, particularly in light of the recent prices of imported feed and the organic certification standards for dairy from local pastures. But harvest seasons are absolutely deadly for numerous ground nesting birds and small mammals. It would be beneficial if the Park could formally recognize the damage this practice causes and where possible---in initial lease negotiations or in the

reassignment of additional acreage (when it becomes available)---for the Park to faze out this practice.

Mowing and blading of brush-lands needs to be reined in. In recent years it seems that weed (thistle) control has been used as a thin excuse for wholesale flail-mowing of brush-lands. The Park needs to provide adequate resources to help ranchers manage pastures in a manner that does not profoundly compromise the grassland and brush-land habitats. Unpermitted mowing should not be tolerated.

Carbon sequestration: If the Park is truly committed to “carbon neutral operations” and the reduction of greenhouse gases, the two biggest actions would be reducing the herd size on our ranches and native grass restoration----see comments on grazing rates above. There could be incentives for agricultural operators to work towards improving native grass communities and reducing the number of cattle in their herds.

Coyote dogs. A couple of ranches have large white dogs (Great Pyrenees?) roaming out in their fields, presumably for coyote control. These dogs are aggressive to humans and presumably to any of the natural predators found in the Park. Natural predators have an essential part in a healthy ecosystem and need to be tolerated within the Park. Remove the small agriculture species (goats, chickens, and ducks) that need protection from coyotes and do not permit the use of these dogs. This is also a visitor experience issue: park visitors should not have to face untended, unfriendly large canines as they visit the Park.

Trails on agricultural lands. Many of the hiking trails in the Park (including but not limited to Bull Point Trail, Estero Trail, Tomales Bay Trailhead, Earthquake Trail and the network of trails along the Bolinas Ridge) are acutely impacted by cattle. Particularly those sections of the trails are subject to acute erosion and are rendered almost impassible during the wet season should be afforded extra consideration. In areas where exclusionary fencing is feasible, leases could be offset for lost pasture, either in fees or exchange for other acreage. There needs be a broad recognition of the importance of visitor access within the pastoral zone and better management/maintenance by the Park and leaseholders so that these trails are kept in a passable state.

Interpretation, education, and public outreach on agricultural operations needs to be actively developed and coordinated by Park staff. Recent private interpretive programs have really been self-serving promotional activities that have been quite destructive to public understanding of the Park and the dynamics of particular ecosystems. While all have the right their own beliefs, interpretation within the Park really is the responsibility and right of the NPS and not a vested-interest leaseholder.

Regarding elk management:

The issue of Tule elk within the pastoral zone is complex and there seem to be very few easy answers for management. At the scoping meetings I made genuine attempts to listen to those ranchers most affected by the southern Tule elk herds. I was disheartened to sense no consideration of compromise or collaboration from the ranchers. I am also dismayed by repeatedly hearing the term "our grass" used with a tone of ownership/entitlement by ranchers. Hopefully this planning process will promote the ideals of public lands, public trust and a balance of shared rights.

A fence: The idea of a fence separating the pastoral zone from wilderness/natural areas is neither practical nor appropriate for the park. Such a fence would presumably run north-south from Limantour Estero to somewhere near Ottinger's Hill. Both ends would be problematic; neither could effectively contain the elk. The southern end would have to extend way out into the Estero---a fully designated Wilderness area that plainly forbids such constructs---and would still probably not keep determined elk from simply swimming or wading around. The northern end is equally problematic. There is no natural or engineered barrier to keep the elk from simply walking around the end of the fence.

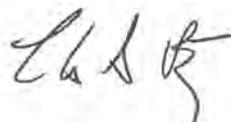
These elk should be recognized as a natural piece of the Point Reyes ecosystem---not as an exotic attraction to be managed as such. Tule elk existed on the Point Reyes peninsula for thousands of years before the early agricultural interests eradicated them. Cooperation and collaboration will be essential for the Park and the effected ranchers to find a way to share the pastoral zone with the wildlife.

Agricultural leaseholders within the park receive considerable subsidies---fractional grazing fees, sub-market housing costs---as well as huge management support from the Park---eg: the eradication of thousands of fallow and axis deer that once grazed on these same lands. In recent years and presumably on occasions in the future, surplus pastureland has become available and is parceled out to existing ranches. These benefits need to be weighed as the Park, the ranchers, and the participating public addresses the issues of elk management.

In the short term, the numbers of elk on the most effected ranches still seems to be a fraction of the size of the cattle operations on these ranches. While it does not address all impacts from the elk on these agriculture operations, couldn't the main issue of grazing impacts be partially offset by a trade-off of grazing fees?

On balance, the Park seems to have been open to adaptive management of the elk in the pastoral zone; these efforts need to be supported and nurtured as we look for a way to allow the Tule elk and the ranchers to co-exist in the pastoral zone.

Sincerely,

A handwritten signature in black ink, appearing to be the initials 'L.A.B.' or similar, written in a cursive style.

RECEIVED

2014 JUN -2 AM 11: 57

May 31 2014

POINT REYES NS

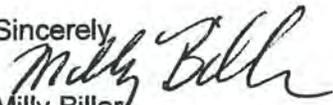
Point Reyes National Seashore  
1 Bear Valley Rd  
Point Reyes Station  
Ca 94956

To Whom it may concern

The introduction of unfenced Tule Elk into the Limantour wilderness area has put the future of the historic ranches of Point Reyes into serious jeopardy. The forage available to them in the wilderness area is less abundant than it is in the designated pastoral zone, which has been carefully managed and cared for by generations of hard working and conscientious ranchers . The Elk are breaking down fences, threatening livestock, and eating the pasture that has been compromised already by the drought. It is necessary to immediately construct an Elk fence that would contain the Limantour Elk herd in the wilderness zone. Waiting for a lengthy review process on the Elk is unacceptable as many historic ranches will be unable to continue in the current situation.

I urge the National Seashore and the NPS to build this fence immediately.

Sincerely,



Milly Biller

Point Reyes Station

Evans Family  
Historic H Ranch

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2014 JUN -2 PM 2:51

POINT REYES NS

June 1, 2014

Point Reyes Ranch CMP/EA  
Superintendent Cicely Muldoon  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Cicely,

Our family has proudly and innovatively produced food on the Historic H Ranch for 75 years. Dolores' grandparents, Domenico and Teresa Grossi, purchased the land in 1939 from Leonard David.

Shortly after the purchase was complete, Dolores' parents, Alfred and Florence Grossi started a dairy. The milk they produced was sold locally to make butter and cheese. Alfred worked extremely hard to make this ranch more productive, sustainable and viable. He loved the challenge of clearing the overgrown land to make beautiful grass pastures, adding to the productivity of the ranch. The added pasture land and natural feed he created for his cattle enabled him to increase his dairy herd and make the ranch much more sustainable and viable.

Alfred and Florence sold their land to the National Park Service in 1970. A few years later, Alfred made the tough decision to sell his dairy. It was very important to both of them that the ranch stay within the family as well as in productive agriculture. The opportunity for us, as 3<sup>rd</sup> generation ranchers, was a very exciting time. We made the decision to start a beef cow-calf operation. We felt a beef ranch would be a better fit for our family, the land and the environment. With the help of family and friends we quickly learned the ins and outs of raising beef cattle for meat production. The learning has never stopped, trickling into our children and grandson.

Alfred use to always say, "If we don't take care of the land, the land won't take care of us". This is something our family lives by. We take great pride in our land management practices on H Ranch. Here are some of the practices we have implemented and rely on to continue the production and viability of our ranch:

- No-till drilling of perennial native grasses, which enhance the nutritional value of our pastures/feed for our cattle
- Annual mowing of thistles and brush, which produces added growth in grass, which provides more feed for our cattle
- Added fencing and water development to protect riparian areas on the ranch.
- Added cross-fencing and water development to create a successful rotational grazing program with both cattle and goats, which helps with both grass production and weed management.
- Fertilizing the land to add nutrients back into the soil, which aids in added grass production/feed for our cattle

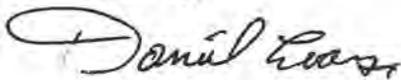
We are very proud that as fourth generation ranchers, our children David and Julie, have continued our family's progressive and innovative nature by diversifying and adding small scale operations such as chickens for eggs and goats for meat. We are very grateful for the Park Service's partnership in our effort to continue our family's legacy of producing food for our community.

It is with great importance to us to be able to offer the same opportunity to our children and grandson that Dolores' parents offered to us 38 years ago – the opportunity to produce food on H-Ranch. We feel for this to happen, there are some critical practices that must take place or continue into the future:

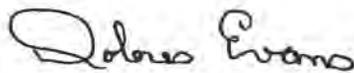
- Offer and secure 20 year leases on H Ranch, K Ranch and Abbotts Lagoon
  - Help make confident decision for future of our family.
  - Help make informative business decisions
  - Aids in the receipt of project funding from NRCS, RCD, FSA, etc.
    - This funding includes projects such as water development, cross-fencing, pasture seeding, spring development, etc.
- Remove elk currently residing within the Pastoral Zone
  - Elk destroy cattle fencing, which is very costly to replace
  - Elk compete for and take feed away from cattle. As stated above, for generations we have gone to great lengths financially and timely to improve the productivity of our land for our cattle to have added natural feed. We need this feed for our operation to remain financially viable.
- Establish and implement practices to keep the elk within their designated area
  - Management plan of 1998 states that no elk are to be within the Pastoral Zone
- Usage of herbicides on noxious weeds, such as Cape Weed
- Support ranch diversification for future generations

It is with much thought and consideration that we submit this letter to you for review. We appreciate the opportunity to share our needs during this process. We want to ensure that our grandson will be given the opportunity to be the fifth generation of our family to produce food on our family's ranch. We hope the Park Service will work in partnership with us in establishing a productive, sustainable and viable future for everyone.

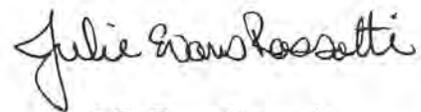
Sincerely,



Dan Evans



Dolores Evans



Julie Evans Rossotti

June 1, 2014

To whom it may concern,

RECEIVED  
2014 JUN -2 PM 1:49  
POINT REYES NS

As a third generation ranching family here in Olema Valley, we are fortunate to be able to share a way of life and core values with our children that are tied to the land that we manage. We would like for this to continue for generations to come. We want to have the ability to use management practices that our neighbors outside the Park are able to use in order to keep us economically competitive and sustainable. This is how we can remain competitive and in business for years to come:

1. Now more than ever, growing as much feed as possible on-farm is crucial in order for us to remain sustainable. The following practices are necessary in order for us to grow the maximum amount of feed:
  - a. We would like to rotationally graze more efficiently which would mean we need more freedom to cross fence and put in water sources.
  - b. We would like to seed and mow brush and other weeds in order to improve our pastures.
2. The freedom to do low impact projects and daily maintenance without having to ask permission and triggering a full blown study every time. Some projects need to happen in real time and we cannot always wait for an answer.
3. Come up with a way to streamline and speed up approval of NRCS & RCD projects and other large projects.
4. Put in management practices to safeguard livestock from predator wildlife.
5. We would like to see PRNS consult with NRCS and FSA more on Park projects that could have an impact on ranching. (For example the Sand Dune Project)
6. More collaboration between Ranchers and Park Staff. There needs to be more opportunities for both sides to educate each other on why we feel the management practices we are using are necessary and justified.
7. Clearer guidelines on historic and non-historic building maintenance. There also needs to be a faster process so we can make proper repairs quickly. Also, explore the possibility of using alternative materials on historic buildings.
8. The opportunity to diversify our operations to reflect historic practices that used to exist in the Park, current practices that some partake in today, and any other endeavors that have not been tried yet (ex: processing, different kinds of crops, different species of animals, tourism).
9. Succession plan for each ranch if someone were to pass on or have no heirs with a desire to continue ranching. We would like to set up a way to smoothly transition leases

to interested family members or in the event of no interested family members, other Park ranching families.

10. The ability for the twenty year leases to be a "rolling lease". This would help give the ranchers and our lenders confidence about our future and stability.
11. Last, but certainly not least, removal of all Elk from the Pastoral Zone in a timely manner. We feel it is very important at the same time Elk are being removed, immediate attention be given to managing and developing the Wildlife Habitat in order to encourage the Elk to stay in the Wildlife Zone. These two practices go hand and hand. Elk removal will not be successful if the Wildlife Zone is not managed.

Thank you,



Giacomini Ranch

Nicole Nagulko and Luke Giacomini



RECEIVED

Scoping comments submitted by Burr Heneman for the  
 Ranch Comprehensive Management Plan and Environmental Assessment  
 2 June 2014

JUN 2 PM 12:05

POINT REYES NS

Thank you for embarking on this important, timely, and challenging planning process and for the opportunity to submit comments in the scoping process. I have comments of a more general nature, particularly about the vision for agriculture in the Point Reyes National Seashore and the background material that should be included in the CMP-EA. I also have more specific recommendations about options for ranch practices and the Seashore's management of the ranches that I would like to see included in the preferred alternative.

### General comments

The early sections of the Ranch Comprehensive Management Plan and Environmental Assessment should include several elements such as the following:

- A strong vision, with a clear statement of a long-term commitment to agriculture that employs best agricultural stewardship practices;
- A discussion of what "park resources" are and how they relate to each other from a management standpoint. This section would explain that, under NPS policies, natural and cultural resources have equal weight — neither automatically has precedence over the other;
- An explanation that, under the National Historic Preservation Act, the Seashore already manages the ranches on the Point and the ranches in the Olema Valley as two historic districts, examples of "vernacular cultural landscapes" (an NPS cultural resource management category under the National Historic Preservation Act).<sup>\*</sup> Discuss change as a feature of cultural landscapes. Agricultural products, practices, and buildings in the Seashore have changed substantially over 160 years though the character of the Historic Districts has remained substantially intact. These kinds of changes may continue to occur but the cultural landscape can "still exhibit continuity of form, order, use, features, or materials." This section of the CMP-EA could borrow heavily from the Introduction in "The Secretary of the Interior's Standards for the Treatment of Historic Properties *with* Guidelines for the Treatment of Cultural Landscapes").

[http://www.nps.gov/history/history/online\\_books/hps/contents.htm](http://www.nps.gov/history/history/online_books/hps/contents.htm)

[http://www.nps.gov/history/history/online\\_books/hps/introduction.pdf](http://www.nps.gov/history/history/online_books/hps/introduction.pdf)

- Some discussion of how the Ranch CMP will deal with possible conflicts between natural resource management and agricultural practices on the several individual ranches, each of which is an element in an important cultural resource with standing equal to the Seashore's natural resources. This section should be explicit that, if agriculture is to exist in the Seashore, NPS policies on biological resource management can not be applied in a cultural landscape in exactly the same way as in other areas of the Seashore.<sup>\*\*</sup> For example, grazing cattle, growing and harvesting grasses for silage, and various forms of rangeland maintenance are all activities that are inappropriate in other areas of the Seashore but are routine

agricultural practices necessary for ranches to function. To expand on one of those examples, silage is important economically for ranchers and lowers carbon footprint compared to trucked in feed but involves soil and vegetation alteration that would not normally occur in a national park, is a potentially a negative for some wildlife species (nesting grassland birds, for example), and benefits some other species (some wintering bird species, for example).

- Management of the ranch lands needs to be a partnership between the Seashore and ranchers. In this partnership, both partners need to be strong or it's not a partnership. The best gauges of rancher strength are economic success and doing a good job of caring for their workers, the land, and the ranch structures. The Seashore's responsibilities are to help in at least three ways: have clear stewardship standards and clear statements of both rancher and Seashore responsibilities in implementing those standards; helping to provide resources for compliance with environmental standards; removing or preventing unnecessary impediments to successful ranch operations (helping to get streamlined permitting; balancing natural and cultural resource standards in ways that do not put the Seashore on a path toward unacceptable impacts or impairment of cultural or natural resources.
- An explanation of what will be assessed and why. For example, will existing practices on a ranch be subject to assessment and, if so, why? Will only potential new practices be assessed and, if so, why?

### Specific comments

These comments recommend specific programmatic guidelines/ground rules on the following:

- Rangeland improvement — Because both native and exotic plants inevitably invade rangeland over time, the quality of the rangeland and the amount of grazing it can sustain declines. For grazing to continue long term, it is essential for ranchers to be able to reverse this process periodically to maintain the quality of the rangeland. In addition, the certification of substantial areas of rangeland as organic in recent years increases the need for new tools to manage vegetation. The Ranch CMP preferred alternative should generally allow, with reasonable conditions\*, clearing of invasive alien plant species and natives such as iris, coyote brush, *Juncus*, lupine, etc. Conditions might relate to slope, buffers along water courses, concentrations of plants that are species of concern, seasonal impacts on birds, mechanical and chemical removal of plants, leaving islands of habitat in cleared areas, etc.
- Crops for supplemental dairy cow feed, such as silage — The history of "on-farm harvested forage" on Point Reyes goes back over 150 years: 75 acres were planted to hay and "grain" on Home Ranch in 1861. It became standard practice for the dairies as annual grasses, with a shorter productive season, replaced the native perennial species. Growing hay diminished greatly after World War II when it became cheaper to truck feed in. (See D. Livingston, *Ranching on the Point Reyes Peninsula*.) Growing supplemental feed returned after the Oil Embargo of 1973 brought an era of higher transport costs that continues today. Because dairies need to supplement what cows consume by grazing, and because the financial cost and carbon footprint of growing that feed locally is so much lower than trucking it in from Oregon, the Central Valley, Nevada, or Utah, the Ranch CMP preferred alternative should

address where and how many acres should be allowed in the Seashore. Here are options to consider including in the preferred alternative (with reasonable conditions\*\*\* relating to slope, water courses, etc):

- Allow supplemental feed to continue to be grown where it is grown now (which includes at least one beef ranch), which should be a baseline from which the Ranch CMP does not retreat;
  - For dairies especially, allow the possibility of growing supplemental feed where hay or silage have been grown in the past 60-70 years but are not now. Examples: Nunes grew silage and stopped; Bull Point vegetation reflects the fact that hay was grown and mowed there in the '50s and perhaps as late as the '60s;
  - For dairies, allow the possibility of growing supplemental feed on up to X% of land under permit, with X a large enough percent to be of real value to a ranch.
- Diversification — Agricultural operations everywhere need to respond to changing market realities, as has been true of the ranches in the Seashore since they were started in the 1850s. One of the primary ways that Seashore and other Marin County ranching families have been able to remain economically viable and continue ranching operations generation after generation is by diversifying what they produce and, in many cases, adding value with some type of processing. Sustainable agriculture relies not only on productive soils and adequate water, but also on each farm family's ability to diversify their farming operations as changing times require. Diversification has saved numerous Marin family farms over the past decade as the younger generation chooses to produce new products and find new markets to keep 4th and 5th generation farms viable.

Is diversification allowed by the Seashore's enabling legislation? The Congressional guidance to the Secretary on the future of agriculture in the Seashore leaves many unanswered questions in the 1962 enabling legislation and the several subsequent amendments. Here is the relevant 1962 language:

No parcel of more than five hundred acres . . . shall be acquired without the consent of the owner so long as it remains in its natural state, or is used exclusively for **ranching and dairying purposes** including housing directly incident thereto. The term "**ranching and dairying purposes**", as used herein, means **such ranching and dairying, primarily for the production of food, as is presently practiced in the area.**

The 1962 version, with the language "as is presently practiced in the area," can be interpreted as constraining diversification, although "in the area" is not clear as to what area Congress was referring to: the Point Reyes peninsula? Marin County? The Bay Area? However, in the 1978 amendments, Congress removed the 1962 language and replaced it with considerably broader language that would appear to allow much greater latitude in ranch products than exist today and that happened to exist when the ranches were acquired (much greater diversity of products was commonplace prior to the 1950s). The 1978 amendments removed "as is presently practiced in the area" and added the most general possible terminology:

"agricultural property" and "agricultural, ranching, or dairying purposes."

. . . the owner of improved property or of **agricultural property** on the date of its acquisition by the Secretary under this Act may, as a condition of such

acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later. . .

the owner of improved property or of **agricultural property** on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later.

The term '**agricultural property**' as used in this Act means lands which were **in regular use for, or were being converted to agricultural, ranching, or dairying purposes . . .**

The Ranch CMP should include guidelines for the kinds of diversification that will be allowed. Diversification options in the preferred alternative, with reasonable conditions\* (for example, use of accepted humane standards for livestock [see <http://www.nimanranch.com/Files/protocols/Pork%20Protocol%2011-29-12.pdf> ], protection of water quality, erosion prevention, etc.) should include:

- commercial crops and livestock that have been produced historically at Point Reyes, which include (see D. Livingston, *Ranching on the Point Reyes Peninsula*):
    - large amounts of cheese, butter, cream, milk, beef cattle, and pigs;
    - substantial amounts of artichokes, peas, potatoes, hay and grains (oats, barley, and wheat);
    - smaller amounts of additional vegetables, sheep, eggs, and chicken;
  - crops and livestock that have environmental impacts (including visual impacts) that are similar to those of crops and livestock that are present now or were historically produced at Point Reyes;
  - appropriate-scale processing of plant and animal products. Examples: cheese, butter, and milk-fed pigs have long histories at the Point Reyes ranches and should be able to return under reasonable conditions\*.
- Succession — The Ranch CMP should make clear what the procedures are if a lessee/permittee dies or leaves the business. The plan should make an explicit commitment to keeping the current ranch lands in agriculture whenever possible, and the question is how to accomplish that. Here is the hierarchy of options that I suggest for the preferred alternative:
    - For over a century, the common practice has been for ranch ownership or leases to go to the children of a rancher if they want to continue ranching. The Seashore has given the first choice to immediate family members, and that practice should continue.
    - Before the Seashore existed, ranchers were much freer to make the fundamental business decisions about changing the scale of their operations by buying or selling ranch businesses and, in the Shafter/Howard era, giving up or taking on a lease. Because the ranches in the Seashore are small in comparison to many in California, and because scale may be an important constraint to viability, second choice should go to neighboring ranches, another practice with precedent in the Seashore. (However, in the case of

dairies, there should be a priority given to keeping the ranch operating as a dairy if there is an existing dairy in the Seashore that wants to expand its operation.)

- Using the same justification, if neighboring ranches do not exercise the option, third choice should go to other ranches in the Seashore.
- If none of the above results in an SUP, use some mechanism to put the land out for bid for agriculture, perhaps using something like the RFP process for farms at Cuyahoga Valley National Park. In this circumstance, it would be a positive outcome if some long-term workers on local ranches had the opportunity to acquire an SUP, much as the tenant forebears of the current ranchers had the opportunity to buy ranches from the Shafter and Howard estates. However, it's not clear to me how the Seashore could do the social engineering that would give preference to a particular group as opposed to an RFP process open to anyone.

For all four of the above, sub-letting should not be allowed.

- Stewardship — The Seashore needs better means to ensure that best agricultural practices are followed. The Ranch CMP should contribute to that objective.
  - The Seashore should create a formal relationship with a partner, advisor, or agent such as NRCS, RCD, and UC Cooperative Extension. Under that relationship, the Seashore would retain ultimate responsibility for management of the lease/permit and ensuring that NPS policies are followed. The NPS partner could have responsibility for up to and including day-to-day management of the lease/permits and relations with ranchers.
  - The permittee and the Seashore (and its management partner, advisor, or agent, if there is one) should agree on a stewardship plan specific to the ranch with each lessee/permittee whenever a lease/permit is renewed or when there is a new lessee/permittee. The agreement should cover changes in generally recognized stewardship practices and stewardship projects that are to be completed. The negotiated agreement should specify NPS expectations and the responsibilities of both the lessee/permittee and the NPS (and the management partner, advisor, or agent, if there is one). The agreement should include a schedule and timetable for implementation. There should be periodic review (annual? biennial?) to assess fulfillment of the terms of the lease/permit. The Ranch CMP should specify how the Seashore will evaluate permittee/lessee compliance with the terms of the lease/permit and what the consequences are of inadequate compliance.
- Tule elk — The Ranch RMP should be explicit that the tule elk need management, including this reasoning: elk numbers on ranch lands can be expected to increase without management; if elk numbers increase, the elk will reach the level of unacceptable impact (and may have already) on the Seashore's largest cultural resource and will likely result in impairment of that resource in the absence of management. Under *NPS Management Policies 2006*, unacceptable impacts are to be avoided and impairment is prohibited (see sections 1.4.1 through 1.4.7.2 <http://www.nps.gov/policy/mp2006.pdf>). The plan should specify any examples of where elk and agriculture co-exist successfully and explain what factors are responsible for that success (e.g., hunting, reimbursement for damages, etc). Given the realities of limited resources of the Seashore now and in the foreseeable future,

it should be a high priority that the preferred alternative require as small a demand for ongoing management as possible. (The Seashore's long and problematic history with intermittent culling of fallow and axis deer is instructive in this regard.)

- Visitor Experience

- Point Reyes working ranches, especially the dairies, could be a popular interpretive resource. Rancher participation would need to be voluntary for on-ranch interpretive programs. The Seashore staff, in consultation with ranchers involved, might need to manage details such as parking, scheduling, etc., as well as

## Footnotes

\* The following quotations are from "The Secretary of the Interior's Standards for the Treatment of Historic Properties *with* Guidelines for the Treatment of Cultural Landscapes" which can be found at:

[http://www.nps.gov/history/history/online\\_books/hps/contents.htm](http://www.nps.gov/history/history/online_books/hps/contents.htm)

"Cultural landscape – a geographic area (including both cultural and natural resources and the wildlife or domestic animals therein), associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values. There are four general types of cultural landscapes, not mutually exclusive: historic sites, historic designed landscapes, historic vernacular landscapes [ranches at Point Reyes and the Olema Valley], and ethnographic landscapes.

"Historic vernacular landscape – a landscape that evolved through use by the people whose activities or occupancy shaped it. Through social or cultural attitudes of an individual, family, or community, the landscape reflects the physical, biological, and cultural character of everyday lives. Function plays a significant role in vernacular landscapes. This can be a farm complex or a district of historic farmsteads along a river valley. Examples include rural historic districts and agricultural landscapes.

"Change and continuity – There is a balance between change and continuity in all cultural resources. Change is inherent in cultural landscapes; it results from both natural processes and human activities. Sometimes that change is subtle, barely perceptible as with the geomorphological effects on landform. At other times, it is strikingly obvious, as with vegetation, either in cyclical changes of growth and reproduction or the progressive changes of plant competition and succession. This dynamic quality of all cultural landscapes is balanced by the continuity of distinctive characteristics retained over time. For, in spite of a landscape's constant change (or perhaps because of it), a property can still exhibit continuity of form, order, use, features, or materials. Preservation and rehabilitation treatments seek to secure and emphasize continuity while acknowledging change.

"Use – Historic, current, and proposed use of the cultural landscape must be considered prior to treatment selection. Historic use is directly linked to its significance, while current and proposed use(s) can affect integrity and existing conditions. Parameters may vary from one landscape to another. For example, in one agricultural landscape, continuation of the historic use can lead to changes in the physical form of a farm to

accommodate new crops and equipment. In another agricultural property, new uses may be adapted within the landscape's existing form, order, and features."

\*\* The following quotation is from "The Secretary of the Interior's Standards for the Treatment of Historic Properties *with* Guidelines for the Treatment of Cultural Landscapes" which can be found at:

[http://www.nps.gov/history/history/online\\_books/hps/contents.htm](http://www.nps.gov/history/history/online_books/hps/contents.htm)

"Environmental protection requirements – Many cultural landscapes are affected by requirements that address environmental issues. Legislation at the federal, state and municipal level have established rules and regulations for dealing with a variety of natural resources, including water, air, soil, and wildlife. Work predicated on such legislation must be carefully planned and undertaken so that it does not result in the loss of a landscape's character-defining features."

\*\*\* I am using "reasonable conditions" to mean: because the ranches are a permitted use in the Seashore and, together, constitute an important cultural resource, natural resource management policies can not be applied in the same way to agricultural and non-agricultural areas of the Seashore. Evaluation and conditioning of a ranch practice that is being assessed should include consideration of its necessity for ranch operations and its contribution to the maintenance of a major cultural resource.

Cicely Muldoon, Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

RECEIVED  
2014 JUN -2 PM 2:51  
POINT REYES NS

Dear Superintendent Muldoon;

My name is Jillian Herkert and I am the fourth generation of the Kehoe Family that leases the Historic J Ranch in the Point Reyes National Seashore. I have many fond memories of growing up on my families' dairy and actively participating in the hard working lifestyle that it takes to manage an operational farm. When I was just a child, my family had told my siblings and myself many stories of how the dairy operation came to be. My Great grandfather, James Kehoe had started the dairy in 1922 and had then passed it along to my Grandfather, Skip Kehoe in 1965. My dad and two uncles who now run the dairy with the help of my twin brother and numerous employees have now taken the helm on maintain the family business.

The ranching, farming, and dairying are very intensive careers. There are no days off; you are not only to be an expert in animal husbandry but also environmental stewardship as well as general business practices. The Comprehensive Management Plan is a beneficial way for the National Park Service (NPS) and ranchers to continue working together to help preserve the beautiful environment that has been well-maintained for over 150 years.

In order to continue a harmonious relationship, the NPS needs to extend the current leases to 20 years. This will allow the business to invest the money to make improvements to infrastructure, secure investments, and become more Intune with the land that they are farming and grazing. With the 20 year leases, the ranches should be able to continue the following:

- *Continue growing and harvesting forage.* This is a crucial practice for ranches within the Point Reyes National Seashore (PRNS) to remain in business as well as competitive within their respective industry. Ranches that are currently growing forage should be able to maintain their acreage and those that wish to begin should be allowed to grow up to 25% of their leased acres. This is vital to the success of the ranches because trucking in feeds from far away is not only extremely expensive as well as increases traffic on local roads.
- *Mowing weeds.* The National Organic Program (NOP) prohibits the spraying of herbicides for managing invasive weeds. In order to control them and maintain healthy land and forage for cattle the weeds need to be mowed at certain points in the growing season to prevent them from taking over.
- *Diversification.* Agricultural operations all over the country need to adapt to changing markets and the best way to do this is through diversification. The ranches within the PRNS have been doing this for many years. Examples of this would be changing your operation from dairy to

beef, planting additional crops such as artichokes, potatoes, carrots, and hay, as well as being able to retail products directly to consumers.

Maintaining 20 year leases is not only an important aspect in the issues stated above but also in succession planning. The CMP should make clear what the procedures are if a lessee/permittee dies or leaves the business. The plan should make the commitment that current ranches are kept in agriculture whenever possible. To do this we suggest the following:

- First choice is given to immediate family member. Subletting should not be allowed.
- Second choice should be to neighboring ranches which has precedent in the Seashore, subletting should not be allowed.
- Third choice should be to other ranches/ranchers in the Seashore. Again, subletting should not be allowed.
- Fourth choice should be, if in a position to do so, leasing to an employee of the ranch.

My last concern of the CMP is the Tule Elk. The elk must be maintained within an enclosed fencing in the designated areas. Elk can be very harmful to the ranching environment. The National Organic Program (NOP) requires that ranches participating in organic standards abide by strict guidelines to maintaining an organic herd and certification. Ranches must be able to provide a minimum of 30% dry matter intake for a minimum of 120 days during pasture season for their animals. Tule elk are large creatures that eat much of the available native forage when not supervised. They have also been detrimental in consuming supplemental forages that ranchers are paying top dollar for because they are not able to cultivate them by their own means. The Tule elk population needs to be managed in order control their population from getting too large, reducing their environmental impact, as well the potential for them to transmit disease to other animals.

In order to be successful park and ranching community the NPS should work closely in conjunction with the Natural Resource Conservation Service, Marin County Agriculture Commissioner, Marin Resource Conservation District, and UC Cooperative Extension to assist in implementing best ranch practices within the park because of their vast knowledge and experience. This will not only improve the quality and timeliness of projects but can also help inform visitors of what is happening on the ranches in order to improve the local environment. Those aspects are vital in continuing the relationship and education with the public.

We believe that working together with the NPS to create practical expectations of the ranchers is a great way to maintain the quality and integrity of the environment as well as benefit the families of agriculturalists for many years to come.

Sincerely,

Jillian and Hans Herkert

Regarding the Point Reyes National Seashore Ranch CMP: May 30, 2014

I am writing to express my support of continued ranching on park lands. As leases end on park lands, we lose many working ranches and coastal buildings to neglect, vandalism and demolition. For example, Rancho Baulines is now derelict and the gate is locked in comparison to the well maintained state it was in when rented by a private party who made the property available for public use. Jensen's buildings in Hamlet were destroyed by vandals and later removed by the park service. I feel a great loss when the buildings that represent early area residents disappear from the landscape. Many, many visitors and residents appreciate seeing the landscape with the picturesque historic buildings in use and cared for.

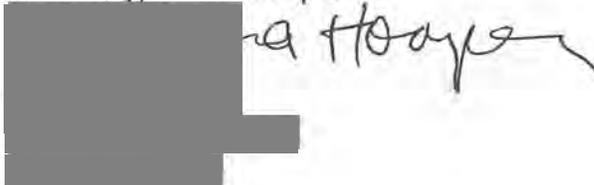
As a 4<sup>th</sup> generation SF Bay Area native raised in Marin County, I have a family history of appreciation of ranching and early California culture. The cultural aspect of ranching is very important historically to our area. I support efforts to reduce the negative impact of the tule elk on livestock in order to keep the ranchers in business.

Ranchers are stewards of the lands, possibly not ideal stewards in the eyes of all environmentalists. Unfortunately, many environmentalists have a textbook outlook and do not recognize the importance of historic culture and the sentiments of longtime residents of the area. I am a pro rancher environmentalist and do not consider the Point Reyes National Seashore as wilderness.

In considering long range park plans, I vote to keep existing ranches viable and restore use of empty ranches. The park can lease property to responsible farmers and ranchers using rents to support oversight of ranching and farming practices.

The fallow and axis deer were recently eradicated from the seashore – I support reducing the elk population by allowing controlled hunting.

Sincerely, Dana Hooper



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POINT REYES NS

Horick Ranch  


June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

Thank you for allowing me to comment on the Point Reyes National Seashore (PRNS) Ranch Comprehensive Management Plan (CMP) Environmental Assessment (EA) during the current public scoping period. I am a third generation seashore rancher, born and raised on the Horick Ranch, also known as the Historic D Ranch. My family has a long history in West Marin since 1873, and of ranching on the Point Reyes Peninsula from at least 1898 when my grandmother, Alice Hall was born on the N Ranch and later purchased the D Ranch in 1927 where our family operated it until 2000 (see attachment 1 and 2). The attached documents share the extensive history my family has here, as well as a description of the lively, diversified agriculture that existed during the Shafter era.

In 1998, my mother, Vivien Horick, was still operating our family dairy when she was killed in an automobile accident. Unfortunately, only my mother's name was on the PRNS special use permit (SUP), there was no succession plan in place, and the PRNS denied my request to continue our family tradition at the D Ranch.

Since then, portions of our ranch were leased by PRNS to our neighbors and portions have been removed from agricultural production altogether. The portion of the ranch taken out of grazing is being invaded by brush and I fear that if it does not get put back into grazing, it could be completely lost.

As I grew up on the ranch, I was always under the impression that our ranches within the pastoral zone would remain in agricultural production and would be operated by the same historic families. I was shocked when PRNS denied my request to continue and by their choice to evict our family and our cows. We were not in any position to challenge this PRNS decision at the time, so we left sadly and quietly.

I have continued my family ranching tradition on my small ranch in Chileno Valley, near Petaluma where I still have our same cows from our D Ranch.

I have begun to involve myself with this new PRNS EA process and learned about NEPA. I now realize that the pastoral zone was, in fact, set aside by Congress to continue the historic agriculture because of its cultural and economic value. I am also unaware of any public process undertaken by PRNS or Congress to undo this protection of agriculture in the pastoral zone when PRNS evicted my family following the passing of my mother. I realize that this new EA will study the management of the ranching within the pastoral zone – one of those historic ranches is our D Ranch.

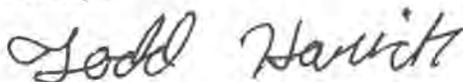
I am also aware that the 1998 tule elk management plan authorized PRNS to transfer the elk from Tomales Point to the designated elk range in the Limantour wilderness, not the D Ranch – or anywhere else in the pastoral zone. The plan says that the elk may free range within the designated elk range. It does not authorize the movement of elk beyond the designated elk range. I am aware of growing public opinion that the elk should be removed from the pastoral zone and returned to the designated elk range so that elk don't continue to ruin my neighbors' businesses. I agree and expect that to be the outcome of this process.

If a NEPA process was not initiated to remove our family and change the use of our ranch to an elk preserve, a NEPA process should not be necessary to return our family to continue what appears to be what Congress intended. Given this fact, and that a NEPA process is underway that includes the future management of the D Ranch, I would ask that the reviewers include my request to return to the D Ranch to carry on my family tradition. I have included my application (Attachment 3) to PRNS to obtain one of the new special use permits (SUP) to resume responsibility for the D Ranch, including the buildings and rangeland.

This EA should recognize all the benefits of allowing me to return home. I will provide the rangeland stewardship to preserve the historic grasslands, I will bring the same cattle back to their rightful home, and I will save the taxpayers by relieving the PRNS of the sole responsibility for maintenance to fencing, roads, buildings and other infrastructure. I will help to preserve the pastoral zone with the cultural use Congress intended for it.

I am very proud that my life long neighbors and friends, the members of the Point Reyes Seashore Ranchers Association (PRSRA) are in support of my return to my family ranch. I will work cooperatively with the Nunes and Spaletta families whom PRNS permitted to use part of the D Ranch following our family's eviction. I look forward to becoming a member of PRSRA so that I can work cooperatively with PRNS. I have read the PRSRA scoping comments and I entirely agree and support their position. Without allowing the requests of PRSRA, agriculture may be lost at PRNS... at a time I hope agriculture will thrive. I hope that this review honestly considers the public interest in keeping agriculture alive at PRNS and allows for the diversification necessary for small family farms to survive.

Sincerely,



Todd Horick

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A blog by David V. Mitchell

## Sparsely Sage and Timely



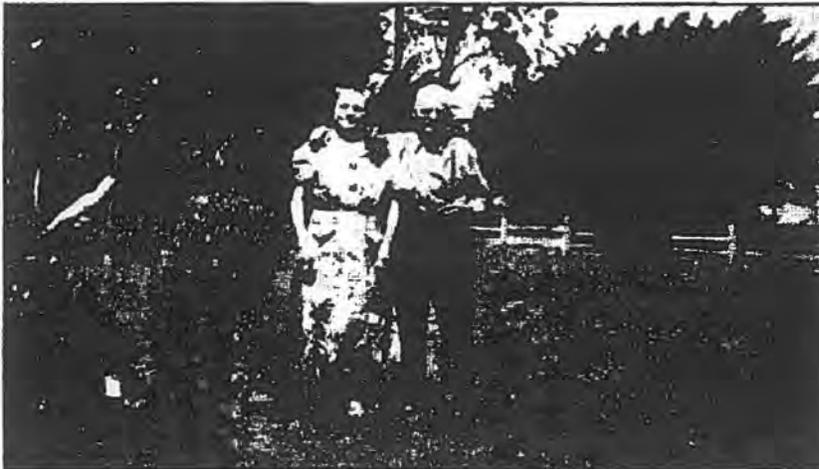
Tue 22 Jan 2013

### Inverness museum exhibit on Swiss immigrant who came to be called 'Mr. Point Reyes Station'

Posted by David Mitchell under [History](#), [Inverness](#), [Point Reyes Station](#)

No Comments

The Jack Mason Museum of West Marin History in Inverness on Sunday held a grand opening for a new exhibition, "Hometown: Growing Up in Point Reyes Station." The exhibition consists of fascinating photographs from the Codoni family, whose patriarch Quinto Codoni immigrated to West Marin from Switzerland's Italian-speaking Canton of Ticino 140 years ago.



*Clara and Quinto Codoni on D Ranch. The driftwood porpoise (in background at left) had Coca Cola caps for eyes and bailing rope for whiskers.*

Quinto Codoni (1855-1940), part of a wave of immigration to West Marin from Ticino, was 18 years old when he joined his brother Joe in Tocaloma



"This was 1873," the late Jack Mason wrote in the Winter, 1980, issue of *The Point Reyes Historian*. "There was no train. The little schooners then in use were equipped to carry butter, not hogs.

"It was young Quinto's job, on behalf of Charles Howard's tenant ranchers [on Point Reyes], to get their pigs to the nearest scow for San Francisco [which landed in Drakes Estero]. On foot this took up to three days.

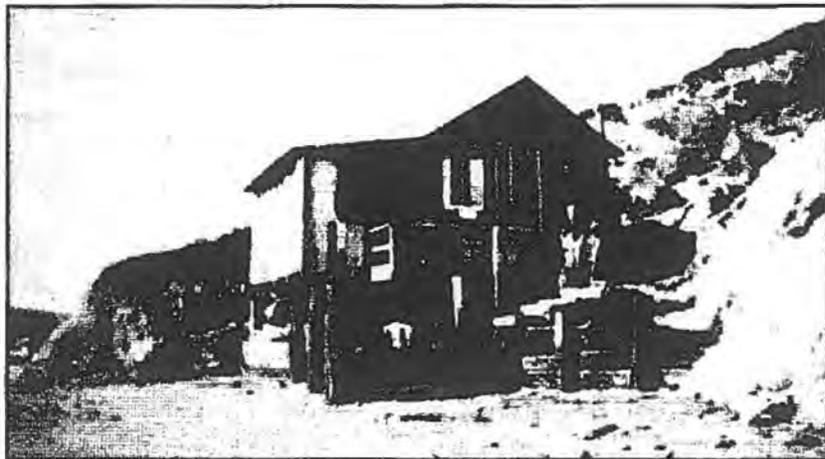
"Once at the Ferry Building, the hogs were put aboard wagons and taken to a slaughterhouse on Sansome Street. A commission merchant paid them later in gold.

"Thus Quinto got his Big Chance in America."

*Lucy Codoni (at right) was a daughter of Quinto and Clara.*



*Lucy Codoni's granddaughter Sharen Hicks Schrock of Petaluma (center) loaned albums of family photos to the Jack Mason Museum, so they could be copied and exhibited. Enjoying the grand opening with museum curator Dewey Livingston (left) and their mother are Marley, 11, and Jaden, 14, two great-granddaughters of Quinto Codoni.*



"The Codonis' cabin at Drakes Beach was the site of relaxation and entertainments for two or three generations," according to the exhibit. "Quinto and his friends built the cabin, located at the entrance to Drakes Estero, and hosted family and friends alike. At least once, waves damaged or destroyed the place, but it was faithfully repaired. It was eventually reestablished farther inland, the site today marked by a cypress tree and ranch road near the Drake Monument at Drakes Estero."



*(right: Quinto, which means fifth-born in Italian)*

"When a railroad, the North Pacific Coast, began serving the Point Reyes-Tomales Bay community in 1875, Quinto availed himself of it, [and] had a hogpen at trackside to which he now brought hogs as well as calves by wagon . . .

"By the age of 55, he was the chief hog and cattle buyer on the Point," wrote Mason.

"Moustachioned and personable, Quinto was a force to contend with in town as well as country."

The Codoni home on B Street in Point Reyes Station, Mason added, "was one of the town's nicest. [It] had a marble fireplace and *electricity*. Quinto's Delco plant furnished lights not only for his own house, but for Lucy Silverfoot's around the corner, Dr. Cavanaugh's on B Street, and two other houses Codoni owned."



*Quinto Codoni on a wagon at Schooner Bay, an arm of Drakes Estero from which he shipped hogs to San Francisco.*

"In 1910, Quinto sold the Tomales Bank and Trust Company a lot on A Street for its branch office, which opened in 1913." Mason wrote. "Not surprisingly, Quinto became a director and vice-president. Bank patrons came to respect Mr. Codoni as a conservative in money matters, he had made his when it wasn't easy to come by."

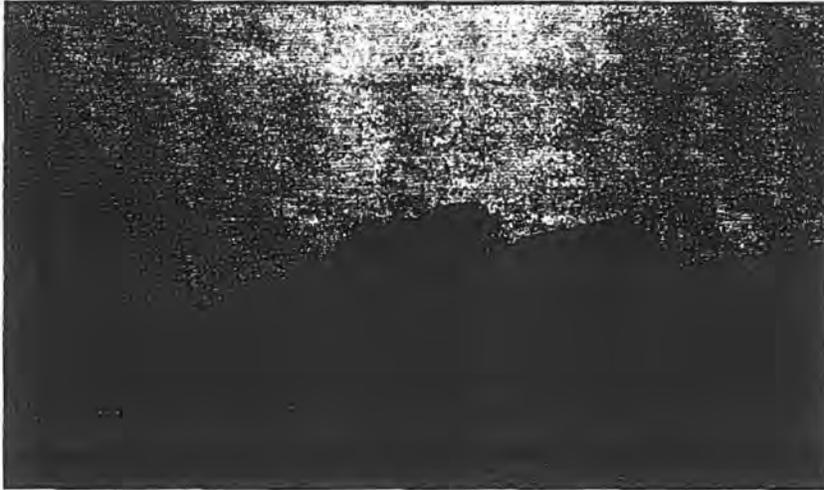


*"Around 1910," according to Mason, Codoni "went in with some Point Reyes ranchers to buy the schooner Point Reyes," which "could accommodate a deckload of 200 hogs."*

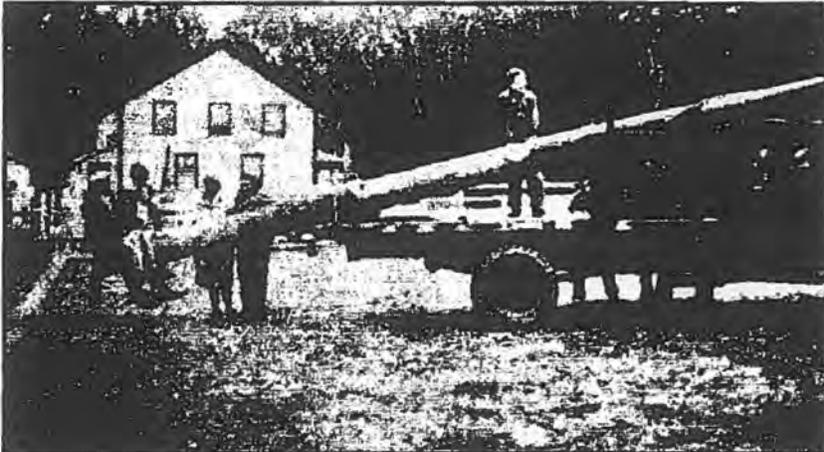


*Unloading hogs at Schooner Bay for shipment to San Francisco.*

Mason noted that Codoni "and Tom Marshall owned a slaughterhouse on Paper Mill Creek which supplied Point Reyes Station with steaks and chops. Tom's butchershop was on B Street."



*A caretaker's cabin at the landing in Schooner Bay. High waves eventually destroyed it.*



"Quinto Codoni acquired the old Shafter-Howard D Ranch dairy through foreclosure in 1927," according to the exhibition "This ranch is seen on the road down to Drakes Beach. He took to the ranch life (although he leased out the dairy operation) and decorated the ranch house yard with an outdoor kitchen, interesting sculpture, and a massive flagstaff, seen here during installation.

"Codoni's daughter Alice married Petaluma dairyman Bill Hall, and they ran the dairy from 1936 until turning it over in the 1960s to their daughter, Vivian Horick."



*From the depot in Point Reyes Station. Clara and Quinto Codoni (at right) took the narrow-gauge railway north to the end of the line in Cazadero.*



*Ernie Grandi (1907-87) relaxes beside a rail car. A lifelong resident of Point Reyes Station, Ernest Grandi served in the Army during World War II and for 22 years worked as a carpenter here. He was also chief of the former Point Reyes Volunteer Fire Department and a member of several civic groups. Like Codoni, Grandi's parents Agostino and Olympia were immigrants from Ticino. They spoke only Italian until he went to grammar school.*

"Thrift and hard work got [West Marin's Ticinese] a large slice of the American pie," Mason wrote, and in the case of Quinto Codoni earned him the historian's sobriquet "Mr. Point Reyes Station."

« Our fascination with how words are used — some examples from across the pond | Quotes Worth Saving IV »

## No Responses to "Inverness museum exhibit on Swiss immigrant who came to be called 'Mr. Point Reyes Station' "

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## • The Light on the Coast



Tomales Regional History Center has just published *The Light on the Coast: 65 Years of News Big and Small as Reported in The Point Reyes Light*. The book, which I wrote with Jacoba Charles, is the post-World War II history of West Marin's lively little towns and their Pulitzer Prize-winning weekly newspaper. [Click here to read about it.](#)

## • David V. Mitchell



Welcome to the blog of **David Mitchell**, editor & publisher emeritus of *The Point Reyes Light*. In 1979, *The Light* won the Pulitzer Prize for Meritorious Public Service for an exposé largely written by him of the increasingly violent Synanon cult. Mitchell retired in November 2005 after 35 years of newspapering, 27 of those at *The Light*.

During his newspaper career, he also worked for the old San Francisco Examiner, Sonora's Daily Union Democrat in the Sierra Nevada, and Council Bluffs' daily newspaper, *The Nonpareil*. In addition, he edited the weekly Sebastopol (California) Times. Mitchell holds a master's degree in Communications and a bachelor's degree in English from Stanford University. He is 70 and lives in Point Reyes Station on the rural coast north of San Francisco.

## • Favorite Web Sites

- [West Marin Citizen](#)
- [The Point Reyes Light](#)
- [Photographer Marty Knapp](#)  
A gallery of Marty Knapp's beautiful black and white photography from West Marin.
- [Rick Lytle](#)  
An artist and Inverness printmaker
- [Jacob Resneck's Dispatches from Elsewhere](#)  
Former Point Reyes Light reporter
- [Sips from the Firehose](#)  
Because surfing the Internet is like drinking from a firehose, David LaFontaine braves the torrent to tell you what trends and technologies to gulp down, swirl in your mouth, or spit out.
- [DigitalFamily.com](#)  
Created by former Point Reyes Light reporter Janine Warner, DigitalFamily.com features free tutorials, books, and training videos on how to create Web sites and blogs with Adobe Dreamweaver, Microsoft Expression Web, and WordPress.

## • Pages

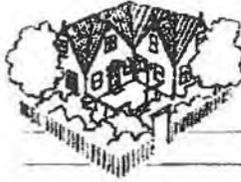
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# UNDER THE GABLES

Volume XVII, Number 2

Fall 2011



## Women of West Marin

Photographs by Art Rogers  
Commentaries by Elizabeth Whitney

Exhibit at the Jack Mason Museum, Inverness, California

October 8 - December 31, 2011

Opening Reception, 3 p.m. Sunday, October 9, 2011

JACK MASON MUSEUM OF WEST MARIN HISTORY

Inverness Way at Park Avenue, Inverness Phone 415-669-1099 [www.jackmasonmuseum.org](http://www.jackmasonmuseum.org)

**Future exhibits at the Jack Mason Museum:**

**January – March 2012 - 30th anniversary of the 1982 flood**

**April – June 2012 - Inverness Park.**

**TIME LINE: One hundred and Fifty Years Ago:**

1861 - On Point Reyes the Steele brothers (George, Isaac and Edgar) had been running several dairies along with their cousin Rensselaar since 1857 on land leased from Thomas Richards and then from Shafter. Rensselaar's wife Clara made cheese. By 1861 they made large quantities of cheese and butter from 600 cows; the brothers had \$10,000 cash profit.

**One Hundred Years Ago**

1911 - In Inverness Park Robert Lockhart (probably an immigrant from Northern Ireland) purchased property from Isaac Freeman at the top of Balboa and established the Pine Crest Dairy. His son, James Watson "Jim" Lockhart ran the dairy until 1961. Prior to becoming a modern dairy this had been part of the grazing lands of the Shafter's Piedmont Ranch.

**THE JACK MASON MUSEUM  
ALWAYS NEEDS VOLUNTEERS FOR ARCHIVAL,  
ORGANIZATIONAL, OUTREACH, AND  
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PLEASE CALL DEWEY AT 669-7706,  
OR THE MUSEUM AT 669-1099.**

**ANNOUNCING A "LETTERS TO THE EDITOR" COLUMN**

For eight years, 1976-1984, Jack Mason published his quarterly Point Reyes Historian. One of the highlights of that publication was the letters to the editor, which often highlighted really interesting memories and historical tidbits from various subscribers. We urge our readers of Under the Gables to write to us—be it memories, reaction to our articles and exhibits, praise or complaints—and we will put you in print! Write to Editor, Under the Gables, PO Box 94, Inverness, CA 94937, or email [dlive@svn.net](mailto:dlive@svn.net). Don't be shy!



**"POINT REYES PENINSULA"**

Copies signed by the authors, Carola DeRooy and Dewey Livingston are available at Museum Open Houses and from the Archives for only \$20.00. The proceeds benefit the Museum.

**ON THE COVER:**

*MALT* founders Ellen Siraus and Phyllis Faber.  
© Art Rogers / Pt. Reyes

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Writers:  
Meg Linden  
Elizabeth Whitney

Editor and layout:  
Dewey Livingston

# Women of West Marin



*The Guldager sisters. © Art Rogers / Pt. Reyes*

## Photographs by Art Rogers Commentaries by Elizabeth Whitney

The *Women of West Marin* show at the Jack Mason Museum in Inverness continues the Museum's current theme of the contribution of women to the making of West Marin with photographs by Art Rogers and commentaries by Elizabeth Whitney. Displayed together will be images from almost 40 years of the photographer's archives, including ranch women young and old, legendary activists, key public figures in the community's more recent history and a sampling of current young people impacting the community.

Photographer Rogers and writer Whitney are also celebrating the same span of years of collaboration in the creative life of the community, an artistic and personal friendship that began in 1974. The show formally opens with a reception on Sunday, October 9, from 3 to 6 pm, to meet the photographer and writer and many women included in the exhibit.

### **Art Rogers, Photographer**

Point Reyes photographer Art Rogers is widely known for his portraits of families, children and babies, large groups, and rural scenes and landscapes of West Marin. Rogers' work has appeared in the *Point Reyes Light* since 1974 in his weekly column originally

entitled "Point Reyes Nation—A Family Album". It features a photograph every week of people and events in the community and is an ongoing historical documentation of West Marin's people and community events. He has documented the agricultural community on the North Coast for over 35 years. He

also produces a series entitled "Yesterday and Today" in which the same subjects are photographed in the same place after a time span of as much as 30 years.

He is a recipient of a Guggenheim Fellowship, fellowships from The National Endowment of the Arts and The Marin Arts Council, and the SECA Art Award from the San Francisco Museum of Modern Art. His photographs are included among the collections of the San Francisco Museum of Modern Art; the International Center of Photography, New York; the Center for Creative Photography Archive, Tucson; Le Musée de l'Elysee, Switzerland; and the de Young, San Francisco.

### Elizabeth Whitney, Writer

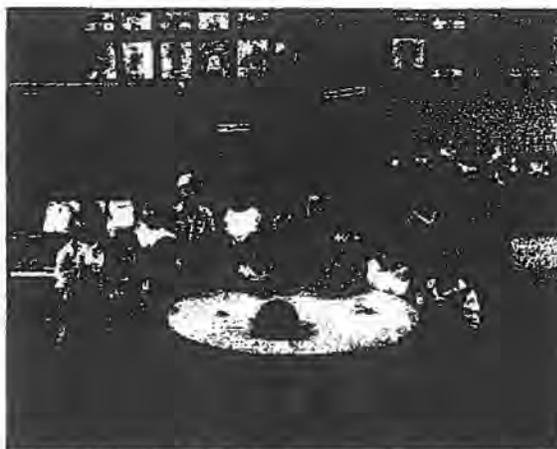
A lifelong journalist, Elizabeth Whitney began a career out of college in Washington DC in the 1960s on the *Washington Star*. Her contributions to West Marin journalism include an editorial presence on the *Point Reyes Light* and co-founding and editing a series of innovative newspapers, including the *Tomales Bay Times*, *The West Coast News*, *The New Weather Observer*, and the special flood newspaper in 1982, *The Inverness Daily News*, which updated the inundated town with vital daily information.

She wrote weekly columns for a decade for *The Great Western Coastal Post* and subsequently for the *Surfside News* in Malibu during a cycle of living in southern California. Her *Tomales Bay Times* article on Christo's "Running Fence" was included in the Harry Abrams art book on the project and earned her a few minutes of national fame when a quote from it was posted on the physical wall of the Smithsonian Museum exhibit on the Running Fence two years ago in Washington DC. She is currently producing an eBook, *Living Well in a Dying Age*.

### The Story

Journalist Elizabeth Whitney tells the following story of their first collaboration:

In 1974 I was Assistant Editor of the *Point Reyes Light* under Mike Gahagan. I had just come back to live in Inverness (I was a summer town kid) after having worked on several metro newspapers, including the *Washington Star* in Washington DC, *Women's Wear Daily* in New York and *The Oakland Tribune*. Mike brought me into the fold and I began writing features and news stories. I was enthusiastic and enjoyed the small town newspaper ambience where we actually produced and printed the



"Gus the Desert Tortoise visits the First Day of School in Miss Wold's 1st and 2nd Grade Class at Inverness School — 1980" © Art Rogers / Pt. Reyes

paper on the old press right there on Main Street.

I used to eat breakfast out after taking my daughter to school and Art Rogers was among the breakfast regulars who shared a table. One morning he opened up a box of black and white photos of a local work party. There were dozens of wonderful photos of the project. He had just resumed photography after a time of putting it aside, and I had no idea that he was a photographer. I looked at him and said, "You have to come over to the *Light*. We need a photographer."

He showed up and met Mike and we talked about what he could do. Mike didn't have much of a budget, but I suggested to Art that he advertise family portraits in trade for doing some photographs for the paper. The family portraits business began and his photo feature, *Point Reyes Nation—A Family Album*, began. He soon teamed up with me on features I was interested in doing, double page spreads on ranchers, the deputy sheriffs, the West Marin librarians, the original "back to the land" folks here, and other themes that we developed together over the years.

A few years later (1976) a rebel group spearheaded a new paper in town: *The Tomales Bay Times*, which was produced by all volunteers. Art committed to being the photographer and I was editor. It lasted a year and became a legend for its lively artistic quality and originality. Art always kept his photo column going at the *Light* through all the owners that have come and gone. And now, thanks to an invitation from my old collaborator, we team up again.

bling, apparently, when he couldn't work any more), a Miwok Indian who worked for the family for over 50 years until he died at 90. Carol remembers Grandma Hall making huckleberry pies after taking her huckleberry hunting on the Inverness Ridge with 5 gallon buckets. That was a happy memory. "She was a good cook. Never drank."

Grandma Hall, who was born in Point Reyes Station and lived on the D Ranch for 55 years, watched the evolution of the ranch into the Point Reyes National Seashore. When she was interviewed for an oral history project in 1981 she spoke her mind about that. The bird watchers got off easy, but the whale watchers got the full dose of Alice Hall speaking her mind.

"The other day we counted thirty-five bird-watchers. Got a sign: Bulls In The Area. It don't mean a thing. And there is bulls. There's no fooling. They are not afraid.

"I do all my daughter's washing. I wash clothes for Vivian every day. On Sunday, I go to mass, I come home, and I was hanging out a few pieces. There were twenty cars, bing, bing, bing, bing, down there. Twenty at one lick and then they have these shuttle buses you call them, taking them out to the lighthouse to look at the stupid whales. I wouldn't go across the street to see them."

Talking about the ranch is bittersweet for granddaughter Carol these days. Her mother died tragically in 1998. Grandma Hall died at 93 in 1991. The future of the ranch is precarious. "Sometimes I say, 'Why don't we get out of here?' You know, work early and late and what do you gain? Tell me."

—Elizabeth Whitney

## ALICE CODONI HALL

by Meg Linden

ALICE CODONI was born in Point Reyes Station on January 2, 1898. Her mother, Clara Filippini, was born on Feb 27, 1872 in Switzerland. According to Alice, her mother came from Paris to the United States about 1889 and worked on the Muscio ranch in Olema Valley. She met Quinto Codoni at a Druid's Hall dance in Olema and became his second wife.



Baby Alice Codoni.

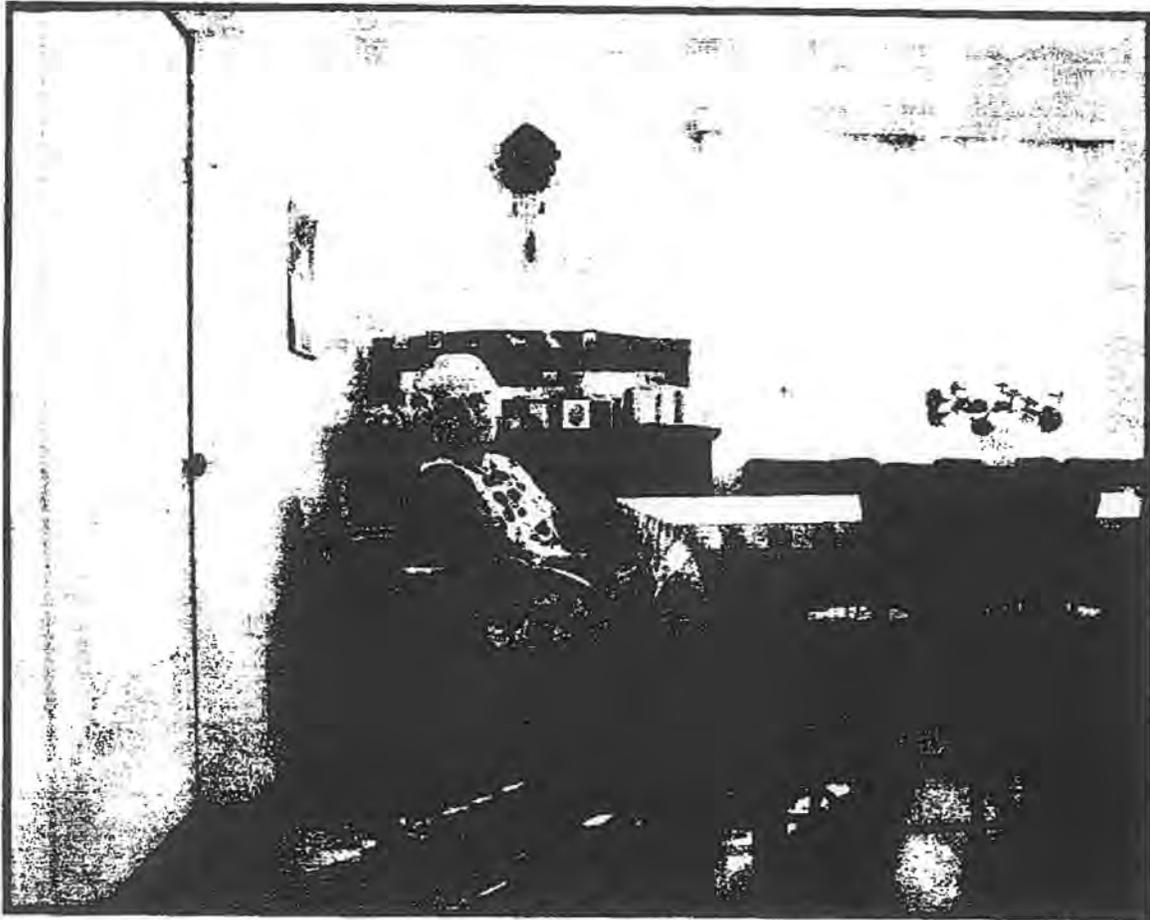
Quinto, born in Corippo, Canton Ticino, Switzerland on September 19, 1855, had come to Tocaloma in 1872 at the age of 17. He stayed with his brother Joe, who had a ranch in Tocaloma, long enough to pay back his passage money. In 1873 he started working for the Charles Webb Howard ranches, taking hogs to market. At time of the marriage Quinto already had two children, Joe and Agnes who were about seven and eight years old, from a previous marriage.

The new couple had four children, Alice, Elsie, Claire and Lucy. (In some sources Elsie is given as Elyse and Lucy as Lucile.) Clara raised Quinto's children as if they were her own. He eventually became the chief hog and cattle buyer in the area.

He had a hog and cattle butchering business in Point Reyes Station and shipped them on to the San Francisco market. He had a share in the schooner *Point Reyes* that a number of ranchers teamed up to purchase in 1910. That year he also sold land to the Tomales Bank and Trust Company on A Street and when the bank opened in 1913 Quinto was a vice president and trustee.

Quinto Codoni was considered "Mr. Point Reyes" and when the railroad was standard-gauged from Fairfax to Point Reyes Station, he drove the ceremonial gold spike. His house in Point Reyes Station was very elegant and had a Delco plant to generate electricity for his house and a few neighbors.

Alice went to school at the old school house on the hill above town, and then when it was built, the Black School. She recalls going to Olema for the school



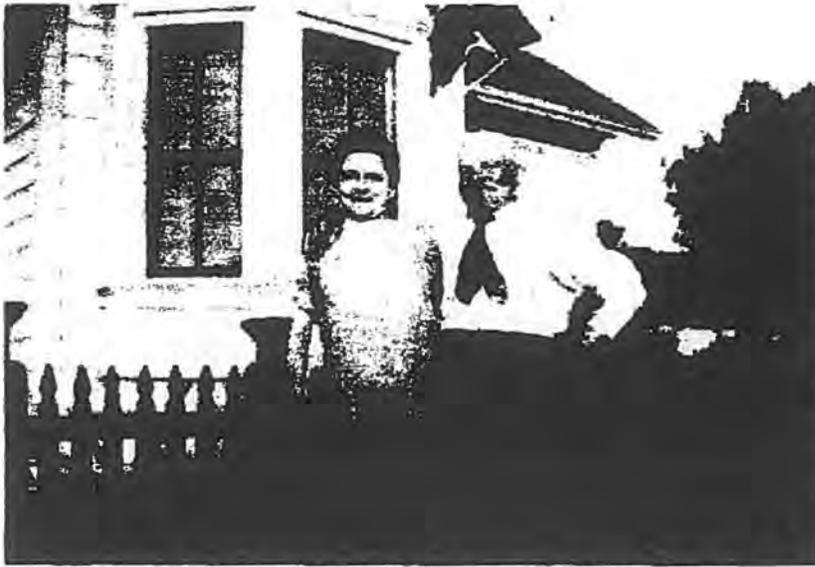
ALICE CODONI HALL – JANUARY 2, 1898 - MAY 22, 1991. © Art Rogers / Pt. Reyes

leaving examination and graduation ceremonies. She also recalls walking to Olema for church and church related activities. The Catholic Sunday School sometimes was held in the family laundry room. The priest, Father Emile Rogers, frequently rode a bicycle around to visit his parishioners and her mother often repaired trousers that he had caught in the chain of his bicycle and torn.

Alice went to work in the Point Reyes Cooperative Creamery wrapping butter. She recalls the floors were very cold and all the employees wore boots to keep their feet warm. There she met Bill Hall (William T. Hall), whose father owned and operated the Excelsior Dairy in Petaluma. Bill had a team of horses and hired himself out to plow fields for the ranchers. He worked for the Grandi Company delivering feed and also at the Creamery. Alice would bake pies for him and eventually they were married on September 18, 1919 by

Father Rogers. They lived in Point Reyes Station for awhile next door to her father. Their daughter Vivian was born in Point Reyes Station on July 21, 1921 and a few months later they moved to another house up the hill from the main village.

Alice and Bill leased the N Ranch from the O.L. Shafter Estate and lived there from 1925 to 1935, producing cream and also raising hogs. Their son, Bill, junior was born in 1925. In 1927, Quinto Codoni acquired the D Ranch, when Tony Lacerda defaulted on the payments. He rented it to Manuel Gomez for several years until Bill took over running D Ranch in 1934. After running both ranches for two years, the family moved to D Ranch in 1936. They operated a Grade B dairy (which produced cream for processing) with about 100 cows until 1945. Then, with the help of friends, they built a Grade A milking barn and could ship fresh milk. Her parents frequently visited the



*Clara and Quinto Codoni at their B Street house, more recently the Maendles' home.*

ranch, which they still owned. Quinto had a beach cabin there for many years until it was destroyed by a storm. The Halls also had a hunting cabin along side Drakes Estero.

Quinto died on September 8, 1940 and was buried at Olema Cemetery, of which he had been a director. Alice's mother, Clara, continued to live in Point Reyes Station for the rest of her life and died on June 18, 1959. Alice tells of driving to Point Reyes Station for groceries or to Inverness to take her children and sometimes other ranch children to school even though she never got a drivers license and never learned to back up. She spent most of her time working in the house and cooking for the hands.

In one of her oral history interviews Alice mentions one Indian ranch hand, Ernest Morris, who came with them from N Ranch for whom she was still cooking (in 1981) even though he was now 89 and could do virtually no work. She did collect sugar beets that were grown on the ranch and put them into the chopper to make

cattle feed. Her children helped with the outdoor work. Although she does not mention this in either of the oral histories, the Point Reyes Post Office was on D Ranch from 1919 to the beginning of World War Two and it was traditional for ranch wives to run the post office. She may indeed have been in charge or at least helped to run it.

She recalls during the war that the military men stationed on the point would stop people who were driving around and ask

them who they were and where they were going. Although gasoline was severely rationed, the Halls were allowed enough to get their milk to market. She also mentioned that sometimes the military men would bring over their garbage to feed the hogs. Their son Bill went off to war and Vivian came home to help on the ranch (see Vivian Hall Horick's story below).

After Quinto died the ranch was eventually owned by Clara Codoni and her daughter and son-in-law Alice and Bill Hall. Bill, junior did come back to the ranch and became a partner in the enterprise for a short time, but when he married his



*The Codoni girls in Point Reyes Station.*

*Historical photos courtesy of the Codoni family*

wife did not like living in such an isolated place and Bill sold out his interest in the property. After the war the Halls began charging automobiles to use the road across their property to Drakes Beach County Park. This led to extensive litigation with the County and was finally resolved by the County building a road across their property.

Her daughter Vivian and son-in-law Rudy Horick built a new house on the ranch in 1964 and Alice and Bill continued to live in the original ranch house until his death in June 1967, then she remained there alone for 24 more years. She was active in the Sacred Heart Church and the Point Reyes Seniors. When Point Reyes National Seashore was being created Alice was one of the many ranchers who resisted selling their ranches. She finally sold her 1,192 acres to the National Park Service on Nov 5, 1971 for \$1,060,000. She and the Horicks arranged a twenty-year renewable lease on the property to continue their dairy ranch. In one of the oral histories, done in 1981, Alice mentions that she has six grandchildren and one great-grandchild. Her son worked at that time for the County Road Department out of the Nicasio yard and had a lovely home on the hill near there. Eventually Bill, junior moved to Novato.

Alice remained on D Ranch until just a month before she died on May 22, 1991. Her obituary in the *Point Reyes Light* mentions one additional fact. In 1928 she was a correspondent for the *West Marin Star* and for several years for the *Petaluma Argus-*



*Siblings Bill and Vivian Hall at D Ranch.*

*Courier*. She was buried at Mt. Olivet Cemetery in San Rafael next to her husband, Bill.

The June 6, 1991 issue of the *Point Reyes Light* featured an Art Rogers photograph of Alice, captioned "In Memory of Alice Hall, January 1, 1898 to May 22, 1991."

*The Codoni family's beach cabin at Drakes Estero.*



# DRAKE'S BEACH COUNTY PARK

## Beginnings of an iconic destination

by Meg Linden

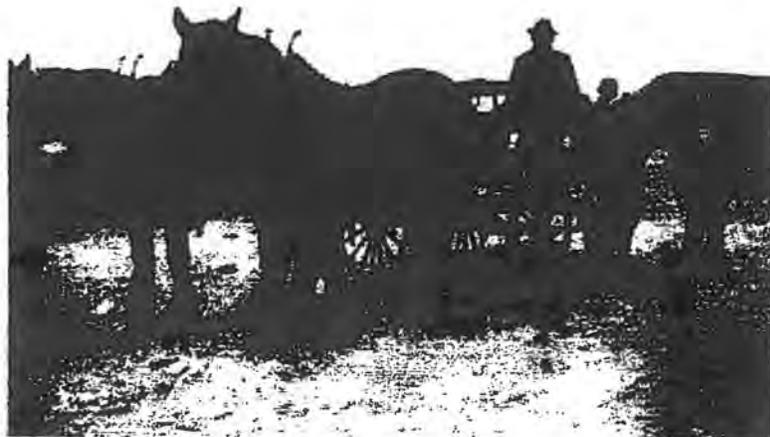
Drake's Beach now is so solidly part of the Point Reyes National Seashore it is difficult to remember that it had a much earlier history as a public park. Here is the way Jack Mason tells the story in *Point Reyes: The Solemn Land*:

"Concerned over commercial intrusion, conservationist groups in 1938 moved to preserve a small piece of Point Reyes for public recreational use – a 52 acre parcel behind Drakes Beach. John Rapp had sold it to Dr. Ernest Chipman on January 12, 1921, as a hunting preserve. The price was right – \$1,000. But the property had its drawbacks: the lagoon was a death trap for stray cattle and kept the doctor in hot water with his neighbors. On July 18, 1938, he sold the property to a group of private citizens for \$3,000. Some of the money was raised at a stag party given by the Pirates Club of San Rafael. Leaders of the acquisition drive were Joseph V. Mendoza, Judge Edward I. Butler and [San Anselmo real estate man] Frederick Croker.

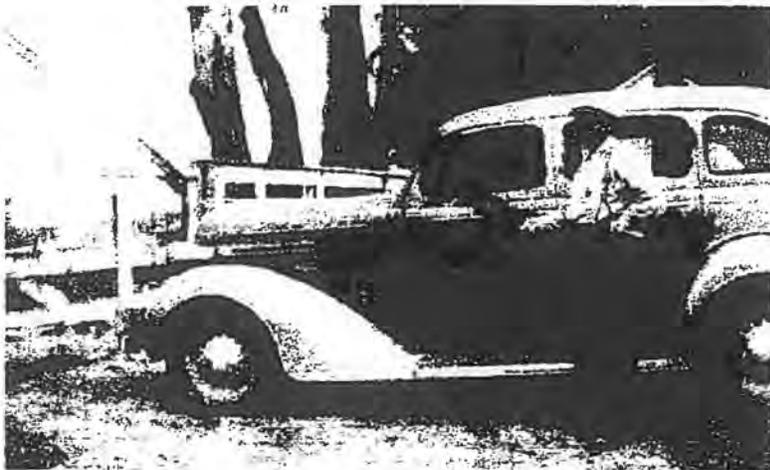
On November 17, 1938, as trustees of the property, they turned it over to Marin County 'in perpetuity for continuous and perpetual use ... as a public beach, pleasure ground, park and place of recreation.' The Sir Francis Drake Association had made annual pilgrimages to the beach. Now an amphitheater was constructed nearby with driftwood logs for benches, and a cross erected in June of 1946 "in commemoration of the landing of

Francis Drake H.M.S. Golden Hinde upon these shores June 17, 1579." ....

"The National Seashore took over the 52-acre parcel from the County on February 23, 1965. The tidelands at Drakes Beach were deeded by the state to the National Park Service on July 9, 1965. Today hundreds of cars can park on the old Chipman property, paved and crisscrossed with parking stripes. But there has been a casualty in



*Quinto Codoni and friends enjoyed their "private" Drakes Beach.*



*\* Vivian Hall posed as a tourist getting "pegged" for a toll at the D Ranch gate. Codoni family photos.*

all this: the old driftwood amphitheater with its log benches is gone."

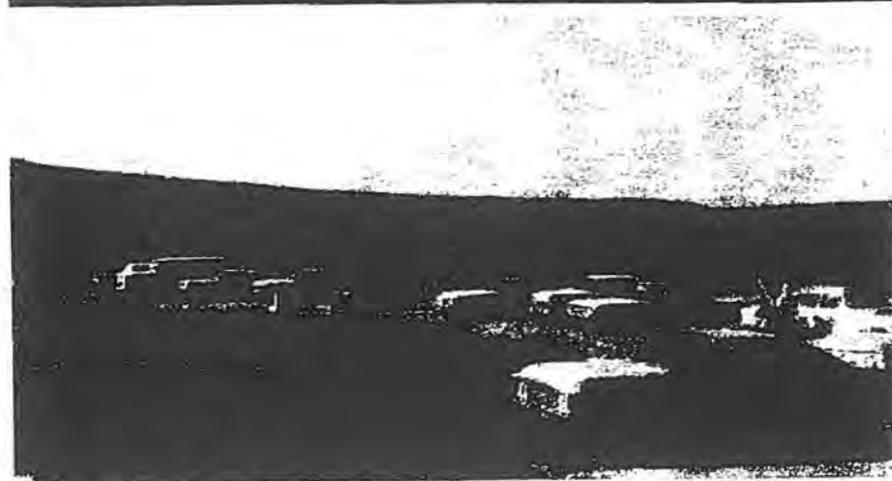
Another part of the story is access to the park. Dewey Livingston in his book *Ranching on the Point Reyes Peninsula* tells this part of the story:

"At the time [of giving the parcel to the County] the only access to the beach was through D Ranch. The Halls charged 25 cents to visitors for passage for some years until the county condemned a right-of-way in 1948 after a lengthy period of legal wrangling. After efforts at a compromise between parties failed, the District Attorney filed an action to force the Halls to give right-of-way. Meanwhile, Tom and Virginia Gallagher offered an easement across their C Ranch for a road to the beach. But Lake County Judge Benjamin Jones ruled, in the case "Marin County and its Board of Supervisors vs. Clara Codoni, William T. Hall and Alice Hall", that the 1919 Rapp deed\* "gives reservation of right-of-way (and) that the county by grant, quasi-easement and prescription, (is) given free passage through the property." Hall was awarded \$4,850 in 1948, but the county neglected to build the new road until 1955, after Hall, frustrated by many attempts to get the new road built, erected a gate across the old road and again charged a fee for passage."

\* Rapp purchased the Charles Webb Howard ranches from the children of Emma Shafter and Charles Webb Howard on November 18 and Dec. 11 or 1919. The deed in ques-

tion here is probably this sale. On January 14, 1920 Rapp sold the D Ranch property on to Hamilton Martins (a brother-in-law of Joseph V. Mendoza) and Trajano (John) Machado.

The end of the road story comes from the *Baywood Press*. On July 21, 1955 it reported that the Board of Supervisors had decided to provide a toll-free road to Drakes Beach. This decision was precipitated by the Halls starting again to charge people driving over the old road. The June 6, 1957 issue reports that the free county road to Drakes Beach is now open and people should take that rather than the side road marked "To Drake's Landing" where a 50 cent charge is levied.



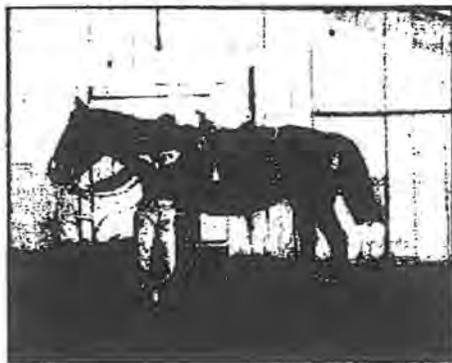
Top, the 1955 road, which bypassed the central ranch, leads down to the county park. Cars could park practical on the beach before the National Park Service built a large parking lot.

RETURN SERVICE REQUESTED

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Inverness, CA 94937

[www.jackmasonmuseum.org](http://www.jackmasonmuseum.org)

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## Women of West Marin

Photographs by Art Rogers  
Commentaries by Elizabeth Whitney

October 8 - December 31, 2011

DURING INVERNESS LIBRARY HOURS

**Opening Reception**

3 p.m. Sunday, October 9, 2011

APPLICATION FORM  
COMMERCIAL USE AUTHORIZATION (CUA)  
U.S. DEPARTMENT OF THE INTERIOR



National Park Service  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956  
Attention: Special Park Uses

(Please type or print in ink. Answer all questions completely and mark "N/A" if not applicable.)

Commercial Use Authorization: Initial Application \_\_\_\_\_ or Renewal

(1) Applicant (Legal Business Name/dba.)

Todd Horick

(2) Business Type (Please check one below):

- A.  Sole Proprietor  
B.  Corporation: (State: \_\_\_\_\_ Entity Number \_\_\_\_\_)  
C.  Non-Profit (Please attach a copy of your IRS Ruling or Determination Letter)  
D.  Partnership/Association. Print the names of each partner. If there are more than two partners, please attach a complete list of their names.  
( Name \_\_\_\_\_ )  
( Name \_\_\_\_\_ )  
E.  Other (Specify) \_\_\_\_\_

Note: Non-profit organizations that will generate no taxable income from a proposed activity are not required to obtain a CUA. The organization may however be required to obtain a Special Use Permit. Please contact the Special Park Uses Office at (415) 464-5111 for additional information concerning this issue.

(3) Business Mailing Address:

Address: \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Email: \_\_\_\_\_  
Internet: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_

(pending)

(4) Federal Tax Identification Number (Employer Identification Number/Social Security Number): (b) (6)

(5) Name(s) of authorized agent(s) for this business. (Title, address and telephone number)

RUDOLPH C. HORICK

Address: \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Internet: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

(pending)

(6) Business License Number: \_\_\_\_\_ Expiration: \_\_\_\_\_

(7) Will business vehicles (car, truck, van, bus, taxi, etc.) operate within NPS boundaries?  Yes  No.

If "yes", please give a description of each vehicle. Use additional paper if necessary.

MAKE OF VEHICLE	MODEL	YEAR	MAX # PASSENGERS	OWN	LEASE
CHEVROLET	(b) (6)		5	✓	
CHEVROLET			5	✓	

(8) Insurance Requirements:

Full automobile liability (required for businesses providing transportation into the park) at a minimum of:

- \* \$300,000 per occurrence for 1 to 5 passenger vehicles.
- \$500,000 per occurrence for 6 to 12 passenger vehicles.
- \$750,000 per occurrence for 13 to 20 passenger vehicles.
- \$1,500,000 per occurrence for 21-50 passenger vehicles, **or per State of California PUC requirements, whichever is higher.**

General liability insurance at a minimum of \$300,000 per occurrence. This blanket coverage is required in every case unless equivalent coverage is provided by a special policy covering one specific service. (Note: This is the minimum required by Federal guidelines. Check with your insurance agent to ensure adequate coverage.)

Waiver of Subrogation, (issued by your insurance carrier), or if no waiver is issued, the "United States (Department of the Interior, National Park Service)," must be named as an "**additional insured**" to the general liability insurance described above.

Workers' Compensation, if you employ one or more employees in the state of California, as required by California law. Request a **Certificate of Insurance** from the California State Workers Compensation Insurance Fund office, or from your private insurance carrier.

**Certificates of insurance indicating the coverage listed above must be provided to the Special Park Uses Office.**

- (9) In the space provided below, indicate; tentative dates, type(s) of business activities proposed (guided hiking, guided backpacking and/or camping, educational nature walks and/or field programs, guided kayaking or kayak outfitter service, guided photography tours, etc.), areas of the park to be utilized (specific trails, waterways, parking lots, etc.) and the number of participants anticipated for each activity. Groups should be limited to no more than twenty (20) persons.

<u>Dates</u>	<u>Activity</u>	<u>Trails/Areas within the Park</u>	<u># of Participants</u>
	Special use permit to resume historic		
	ranching activities on the Historic D Ranch		
	Agricultural use in pastoral zone,		

- (10) Please review the application and ensure the following are included:
1. Certificate(s) of Insurance
  2. Dates and locations of activity
  3. Prepayment of the \$100.00 Administrative Processing Fee. This fee is nonrefundable, nontransferable and must be in the form of a check (drawn on a U.S. bank) or money order, made payable to Department of the Interior - National Park Service.
  4. Copies of Brochures, web address and other promotional materials.

If you have questions, please contact Kevin McKay, Special Park Uses Coordinator, at (415) 464-5111.

- (11) **Signature:** False, fictitious or fraudulent statements or representations made in this application may be grounds for denial or revocation of a Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All Information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

*By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge.*

Todd Horick                      TODD HORICK                      6/1/14  
Signature                              Printed Name                              Date

Owner  
Title



In Defense of Animals

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POINT REYES NS

May 30, 2014

Point Reyes Ranch CMP/EA  
 Superintendent  
 Point Reyes National Seashore  
 1 Bear Valley Road  
 Point Reyes Station, CA 94965

Attn: Superintendent Cicely Muldoon,

We appreciate the opportunity to comment on land and wildlife issues pertaining to the Point Reyes National Seashore, one of the most beautiful and unique parks in the nation and one of the few areas of remaining wild habitat for a diversity of plants and animal communities.

However, we are dismayed that the National Park Service (NPS) is not seeking public input on the question of whether or not ranch leases on approximately 28,000 acres of the so-called "pastoral zone" within the National Seashore be allowed to be extended for 20-year terms. More specifically, the question posed to the public should have been: Should ranching leases within the so-called "pastoral zone" be allowed to be extended *at all*?

When former Secretary of Interior, Ken Salazar, expressed his interest in his November 29, 2012 memorandum (L7617) to the NPS, in the continuation of commercial cattle grazing within PRNS, he did not mandate, but merely directed the NPS to "pursue" extending ranching permits within the "pastoral zone" for up to 20 year terms. This indicates that the NPS has the flexibility to either maintain the leases as they are, or terminate them if the need arises. Thus, we object to NPS's decision to extend current ranching leases for up to 20 year terms and we ask the NPS to explain in the scoping/NEPA process the statutory authority that would allow the Secretary of Interior and the NPS to issue up to 20 year grazing leases/permits within PRNS.

The NPS has an obligation not just to ranchers, but to the American public and the 2.8 million visitors PRNS receives annually. These visitors do not come to see ranches and cattle or to experience unpleasant odors and visual blight or areas full of mud and animal waste related to dairy operations. In fact, many of our local supporters do not want to see any animals in confinement at all, and are upset about the fact they are confronted with animal exploitation in an area where they expect animals to be wild and free.

The PRNS is uniquely located near the San Francisco Bay Area, a metropolitan area with more than seven million people. With 10,000 acres already set aside as wilderness, and the approximately 28,000 acres of former ranch land accessible as leases expire, the PRNS could and should be restored to its former beauty of a coastal prairie and become a nature preserve of extraordinary dimensions.

What do you think the NPS should be considering as it develops this Ranch CMP?



The lands now called “pastoral zone” are really a large remnant of the California coastal prairie and are extremely valuable for its potential for biological diversity. The focus of developing a plan should be to revert the approximately 28,000 acres back to the NPS and to restore these former commercial grazing lands to coastal prairie lands for the use of wildlife, scientific study, and passive recreation by the general public. The only plan to be developed for this section of the PRNS should be a “coastal prairie restoration” plan and not be Ranch CMP

To this end, existing ranching leases should not be extended at all, and certainly not for 20 year terms. When Congress provided over \$57 million of American tax-payer’s money in the 1970s to purchase the coastal prairie and to complete park acquisitions, ranchers owning properties within the coastal prairie zone were more than compensated with several of them receiving more than a million dollars for an average of every 1,500 acres sold. Many of these ranches were then leased back to the former owners for 20 or 30 years. In a move so characteristic for a “double-dip” attitude common among ranchers, they then hired lobbyists to remain in the National Seashore indefinitely. Since then, all of these leases have expired with lessees operating private “dairy and beef” operations under short-term conditions, while most of the original owners and their spouses are deceased. The PRNS enabling legislation, Sec. 459c-5 statue states that the “owner retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later.” While the question remains whether or not the NPS has upheld the enforcement of its own legislation of PRNS in this regard, leases held by individuals who have no direct bloodline to the original owners, should be terminated immediately.

Existing ranching leases should never be permanent and current short-term leases should terminate automatically when they expire. At that point, the land should revert back to the NPS so that restoration can begin. Additionally, steps need to be taken to ensure a process that allows for the immediate termination, before they expire, of those leases that are found not to be in compliance with, or detrimental to, the goals and the rules of NEPA and NPS’s central mission.

Furthermore, a process needs to be in place to allow for the immediate discontinuation of those lease permits whose holders are not in compliance with the original requirements. The requirements state that the lease permit holder have a direct bloodline connection (multi-generational requirement) to the owner of the assigned ranch at the time of the founding of the PRNS in 1962, to have a residence, and to live fulltime in the residence within the leased area.

General exceptions can be made when the NPS can demonstrate that a specific lease permit constitutes an essential and positive (enhancing) contribution to the *natural* resources of PRNS. This plan should also provide for an option where current lease permit holders voluntarily be bought out. To this end, the help of wildlife preservation organizations should be solicited to facilitate buy-outs from willing sellers. In addition, those lease permit holders interested in the future of the PRNS could be approached with an option of investing in turning an existing ranch building into a full-service hacienda-style lodge for visitors.

Ranchers are not the rightful owners of the approximately 28,000 acres of coastal prairie property that

belongs to the public. Because the NPS manages public lands on behalf of the public, the NPS has no obligation to secure, maintain, or protect (financed with public money) any claims made by ranchers for any inherent preferential treatment within a national park unit.

What are the most important issues regarding the lands under agricultural lease/permits that you believe need to be addressed in this plan?

The NPS purchased all the ranches within the “pastoral zone” between 1963 and 1978. As stated previously, because these lands were bought with American taxpayers’ money, the land should be made available to the public. It is unacceptable that private livestock grazing operations occur within the PRNS, and that these areas deny the public free access to these lands. Ranching, “livestock” grazing, including cattle and sheep, and other agricultural activities, such as cultivation-agriculture and the growing of exotic, non-native plants are incompatible with the purpose of a National Seashore and should not be allowed. Instead, these lands should be restored to their full potential for biological diversity, including tule elk, pronghorn, carnivores, and other terrestrial and marine wildlife.

What are reasonably foreseeable future ranching activities that should be considered and reviewed as part of this plan?

The issue of cattle grazing on public lands has been a highly controversial topic for a long time, and PRNS is no exception. So far, ranching has been allowed to the detriment of the public, the rightful owners of the PRNS. When the Department of Interior purchased all the ranch lands in the 1960s and 1970s, ranchers were paid up front. Next, in a deceptive move, they hired lobbyists to achieve indefinite stay within the PRNS. In other words, the public paid for the land but did not get it back. This “double-dip” attitude, so common among ranchers, is disrespectful to the American public and should not be tolerated on land administered by the NPS.

Furthermore, according to Western Watersheds Project, “The cost of public lands ranching to American taxpayers is enormous. The current public land grazing fee of \$1.35 per month for one cow and her calf is woefully below market value. Direct government expenditures to administer public land grazing constitute an annual net loss to the taxpayers of at least \$123 million and more than \$500 million when indirect costs are accounted for. As much as 96% of these public dollars are spent to enhance livestock production in direct conflict with legal mandates to restore the health of public lands”

(<http://www.westernwatersheds.org/issues/public-lands-ranching/>)

The situation at PRNS is not any different. Ranchers have been paying grazing fees at about \$7 per cow and her calf per month, which is about half of the going price to rent grazing land outside the park in Marin County. These artificially low fees are being subsidized by the public, a fact that has been rightfully termed “welfare ranching.”

Although the public has paid for the land—28,000 acres of coastal prairie—the land is not accessible to the public. Even worse, there is a certain pronounced sense of entitlement among ranchers (lessees) that causes them to tell the public to “stay off my land.” In addition, some of the ranches amount to nothing more than painful eyesores consisting of muddy areas, land that is destroyed through overgrazing, with

smells that are putrid.

This unfounded sense of entitlement among ranchers also prompts them to claim that tule elk encroach onto “their” lands, and to the demand that the NPS should remove tule elk. Again, the land is coastal prairie, not “pastoral zone” and the land belongs to the wildlife and the public.

The goal of this scoping/NEPA process should be to engage in a restorative process that benefits people, and wildlife, including tule elk, pronghorns and non-native wild animals such as deer, raccoons, skunks, badgers, foxes, bobcats, coyotes and all avian species.

What are reasonably foreseeable actions related to the management of tule elk affecting park ranch operations that should be considered as part of this plan?

Tule elk are not “affecting park ranch operations,” but vice versa, privately-owned ranch operations within the PRNS affect tule elk in that they prevent tule elk from migrating freely and from occupying those areas they prefer within the “pastoral zone.”

Not ranchers, or current lease holders, but the American public and wildlife, including tule elk, own PRNS, including the coastal prairie (“pastoral zone”). As such, the public’s interests and the right of tule elk and other wild animals to exist unharmed, take absolute precedence over ranchers’ interests and cattle. The public has made it clear in the past when the NPS engaged in the brutal shooting of Axis deer and Fallow deer, that another round of slaughter will not be tolerated.

Tule elk along with deer and pronghorn have grazed the grasslands along the California coast for at least 10,000 years, while cattle-grazing has occurred more recently over the last two hundred years. Not cattle, but tule elk and other wildlife are the true and “historic” grazers of the lands now comprising the PRNS. Consequently, ranchers have an obligation to co-exist and be complimentary to the native wildlife, not the other way around.

It is ranchers’ responsibility to find ways to mitigate any situations they perceive as “elk-cattle conflict” or an intrusion onto “their lands.” Once again, the 28,000 acres comprising the “pastoral zone” belong to the public and the wildlife. In light of the fact that ranchers pay a publicly-subsidized minimal grazing fee of \$7 per “animal unit,” providing for fences and other ways to mitigate potential wildlife-cattle conflicts, is a small price to pay for ranchers, who already profit from lands that don’t belong to them.

There is no need for “relocation” or any other type of “removal” of tule elk, nor should any “hazing operations” occur to push tule elk from “ranch lands.” Should the need arise to reduce the tule elk population at some point, no lethal methods may be employed. Instead, cost-efficient and effective immunocontraception should be implemented as was done successfully between 1998 and 2000, when the project was headed up by the late Susan Shideler with UC-Davis. During those three years, success rates in reducing elk reproduction was 96% in the first year, 84% in the second, and 91% in the third year. The results of this trial were published in a highly respected scientific journal. (Shideler et al. 2002. Use of porcine zona pellucida (PZP) vaccine as a contraceptive agent in free-ranging tule elk (*Cervus elaphus* nannodes). *Reproduction* (Suppl. 60): 169-176.)

Another example of a highly successful PZP project is the management of bison on Catalina Island, CA. Immunocontraception is a cost-effective, humane, and efficient management method.

What are potential park actions related to the management of cultural and natural resources on ranch lands that should be considered as part of this plan?

The NPS controls which area can be used for private ranching leases. Thus, the NPS should adjust boundaries to better manage natural resources by including those areas where elk currently do not occupy and by excluding areas for ranching that tule elk currently prefer. For example, tule elk currently favor habitat around the defunct D Ranch. Consequently, lease permits should be immediately reverted to the NPS and the area be converted to wildlife habitat.

Regarding cultural resources:

The NPS defined cultural resources in the Cultural Resource Management Guidelines as being: "Those tangible and intangible aspects of cultural systems, both living and dead, that are valued by or representative of a given culture or that contain information about a culture...[They] include but are not limited to sites, structures, districts, objects, and historic documents associated with or representative of peoples, cultures, and human activities and events, either in the present or in the past...."<sup>1</sup>

The PRNS website states that it is, "Home to several cultures [emphasis added] over thousands of years, the Seashore preserves a tapestry of stories and interactions of people"<sup>2</sup>

Ranching is an activity that began at the turn of the century in the PRNS and it is only little older than a hundred years. Ranching is predated by a long history of a pristine character of the lands along the California coast, their wildlife, followed by many human cultures, including the Coast Miwok People, Mexicans, and Americans who make up the history of PRNS. There is no reason to single out and elevate ranches as "historic" and worth protection. They are not. What needs to be protected is the wild land and wild animals.

What do you, as a member of the public, need from NPS to be meaningfully engaged in the planning process?

The public are the stakeholders of PRNS and as such need to be included in any decisions made about the future of the coastal prairie (pastoral zone). The public needs to have a voice in deciding whether or not to extend the ranching leases on the approximately 28,000 acres *at all*. This is where the discussion should start. Private ranching operations, livestock grazing and production of silage are incompatible with a National Seashore. Tule elk need to be protected at PRNS, they should not be "removed" but instead, ranchers should be required to co-exist with these wild animals, not the other way around. PRNS should be managed as a natural preserve for wildlife and people, and not for commercial agricultural interests.

<sup>1</sup> [http://en.wikipedia.org/wiki/Cultural\\_resources\\_management#cite\\_note-6](http://en.wikipedia.org/wiki/Cultural_resources_management#cite_note-6)

<sup>2</sup> <http://www.nps.gov/pore/index.htm>

We hope that this process results in the decision to restore the prairie coastal zone. If it does, the NPS at Point Reyes National Seashore will be a shining star, and the park will rise to become the best in the entire nation, and it will finally be the true "Natural Sanctuary, Human Haven" the NPS envisions and the public expects.

Sincerely,

A handwritten signature in blue ink that reads "Marilyn Kroplick, MD". The signature is written in a cursive style with a large initial 'M'.

Marilyn Kroplick, MD  
President, In Defense of Animals  
406.544.5727

Anne Kehoe  
[REDACTED]  
[REDACTED]

June 1, 2014

RECEIVED

2014 JUN -2 PM 2:51

POINT REYES NS

Cicely Muldoon  
Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon:

My name is Anne Kehoe and my family operates the Historic J Ranch also known as Kehoe Dairy INC, in the Point Reyes National Seashore. My great grandfather James V. Kehoe established our dairy in 1922 and it has been handed down through four generations; I, my brother, sister, and three cousins are the fourth. Our family has been leasing our property back from the National Park Service since 1970. We have enjoyed a good working relationship with the Point Reyes National Seashore and its administration, and hope to continue to do so for many years to come.

Currently, our dairy is made up of a herd of 100% certified organic Holsteins. Our ranch property and cattle have been certified organic since 2006. Our family is very proud to be able to produce a high quality, sustainable, and local product that is held to the highest of standards which have been set forth through the National Organic Program, as well as the local, family owned processing facility that we sell our milk to in Petaluma, California.

The following items address concerns and/or issues that should be taken into consideration when formulating the Ranch Management Plan for the Point Reyes National Seashore:

**Longer Leases**

The 20 year leases are a positive start to greater stability for the type of business that we are in. A suggestion we would like to make would be to have rolling 20 year leases. This, for example, would show a bank that we are committed to our operation and would make it easier to obtain loans or long term investment loans if we so needed them.

**Diversification**

For my great grandfather and grandfather, being able to diversify was one of the key reasons J Ranch was able to survive and be passed on to the next generation. Having the opportunity to be able to return to diversification practices such as farmstead dairy products, growing chickens

Cicely Muldoon, Superintendent

June 1, 2014

Page 2

for egg sales, raising pigs for market, growing grain crops, such as barley, wheat, or rye for specialty products is an option we would like to have available to our family operation.

### **Silage**

Silage or forage production has been an applied practice within the park and should remain as such. Historically, hay was produced in the early 1900's and silage was started in the mid 1970's. When ranches are able to produce their own silage or forage, it reduces the amount of feed that is imported and lessens the carbon foot print of all the ranches. We also believe that giving each of the ranches up to 25% of their leased acreage for silage or forage production would be very beneficial for all of the ranch operations within the park.

### **Weed Management**

Organic dairies have taken the place of conventional dairies in the Point Reyes National Seashore, and pasture and forage production is a key part of these family farms surviving for the next generation. Mowing or windrowing grasses, weeds, and brush have been proven to be a successful process that we have in controlling the spreading of evasive weeds. The bull thistle, poison hemlock, coyote brush and other problem weeds are an ongoing nuisance to our ranch specifically. The quality of our pasture is a key factor in producing high quality milk and reducing the reliance on imported feeds.

### **Succession of Family**

Succession of family should be addressed in the CMP. Here are some of the suggestions that we see as a common sense approach. The first choice would be to have the next generation of immediate family members taking over when the previous generation retires. If the next generation does not want to step in and take over the business, then other relatives that would be interested should have an opportunity to get involved. This is how my grandfather came to the J Ranch some 90 years ago. The second choice would be offering the ranch to neighboring ranchers which was a practice that took place in the 1900's.

### **Access to Alternative Practices**

One of the issues that the J Ranch, as with many ranches all over the state of California, has had the last five years is a water shortage. The extreme drought, this year specifically, has been a major problem for all ranches within the Point Reyes National Seashore. Water development will be a major need in the next few years if the drought persists. We have to expand on the water sources that we currently have in place. Enlarging our dam, digging more wells, or using the creek as a backup for a major water supply should be used as a plan during the drought years. We have been allowed to pump water from a creek at the Kehoe Beach Trail Head for 3 out of the last 6 years. This has rescued us as a water source for our animals in the last major drought.

### **Dealing with Elk in a Timely Manner**

The elk situation is a dire concern. Getting the elk contained by fencing them out of the pastoral zone is a problem that requires immediate action. One of the primary requirements of being organic is access to pasture. The National Organic Program rules require a dairy to provide a minimum of 30% dry matter intake for a minimum of 120 days during the pasture season. Recent conditions from the current drought have made this difficult enough as it is. The accumulation of the elk competing for this pasture adds additional pressure to comply with the National Organic Program standards. The National Park Service constructed a fence to contain the original elk herd on the Pierce Point Peninsula, including the Historic K (Pierce Ranch), which borders us here at the J Ranch. Over the years wear and tear has occurred to what we refer to as the "Elk Fence" and elk have crossed over into the pastoral zone. Containment of the Elk between our properties could be simply rectified by repairing and maintaining this fence. The additional elk herd that is located on the Historic C,D,E , and Home Ranches need to be relocated or removed by other means. This is an acute problem and should be addressed outside of this Ranch Management Plan immediately.

### **Formal Role of Government Agencies in the Ranch Management Plan**

The Point Reyes National Seashore should be in a working relationship with agencies such as National Resource Conservation Service (NRCS), Resource Conservation District (RCD), University of California Cooperative Extension, and other farm service agencies that have extensive experience with animal agriculture operations. We have done projects with NRCS in the past, ranging anywhere from spring development to water quality issues. These projects were done in cooperation with the National Park Service but the expertise came from the aforementioned farm agencies.

### **Rangeland Improvement**

Pasture improvements such as seeding with perennial grasses and legumes has given us more pounds per acre of feed and has lessened the use of imported hay and grain. Also, the use of disking and replanting with grass seed has been effective to remove thistle and poison hemlock. Another tool beneficial to farming would be to use an aerator to lessen compaction on pastures and have more of an impact on pasture response when we do have years of normal rainfall.

### **Priority to Additional Land within the Park**

Currently, there are idle lands that are adjacent to the ranches in the pastoral zone that could be utilized by existing lease holders. Most of the land adjacent to the J Ranch has been overrun with coyote brush and velvet grass. If the land could be used, the cycle of evasive weeds could be curtailed and brought back into productive pasture for the lease holder.

Cicely Muldoon, Superintendent

June 1, 2014

Page 4

In conclusion, I would like to thank you for your time and considerations on these issues that are affecting the ranches in the Point Reyes National Seashore. We look forward to working the National Park Service on a Ranch Management Plan that will ensure the future for the Historic Ranches for generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anne Kehoe', written in a cursive style.

Anne Kehoe

Kehoe Dairy INC/Historic J Ranch

Tim and Janice Kehoe  
[REDACTED]  
[REDACTED]

June 1, 2014

RECEIVED  
2014 JUN -2 PM 2: 51  
POINT REYES NS

Cicely Muldoon  
Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon:

Thank you for giving us the opportunity to give public input regarding your upcoming Ranch Management Plan.

We would like to share a little history of our ranch. The Kehoe Family has operated a dairy on the Point Reyes Peninsula for ninety years. We established our dairy and continue current operations solely on the J Ranch. We have leased from the Pt. Reyes National Seashore since its inception in 1970. My Father had taken the longest lease offered at that time, which was 30 years. We have enjoyed a good business and personal relationship with the Park and its administration over the years.

We are working on four generations of our family making a living and raising a family on this beautiful property. At the present time we are operating as an Organic Holstein dairy that was certified organic in 2006. The milk we produce is certified organic and is distributed to a **local** dairy processing facility in Petaluma. This facility which prides itself on being a small, family oriented business that produces a high quality **local** product is why we chose to be associated with this company.

Our concerns to stay a viable productive organic dairy in the years to come are outlined below:

- Longer leases
- Diversification
- Stay economically competitive with other dairies outside the Point Reyes National Seashore
- Silage growth and harvesting practices
- Weed management
- Succession of family generations
- Access to alternative practices
- Timely response for authorization of projects
- Dealing with elk in a timely manner
- Formal role of government agencies in the Ranch Management Plan
- Rangeland improvement

- Additional access to growing supplemental forage
- Priority to additional land within the Point Reyes National Seashore

### **Longer Leases**

The 20 year leases are a positive start to greater stability for the type of business that we are in. A suggestion we would like to make would be to have rolling 20 year leases. This, for example, would show a bank that we are committed to our operation and would make it easier to obtain loans or long term investment loans if we so needed them.

### **Diversification**

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Ranch some 90 years ago. The second choice would be offering the ranch to neighboring ranchers which was a practice that took place in the 1900's.

#### **Access to Alternative Practices**

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#### **Dealing with Elk in a Timely Manner**

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#### **Formal Role of Government Agencies in the Ranch Management Plan**

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#### **Rangeland Improvement**

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Cicely Muldoon

June 1, 2014

Page 4

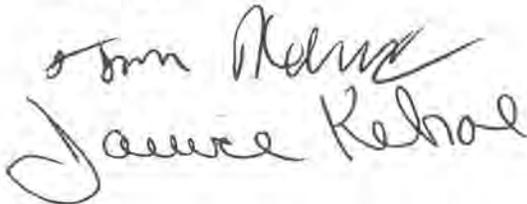
disking and replanting with grass seed has been effective to remove thistle and poison hemlock. Another tool beneficial to farming would be to use an aerator to lessen compaction on pastures and have more of an impact on pasture response when we do have years of normal rainfall.

**Priority to Additional Land within the Park**

Currently, there are idle lands that are adjacent to the ranches in the pastoral zone that could be utilized by existing lease holders. Most of the land adjacent to the J Ranch has been overrun with coyote brush and velvet grass. If the land could be used, the cycle of evasive weeds could be curtailed and brought back into productive pasture for the lease holder.

As an organic dairy we have many rules and regulations to comply with that must be followed in order to keep our certification. These requirements reflect the ideas we presume the National Park Service would agree to be good, sound practices of taking care of our land within the Point Reyes National Seashore. The CMP will hopefully address all of the issues that will arise and take a common sense approach to the plan that the National Park Service will develop for the future of the historic ranches in the Point Reyes National Seashore.

Sincerely,

Handwritten signature of Tim and Janice Kehoe in cursive script.

Tim and Janice Kehoe

Kehoe Dairy INC/Historic J Ranch

RECEIVED

2014 MAY 30 AM 11: 27

POINT REYES NS

From Wendy King



Dear PRNS:

I use to love to hike along the coast line, near the Lighthouse, but I have always resented the ranching out there. They are such a painful eyesore of overgrazed muddy areas and the smells are putrid.

I use to love to ride my horses around Bear Valley, but have been told several times "to stay off my land" by lessees.

This is all very disturbing – what should be a National Park for the people to enjoy is now hijacked by ranchers and is becoming a horrible nightmare.

All of these ranchers have been paid millions back in the 60's and 70's and were supposed to leave. I suppose they have expensive lobbyist in Washington DC to pay off and push around those in charge (using money that they were paid for by the millions they already received) – to ensure they "stay forever". Now they are more aggressive and arrogant and feel quite confident to push the people off "their land". And that is what they call the PRNS - "their land.

And the people, the wild animals need to get out.

They also want to kill "every animal in sight – the elk, the deer, the coyotes etc." because they encroach on "their land". Plus they chase off humans on "their land". This problem is bad and it is only going to get worse.

I love looking at the elk and the ranches are an unsightly disgrace.

**GET RID OF THE RANCHERS, NOT THE ELK!**

These people have gotten their millions and are free loading off the PRNS. A national seashore is not supposed to have all these private ranches. They are bad news.

Please listen to the people,

Thank you

Wendy King

A handwritten signature in black ink, appearing to be "Wendy King", written over the typed name.



May 29, 2014

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2014 JUN -2 PM 1:49  
POINT REYES NS

Post Office Box 809  
Point Reyes Station  
California 94956  
T 415 663-1158  
F 415 663-1099  
www.malt.org

Point Reyes Ranch CMP/EA  
Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon:

Marin Agricultural Land Trust (MALT) appreciates this opportunity to provide input on the scoping process for the Point Reyes Ranch Comprehensive Management Plan/Environmental Assessment (CMP/EA).

MALT was established in 1980 by a group of ranchers and environmentalists concerned about the future of agriculture in Marin County and the North Bay Area. Since that time, through the use of voluntarily acquired conservation easements, MALT has permanently protected 47,000 acres of farm and rangeland in the County at a cost of \$58M - not only ensuring the future use of that land; but also stimulating a revitalization of local and organic agriculture. However, as we are all aware, even saving that much acreage may not be enough.

Agriculture in PRNS and GGNRA represents approximately 17% of the County's agricultural land base and 17% of its agricultural production. As such, agriculture in PRNS is an essential part of the County's agricultural "critical mass," which is, in turn, a fundamental part of the socioeconomic character of Marin and the region. Any action that could increase pressure on or threats to the continuation of agriculture in PRNS represents a threat to the viability of agriculture in the County, and to the economic, environmental, social, cultural and historic values of agriculture in PRNS and Marin.

As you move forward with the CMP/EA, we strongly encourage you to consider the impact of the CMP on agricultural operations in PRNS and GGNRA and on agriculture in Marin County. Furthermore, we would strongly support an analysis of the economic importance of continued ranching in PRNS and GGNRA to the viability of agriculture in the rest of the County.

We also ask that throughout this process, you clearly state your intention of maintaining the pastoral zone designation within PRNS, and in such a way that encourages the ranchers to thrive.

Thank you for your thoughtful consideration.

Sincerely,

Jamison Watts  
Executive Director

Cc: MALT Board of Directors

McClure Dairy, Inc.  
[REDACTED]  
[REDACTED]  
[REDACTED]

RECEIVED

2014 JUN -2 PM 3: 07

POINT REYES NS

May 29, 2014

Cicely Muldoon, Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon:

The McClure family has operated a dairy farm on the Point Reyes peninsula for over 130 years occupying seven different ranches on the Point. We currently are leasing the Historic I Ranch and have for the past 84 years. Our children are the fifth generation involved in the dairy. We have a history of good relations with NPS staff and administration. We hope that the new CMP will continue to foster the working relationship between the McClure's and NPS.

Currently, we milk a herd of organic Holstein milk cows that was certified organic in 2006 as well as raise replacement heifers. We also manage pastures and raise silage for our livestock. We have 8 non-family employees which are provided housing on the ranch for them and their families.

We welcome the opportunity to engage in a 20 year permit. This will allow us security for our business continuity. It will allow us to continue to make long term improvements to the ranch. The 20 year term is important in order to secure funding for the capital projects from banks and for us to get the full benefit of the improvements (i.e. Driveways, roofs, etc)

We feel that ranches inside the park should be able to perform similar practices to those ranches outside the park. It is important to not have a competitive disadvantage. It is necessary for the mutual benefit of ranches inside and outside the park to maintain a critical mass to sustain repair services, veterinarian, ranch supplies, feed companies, etc.

Some of the most important issues to us are:

**On Farm Forage Harvesting.** This is a key to survival as most dairies outside the Park utilize their ground for growing forage. The cost of importing forage from places as far away as Eastern Nevada is costly and growing feed locally reduces the carbon footprint by eliminating trucking. Those that currently raise silage should be able to maintain their acreage and those that wish to begin should be allowed to raise up to 25% of their leased acres as silage.

**Mowing weeds** to control invasive species. National Organic Program (NOP) rules prohibit the use of Herbicides for managing invasive weeds so we must be allowed to mow them at appropriate times during their growing cycle.

**Diversification.** Continued livestock operations in the Park and allow conversion to other livestock species (ex. Dairy to beef or beef to poultry or swine, etc) or other historic uses such as artichokes, carrots, potatoes, hay,

etc as market conditions dictate. Other examples could be scale appropriate processing such as butter, cream or cheese.

**Range Management:** Practices known to be effective for improving forage quality and quantity should be allowed for all ranches. These should include fire, mowing, grazing and seeding. Additionally, we believe that in certain cases, plowing, discing and reseedling may be the only way to eliminate invasive plant species such as velvet grass. Mowing of thistles is essential for control. Manure application is important as a fertilizer and must continue to be allowed to be applied in a responsible manner (appropriate rates, away from waterways). Some ranches may already have a Comprehensive Nutrient Management Plan in place through the NRCS.

**Elk** must be contained by fencing from livestock in designated areas. Elk are consuming large amounts of pasture which is putting those ranches at a competitive disadvantage because supplemental forages are very expensive and must be hauled in long distances to replace the pasture eaten by the elk. NOP rules require that operations must be able to provide a minimum of 30% dry matter intake for a minimum of 120 days during the pasture season. Recent drought conditions have made this difficult to achieve even without the added pressure of elk competing with livestock for pasture. Elk also damage fences which make containing and managing cattle very difficult. Disease is also a concern as there may be transmission of disease between elk and cattle. There should be no elk in the Pastoral Zone. Period!

**Succession.** The ranch CMP should make clear the procedures if a tenant dies or leaves the business. In order to keep the ranches in agriculture, we suggest the following:

- First choice should be given to immediate family members.
- Second choice should be to neighboring ranches which has precedent in the Seashore.
- Third Choice should be to other ranches in the Seashore.
- Fourth Choice should be ranchers from outside the park.
- Subletting should not be allowed.

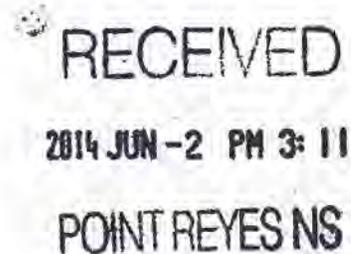
**NRCS:** We believe that the NPS should work more closely with Natural Resource Conservation Service, Marin County Ag Commissioner, Marin Resource Conservation District and UC Cooperative Extension to assist in implementing ranch projects and best management practices within the Park as they have extensive expertise in these areas. A full time NRCS staffer should be hired to assist with the management of agricultural lands in the Park. This may streamline the amount of time involved from conception to completion of projects.

We believe that with a practical common sense approach to issues that the ranches face on a regular basis, we can reach a mutually beneficial solution and that will carry us forward for the next generations to continue our strong agricultural roots in the Seashore.

Sincerely,



Robert J. McClure  
Historic I Ranch



## McIsaac Ranch



June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

The McIsaac Ranch, one of the historic ranches in the Olema Valley Ranch District, appreciates the opportunity to comment on the Ranch Comprehensive Management Plan (CMP) Environmental Assessment (EA) during the current public scoping period. You have told the ranchers, on several occasions, that as the most affected by this EA, the ranchers would have more access to information that the project team is considering and a stronger voice in the process than the general public will have. We look forward to an active role in the complete process, including the establishment of the environmental baseline, revisions to the plan objectives, the creation of the project alternatives and the ultimate plan and roll out process. Please invite rancher participation through the Point Reyes Seashore Ranchers Association (PRSRA), as nearly all ranchers within PRNS and GGNRA are members of PRSRA and the association represents the interests of every rancher affected by this process.

The McIsaac Ranch fully endorses the public scoping comment letter prepared and submitted by PRSRA. PRSRA worked closely with every single ranch family that will be affected by this NEPA process to create comprehensive, reasonable, well vetted and universally accepted comments. PRSRA acts in the interest of all ranchers subject to PRNS oversight. It is our request that PRNS will consider the value of working with the association on all issues that affect more than one ranch. This EA should study the advantages of working with the association and the disadvantages of working one on one with individual ranchers when discussing issues that affect many ranchers. A shift away from what feels divisive to a more collaborative, formalized relationship with PRSRA will improve working relationships and will build trust.

Instead of repeating everything in the PRSRA scoping letter, the scoping comments in this letter will be limited to a specific issue affecting only this ranch.

Our neighboring ranch, the Jewell Ranch was taken out of agricultural production by PRNS a number of years ago. Since that time, we have watched the brush beginning to encroach and dry fire fuel increasing year by year. It is our opinion that the Jewell Ranch is in desperate need of

management to reduce the fire danger and to save the historic open grassland that has existed in the Olema Valley for centuries.

A few years ago, during a draught, I requested permission from PRNS to graze the Jewell Ranch. I saw it as a win-win. The rangeland is in need of grazing to control weeds and overgrowth and we needed the feed for our cattle. The answer from PRNS was no – not because PRNS disagreed with my analysis of the win-win scenario I had proposed, rather because PRNS asserted that a NEPA process would be required prior to re-authorization of the historic grazing. Well, here we are. The Jewell Ranch is in the project area being studied by this NEPA process. The McIsaac Ranch requests a SUP (application attached), for the privilege of managing the Jewell Ranch, similar to all other SUPs being issued by PRNS.

We have been told that NEPA requires PRNS to review the environmental consequences of a change of use, or change of intensity of use, of the ranchlands. This might be why PRNS has started this current process. If this is true, this EA process should share with the public and evaluate the NEPA process that was undertaken by PRNS to radically change a 150-year stable baseline of grazing by *removing* the historic agricultural activity on the Jewell Ranch. At the time, because of previous similar decisions to exclude livestock from the wilderness areas, PRNS would have known that removing grazing would result in a loss of the cultural working landscape, an adverse effect on the local economy, a dramatic change in the rangeland plant and animal communities and a significant increase in the risk of wildfires. If PRNS made its decisions to remove grazing from the Jewell Ranch, or any other ranch, without a formal NEPA process, this EA must fully evaluate if an EA is actually required to resume the 150 year baseline activity. If PRNS declares that NEPA review is required here, this EA must fully explain why, if no formal process was undertaken for the removal of grazing, a formal NEPA process is required to resume the historic, baseline activity of grazing.

The McIsaac family came to our ranch in the Olema Valley in 1868. It is our love for the land and our way of life that keeps us here. If PRNS grants our request to add the Jewell Ranch to our family's ranch operations next door, we pledge to bring our lifelong range management expertise and stewardship to the Jewell Ranch. By allowing us to revive the history and stewardship to the Jewell Ranch, it will further the goals of this EA as well as increase the likelihood that the 6<sup>th</sup> generation of the McIsaac family will stay on the ranch to carry on this important tradition.

I look forward to a speedy, fair and transparent process to complete this environmental assessment.

Sincerely,



Ted McIsaac and the McIsaac family

APPLICATION FORM  
COMMERCIAL USE AUTHORIZATION (CUA)  
U.S. DEPARTMENT OF THE INTERIOR



National Park Service  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956  
Attention: Special Park Uses

*Jewell Tract*

(Please type or print in ink. Answer all questions completely and mark "N/A" if not applicable.)

Commercial Use Authorization: Initial Application \_\_\_\_\_ or Renewal \_\_\_\_\_.

(1) Applicant (Legal Business Name/dba.)

Rancho TOCALUMA

(2) Business Type (Please check one below):

A.  Sole Proprietor

B.  Corporation: (State: \_\_\_\_\_ Entity Number \_\_\_\_\_)

C.  Non-Profit (Please attach a copy of your IRS Ruling or Determination Letter)

D.  Partnership/Association. Print the names of each partner. If there are more than two partners, please attach a complete list of their names.

( Name Jed M. Trase )

( Name Rhea M. Trase )

E.  Other (Specify) \_\_\_\_\_

**Note: Non-profit organizations that will generate no taxable income from a proposed activity are not required to obtain a CUA. The organization may however be required to obtain a Special Use Permit. Please contact the Special Park Uses Office at (415) 464-5111 for additional information concerning this issue.**

(3) Business Mailing Address:

Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email: \_\_\_\_\_

Internet: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

(4) Federal Tax Identification Number (Employer Identification Number/Social Security Number): \_\_\_\_\_

- (5) Name(s) of authorized agent(s) for this business. (Title, address and telephone number)

JAMP  
 \_\_\_\_\_  
 \_\_\_\_\_

Address: \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Internet: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

- (6) Business License Number: \_\_\_\_\_ Expiration: \_\_\_\_\_

- (7) Will business vehicles (car, truck, van, bus, taxi, etc.) operate within NPS boundaries?  Yes  No.

If "yes", please give a description of each vehicle. Use additional paper if necessary.

MAKE OF VEHICLE	MODEL	YEAR	MAX # PASSENGERS	OWN	LEASE
<i>1 pickup</i>					

- (8) Insurance Requirements:

**Full automobile liability (required for businesses providing transportation into the park) at a minimum of:**

- \$300,000 per occurrence for 1 to 5 passenger vehicles.
- \$500,000 per occurrence for 6 to 12 passenger vehicles.
- \$750,000 per occurrence for 13 to 20 passenger vehicles.
- \$1,500,000 per occurrence for 21-50 passenger vehicles, **or per State of California PUC requirements**, whichever is higher.

**General liability** insurance at a minimum of \$300,000 per occurrence. This blanket coverage is required in every case unless equivalent coverage is provided by a special policy covering one specific service. (Note: This is the minimum required by Federal guidelines. Check with your insurance agent to ensure adequate coverage.)

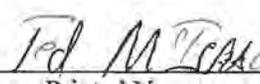
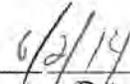
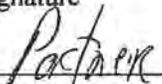
**Waiver of Subrogation**, (issued by your insurance carrier), or if no waiver is issued, the "United States (Department of the Interior, National Park Service)," must be named as an "**additional insured**" to the general liability insurance described above.

**Workers' Compensation**, if you employ one or more employees in the state of California, as required by California law. Request a **Certificate of Insurance** from the California State Workers Compensation Insurance Fund office, or from your private insurance carrier.



- (11) **Signature:** False, fictitious or fraudulent statements or representations made in this application may be grounds for denial or revocation of a Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All Information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

*By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge.*

  
Signature \_\_\_\_\_  
  
Printed Name \_\_\_\_\_  
  
Date \_\_\_\_\_  
  
Title \_\_\_\_\_

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2014 JUN -2 PM 1:48

POINT REYES NS

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

### I. Introduction

My name is Jarrod Mendoza. I am a fourth generation dairy farmer on the Point Reyes National Seashore. My family's dairy operation has been located on the historic B ranch since 1919. I have been ranching on the Point Reyes National Seashore since 2010.

### II. Impact topics that should be covered in this EA.

1. Diversification- Diversification in farming is the raising of many types of livestock. There are times when raising of certain livestock is more profitable than at other times. The ranchers in the seashore need to allowed the flexibility to do such practices.
2. Rotational Grazing-All of the dairies in the seashore are certified organic. With that certification comes the requirement that for 120 days during the pasture season the cows of such dairies need to consume at least 30% dry matter from pasture. Rotational grazing has shown to improve pastures and extend the grazing season. Ranchers need to be able to implement the hardware that would allow them to do such practices. The hard ware would be putting in cross fences and water troughs.
3. Day to day management-There are instances where the ranchers in the seashore can not wait for the lengthy process it takes to make a decision. For example a water pipe is broken and it need to be fixed now. The leaking water is costing the rancher money and is a waste of a resource. The rancher needs to be allowed to fix it without permission.
4. Streamline process for historical building maintenance- All of the ranches in the seashore have historical buildings. The park service seems to cherry pick which structures they want to maintain. That practice is fin, but the ranchers should be allowed to use alternative cheaper materials to fix a structure as long as the historical dimensions are the same.
5. Rolling 20 year leases- This is the second most important issue to be reviewed. A rolling 20 year lease would give the rancher a great amount of security. This would also benefit the park. It would give ranchers greater incentive to invest in the ranches they

lease and make roadside appearance. Banks would also have more incentive to loan to the ranchers with a more secure lease.

6. Harvest and storage of on-farm storage- Being allowed to harvest forage is a key issue in ranching today. 20 years ago the availability of hay from different parts of California and neighboring states was abundant. However the demand for hay has skyrocketed and need to harvest home grown forage is very crucial.

7. Raven Control-The park service needs to implement lethal raven control. Ravens eat feed from the cattle which costs money. The ravens are also detrimental to the Common Mure population. Lethal control of ravens should be used on the ranches most impacted ravens.

8. Elk-The elk need to be removed from the pastoral zone.

### III. Conclusion

I have endorsed the Point Reyes Ranchers Seashore Association Letter. There many more issues in that letter that the association explains better than me.

**GBT Nunes & Company**

Sir

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2014 JUN -2 PM 1:40

POINT REYES NS

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

DELIVERY: HAND DELIVERED

RE: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon:

This letter is in response to the Ranch Comprehensive Management Plan Environmental Assessment (EA) and appreciates the opportunity to provide comments during the public scoping period.

The Nunes Family has been stewards of the Historic A Ranch and Historic E Ranch for five generations. In recent years, we have been renting pasture/barn at the Historic D Ranch. Impact topics that we would like to address by this EA are as follows:

**1. Review Permit Structure**

- a. Issue 20 year rolling leases to ranching families to meet and sustain operational and financial goals. The 20-year rolling leases would give ranchers stability in making short term and long-term decisions about infrastructure, repairs, rangeland improvements and conservation projects. Issuing 20 year rolling leases would also provide increased security and incentive for ranch successors to continue the family ranching tradition.
- b. The EA should urge the nomination of historic Ranch Districts for Work Heritage Site status to better ensure continued ranching and farming in the historical agriculture areas.

**2. Operational Flexibility**

- a. Allow ranchers to manage pasture using rotational grazing, seeding, mowing brush and other weeds to best utilize on-farm feed sources that will reduce feed costs and be an effective tool in preserving rangelands management practices.
- b. All ranchers should be allowed the opportunity to diversify farm operations and products (processing, milk, beef, chicken, eggs, pork artichoke peas, beans, etc), which are vital to their long-term survival.
- c. Educational opportunities should be offered to the public to provide visitors with history and understanding of ranching and natural resource conservation practiced by ranchers. Engage PRNS employees with the necessary education and background for them to understand the historic ranching operations.

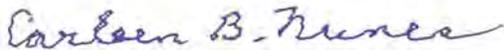
- d. Restore historic on farm borrow sites or provide ranchers with aggregate material from outside resources needed to restore ranch roads and cattle paths to minimize erosion and maximize animal welfare.

**3. Management of Elk**

- a. Immediately remove all elk from the pastoral zone to the elk range in Limantour in the existing 1998 Elk Management Plan.
- b. PRNS must act responsibly to prevent elk from reentering the pastoral zone to stop damage to fences, crops and other property.

We urge PRNS to consider the scoping letter submitted and dated June 2, 2014 by Point Reyes Seashore Ranchers Association (PRSRA) regarding the Ranch Comprehensive Management Plan Environmental Assessment (EA).

Sincerely,



Carleen B. Nunes  
Partner



Timothy E. Nunes  
Partner

MARY L. TISCORNIA

RECEIVED

2014 JUN -2 AM 11: 57

POINT REYES NS

May 28, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

I'm writing to request that Rancho Baulines be included in the Comprehensive Management Plan EA. As you know I leased Rancho Baulines for 33+ years and ran cattle and horses. I took pride in the management of the old homestead and its lands. I have no desire to lease the Ranch House again but would like to reinstate my first right of refusal on the grazing rights. The present fire danger and ever growing fuel load must be a great concern to the Park. Cattle would be helpful in keeping the brush and grass under control as well as keeping within the original Park mandate to preserve the cultural and historic landscape. Rancho Baulines has been grazed for thousands of years, first by elk and deer while being occupied by the Miwok. Later it became the Wilkins dairy. Removing most all grazers is leading to the increasing fuel load, the loss of the the grasslands and the historical landscape.

I know this is not solicited but I do have a couple of couple of recommendations. First: Take out the pig fence put in by the county. It has created an earthen dam across the water course in the front field and diverted the water from the wetland on the other side of the Fairfax road, to the ever-growing willow grove. There were once fish and salmon in the creek now there is neither. Second: Restore the 55 thousand gallon gravity flow water tank on the top of the hill. It's a great defense against drought and fire.

Thank you for your consideration,

*Mary Tiscornia*  
Mary Tiscornia

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U.S. DEPARTMENT OF THE INTERIOR



National Park Service  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956  
Attention: Special Park Uses

(Please type or print in ink. Answer all questions completely and mark "N/A" if not applicable.)

Commercial Use Authorization: Initial Application \_\_\_\_\_ or Renewal  \_\_\_\_\_.

(1) Applicant (Legal Business Name/dba.)  
Rancho Baulines/Mary Tiscornia

(2) Business Type (Please check one below):

- A.  Sole Proprietor  
B.  Corporation: (State: \_\_\_\_\_ Entity Number \_\_\_\_\_)  
C.  Non-Profit (Please attach a copy of your IRS Ruling or Determination Letter)  
D.  Partnership/Association. *Print the names of each partner. If there are more than two partners, please attach a complete list of their names.*  
(Name BOB HEFFELFINGER)  
(Name MARY TISCORNIA)  
E.  Other (Specify) \_\_\_\_\_

**Note: Non-profit organizations that will generate no taxable income from a proposed activity are not required to obtain a CUA. The organization may however be required to obtain a Special Use Permit. Please contact the Special Park Uses Office at (415) 464-5111 for additional information concerning this issue.**

(3) Business Mailing Address:

Address: \_\_\_\_\_  
\_\_\_\_\_ 94939  
Email: MLT580@aol.com  
Internet: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_

(4) Federal Tax Identification Number (Employer Identification Number/Social Security Number): (b) (6)

(5) **Name(s) of authorized agent(s) for this business. (Title, address and telephone number)**

Robert Heffelfinger

Address:

City, State, Zip Bolinas, CA 94924

Email:

Internet:

Phone: 415 868 1522

Cell Phone: 415 608 5219

(6) **Business License Number:** \_\_\_\_\_ **Expiration:** \_\_\_\_\_

(7) **Will business vehicles (car, truck, van, bus, taxi, etc.) operate within NPS boundaries?**  **es**  **No.**

If "yes", please give a description of each vehicle. Use additional paper if necessary.

MAKE OF VEHICLE	MODEL	YEAR	MAX # PASSENGERS	OWN	LEASE
White Ford	(b) (6)		5	x	
White ford			6	x	

(8) **Insurance Requirements:**

**Full automobile liability (required for businesses providing transportation into the park) at a minimum of:**

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- \$500,000 per occurrence for 6 to 12 passenger vehicles.
- \$750,000 per occurrence for 13 to 20 passenger vehicles.
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**Waiver of Subrogation**, (issued by your insurance carrier), or if no waiver is issued, the "United States (Department of the Interior, National Park Service)," must be named as an "**additional insured**" to the general liability insurance described above.

**Workers' Compensation**, if you employ one or more employees in the state of California, as required by California law. Request a **Certificate of Insurance** from the California State Workers Compensation Insurance Fund office, or from your private insurance carrier.



- (11) **Signature:** False, fictitious or fraudulent statements or representations made in this application may be grounds for denial or revocation of a Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All Information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

*By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge.*

Mary L Tiscornia                      MARY TISCORNIA                      5/29/14  
Signature                                      Printed Name                                      Date

Partner  
Title



1801 East Cotati Avenue  
Rohnert Park, CA 94928-3609

RECEIVED

2014 JUN -2 PM 2:07

Environmental Studies and Planning  
School of Social Sciences

707.664.2306  
www.sonoma.edu/ensp

POINT REYES NS

HAND-DELIVERED

To: Cicely Muldoon, Superintendent  
Point Reyes National Seashore

From: Dr. Laura A. Watt  
Associate Professor and Chair, Department of Environmental Studies and Planning  
Sonoma State University

Re: Scoping Comments on the proposed Ranch Comprehensive Management Plan and  
Environmental Assessment

2 June 2014

Dear Superintendent Muldoon:

Thank you for the opportunity to provide scoping comments for the Point Reyes National Seashore's new planning effort, to develop a Ranch Comprehensive Management Plan (CMP) and Environmental Assessment (EA).

My relevant expertise includes eight years as a professor of environmental studies and planning at Sonoma State University, and fifteen years of experience researching the history and management of PRNS. In addition, I have four years' experience working professionally as an environmental consultant for ED&W Inc. (now AECOM), focusing primarily on writing land management plans and EISs for federal agencies; in particular, I was project manager and primary author for the BLM's 2004 King Range National Conservation Area Resource Management Plan and EIS, which won an national award for "NEPA Excellence" from the National Association of Environmental Planners. Many of the issues addressed in the King Range NCA plan are quite similar to those found at Point Reyes.

#### 1. Overall Planning Context at PRNS

It is actually not clear to me, as a long-time land management planning professional, what has triggered the "need" for this expensive and time-consuming planning process at all. The project need, as described in the Seashore's announcement of this process, includes articulating "a clear vision for ranching on existing ranch lands"—but given the long history (see Point #2 below) of ranching at the Seashore, it's not obvious in what way(s) a clear vision is currently lacking. Same goes for the implementation of 20-year leases/permits, or even longer terms; I believe that your Draft CMP will need a much stronger articulation of what you are trying to achieve that goes beyond current practices with regard to leased ranches at the Seashore.

THE CALIFORNIA STATE UNIVERSITY

Bakersfield • Channel Islands • Chico • Dominguez Hills • East Bay • Fresno • Fullerton • Humboldt • Long Beach • Los Angeles • Maritime Academy  
Monterey Bay • Northridge • Pomona • Sacramento • San Bernardino • San Diego • San Francisco • San Jose • San Luis Obispo • San Marcos • Sonoma • Stanislaus

If it were up to me, I would have preferred to see a Seashore-wide General Management Plan update, that articulates an overall vision for ALL of the resource types and land uses managed by PRNS, rather than a piecemeal approach that singles out the ranchlands. Agricultural use and management does not exist in a vacuum at PRNS, and some issues in particular, like management of the tule elk, should be addressed by considering management of the wilderness areas as well as the pastoral zone. Considering the ranches in isolation from the rest of the Seashore risks missing the larger landscape picture.

## 2. Congressional Commitment to Protecting Active, Continuing Agriculture at Point Reyes

I would like to remind you of the widespread interest in and commitment to protecting agriculture within the Seashore, even among environmentalists, stemming back to the first discussions of creating PRNS. In a 1958 letter to Senator Clair Engle, then-president of Marin Conservation League Caroline Livermore wrote, “As true conservationists we want to preserve dairying in this area and will do what we can to promote the health of this industry which is so valuable to the economic and material well being of our people and which adds to the pastoral scene adjacent to the proposed recreation project.”<sup>1</sup> Similarly Harold Gilliam, member of the Point Reyes Foundation (and author of *Island in Time*), testified at the 1960 Senate hearing on the Seashore proposal, stating that the NPS “should scrupulously preserve the rights of individual residents who want to continue living or ranching on their property. No individual should be deprived of land that is his means of livelihood. I believe that it is possible both to protect the rights of present residents and to preserve the scenic beauty of the area for the crowded future.”<sup>2</sup> At another Senate hearing a year later, a representative from the National Parks Association [now NPCA] testified that “this provision for a pastoral area within the park, preserving present uses, is highly desirable. In fact, the combination of dairy country and wild natural shoreland is part of the charm of Point Reyes, and we think the combination ought to be preserved.”<sup>3</sup>

The primary author of the Seashore bill, Representative Clem Miller, included in his own 1961 testimony, “I am sure that close examination of the area might prove, that I would go for extending the limits of the pastoral are to include all of the dairy ranchers who might conceivably wish to continue their operations. I see no damage to the park, no fatal damage to the park functions. Everyone should be protected...”<sup>4</sup> When a Senator asked NPS Director Conrad Wirth at the same hearing whether the proposed pastoral zone would be kept in grazing *in perpetuity*, Wirth answered affirmatively.<sup>5</sup>

As a result of these concerns, the legislation establishing PRNS was written so that the ranches could to continue to operate within the Seashore boundaries, within a designated pastoral zone, where parcels larger than 500 acres could not be acquired except by consent of the owners, as long as the land stayed in a natural state or agricultural use. Senator Alan Bible stated that the legislation “permits a reduction of land acquisition costs as well as the fostering of long-established ranching and dairying activities which, in the committee’s

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<sup>1</sup> Dewey Livingston, *Ranching on the Point Reyes Peninsula: A History of the Dairy and Beef Ranches Within Point Reyes National Seashore, 1834-1992*, Historic Resource Study (1993), at 74.

<sup>2</sup> U.S. Congress, Senate Hearings (1960), at 199.

<sup>3</sup> U.S. Congress, Senate Hearings (1961), at 70.

<sup>4</sup> U.S. Congress, Senate Hearings (1961), at 243.

<sup>5</sup> U.S. Congress, Senate Hearings (1961), at 223, Senator Dworshak’s question.

judgment, will not interfere with the public enjoyment and use of those areas on the Point Reyes peninsula most suitable for recreation pursuits.”<sup>6</sup> Senator Thomas Kuchel added that the newly-formulated pastoral zone would be “an equitable solution for preserving the local economy.”<sup>7</sup> The bill passed through both houses of Congress and was signed by President Kennedy on September 13, 1962.<sup>8</sup>

Even when additional legislation in 1970 gave the NPS condemnation authority within the pastoral zone, Congress clearly directed continuing ranching as a *permanent* part of the Seashore. At hearings in 1966 leading up to this bill, NPS Director George Hartzog clearly stated that the NPS still believed dairying and ranching were “indeed compatible uses and should be allowed to continue.”<sup>9</sup> A few years later, the President of PRNS Foundation Joel Gustafson praised the ranchers’ long-standing role in protecting the Seashore itself: “The cattle and the ranchers in helping to keep down the poison oak and shrubbery contributed to the openness, the beauty of this area, and we recognized this 10 years ago and supported the retention of agricultural and dairy and ranching pursuits in the area.”<sup>10</sup> Clem Miller’s widow, Mrs. Katherine Johnson, representing the Marin Conservation League, urged that the ranchers be given “first right of lease-back for their land . . . for as long as they wish to continue ranching operations.”<sup>11</sup> This approach was later reaffirmed by Congress in 1978, by amending the original 1962 legislation to create a specific mechanism for Reservations of Use and Occupancy on agricultural properties to be converted to leases or special use permits, and giving the historic ranching families “first right of refusal” for those leases.<sup>12</sup>

In forming the Seashore’s General Management Plan, released in 1980, NPS staff wrote, “Although the establishment of the seashore and influences within the dairy industry have resulted in a reduction of agricultural activity at Point Reyes, Congress clearly intended that the ranches continue to operate.”<sup>13</sup> The GMP describes the “Pastoral Landscape Management Zone,” which is defined as the northern Olema Valley and northern Point Reyes peninsula: “This zone includes lands within which it has been determined that dairying and cattle ranching are desirable aspects of the scene from both an educational and aesthetic point of view. At a minimum, agricultural buildings and open grasslands will be retained in these areas, and where feasible, livestock grazing will continue within the limits of carefully monitored range capacities.”<sup>14</sup>

I believe that all of these historical statements and intentions must be kept in mind as the Seashore moves forward with its Ranch CMP process, particularly to avoid a form of “mission creep” where commitments made early on in the park unit’s history are downplayed or overlooked as time goes by.

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<sup>6</sup> 1961 Congressional Record (87<sup>th</sup> Cong, 1<sup>st</sup> session) vol. 107-part 14 Sept 6-13, 1961 (p. 18215-19386), US Govt Printing Office, at 18462.

<sup>7</sup> 1961 Congressional Record (87<sup>th</sup> Cong, 1<sup>st</sup> session) vol. 107-part 14 Sept 6-13, 1961 (p. 18215-19386), US Govt Printing Office, at 18463.

<sup>8</sup> Public Law 87-657, September 13, 1962.

<sup>9</sup> U.S. Congress, Senate Hearings (1966), at 10; he repeated this statement almost verbatim in 1969, House Hearings, at 29.

<sup>10</sup> U.S. Congress, Senate Hearings (1969), at 80.

<sup>11</sup> U.S. Congress, Senate Hearings (1970), at 69.

<sup>12</sup> Public Law 95-625, November 10, 1978, Section 318.

<sup>13</sup> NPS, Assessment of Alternatives for the General Management Plan, GGNRA/PRNS (1977), at 314.

<sup>14</sup> 1980 GMP, at 18.

3. *Recognize that the ranches, as eligible historic districts, are equally valuable and essential resources to PRNS as any natural resource or endangered species*

Despite the long history of Congressional intention detailed above, the number of working ranches (i.e. not just the acreage of land used for grazing) within the boundaries has dwindled significantly since the Seashore was established. Today there are only six dairies still in operation on the peninsula, and five beef ranches. The Olema Valley and Lagunitas Loop areas support six additional active beef ranches and one horse ranch, but no dairies. Both the Point Reyes Ranches and the Olema Valley Ranches have already been found to be eligible for nomination to the National Register of Historic Places as Historic Districts; those nomination forms should be submitted and finalized, to formally recognize the ranches' importance to the overall history and sense of place at the Seashore.

This new Ranch CMP effort also must give close attention to assisting the present-day ranches with remaining economically viable, so that there is no further erosion to these important cultural landscapes. It should also encourage re-use of some ranches that have gone out of operation, like the Horick (D) Ranch, Rancho Baulines (Wilkins Ranch), and/or the Jewel Ranch, to bring them back into the overall continuing landscape of agriculture at the Seashore. Ideally, reversing course on the Drakes Bay Oyster Company and retaining that operation as part of the larger working landscape and historic district should be included as well, as oyster cultivation has played an important part of agricultural production, as well as natural resources management, at Point Reyes since the 1930s.

4. *NPS should follow well-established international policy approach to living, continuing landscapes, as outlined by UNESCO.*

At the international level, world heritage management policy is increasingly articulated as the protection of both cultural and natural resources and values, emphasizing local uniqueness and community input into management. For example, UNESCO's 2009 *World Heritage Cultural Landscapes: A Handbook for Conservation and Management* identifies six guiding principles in its management framework:

1. People associated with the cultural landscape are the primary stakeholders for stewardship.
2. Successful management is inclusive and transparent, and governance is shaped through dialog and agreement among key stakeholders.
3. The value of the cultural landscape is based on the interaction between people and their environment; and the focus of management is on this relationship.
4. The focus of management is on guiding change to retain the values of the cultural landscape.
5. Management of cultural landscapes is integrated into a larger landscape context.
6. Successful management contributes to a sustainable society.<sup>15</sup>

PRNS should explicitly follow these internationally accepted policies in crafting the Ranch CMP, and particularly recognize that the pastoral areas of the Seashore are "continuing

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<sup>15</sup> UNESCO, 2009, *World Heritage Cultural Landscapes: A Handbook for Conservation and Management*, at 35-36.

landscapes,” that they are not *only* important due to their historic influence on the land, but also due to their current-day uses and continuing influences.

In the recent past, NPS management of the Seashore has been increasingly out of step, both with these changes to heritage preservation at the global scale, but also changes to the agricultural economy at the local scale. While PRNS has taken ranches out of operation and is attempting to shutter the oyster farm, the rest of West Marin has turned into an amazing hub of food production and consumption, a mecca of modern sustainable agriculture. Most of the area’s dairies and beef ranches have gone organic and/or primarily grass-fed. There has been a huge increase in artisanal cheese-making, and overall a broader diversification of agriculture, including production of more vegetables, chickens, etc. Organic production of all kinds of agricultural goods has moved from being a fringe activity to the economic mainstream of West Marin, as part of a broader nation-wide movement. In particular, partly in reaction to the 2002 federal definition of “organic” and the increasing presence of industrial-scale production of organic products, many West Marin producers have focused more on emphasizing local and seasonal production. The area’s proximity to the high-end metropolitan market of the larger Bay Area that seems increasingly willing to pay the higher prices for premium agricultural products has given West Marin a new boost of confidence that food production is not doomed to disappear, as has been presumed to be almost inevitable since the 1950s.<sup>16</sup>

The agricultural operations on PRNS and GGNRA lands represent a substantial portion of this economy, contributing 17 percent of Marin’s overall agricultural production and 17 percent of its agricultural land base.<sup>17</sup> The 2007 Marin Countywide Plan lists among its core goals the protection of the area’s working agricultural landscapes, and greater community food security by increasing the availability and diversity of locally-produced foods.<sup>18</sup> Grazing on these lands also provides important ecosystem services, such as managing non-native weedy species and reducing fire danger. And most of the ranching families have historic connections to the land that go back through generations, helping to anchor the overall community’s sense of identity and place.

*5. The NPS must take PRSRA seriously as a collaborative management partner, not just an ordinary “member of the public.”*

The international policy approach to managing continuing landscapes outlined above makes clear the importance of working with local communities as primary stakeholders and management partners. In the case of PRNS, this highlights the essential importance of recognizing the Point Reyes Seashore Ranchers Association (PRSRA) as an organization that collectively represents the ranchers and their interests. Seashore staff should work collaboratively with this group to develop and maintain management of these pastoral landscapes, at a level that goes beyond just a regular member of the visiting public.

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<sup>16</sup> For more on the explosion of the sustainable food movement in the Bay Area, see Sally K. Fairfax, Louise Nelson Dyble, Greig Tor Guthey, Lauren Gwin, Monica Moore, and Jennifer Sokolove, 2012, *California Cuisine and Just Food* (Cambridge, MA: The MIT Press).

<sup>17</sup> Ellie Rilla and Lisa Bush, 2009, *The Changing Role of Agriculture in Point Reyes National Seashore*, published by the University of California Cooperative Extension.

<sup>18</sup> Marin Countywide Plan, adopted November 6, 2007.

6. *Establish a leasing program and management arrangement similar to that already in place at Cuyahoga Valley National Park.*

PRNS could easily follow the model of Cuyahoga Valley National Park (CVNP), with its Countryside Initiative bringing agricultural use back to parts of that park after decades of absence. Starting in 1999, CVNP has worked with a non-profit cooperating partner, the Countryside Conservancy, to reestablish working agriculture via rehabilitating historic farms and farmland and offering long-term leases, up to sixty years in length, via a competitive proposal process as a way of resurrecting and maintaining the rural character of the valley.<sup>19</sup> In its 2011 RFP seeking new proposals from leasees, CVNP even referenced the importance of parks as lived-in places:

Farming in a national park (or any other park) is a most unconventional idea in America. Americans tend to perceive parks as places to visit, not live in—regardless of whether it is a Yellowstone-like wilderness, or a manicured metropark. That is not the case in many other parts of the world. In Great Britain, for example, over 10% of the English landscape is located within the boundaries of a national park—over 90% of that is privately owned, and most of it is in farms. In Great Britain, farming in the boundaries of national parks is considered the only practical way to maintain the openness, beauty, and diversity of the countryside.<sup>20</sup>

One of the key elements of the Countryside Initiative program is the use of long-term leases; as stated in the 2011 RFP:

Prior to these current authorizations, use of NPS lands for agricultural purposes has been limited to Special Use Permits (SUPs) covering periods of one to five years. Although short-term SUPs are intended to prevent or limit serious damage to park lands, ironically, they act as a negative incentive to basic land stewardship. It is economically infeasible for farmers to undertake costly long-term land care programs, which can take years or decades to implement, since they have little assurance of a reasonable return on their investment. The leasing authority now available for the Countryside Initiative resolves this inherent dilemma.<sup>21</sup>

As of this writing, there are now eleven farms (the same number as there are active ranches on the Point!) operating within the CVNP, with two more new leases anticipated in 2014, mostly organic and using modern sustainable practices to produce goats, chickens, turkeys, lamb, wine, vegetables, berries, and other products.

Point Reyes could establish a similar relationship with Marin Agricultural Land Trust, which has an established track record of working well with local ranchers to conserve their lands, or some other non-profit focused on cultural landscape protection and management. The non-profit could serve as an intermediary partner, negotiating lease terms (ideally with rolling

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<sup>19</sup> <http://www.cvcountryside.org/farm-farming-home.htm>, accessed 3/8/2014. Also see <https://countrysideconservancy.worldsecuresystems.com/countryside-initiative-program> for more information on the program.

<sup>20</sup> CVNP, *2011 Countryside Initiative Request for Proposals*, at 5.

<sup>21</sup> CVNP, *2011 Countryside Initiative Request for Proposals*, at 14.

terms), working with ranchers to maintain land management practices, and generally buffering their tenant/landlord relationships with the NPS. It would also be essential to provide a clearer, more permanent avenue for community collaboration, viewing the ranchers and other locals as stakeholders in Seashore management and planning, distinct and separate from the general visiting public (see Point #5 above). The NPS needs to recognize that residents have a different relationship to place than visitors, and particularly that working the land, especially over generations, creates a unique connection and knowledge that should be respected and incorporated into management practices.

*7. Additional policies addressing agricultural diversification, restoration of pastoral lands, and ranch succession are needed.*

In addition to forming this kind of a management partnership, PRNS should revise a number of its policies to encourage and strengthen long-term agricultural viability. These recommendations are not new; they were clearly articulated in 2009 in a letter from Senator Feinstein to PRNS and the Seashore Ranchers Association, and then expanded in a report written by the UC Cooperative Extension office. Senator Feinstein wrote:

“What came through loud and clear at these meetings were three things: first, that Special Use Permits which allow you to operate at Point Reyes need to be issued for longer periods of time than five years. Second, that many of you would like the opportunity to diversify your operations in an effort to stabilize your income. And third, it was very apparent that the National Park Service needed to do a better job of communicating with ranchers and facilitating communications among interested groups in the West Marin area.”<sup>22</sup>

The UC Cooperative Extension report added detail to these recommendations, suggesting not only longer permit terms, but also formalizing agricultural diversification through the permitting process, giving ranching families more flexibility to raise different products and respond to changing market demands. It also recommends restoring agricultural uses to some lands that had been taken out of production, as part of a wider embrace of the working landscape component of the Seashore. There is absolutely a need for a clearer process for dealing with ranch succession, in case of either retirement or death of permittees, so that continuation of ranching will not come into question, whether through family members or other members of the community taking over the operation. Improved communication and utilizing ranchers in resource management are also needed, to genuinely recognize the value and commitment of these working families to the Seashore as their home and livelihood.<sup>23</sup> It is also needed to overcome a lack of trust that may exist at this point, caused by permit cancellations like Horick and Tiscornia, by the Drakes Bay Oyster Company controversy, and by NPS unresponsiveness and inaction over the tule elk issue in recent years.

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<sup>22</sup> Letter from Senator Dianne Feinstein to PRNS and PRSRA, dated January 6, 2009.

<sup>23</sup> Ellie Rilla and Lisa Bush, 2009, *The Changing Role of Agriculture in Point Reyes National Seashore*, published by the University of California Cooperative Extension, at 15-19.

8. *Current tule elk impacts on ranches cannot wait for this plan to be completed; they should be removed from the pastoral zone immediately.*

Herds of tule elk are currently having significantly negative impacts on many of the working ranches within the Seashore's pastoral zone. In the 1998 Tule Elk Management Plan and Environmental Assessment, the Seashore clearly stated, "The Park Service has a responsibility to be a good neighbor to adjacent and nearby landowners. Anticipating the effects of tule elk management strategies on the property or perceptions of neighbors is an important consideration. Any depredations by elk on fences, crops, or other property would require mitigation actions to correct or avoid problems."<sup>24</sup> The leased ranches managed by PRNS *are* your neighbors, and should receive the same attention and consideration as would be afforded to private landowners.

The 1998 Plan also specified that it "makes no effort" to hasten the closure of ranches within the Seashore, and did *not* list management of elk within the Pastoral Zone as a "management issue not covered by this Plan."<sup>25</sup> The Plan considered an alternative (B) that would have allowed elk to free-range throughout the Seashore, but that alternative was explicitly rejected. However, the current presence of elk in the pastoral zone could very well "hasten the closure" of ranches being impacted; you should not be standing idly by while a scenario that your planners explicitly rejected (i.e. free-ranging elk throughout the Seashore) develops through inaction.

Under the preferred Alternative A, the Limantour area was chosen for relocation due to its "large acreage in natural zoned with buffers from major highways, ranches, and lands outside the Seashore," and clearly articulated that, "Tule elk will be allowed to roam outside the area as long as new home ranges are not established where conflicts with traffic corridors or neighbors are likely."<sup>26</sup> Again, the leased ranches *are* your neighbors. Alternative A went on to specify, "Damage to property could occur if elk move outside the Seashore onto private lands and consume crops or damage fences or other property. The Seashore will be ready to recapture or destroy problem animals should these situations arise, or establish partnerships with state and county agencies with the necessary skills and personnel to assist with the recapture. The Seashore should be prepared to provide funding for compensating property damage if necessary. It may be possible for the Seashore to modify parts of the habitat to help prevent such occurrences, or construct barriers to dispersal."<sup>27</sup> These approaches should be taken to address tule elk affecting the leased lands in the pastoral zone as well.

Furthermore, the environmental impacts of *returning* the elk to the designated wilderness area had already been studied in the 1998 Tule Elk Management Plan. The elk range identified in the Plan is restricted to the wilderness area around and south of Limantour, not extending into the Pastoral Zone. The question for NEPA is whether or not environmental impacts have been analyzed, not about whether property is public or private. Any possible impacts of relocating elk that have wandered out of the elk range back to where they belong have already been analyzed (in the context of "neighboring" private property), and the resulting

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<sup>24</sup> PRNS, *Tule Elk Management Plan and Environmental Assessment*, July 1998, at 13.

<sup>25</sup> 1998 Elk Mgmt Plan, at 15, 3-4.

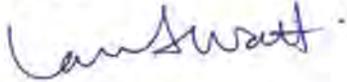
<sup>26</sup> 1998 Elk Mgmt Plan, at 46.

<sup>27</sup> 1998 Elk Mgmt Plan, at 49.

document was a Finding of No Significant Impact. Hence there should be no need for additional planning or NEPA review for returning the elk to their originally intended range in the wilderness area near Limantour, as such actions have already been determined to cause no significant impacts. This action should be implemented immediately.

I hope that these comments will assist you and your staff with developing a strong and effective vision for the historic and continuing ranching landscapes within the Seashore and PRNS-managed areas of the GGNRA.

Best regards,

A handwritten signature in blue ink, appearing to read "Laura A. Watt".

Dr. Laura A. Watt

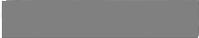
Cc: US Senator Diane Feinstein  
US Senator Barbara Boxer  
US Representative Jared Huffman  
State Assembly Member Marc Levine  
Marin County Supervisor Steve Kinsey

**My public comment:**

I am deeply concerned that we need to work together to protect the last remaining ranches in the pastoral zone on the Point Reyes National Seashore and in the Olema Valley. More and more global food production has been contaminated by Genetically Modified Organisms, pesticides, is being provided by Big Ag., or shipped long distances, wasting precious natural resources. What we have in Marin, especially within the Seashore, should serve as an example to agriculture everywhere about how things can and should be done.

**Here are my recommendations:**

1. Not only should the PRNS and NPS be protecting the few remaining ranching families but they should make every effort to return the lost and empty farms within PRNS and GGNRA back into agriculture immediately by finding new tenants.
2. The Park must have a Point Reyes Seashore Ranchers Association representative present as a voting member of each and every Ranch CPM EA meeting during the NEPA process and thereafter. This includes staff meetings at Seashore Headquarters. Meeting agendas, minutes and voice recordings should be provided to the ranchers association so that the association can inform other ranchers who were not in attendance.
3. PRNS should join with the greater West Marin community in building an elk fence to protect the affected ranches (A, B, C, D, E, H, M, N, and Home ranches.). The only plausible location for the fence is on the wilderness/pastoral zone boundary. I personally offer to organize a "barn raising" event to accomplish this a.s.a.p., and decidedly before the August 2015 decision on the plan is due.
4. PRNS should become a leader with NPS in providing a stable, consistent and historic decision-making process so this untenable situation never happens again.

Peggy Day  
  


May 31, 2014

POINT REYES NS

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RECEIVED

RECEIVED

Point Reyes Seashore Ranchers Association  
15020 Sir Francis Drake Blvd.  
Inverness, CA 94937

2014 JUN -2 PM 4: 07

POINT REYES NS

Hand delivered

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

The Point Reyes Seashore Ranchers Association (PRSRA) appreciates the opportunity to comment on the Ranch Comprehensive Management Plan (CMP) during the current public scoping period.

#### I. INTRODUCTION

Ranching and farming families have been the stewards of the beautiful lands and waters of the Point Reyes peninsula and surrounding rangelands for many generations. It has been widely recognized that because of the careful management by these families, these cultural and natural resources were preserved. As ranchers know well, we must take very good care of the land we love so that it will remain productive for future generations. In the 1950s and 1960s, Congress recognized that this land and water preserved by these enduring, committed families should be protected into the future---not protected from the long standing land stewards and their historic businesses, but protected from new development. Congress created the Point Reyes National Seashore (PRNS or seashore) to protect not only the natural resources, but also the agriculture, mariculture and fisheries that had shaped the landscapes for the previous century. The relationship to the land of the historic families who had been caring for the land for previous generations was also to be protected.

The members of the PRSRA provide a number of important environmental, educational and economic benefits to the area. Ranchers have had most of the agricultural land within the seashore certified organic. Ranchers work closely with the Marin County Resource Conservation District (MRCD) and the Natural Resources Conservation Service (NRCS) to adopt new conservation practices and implement on the ground projects to protect and improve natural resources. Most of these beneficial projects come by choice, and at the financial expense of the historic rancher or farmer. PRSRA members provide exceptional educational opportunities. Members of PRSRA partner with other organizations and agencies to help inform the public about the benefits of family farming. One PRSRA member, the Drakes Bay

Oyster Farm, provides on-farm educational opportunities for schools, organizations and roughly 50,000 members of the visiting public annually. PRSRA members produce over 20% of Marin County's agricultural products, generally, and more than half of Marin County's oysters, specifically. The land in the Olema Valley and Point Reyes Historic Ranch Districts constitutes approximately 25% of the land available for agriculture in Marin County today. The ranchers within the project area provide a significant number of jobs as well as affordable housing for their employees. The milk, beef and other farm products flowing into our local region provide more economic opportunities for the region through distribution, retail and restaurants featuring local farm products.

Over the past 50 years, since the creation of PRNS, National Park Service (NPS) managers and staff have continually come and gone. Each time new NPS staff arrive at PRNS to regulate the ranching and farming activities, the seashore ranchers provide the necessary education and background for them to begin to understand the historic operations. Only on very rare occasions have we ranchers seen any NPS staff with any background or education in agriculture – and we have seen hundreds of NPS officials and employees pass through PRNS. For longer than anyone at the NPS, the seashore ranchers have known the seashore's history, and have known and cared for both the natural resources and the local community and the people in the county we serve. The current staff at PRNS, together with the contractors they have hired and the experts with whom the PRNS will consult with during this EA should listen carefully and give special importance to the comments by the most experienced PRNS land managers, the Point Reyes Seashore Ranchers.

PRSRA represents and supports all ranchers and farmers in the project area. This scoping letter has been written by the historic ranchers with collaborative conservation in mind. PRSRA has taken this EA very seriously. PRSRA has had several membership meetings over the past month to work on our scoping comments. This letter reflects hundreds of suggestions and edits from the affected ranchers. Almost every rancher was engaged in the development of these scoping comments and almost every rancher has signed this letter. This letter also incorporates facts and information from PRSRA consultants, including lawyers, historians, NEPA experts, scientists and other resource management agencies. The purpose of PRSRA is to work with PRNS to achieve a relationship that protects both the ranchers' livelihoods as well as the natural resources. PRSRA believes these goals are not mutually exclusive, but, in the case of the project area, both are required to achieve either goal.

Many of the Special Use Permits (SUP) traditionally issued to the historic ranchers and farmers within the seashore have expired and have not been renewed. PRSRA does not concur with NPS that issuing 20-year permits as directed by the Secretary of the Interior would require an EA pursuant to the National Environmental Policy Act (NEPA). Furthermore, PRSRA does not agree that a new EA is required to allow PRNS to employ the tools already authorized in a previous EA and management plan to remove the elk from the ranchlands. Nevertheless, because PRNS decided that an EA would be undertaken, PRSRA will participate in the NEPA process as the most experienced and most affected stakeholder.

PRNS is a unit of the national park system and PRNS is a "National Seashore", not a "National Park." PRSRA asks that all EA documents, publications and communications be corrected.

Currently, there are many references to “park” or “park resources.” These should be changed to “seashore” or “seashore resources.” This error, if not corrected, could cause the public and consultants to apply the wrong standards to this environmental review.

PRSRA is the voice of the ranchers in the seashore. The undersigned members of PRSRA ask that during this Ranch CMP EA and into the future after this process is complete, PRNS and its contractors communicate with the ranchers through PRSRA on any regional issue – any issue that is not absolutely specific to one ranch. PRSRA as a group is conversant in most, if not all issues affecting multiple ranchers whereas individual ranchers may not be.

## II. THE PURPOSE AND NEED AND OBJECTIVES SHOULD BE MODIFIED

### a. Purpose & Need

A need for action should be limited to new activities, with new federal action required, with the potential for effects on the human environment. The NPS clearly states that this EA is to “Identify collaborative management opportunities that promote protection of Shafter era ranching.” In order to properly state this clearly, one of the needs that should be amended now reads: “To provide clear guidance and streamline processes for park and regulatory review of proposed ranching activities, including best management practices that promote protection of park resources.” PRSRA suggests that this need should be re-stated as: “To provide clear guidance and streamline processes for PRNS and regulatory review of proposed *new* ranching activities consistent with Shafter era ranching and farming activities, including best management practices that promote the addition of culturally appropriate agricultural practices and promote protection of seashore resources.” (See PRSRA legal analysis, attachments A and B)

### b. Plan Objectives

The plan objective: “Clarify NPS expectations and rancher commitments to ensure consistency of agricultural lease/permits” should be amended. PRSRA believes a more collaborative approach to ensure consistency would improve this objective. PRSRA suggests changing this objective to: “Clarify NPS and Ranchers’ expectations and commitments to ensure consistency of agricultural lease/permits.”

The plan objective: “Identify and evaluate activities that provide operational flexibility to support long-term dairy and beef cattle operations in a manner consistent with the protection of park resources” should be amended. This narrow view of only providing operational flexibility to a dairy and beef ranching monoculture misses the true objective of supporting, encouraging and celebrating the truly diversified and dynamic Shafter era agriculture. PRSRA suggests that this objective should be re-written as: “Identify and evaluate activities that provide operational flexibility to support the dairy and beef cattle operations as well as the diversified agricultural activities that were present during the Shafter era in a manner consistent with the protection of seashore resources and World Heritage Site management principles that recognize ‘continuing landscapes.’”

NEPA requires an agency to review the effects of its federal action on the whole human environment, not just the effects its action may have on the natural environment. The viability of the ranchers is part of the human environment that this CMP must consider. PRSRA suggests another plan objective: “To create a plan that will allow current practices to continue, allow for long term leases/permits, allow for the addition of new practices consistent with Shafter era agriculture and to ensure ranchers’ financial viability in a manner consistent with the protection of seashore resources.”

Certain seashore ranch lands have recently been taken out of agricultural production, completely changing the land use and its intensity of use, without any environmental review or public process. In some cases, historic families have been displaced. PRSRA asks that one more plan objective be added: “Restore agricultural activities in the Olema Valley and Point Reyes Historic Ranch Districts where they historically existed and are not otherwise prohibited by law or are no longer agriculturally viable in areas where grasslands were replaced by dense brush or forest long ago.” This EA should consider the benefits of having PRSRA members---familiar with these rangelands---involved in the decision-making about which areas are agriculturally viable and which are not.

### III. THE APPROPRIATE ENVIRONMENTAL BASELINE

Ranching and farming activities have been present in the subject area for at least 150 years. During the cultural period focused upon in this assessment, the Shafter era, an extremely diversified agricultural network existed. During this period there were thousands of acres in crop production, a myriad of livestock species being raised, oysters being harvested, processing facilities for milk, cheese, butter, meat and crops and spring forages were being harvested and stored for winter livestock feeding.

The current baseline looks very similar to what has existed for 150 years, with a few exceptions. Today most of those activities are permitted by PRNS on some ranches, but not all. If an activity is currently allowed, it should be part of the current environmental baseline. For example, the current baseline includes dairy and beef operations, storage of on-farm harvested forage for livestock feeding, small scale row crops, poultry raising, oyster farming, bed and breakfast operations, on-farm sales of products raised in the seashore, horse boarding and on-farm tours and interpretation. Allowing all ranchers the same authorizations to undertake activities that PRNS already allows for some ranchers should not require an EA. Only new activities, not a part of the current baseline, should be the subject of this EA.

Tule elk were extirpated from the subject area by the 1860s. Tule elk were not present during the Shafter era. Tule elk were not present when Congress entrusted the NPS to protect the seashore, the ranches and farms and the people on the ranches and farms. Only a few years ago, NPS decided to re-introduce tule elk to the 18,000 acre designated elk range located entirely within the Limantour wilderness area. By this time (1998), it was well known that introduced tule elk in an area without predators could become highly invasive. The current elk management plan reassured seashore ranchers at the time that the ranch lands would be protected because the plan stated that the elk would not negatively affect any other permitted use (long-standing ranch SUPs) and the plan included tools to manage elk overpopulation,

including contraception, relocation and culling. For some years, PRNS interpreted the plan just as the ranchers interpret it and kept the elk off of the ranch lands.<sup>1</sup> The Seashore's 2001 "*Year in Review*" (attachment D) acknowledged the need to "carefully monitor" to keep the elk outside the pastoral zone, to prevent their interfering with the cattle ranches and to ensure that the elk "are not shedding the organism that causes Johne's disease." Nevertheless, beginning in about 2002, the park stopped actively managing the elk. Efforts to keep the elk out of the pastoral zone ceased. Under these circumstances, the development of a herd of tule elk in the pastoral zone must be recognized as a temporary condition and not taken into account in establishing the baseline for environmental review of a ranch management plan.

For 150 years there were no tule elk damaging ranchers' rangelands and livelihoods. Assurances were given that there would be no conflicts. The new change in PRNS management of the invasive species PRNS reintroduced has led to the recent elk devastation resulting in the current elk emergency. Elk and cattle cannot coexist as was implicitly recognized in the current plan by its provision of tools and assurances. Elk do not belong in the pastoral zone and their current existence should be temporary. A recent lack of management should not change the true and honest environmental baseline.

The environmental baseline for this EA should include all of the ranching, farming, interpretive, visitor serving and retail activities that exist today, without tule elk.

#### IV. IMPACT TOPICS THAT SHOULD BE ADDRESSED BY THIS EA

It is crucial that the EA provide an objective, fair and thorough analysis of the positive effects of the agricultural operations situated within the project area. These ranches and farms not only preserve for the public the cultural heritage of the working landscapes of the project area, they do much more. This EA must evaluate the ecosystem services provided by the grazing livestock as well as the environmental, educational, economic and scientific contributions made by these historic family farms.

##### **1) Ranch Operations / Activities**

###### a) Review of permit structure

- i) Historically and currently, PRNS has issued SUPs to ranch operators for terms from five to twenty years. The November, 2012 memorandum from the Secretary of the Interior directed the NPS to consider offering 20 year leases/permits to all ranchers. As PRNS has already offered 20 year agreements to some ranchers without a formal NEPA process, PRSRA believes PRNS could similarly offer 20 year leases/permits to all ranchers without initiating the current EA. However, because PRNS included the review of permit structure as an issue to cover in this EA, PRSRA will provide some guidance for the process. This EA should fully evaluate the concept of a 20 year "rolling renewal" agreement. In this type of agreement, at the end of each year the lease is automatically renewed for the length of the initial 20 year term, unless either the landowner or the farmer decides that the current term will be last term. In

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<sup>1</sup> PRNS 2001 A year in Review

this way, the parties can continuously capture the benefits of a long term lease. The benefits include:

- (1) More commitment by the rancher to invest in infrastructure and repairs;
- (2) Improved public enjoyment of the seashore because ranches would more likely be maintained better;
- (3) More likely that banks will offer loans to the rancher;
- (4) More likely that ranchers will invest in long term rangeland improvements;
- (5) More likely that ranchers will invest in resource conservation projects;
- (6) More rancher eligibility for resource conservation project grants;
- (7) Reduced NPS staff time and paperwork;
- (8) Reduced rancher stress as permits near expiration;
- (9) Facilitated meeting of project objectives into the future;
- (10) Creation of more public trust that NPS actually does support the long term continuation of ranching and farming in the project area; and
- (11) Increased security and incentive for the next generation ranchers within the project area to continue the family farming tradition.

This appears to be a perfect place and opportunity to utilize a rolling renewal agreement because the park has respected the relationship of the families with the land as part of the cultural landscape, and the leases/permits have never been put to public bid and have always been renewed with the historic families that pre-existed the seashore. A process that would allow the parties to meet every five years to review compliance with conditions, amendments and lease/permit payment rates should be evaluated to support the mutual benefit of a rolling renewal agreement. The NPS and the public would be protected from a failure to comply with permit requirements, just as they are protected today. Currently, the PRNS imposes a 30-day cancellation clause for any rancher not complying with lease/permit conditions, a form of landowner protection that could also be included in a new rolling renewal agreement. PRSRA recognizes the fact that the mutual benefits of a rolling renewal agreement far outweigh any imagined negatives.

Rolling renewal agreements have already been recognized by Congress as a valuable concept and tool to preserve agriculture. The Williamson Act is a perfect example of how a commitment to the long-term continuation of agriculture can be accomplished through rolling renewals.

This EA should evaluate the benefits of a creating and contracting with a third party non-profit with a board consisting of local agriculturalists, local range managers who regularly work with seashore ranchers, and agency representatives to manage the day-to-day administration of the range management plan as an NPS partner. Board members would be familiar with agricultural practices in the Marin and Sonoma foodsheds and with the culture, climate, soil and market conditions that impact the ranches in the seashore.

This model is consistent with NPS policies supporting local community involvement and with the UNESCO principles for World Heritage Site cultural landscapes. It is particularly appropriate for “working” or “continuing” landscapes, which are often part of larger communities. The Cuyahoga Valley Rural Initiative serves as

precedent.<sup>2</sup> In that instance, NPS entered into an agreement with a non-profit to manage all agricultural lands and leases within this unit. PRSRA believes that this model should be analyzed as a solution for the project area. The benefits could include:

- (1) Improved relationship and trust between parties;
  - (2) Day-to-day oversight provided by individuals with experience in dealing with local conditions in an agricultural community recognized nationally and internationally as a leader in sustainable and ecologically sound agricultural practices;
  - (3) More continuity, as members of the non-profit will likely have less turnover than PRNS staff;
  - (4) Community involvement with the future of food production in the project area; and
  - (5) Reinforced public commitment to continue viable agriculture in the project area in perpetuity.
- ii) Specifically, this EA should evaluate the alternative that the new long term leasing regulations could be modeled on Cuyahoga Valley National Park's "Countryside Initiative." Lessees would be supported in the continued adoption of farming practices considered to be ecologically sustainable, including organic and carbon-beneficial practices if requested by the rancher. In order to encourage a sustainable combination of agricultural land uses, a diversity of food and fiber crops could be allowed. With Cuyahoga as precedent, the NPS could lease the land directly to the ranchers and enter into a Cooperation Agreement for day-to-day ranch management by a nonprofit partner, whose board could include farm advisors and other Marin ranchers. In the case of Cuyahoga, the non-profit partner:
- (1) . . . provides technical information and guidance on sustainable agriculture, helps prioritize rehabilitation of farm properties, recruits and evaluates prospective farm lessees, and will evaluate and monitor each farm's annual operation plan.

- b) World Heritage Site Status. The Point Reyes and Olema Valley Historic Ranch Districts, located within Point Reyes National Seashore, are eligible for listing on the National Register of Historic Places. This EA should evaluate the nomination of these historic Ranch Districts for World Heritage Site status. PRSRA believes that NPS can nominate these ranch districts for World Heritage Site Status and that this status would further the plan objective of preserving ranching and farming in the project area in perpetuity. In the meantime, with Cuyahoga as precedent, NPS could and should manage the lands consistent with World Heritage Site principles for managing "continuing" cultural landscapes.

This EA should also consider the effects on the human environment by evaluating compensation, perhaps via rent reduction, for ecosystem services provided by ranchers. If a

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<sup>2</sup> [www.nps.gov/cuva/historyculture/the-countryside-initiative.htm](http://www.nps.gov/cuva/historyculture/the-countryside-initiative.htm)

<sup>2</sup>

rancher, with NPS approval, voluntarily goes above and beyond what is required by agreement for resource conservation, a monetary value can be attached to those services. The ranchers can be reimbursed through credits toward rent. This concept has been used by land managers in other situations. PRSRA believes that this concept could be useful to build collaboration between ranchers and PRNS to further the natural resource conservation and greenhouse gas (GHG) reduction goals of PRNS.

c) Operational Flexibility

i) Currently, PRNS has allowed operational flexibility unequally. PRSRA submits that conditions should be similar for all lease/permit holders. PRSRA believes that PRNS could allow for all what it has allowed for some without a NEPA process. However, because PRNS decided to initiate this CMP EA, PRSRA will provide comments to help inform and requests review by the process.

(1) Uniformity – all ranchers should be treated equally

- (a) Same conditions
- (b) Same duration
- (c) Same authorizations

(2) The following operational flexibility has been allowed for some ranchers without any NEPA process and should be allowed for all ranchers without a NEPA process.

(a) Harvest and storage of on-farm planted and volunteer forage for feeding livestock during times of the year when little forage is available on ranch rangelands. This normal farm practice of tilling, planting and fertilizing most likely occurred on every ranch during the Shafter era and still occurs as a permitted use on several seashore ranches. Traditionally and currently, harvested forage is stored on-farm as dry hay, silage and haylage. It is well known that in the project area most native coastal prairie grassland plant species have been replaced by non-native species, due to factors such as 150 years of active ranching, farming, planting of non-native annual and perennial pasture species, and accidental introduction of other non-native species brought in with livestock feed. Continuing the historic practice of storing feed will not likely result in a further loss of native plant species; rather, the opposite more likely could occur. Forage planting, on what has been determined as highly erodible soil, can be limited to no-till practices. There are many resource and economic benefits of allowing this historic practice to continue and it should be allowed on every ranch instead of only a few selective ranches. It is critical that the rancher or farmer be allowed to harvest forages when the plants are at the proper growth stage. Harvesting either too early or too late results in a dramatic loss in feed value. Restricting harvest timing would be a change to the environmental baseline and the adverse effects of such restrictions should be analyzed in this EA.

Harvesting and storage benefits include:

- (i) Represent the true cultural heritage of the Shafter era ranching through the present time;
- (ii) Are already permitted uses within the seashore;

- (iii) Can be used effectively as range management tools to reduce non-native, invasive plants;
- (iv) Have been shown to be effective management tools to control and reduce the highly invasive velvet grass (*hulcus lanadis*);
- (v) Reduce the carbon footprint of the project area by reducing the miles traveled by large trucks that would otherwise deliver purchased forage;
- (vi) Reduce feed costs for PRSRA member ranchers;
- (vii) Allow seashore ranchers and farmers to compete economically with farmers and ranchers outside of the project area;
- (viii) Improve seashore visitor experience by demonstrating an interesting, culturally appropriate and viable working landscape; and
- (ix) Improve seashore visitor experience by reducing large livestock feed truck traffic.

Forage produced on a farm or ranch is a farm product – just as are milk, beef, chicken, eggs, pork, oysters, artichokes, peas and beans. Forage is a very traditional crop. Historically, including within the working landscapes of the project area, ranchers and farmers produced feed crops and sold some of those crops to neighbors who needed the extra forage. PRNS has permitted such sales and off-farm use of forage crops in the same way it permits the sale of other farm products. The working landscape of the project area is a traditional food producing region. Allowing the ranchers and farmers to work together to best utilize and protect the resources is vital to the long term survival of the cultural resource PRNS is entrusted to protect. PRSRA suggests that the sale of any farm product, including forage, be allowed by PRNS for every rancher or farmer in the project area. Disallowing a rancher or farmer the ability to sell their farm products would be a burden not faced by agriculturists outside of the project area. An EA should not be required for this management strategy to be immediately implemented project area wide.

- (b) Range management practices known to be effective for improving forage quality and quantity should be allowed for all ranchers and farmers in the project area. For centuries, these coastal prairie grasslands have been carefully managed by humans interested in preserving the productivity of these rangelands. Careful management using tools including fire, mowing, grazing and planting rangeland forages have resulted in preserving the lush, productive and bio-diverse grasslands Congress meant to protect. PRNS contains perfect examples of how vital this rancher stewardship is. Where the NPS has allowed ranchers and farmers in the project area to do their jobs, using the above tools, the resource has been protected and is largely unchanged since the Shafter era and when Congress recognized the good stewardship of the Point Reyes ranchers. In essentially every place where NPS decided to end livestock grazing and evict the ranch families, the land stewardship ended. These locations without the ranchers' rangeland management have lost their historic grassland character. With the loss of livestock grazing, a change in both plant and animal species assemblages occurred. Where the NPS has chosen to end ranching and the rangeland

stewardship provided by the ranchers, the ungulate carrying capacity has largely decreased. The loss of forage due to the lack of land stewardship and lack of range management in these former ranch lands have now contributed to the tule elk crisis. Invasive brush and weeds have invaded these areas to a point that seashore visitors have largely lost access. PRSRA does not believe that the objective of Congress was to allow these fantastic, sweeping, well managed, accessible grasslands to be lost. PRNS allows some ranchers to use appropriate range management tools and is prohibiting others from using these scientifically proven tools. PRSRA suggests that PRNS treat ranchers and farmers equally and allow every rancher or farmer in the project area to do their jobs, preserving these precious landscapes using the best available range management tools - responsible tools used by land managers everywhere. Allowing ranchers to make range management decisions as they have for generations will help meet the objective stated by PRNS. An EA should not be required for this management strategy to be immediately implemented project area wide.

- (c) Farm product diversification is fast becoming a necessity for the survival of small family farms everywhere. PRNS, in recognition of this fact, has already allowed some ranchers to diversify. Currently permitted for some ranches are small scale row crop operations, chicken operations, farm tours and interpretation and farm stays (ranch bed and breakfast operations). Additionally, diversification helps to achieve the NPS objective of preserving the Shafter era ranching and farming. PRSRA believes that PRNS could, and should, without an EA, allow similar diversification opportunities for all interested ranchers and farmers in the project area so that all ranchers and farmers are treated equally.
- (d) Lodging and public education on seashore ranches and farms are already permitted activities on some ranches and farms. This use should be allowed on any seashore ranch or farm if an operator requests permission. PRSRA understands that environmental review was required when PRNS gave approvals to some, so none should be necessary to issue other approvals. The visiting public is extremely interested in learning about the historic farming and ranching operations and activities. Allowing visiting families to experience the farm through organized tours and to actually stay at the farm are important visitor serving activities. Currently, thousands of visitors are provided tours and educational opportunities yearly at the oyster farm buildings located within the pastoral zone in the project area. Here, the public can learn about the history of PRNS, the value of cooperative conservation where both food production and natural resource conservation coexist in harmony. Allowing more seashore ranchers the ability to offer these kinds of services would be a public benefit. It would also add to the viability of the ranch operation if other seashore ranching families were allowed to provide temporary lodging for individuals and families interested in an actual farm experience. PRSRA does not believe that all PRSRA members would be interested in obtaining permission to provide these

services, but does believe the option should be open to all interested, to create equality among lease/permit holders.

- (e) Best Management Practices (BMP) listed in the EA materials should not only be allowed by PRNS, they should be encouraged and perhaps incentivized by PRNS. All of these practices are implemented to improve environmental quality while preserving seashore ranchers' livelihoods. Added to the list of BMPs should be management intensive grazing (MIG) for those ranchers interested. MIG provides a multitude of rangeland, wetland and riparian zone benefits when planned and implemented properly. MIG is allowed on some seashore ranches and should be allowed for all interested ranchers in the project area. Another emerging, yet crucial BMP is managing the rangelands in a fashion proven to sequester carbon. By following standards set by the Marin Carbon Project (MCP), supported by peer-reviewed science, the project area rangelands could offset all GHG production emitted from PRNS. PRNS should encourage the seashore ranchers interested in employing these MCP practices. The results of following the MCP practices are:

- (i) Increased organic matter in the soil;
- (ii) Increased soil carbon as a result of increased photosynthesis;
- (iii) A reduction in atmospheric CO<sub>2</sub>;
- (iv) Increased soil water holding capacity;
- (v) Improved water quality in storm water runoff;
- (vi) Reduced storm water runoff; and
- (vii) Improved forage production.

There is some potential for rangeland managers to be monetarily compensated for the carbon they sequester. PRNS should allow all credit and compensation to go to the seashore ranchers that have implemented this important BMP, should the opportunity arise in the future. PRNS should also consider compensating seashore ranchers, through rent reduction, for offsetting the PRNS carbon footprint. This ecosystem service provided by the seashore ranchers could allow PRNS to become the example of how a unit of the NPS can become carbon neutral, even carbon beneficial – an important part of a solution to climate change and ocean acidification. BMPs have recently languished at PRNS during an approval process instead of being quickly authorized. One of the stumbling blocks is the unnecessary requirement imposed by PRNS to repeat a NEPA analysis that had already been accomplished by another federal agency. There is only one NEPA. Most of the BMP proposals brought to the PRNS by a PRSRA member have been designed and analyzed by NRCS. NRCS is a federal agency that has significant, long term experience with the project area. NRCS is authorized and fully capable of completing appropriate and legally sufficient NEPA review. PRSRA suggests the new ranch CMP include a provision that PRNS will accept the NEPA review prepared by NRCS and the recommendations by NRCS on any BMP evaluated by NRCS. This agreement will result in:

- A more streamlined process;
- BMPs being implemented more quickly and more often;

- More natural resources protection;
  - More experienced individuals analyzing BMPs and making decisions;
  - More rancher willingness to initiate a less onerous process to do the right thing for the environment; and
  - Less taxpayer dollars wasted by avoiding unnecessary, duplicative review.
- (3) The following operational flexibility should be fully analyzed in the EA, as this historically and culturally appropriate flexibility will provide the necessary options for the ranching families in the project area to remain viable. Agriculture is a dynamic land use. Changes in markets, feed prices, consumer interest and new opportunities require flexibility in agricultural operations. PRSRA ranchers and farmers should be allowed the same flexibility as family farmers outside the project area so that seashore ranchers can remain competitive in the local agricultural marketplace. The flexibilities required to remain viable will not only meet the needs of the seashore ranchers, it will also contribute to the PRNS' stated objectives of preserving the Shafter era cultural landscape and improving visitor experience. PRSRA requests that the following operational flexibilities be fully analyzed in the EA.
- (a) Farm product diversification that was common during the Shafter era (and throughout time due to the dynamic nature of agriculture) is no longer occurring within the project area.
- (i) Diversified livestock species. During the Shafter era, multiple livestock species existed in the project area. Hogs, sheep, goats, chickens, and turkeys all had their place on the farm. PRSRA asks that this historic use be returned to the project area. Ranchers may choose to companion graze sheep with the cattle, others may choose to add pasture raised poultry – both good range management choices that will demonstrate the pastoral zone's cultural heritage while helping the economics of the ranches or farms. Other ranchers may choose to raise row crops for market and hogs to eat the spoiled vegetables while producing local food and reducing our carbon footprint. PRSRA suggests that PRNS allow seashore ranchers to diversify into additional livestock species. As the grassland resource is best suited for cattle, and a significant population of coyotes exists, it would be expected that the percentage of other livestock used on the ranches would be low, yet important. Ranchers and farmers should be allowed to choose what livestock or poultry species, within the limits of the Shafter era to current, they raise on their farms and ranches. PRNS has allowed ranching operations to change from dairy to beef. PRNS has also recently allowed ranchers to convert their beef operations to dairy operations where a dairy previously existed. PRSRA applauds this flexibility and expects that other ranchers will be allowed the same options and operational flexibility into the future.
- (ii) Diversified crop species. During the Shafter era, the ranches and farms were necessarily diversified to fit into a local food system. Many different crops were grown both for feeding the large staff on these diversified farms and ranches and for sale to the public. Thousands of

acres of the project area were under cultivation growing many different crop species. During the Shafter era and after, Point Reyes became the “artichoke capital” of California. Today, reminiscent of the Shafter era, vast fields that once grew artichokes still have the beds and furrows created by the farmers. Presently, thousands of crop acres in the project area produce only forage for cattle. Only a tiny portion of the project area remains in traditional row crop or traditional crop species field crop production. PRSRA ranchers know the history of their ranches or farms, know their soils, know their water availability, know what crops can be dry farmed and know where to find assistance in recovering small scale crop production within the project area. PRSRA suggests that this EA consider allowing seashore ranchers to diversify their family farms by adding small scale crop production, with a selection of crop species appropriate and within the limits of the Shafter era to current time. It is unlikely that all ranchers will choose to diversify into crop production, yet it is vitally important that the choice is available. To avoid the unlikely event that a rancher would like to plant too many acres, PRSRA suggests that row crop production be limited to no more than 15% of the total farm or ranch acreage. This allowance, with the 15% cap, will not only allow the seashore ranchers to remain competitive economically, it will contribute to the PRNS objective of preserving the Shafter era agriculture. It will also benefit the gateway communities surrounding the project area by allowing seashore ranchers to once again be a lively and important part of the local food system and more directly influence the local economy. Allowing the recovery to the Shafter era crop production will also help to meet the PRNS stated objective to reduce its overall carbon footprint.

- (iii) Grazing strategies need to be flexible. Much of the project area has been continuously grazed since livestock were introduced in the 1850s. Rangeland ecologists and scientists have discovered that other grazing systems can be more effective in preserving native plant species, preserving and sequestering carbon, reducing non-native invasive plant species, reducing impacts to wetlands and riparian areas, reducing internal parasite infestation and increasing forage production. PRSRA members have many resources available, including the Marin County Ag Commissioner, the NRCS, and the University of California Cooperative Extension office (UCCE) to help them choose and implement new grazing techniques that further the dual goals of resource conservation and increased ranch profitability. To implement grazing practices that would result in improved rangeland conservation often requires additional fencing and water sources so that livestock can be managed and rotated in a system that meets these resource and economic goals. PRNS has allowed some ranchers to improve water distribution systems and add fencing to achieve these goals. PRSRA suggests that PRNS allow all ranchers to use these appropriate tools and techniques to improve rangeland conservation and productivity. PRSRA believes that

the temporary impacts of placing pipelines, water troughs or fence posts are far outweighed by the improvements to the grassland and wetland ecology. Ranchers should be required to provide evidence that they have consulted with a certified rangeland ecologist to create a grazing plan with improvements to minimize impacts to special status species and special habitat. Ranchers should also be required to provide public access through any new fences that cross PRNS established trails. PRSRA believes that allowing all ranchers to implement these conservation practices when requested would further the PRNS objectives.

- (iv) Remove maximum stocking rates and stocking densities currently imposed on some, but not all, ranchers and farmers within the project area and use Residual Dry Matter (RDM) and other resource monitoring tools to ensure that ranchers are managing responsibly. There is no known basis for, or value in, limiting livestock numbers or animal unit months (AUM)<sup>3</sup> on some of the ranches. There is also no justification given for the vastly different livestock and AUM restrictions between similar ranches or for the fact that some ranches have no maximum AUM use limits. Rangelands can be more properly managed by understanding the resource and setting resource management goals, including RDM. Stocking rates must be adjusted to compensate for annual weather variations, grazing regime adjustments, pasture improvements through good rangeland stewardship and climate change effects to achieve the targeted RDM. Stocking rate and stocking density restrictions are antithetical to collaborative, resource based rangeland management. Simply counting cows and alleging violations by any rancher exceeding an arbitrary number, even when excess forages exist, serves no purpose. Arbitrary cow limits fundamentally discourage good rangeland stewardship. If a rancher is restricted to a low number of AUMs that is easily achievable without exotic weed management, or soil carbon consideration, that rancher would have no incentive to improve the resource or help to sequester carbon. By removing limits on AUMs or actual maximum livestock headcounts, a rancher is incentivized to improve land stewardship because of the resultant increase in carrying capacity. Lifting these unequal, arbitrary and unnecessary conditions and shifting to a focus on resource condition and RDM will help to achieve the PRNS objectives. PRNS should allow the rancher with the experience on the land to decide how to manage the livestock density on the rangelands while meeting PRNS RDM and other resource goals. Larger carrying capacity is usually related to good pasture management. Ranchers should not be penalized for increasing carrying capacity by increasing the soil and forage health by charging more rent due to increased AUM usage. This, again, could discourage good stewardship. This EA should consider charging seashore ranchers, into the future, the

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<sup>3</sup> Animal Unit (AU) = 1 cow with calf. Animal Unit Month (AUM) = the amount of feed consumed by one animal unit in a one month period.

same total price for forage consumption that they are currently paying. This could serve two purposes: 1) all ranchers would be incentivized to improve the health of the rangeland resource because it will increase carry capacity for no extra fee to PRNS; and, 2) ranchers will more likely help PRNS to meet resource conservation objectives. This would also be a small way to reward good land stewards for the ecosystem services they and their grazing livestock provide the PRNS and the public.

(v) On farm borrow sites should be allowed for PRNS rancher rock needs.

Historically, seashore ranchers have utilized small on-farm rock resources to serve the needs of the rancher, including road maintenance and armoring high traffic livestock areas including gateways, water troughs and holding pens. The native Monterey shale present on some of the ranches is softer and less angular than typical purchased crushed rock, making it the perfect choice for livestock. A few years ago, PRNS decided to close these important local resources. This taking has caused ranchers to spend significant amounts of money to purchase rock and to have the rock trucked long distances to the seashore ranches. The purchased rock is generally hard, crushed rock with angles and sharp points risking injury to livestock hooves. PRSRA suggests that the EA consider allowing seashore ranchers to resume the historic use of at least one, two or three of the many sites that have recently been disallowed by PRNS. This NEPA process should consider the benefits of using on-farm resources in lieu of long distance trucking. PRSRA is willing to assure PRNS that the required reclamation plan is in place with the California Department of Conservation. This will give the guarantee to PRNS and the public that the small quarries will eventually be properly reclaimed with soil cover and appropriate vegetation. PRSRA suggests that the rock can be used only within the project area and could not be sold for any other purpose. This is an opportunity for PRNS to collaborate with the seashore ranchers to improve ranch conditions and profitability while furthering the PRNS' stated plan objectives. Restoring this historic activity would result in:

1. Improved ranch road maintenance resulting in less erosion and resource damage;
2. Reduced large truck traffic on the narrow PRNS roads;
3. Gateway communities appreciation of the elimination that the new rock truck traffic has caused by the ranch resource closure;
4. Increased visitor enjoyment by limiting truck traffic;
5. Demonstrated PRNS / PRSRA member collaborative management;
6. Reduced injury to, and thus more humane treatment of, livestock;
7. Reduced potential for introduction of exotic invasive weed seeds with rock delivered from outside the project area;
8. Better access for PRNS staff that continuously use ranch roads maintained by ranchers;
9. Improved rancher ability to meet the requirement in their current SUPs to maintain the ranch roads;

10. Reduced PRNS carbon footprint; and,
11. Increased viability of the seashore ranchers.
- (vi) Family succession plans should be included in PRNS' leases/permits. In recent years, PRNS evicted the Horick family, a multi-generational seashore ranching family, after the permit/leaseholder (Vivian Horick) was unexpectedly killed in an auto accident. Even though the ranch in question, the D Ranch, is located within the pastoral zone (a zone set aside by Congress to continue the traditional ranching at Point Reyes) PRNS has disallowed much of the ranch, and most of its buildings, to continue in agriculture. After evicting the Horicks, PRNS unilaterally decided to completely change the use---and the intensity of use---of a significant portion of this agricultural land without initiating a public process pursuant to NEPA. Instead of allowing ranching to continue on all of the D Ranch as decreed by Congress, and thus expected by the public, PRNS---without the agreement or participation of the public---allowed tule elk to proliferate on this ranch located within the pastoral zone. This significant federal action clearly had the potential for adverse impacts to the human environment and those impacts should have been studied before the action was taken. This federal action has resulted in a temporary loss of agricultural production on this historic ranch. PRSRA believes that if a succession plan was in place at the time of Vivian Horick's death, the same historic family would still be ranching on their historic family ranch that they built with their own hands in the late 1800s and the tule elk would not have invaded the D ranch and the surrounding ranches. The long term viability of the small family farms located in the project area depends on good succession planning. PRNS should require that every seashore farmer or rancher has a plan that describes who will succeed the current lease/permit holder. This would avoid problems that will invariably arise if a permit/leaseholder unexpectedly dies or if a current permit/leaseholder is evicted by PRNS. The required planning process should also include provisions for who may assume the agricultural permit/lease if a current ranching family decides it does not want to continue its family farming tradition. It is of critical importance to PRSRA that former ranches be returned to production and that no other ranches be arbitrarily or otherwise removed from agricultural production. A clear planning process can help to avoid future conflicts.

This is example of where a non-profit made up of local experts, managers and community members, as in Cuyahoga Valley, could recognize the value of the existing multi-generational families' experience and connection to the land in choosing who will be selected to operate the ranches within the working landscapes.

This EA should also analyze all the adverse effects that would result from a loss of even one ranch or farm within the project area, including:

1. Loss of public trust in NPS and PRNS;
  2. Damage to the regional agricultural infrastructure by reducing critical mass to support:
    - a. Processors of farm products
    - b. Distributors of farm products
    - c. Vendors of farm equipment and machinery
    - d. Consultants, and
    - e. Veterinarians; and
  3. A precedent for anti-agriculture groups and individuals to use to continue to attempt to remove agriculture from the project area.
- (vii) On-farm value added opportunities should be considered in this EA. In its printed materials PRNS has suggested for review, under Ranch Operations/Activities, “Diversification (small scale row crop, value added operations within existing structures, etc.”) PRSRA believes that this language is unnecessarily restrictive and should be broadened and rewritten. PRNS has recently authorized and permitted tens of thousands of square feet of new building space on seashore dairies. PRSRA applauds PRNS for allowing these important buildings to be constructed in the coastal zone as it has allowed those dairies to milk more cows, to reduce the water quality impacts caused by the dairy livestock, and to increase the profitability of the dairy. PRSRA questions why PRNS would want to limit value added facilities to only existing structures. In the region surrounding the project area, both the Marin Countywide plan and the local coastal plan allow for new structures to house value added facilities, because those jurisdictions understand the need to allow these sorts of activities to keep agriculture in Marin viable. The project area is in Marin and the seashore ranchers have the same needs as those outside the project area. The Shafter era agriculture within the project area was replete with almost every kind of on-farm processing. On the ranches and farms, there were vegetable packing facilities, butter churning facilities, cheese making facilities, slaughterhouses, butchering and packing facilities---all a part of a thriving, local food system---the kind of local food system that our nation is recognizing we ought to return to and embrace going forward (and a system that the European nations, and much of the world, have never lost sight of). The infrastructure to accommodate these kinds of activities no longer exists on many of the seashore ranches. This EA should not only consider allowing these sorts of uses within existing ranch structures, but also contemplate the effects of replacing buildings and infrastructure lost over time, or that have not previously existed. PRSRA does not expect all seashore ranchers will be interested in using an existing structure, or in building a new structure, to commence on-farm processing. However, for those ranchers that are interested, PRNS should give permission to do so. Allowing value added on-farm processing would:
1. Help to achieve the objective of preserving Shafter era agriculture;
  2. Improve the economics and profitability of seashore ranchers;

3. Allow interested seashore ranchers to become an important part of the local food system by moving away from a monoculture commodity based agricultural system and back a locally focused system;
4. Promote opportunities for young ranching family members to become excited about the farm and allow for a viable future;
5. Be consistent with PRNS policy to allow on-farm processing as it has always allowed the oyster farm to process, pack and ship oysters from its buildings located in the pastoral zone within the project area;
6. Allow all ranchers and farmers interested in on-farm processing to grow, process, pack and ship farm products (simply treating each permit/lease holder equally);
7. Improve the gateway community's access to wholesome, locally produced food;
8. Reduce the trend of small family farms ceasing operations due to the inability to compete with large operations on commodity priced products.

Additionally, seashore ranchers should be allowed to process local farm products from outside the project area. The seashore ranchers are part of a larger, local food system. The seashore boundary should not separate the seashore ranchers from the larger local agricultural community.

This EA must also evaluate the benefits of allowing not only the products grown on a particular ranch unit for on-farm processing but also for products produced on ranches and farms in the region. The benefits of allowing seashore farm product processing include;

1. Opportunities for collaboration between seashore ranchers;
2. More accurate representation of the Shafter era agriculture and agricultural product processing;
3. Reduction of the overall number of on-farm processing facilities; and,
4. Allowance for more expensive processing to be accomplished than a single seashore rancher could not justify on a one ranch basis.

(viii) On-farm retail sales should be allowed on all ranches and farms within the project area. PRNS has consistently, since the formation of PRNS, allowed on-farm sales at the oyster farm, located within the pastoral zone within the project area. To create uniformity and equality, other interested seashore ranchers should also be allowed to sell their products at the farm. This EA should assess the benefits of on-farm sales, including:

1. New visiting public opportunities to taste and take home the products of the PRNS regional, historic working landscapes;
2. New marketing opportunities for vegetables and value added products;
3. New educational opportunities for the visiting public and seashore ranching families to connect;
4. Improved economic opportunities for seashore ranchers; and,

5. Renewed opportunities for seashore ranching family members to become/stay involved in the family farm.

This authorization would be consistent with what is sold at the on-farm retail shop at the oyster farm. The oyster farm currently sells, and has recently sold, shellfish it grows on-farm as well as flowers grown at the M Ranch, salmon, halibut and crab landed at the historic fish dock near Chimney Rock, and certified organic beef, artichokes and other row crop vegetables grown on the G Ranch. Allowing retail outlets, or “farm stands” on ranches within the project area to sell more than what is simply grown on that specific farm or ranch will result in the following benefits:

1. Allow for collaboration between PRSRA members;
2. Reduce the number of on-farm sales locations;
3. Add variety to the farm stands, thereby improving visitor experience;
- and, 4. Provide consistency, uniformity and fairness to all seashore ranching and farming families with permits/leases.

Additionally, seashore ranchers should be allowed to sell local farm products from outside the project area. The seashore ranchers are part of a larger, local food system. The seashore boundary should not separate the seashore ranchers from the larger local agricultural community and local food system.

PRSRA fully supports equal treatment and expects that opportunities given to one permit/lease holder will be offered to all other lease/permit holders. PRSRA does not expect all seashore ranchers will be interested in initiating on-farm sales, but those interested should be given the permission. This EA must consider on-farm sales locations sited in temporary structures, permanent existing structures and new structures. Given the extreme weather conditions in most of the project area, a safe, indoor facility is most likely the most appropriate location.

- (ix) D Ranch conflict solution. PRNS evicted the Horick family in late 1999. The D Ranch remains an historic piece of the agricultural land located within the pastoral zone. PRSRA is unaware of a NEPA process undertaken at the time to consider the effects of changing its use - to remove agriculture from a significant portion of the D Ranch located within the congressionally designated pastoral zone specifically authorized for its continued agricultural use. Resuming the historic agricultural activities on the entire D Ranch is an important step in preserving this historic working landscape as a complete unit. Since PRNS ended the historic use of agriculture in the pastoral zone, apparently without the required public process or environmental review under NEPA, PRSRA presumes that resuming the designated, historic land use will also not trigger a NEPA review. PRSRA requests that PRNS issue permits for the building complex and the entirety of the

rangeland at the D Ranch. This would go a long way to reassure the public that PRNS is truly committed to preserving agriculture in the project area, rather than dismantling it.

(x) New worker housing and upgrading existing worker housing where necessary should be allowed and encouraged by PRNS. As agriculture changes, staffing levels need to change as well. For example, a rancher currently producing only beef may be interested in restoring some of the agricultural diversity that one occurred on the ranch – perhaps 15 acres of row crops. This recovery of the Shafter era agriculture would most certainly require that additional farm workers also return to the landscape. Over the decades, PRNS has allowed ranchers to add housing on the ranches and farms without initiating a NEPA process. Given this fact, an EA is probably not necessary to allow other interested ranchers and farmers to add housing. Nevertheless, PRSRA would like the new CMP to expressly authorize additional worker housing on the ranches if the rancher can demonstrate the need. All new housing could be limited to housing necessary for rancher family members and required farm workers. Benefits of new housing to meet the needs of the ranchers include:

1. Reduced traffic on seashore access roads;
2. Reduced GHG production from commute traffic;
3. Reduced danger to employees expected to commute during odd hours:
  - a. For example, an employee may need to arrive at 2:00AM to be at the ranch in time for milking. This condition could lead to more hazards, including hazards caused by, and injury to nocturnal wildlife on roadways;
4. Continued Shafter-era agriculture where ranch workers live and work on the ranch;
5. Increases affordable housing in West Marin county, rather than exacerbating the affordable-housing shortage;
6. Improved seashore ranchers and farmers competition with ranchers and farmers outside the seashore for skilled employees;
7. Reduced adverse effects to the rancher, the livestock and or the employee if an employee meets difficulty during commute and is late, or misses work; and
8. Improved living conditions and lifestyle of the ranch workers if they do not have to commute from long distances.

## **2) Management of Tule Elk on Ranchlands**

PRSRA objects to the section entitled “Management of Tule Elk on Ranchlands” found in the materials describing the current ranch CMP EA. These materials were prepared by PRNS with the intent to educate the public of the elk “issue” and to encourage public comment. This PRNS description of the issue implies that PRNS has a plan objective of keeping tule elk on the ranchlands and managing them there. It appears as if PRNS is

soliciting public comments about managing elk *on* the ranchlands. PRSRA opposes this language and suggests that this sentence be changed to the more accurate and legally correct requirement to which PRNS must comply: “Update the 1998 Environmental Assessment and Elk Management Plan.” Unfortunately, damage has already been done by suggesting to the public, during this important comment period, that the new existence of the invasive tule elk on to the pastoral zone is a done deal. The PRNS, its contractors and its experts must consider the fact that the public was given this misleading statement prior to commenting.

In 1998, an environmental assessment, pursuant to NEPA, was undertaken by PRNS to consider alternatives about how to manage the overpopulated elk on Tomales Point that were known carriers of the dreaded Johne’s disease, a serious disease transmittable to cattle. One plan alternative that would have allowed the tule elk to roam on the ranchlands in the pastoral zone was rejected by the public.

The 1998 Elk Management includes a map that clearly describes, with a distinct line around the perimeter, the 18,000 acre designated elk range. The 1998 plan states that the PRNS would establish the free ranging elk herd “*within*” those 18,000 acres. This range intended for the elk does not include any ranch land and is fully located within the Limantour wilderness area. The current CMP EA materials include a similar map showing where the elk currently exist, but now excludes the designated elk range. This is misleading. The public may not know that the elk have been allowed to proliferate outside the limits of the designated elk range found in the current elk management plan. By failing to include the designated elk range in the map, the public has not been properly informed to provide meaningful comments on the EA. The PRNS, its contractors and its experts must consider the fact that the public was given this misleading map prior to commenting.

The 1998 Elk Management Plan recognizes the fact that introduced tule elk can become invasive and have the potential to adversely affect seashore resources, including cattle. The plan is clear that PRNS is to manage the elk so that they do not harm any other permitted use within the seashore. To manage the expected elk proliferation and to avoid harm to other permitted uses, the plan allows the PRNS and CDFW to use capture and relocation of wayward elk, contraception of elk, and even lethal culling. For the first several years following the 1998 public process and plan approval, PRNS utilized *all* of these approved tools to manage the elk and kept them off the pastoral zone. During these years there was no controversy because everyone interpreted the plan the same way. The contraception program appeared to be hugely successful (see Science & Conservation Center letter, Attachment C). When a rogue elk appeared on a ranch, the rancher called the seashore staff and the animal was tranquilized and brought back to the designated elk range. In at least one case, a repeat intruder was shot and killed by PRNS. The PRNS was quite clear, and understood their responsibility when they looked back at 2001 in the PRNS publication “*Point Reyes National Seashore 2001 Year in Review*” (attachment D) where PRNS stated “*Since their release, the new herd has been carefully monitored to ensure animals remain within Seashore boundaries, do not interfere with cattle ranches within the park and are not shedding the organism that causes Johne’s disease.*” (emphasis added) Unfortunately, and still without explanation, sometime around 2002, PRNS ceased management of the tule elk. Contraception ceased. Relocation ceased. Culling ceased. At the time tule elk management

ended, PRNS began to allow tule elk to proliferate in the pastoral zone and harm the ranchers---the very permitted use the plan set out to protect.

Since PRNS reversed its management of tule elk and allowed the elk to invade the pastoral zone, PRSRA members---as well as PRSRA itself---have made dozens of attempts to inform the seashore staff and management of the devastation caused by the tule elk. Additionally, both individual ranchers and the association have made repeated requests to have the elk managed per the elk management plan as PRNS did for the first few years following the public NEPA process and plan approval in 1998. The unauthorized elk herd on the pastoral zone is growing at a rate of 12% per year, a full doubling of population every 6 years. The damage caused by the elk invasion to the ranchers is now catastrophic. PRSRA considers this invasion now an emergency---a crisis that must be addressed immediately.

PRSRA strongly opposes the new PRNS efforts to enhance tule elk habitat within the pastoral zone. These PRNS efforts, including the creation of new water sources, are changing the use of an area within the pastoral zone, without the required public process necessary to make such dramatic changes. The PRNS has chosen to create an elk attractant within the pastoral zone meant to be used by the ranchers in the working landscapes, rather than improving the habitat in the designated elk range where the elk belong. This EA must not be used to validate improper management practices just because PRNS has unilaterally initiated those practices outside of, and in conflict with, the current elk management plan. This EA must fully evaluate the benefits of habitat enhancement within the elk range and the adverse effects to the project area if elk habitat enhancements continue within the ranch lands.

PRSRA strongly opposes the current elk hazing by PRNS. This EA should evaluate the adverse effects to the elk, the ranchers' fences, the ranchers' water systems, the ranchers' livestock and the continuous cost to the taxpayer to run elk in circles.

This EA must evaluate whether the PRNS has the authority to immediately resume the management of the tule elk, using the tools already authorized in a previous EA and current operative elk management plan. These are the same tools PRNS previously used pursuant to the current plan to ensure the elk "do not interfere with cattle ranches within the park and are not shedding the organism that causes Johne's disease" that can be transmitted from elk to cattle. If PRNS believes that it does not currently have the authority to remove the tule elk from the pastoral zone, the seashore superintendent can sign the proposed amendment<sup>4</sup> and the problem could be immediately solved.

PRSRA believes that the only solution that will meet the objectives of this plan is to build a fence on the boundary between the subject area ranch land and the wilderness area that contains, in its entirety, the designated tule elk range. The free ranging elk could continue to thrive in the area where they were intended to be and the ranchers could get back to providing stewardship for the resources and food for the community. This EA should fully

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<sup>4</sup> Attachment B - addendum to management plan

consider the adverse effects of allowing the violation of the 1998 elk management plan to be validated by allowing any elk to remain on the pastoral zone, including:

- a) Ongoing harm to ranchers and their livelihoods;
- b) Ongoing risk of injury, disease or death to cattle;
- c) Ongoing risk of disease to tule elk from cattle;
- d) Increased taxpayer expense to manage elk within a ranching zone; and,
- e) Ongoing conflict with congressionally established permitted ranchers.

This EA must also recognize that the seashore ranchers are more endangered than the tule elk. The dairies within the project area represent some of the last remaining dairies in the ocean side dairy region of the north coast of California. In contrast, tule elk population in California is rapidly expanding, with over 4000 elk on 22 different sites.

### **3) Floodplains, Wetlands, Riparian Areas**

PRsRA is unaware of any new ranching or farming activities requested within floodplains, wetlands or riparian areas. The ranching and farming activities that may be occurring within these areas have been part of the environmental baseline for around 150 years. PRsRA ranchers, in collaboration with NPS, NRCS, RCD and others have made many modifications over the years to reduce impacts to these important areas. PRsRA commits to continuing its partnership with agencies and organizations with the goal of reducing negative environmental impacts to floodplains, wetlands and riparian areas. Any existing (current environmental baseline) effects should be excluded from this process. NEPA requires a federal agency to evaluate only new effects that have the potential of altering the status quo.

### **4) Species of Special Concern**

NEPA requires a federal agency to analyze the effects of new activities on the human environment. Ranching and farming activities are a part of the environmental baseline. The status quo of continuing ranching should not be evaluated within this environmental assessment process; it should be categorically excluded, pursuant to NEPA. Special status species or species of special concern analysis should be limited to new activities with a potential to have effects on the environmental baseline. This CMP EA should be limited in scope to the effects of new effects anticipated from new development and changes from the status quo only. During analysis of potential impacts to species of special concern by new activities, the plan objectives should be kept in mind. Using potential adverse impacts to special status species to block requested changes to the status quo, especially for activities allowed elsewhere in Marin County, would create further unfair disadvantage to seashore ranchers and undermine the plan objective.

### **5) Health and Safety**

- Standards for operator and worker housing.

PRSRA is puzzled by this section that PRNS has identified as an issue to be included in the Ranch CMP EA.

The worker housing on the ranches and farms have health and safety standards that must be followed. PRNS and the United States Public Health Department (USPH), on an annual basis, inspect all worker housing on every historic ranch or farm located within the working landscapes of GGNRA and PRNS. PRNS and USPH then provide inspection reports to the ranchers and farmers that provide and maintain the housing. If the agencies find any health or safety non-compliance, they require the rancher or farmer to correct the deficiency. This regulatory oversight seems to be appropriate in assuring health and safety standards are met for worker housing.

PRSRA is concerned that because PRNS listed worker housing health and safety as an “*issue*”, the public perception may be that there is a problem with health and safety of the workers’ housing on the ranches or that the changes contemplated by this EA may result in adverse effects to worker housing health and safety.

PRSRA does not believe a public process is necessary to ensure that the existing health and safety standards be applied to new housing. It seems self-evident that the existing standards and inspection protocols would apply.

## 6) Vegetation

a) Restoration of native prairie. It is widely recognized that most of the native plant species once found in the coastal prairie grasslands within the subject area have been replaced by non-native species, either intentionally or accidentally, over the past 150 years of European-American land use. PRSRA believes that true restoration of native coastal prairie is only possible in rare locations within the ranch lands in the subject area. Generations of livestock grazing, exotic seed planting, tilling, crop production, imported feed with exotic plant seeds have all contributed to this shift. These practices, which have changed the landscape and the plant communities beginning 150 years ago, have continued shaping the landscape through the Shafter era and into the present.

This EA should study negative effects to the ranchers and their livelihoods if restoration of native plant species takes priority over the continuation of the normal ranch practices that have been part of the working landscapes from the Shafter era through the present time. PRSRA is willing to work with rangeland ecologists and certified rangeland managers to locate areas best suited for row crop production, forage crop production, rangeland planting, rangeland mowing to control invasives, waterline placement, water trough placement, fence installations and other BMP implementation. PRSRA recognizes that there are a few rare locations where native vegetation dominates and areas where special status species exist. PRSRA commits to working with NPS, NRCS and others to carefully and appropriately manage these sensitive areas. These rare areas have been identified over the years and ranchers and farmers already cooperate with agencies to help preserve these resources.

PRSRA observes that the most serious threat to the native coastal prairie *grassland* (a system that has been managed by humans for centuries, perhaps millennia) is the NPS' removal of ranches and farms that formerly provided the necessary stewardship. In areas that have been renamed "wilderness," a tragic shift has occurred or is occurring. Instead of the traditional, native grassland, these areas have become a brush covered landscape. A landscape (Limantour wilderness) that has facilitated catastrophic fires resulting in private property devastation at the wildland-urban interface. A landscape that no longer supports the same assemblage of wildlife species that the native coastal prairie grasslands once supported. A landscape that does not resemble what the NPS is asking ranchers to accomplish within the project area. This unmanaged grassland likely contributed to the 24% loss of tule elk in the Limantour elk range during last year's drought. PRSRA suggests that NPS allows the historic ranchers to continue the same rangeland stewardship practices, working with the agencies and experts, as they have for generations. PRSRA also recommends that NPS focus their rangeland restoration efforts on the most critical areas – the Limantour and Tomales Point elk ranges.

This EA should also consider the benefits that could be provided to coastal prairie grassland by properly managed livestock grazing on ranches within the project area where grazing has recently ceased. Returning rancher stewardship to these coastal prairie livestock pastures at no cost to PRNS (actually PRNS would collect SUP fees) are likely to further the NPS goal to preserve the coastal prairie grasslands. PRSRA supports the applications by the historic families in the project area to resume historic grazing operations on these ranch lands in desperate need of rangeland management.

- b) Dunes. The sand dunes located within the pastoral zone have long played a role in the cultural working landscapes of the Shafter era agriculture through to the present. Thankfully, PRNS has included the dune management in this NEPA process. This process may now work to improve the earlier NEPA process undertaken by PRNS. The working landscapes – ranch CMP EA is the proper context to evaluate the effects of the dune management. The sand dunes have always been a threat due to the highly erosive nature of the sand. High winds can easily result in significant sand movement, potentially covering valuable pastureland.

The sand dunes have been managed by European-Americans for a long time. To reduce the shifting sand, people have planted vegetation to hold the sand in place. After establishment of PRNS, NPS also planted beach grasses and ice plant to hold back the blowing sand.

Recently, PRNS, at the objection of PRSRA, has initiated projects to remove the vegetation that was planted to hold the sand in place. Erosion control measures implemented by PRNS have failed. The result was exactly what PRSRA was concerned about. The moving sand covered valuable pasture land, fences and endangered plant species, including the endangered grass species Sonoma Alopecurus as well as the rare habitat for the Myrtle's Silverspot Butterfly. PRSRA asks that this EA properly consider the dunes as part of the cultural working landscape with non-native plant species. This

EA should consider the adverse effects of removing the non-native vegetation from the dunes.

- c) Non-native species management. PRSRA members are committed to work with rangeland managers, NPS, NRCS, UCCE, Marin County Ag Commissioner and others to employ best management practices to help manage non-native plant species. PRSRA requests that this EA study the well-established benefits of using livestock grazing, multi-species grazing, MIG grazing, tilling, mowing, mechanical harvesting, fencing and other agricultural practices on control and management of non-native invasive plants.

PRNS currently uses herbicides for the control of non-native invasive plants within the project area. PRSRA request that the EA study the benefits of allowing ranchers, in certain circumstances, to use herbicides to control invasive weeds. On occasion, invasive weeds may begin to invade areas inaccessible to mechanical control. Sometimes the invasive is not palatable to cattle. In these circumstances, PRSRA members believe that the use of an herbicide may have less adverse environmental impact than the rampant proliferation a non-native invasive weed may have. Although it may be only on rare occasions, PRSRA asks that PRNS authorize the use of herbicides when necessary.

- d) Brush management. Both native and non-native brush species require management in coastal prairie grasslands. Without brush control, the grasslands will likely become lost to brush invasion. This loss of native habitat due to brush invasion has already been demonstrated at PRNS in areas where NPS has removed ranching. Coastal prairie grasslands require management. For hundreds of years, or perhaps millennia, humans have facilitated the persistence of this important ecosystem, through fire, grazing and mowing. PRSRA requests that this EA fully evaluate the fact that brush management has occurred on coastal prairies for all recorded history, a fact that has also been identified through anthropological review. This EA should also consider the ecosystem benefit of preserving the grassland habitat by allowing ranchers to control invasive brush from their pasture lands. PRSRA is committed to work with the agencies to identify the best timing for brush removal to reduce adverse effects to other species.

Rangeland ecologists and watershed managers understand that nutrients and sediments are better controlled and better treated by grass covered soil than brush covered soil. The bare soils often found in the shade of the invasive brush allow water to travel more quickly and with less absorption and less plant nutrient uptake. PRSRA requests that the EA study the water quality benefits of allowing ranchers to continue the tradition of brush control as well as the degraded water quality that would result in any prohibition of brush control.

- e) Fire regime. Coastal prairie grasslands require disturbance and invasive species control. Native Americans used fire as a tool to manage the project area before European-Americans arrived. The record tells us that the Point Reyes peninsula and surrounding rangelands were covered with lush grasses and full of wildlife – largely due to the regular burning. European-Americans continued to employ fire as a rangeland tool.

Most current PRSRA members used fire extensively for brush control on these ranches until the NPS stopped the use of fire. PRSRA believes that fire is an appropriate tool to control brush in certain circumstances and, because of the risk of wildfires, not in others.

The cessation of use of fire and grazing has led to an increase in fire fuel loads, especially in the Olema Valley. Grazing can reduce fire fuel loads in these areas. PRSRA requests that the EA study the benefits of re-introducing grazing to these areas and how this could reduce the risk of catastrophic fires causing harm to the resource, personal property and the potential personal injury or death resulting from avoidable wildfires.

PRSRA suggests that in wilderness areas, where almost all native grassland and the species assemblages it supports have been largely lost (especially due to unmanaged brush invasion), fire be considered as a restoration tool. PRSRA asks that this EA also consider the benefits to the human environment resulting from fire fuel reduction and minimizing the risk of more PRNS catastrophic wildfires that prescribed burning could provide. This EA should also analyze the increased wildlife carrying capacity, including that of the tule elk, that would result if PRNS began to manage the now threatened coastal prairie grasslands in the wilderness areas.

## **7) Visitor Use / Recreation**

- a) Interpretive / educational programs regarding historic and contemporary ranching operations. Historically and currently, interpretive and visitor serving programs within the project area are provided by Drakes Bay Oyster Farm. Approximately 50,000 visitors per year are invited to farm tours as well as other interpretive and educational services at the oyster farm. The oyster farm educational services are part of the curriculum of many elementary schools, high schools and colleges. At the oyster farm, the visiting public is able to learn about the history of the working landscapes and the responsibility NPS and the ranchers have to preserve and protect the working landscapes as an important part of our cultural heritage. PRSRA recognizes that a NEPA process previously began to evaluate the interpretive services at the oyster farm. One of the provisions of NEPA is that this EA can re-evaluate what was done in a previous document (just as with the previous elk EA). The interpretive services currently provided by the oyster farm on a daily basis are most certainly an important part of the current ranch CMP EA baseline.

Public education has always been a central interest to PRSRA and is prominently featured in PRSRA's mission statement. PRSRA believes that PRNS does not currently provide any meaningful interpretation of the ranching and farming within PRNS or GGNRA. PRSRA worked for years to arrive at one temporary poster that would be periodically displayed at the PRNS headquarters visitor center. PRSRA believes that the visiting public deserves the interpretation and educational programs now provided by the historic oyster farm and that those programs should be allowed to continue. Because the oyster farm buildings, where the visitor serving activities are provided, are located within the pastoral zone fully surrounded by the other farm and ranch land project area

and is easily accessible to the public, this EA must include this vital public education resource. PRSRA not only supports the continuation of the oyster farm interpretation within the working landscapes, it believes that ranch land interpretive and educational programs should be expanded.

PRSRA requests that this EA fully evaluate the benefits of the existing interpretive and educational services provided by a PRSRA member at no cost to the visiting public or the taxpayer. This EA should fully consider what it would cost the taxpayer if NPS were to replicate the oyster farm interpretive center to celebrate the working landscapes of the project area. The costs include rent, electricity, a public water system, a waste water treatment system, building maintenance, restroom maintenance, staff time and materials to host over 50,000 visitors per year, 7 days a week. The EA should evaluate the benefit of having the public interpretive center in the middle of the working landscapes. It should consider the educational value of having the center on a working farm where children can see and learn about where their food comes from. It should also evaluate the benefits of having a traditional multi-generational ranching family leading the educational programs.

The EA should also consider the fact that people passionate about agriculture may not choose NPS for their career. This EA should evaluate the adverse effects of NPS employees, generally more interested in natural resources, providing agricultural interpretive services.

- b) Access. PRSRA members are always willing to cooperate with preserving existing public access through the ranch and farm lands in the subject area. Any contemplated changes to the current access baseline should be evaluated in this EA. New public access through ranch land usually results in more work for the rancher. These challenges could include new gates, gates being left open, prohibition on new important fencing or other BMP, parking challenges, disturbance to livestock, wildlife disturbance, and loss of privacy.

This EA should also analyze the fact that new access could also lead to potential risk to the visiting public. New public access through historic livestock pastures could disrupt normal animal behavior. Changes in stimuli and disturbance can lead to increased anxiety and, in some instances, aggression in domestic livestock.

This EA should also evaluate the benefits of NPS providing indemnification to the ranchers in case of injury to members of the public caused by livestock. PRSRA believes that this would be fair because it is NPS that is encouraging public access through ranchers' livestock, not the ranchers.

- c) Recreational opportunities. PRSRA is fully aware of the public's support of continued agriculture in the subject area and public's desire to know more, and to experience more about the historic working landscapes. The following are two examples of recreational opportunities already allowed in the seashore within the project area. An EA was not initiated to allow these activities to be conducted in the past, therefore it should not be

required now. PRSRA believes that simple fairness would suggest that if others are interested in similar activities, PRNS should permit those as well.

Today, the oyster farm is the only member of PRSRA organized and permitted to offer regular farm tours. The oyster farm does not currently charge any fee for the tours. This EA should consider the effects on the human environment of allowing other ranches and farms to provide farm tours if requested. If NPS would allow other ranchers and farmers to offer tours at a fee, the public would benefit from the recreational value and the rancher would benefit from the income generated.

Today, the Mendoza family (B Ranch) is the only member of PRSRA allowed to have farmstays. Overnight stays on other working ranches within the project area would offer more recreational opportunities for visiting families interested in experiencing the working landscape culture with the families that have been a part of the landscape and history for generations. This EA should evaluate the public benefit of the ranchers offering daytime farm work experiences and overnight on-farm accommodations as well as the benefit to the ranching family by allowing additional farm income.

Today, the oyster farm is the only PRSRA member permitted to sell its products to the visiting public in its on-farm store. This is a valuable recreational opportunity for the visiting public. It is truly exciting for families and children to experience a visit to the working landscape, see the farm and have the opportunity to purchase the farm product at its source. This EA should evaluate the benefits of on-farm product purchasing opportunities for the visiting public. These opportunities provide the following to the visiting public: education, recreation and a connection to a historic, yet fully active food producing region. All the while, these opportunities also help the ranchers and farmers connect with the public that appreciates their work and provides additional farm income.

## **8) Planning & Protection of Ranch Complexes**

- a) Define areas for ranch infrastructure improvements. PRNS has recently allowed large expansions of ranch infrastructure well outside of the general cluster of buildings or previously improved area. On one ranch in the pastoral zone, PRNS facilitated the permitting and authorization, including permit from the California Coastal Commission, for the construction of two large barns for animal housing and a new manure pit for additional waste storage. This new development outside of the building complex was necessary to improve water quality and to allow the dairy to increase herd size and increase profitability of the dairy. Even though this project expanded the previous boundaries of the ranch complex, the expansion area represents only a small fraction of the ranch area. This EA should recognize the dynamic nature of agriculture within the project area and recognize the benefit of remaining flexible to add ranch infrastructure outside of an existing building complex or an imaginary future complex limit. This EA should consider the adverse effects that could result if new ranch complex limits are established without the full understanding of what the future may bring. PRSRA supports the notion that new building and development be situated within the existing ranch complex as possible. As in the above example, it is unlikely that any ranch or

farm within the subject area could fit this extensive development within its current building complex. Therefore, the same flexibility that was offered to that rancher should be offered to other ranches and farms as necessary.

- b) Define roles and responsibilities for maintenance of existing infrastructure. The roles and responsibilities for maintenance and repairs of existing infrastructure are clearly defined in the SUPs issued to ranchers and farmers within the subject area. PRNS applies the rules unequally between the permit holders. Over the years, PRSRA members have asked PRNS to adhere to the conditions in the permit for each and every permit holder. PRSRA does not believe that a NEPA process is necessary to compel PRNS to uphold the agreements in the SUPs equally among all permit holders. Similar to other “issues”, PRSRA is unaware of any changes in roles or responsibilities regarding infrastructure maintenance or repairs contemplated by this ranch CMP EA. If NPS is proposing changes to the roles and responsibilities, it should identify those proposed changes in the purpose and need or in the plan objectives. Once the NPS has established a defined project that can be evaluated, PRSRA and the commenting public can provide meaningful comments.

Generally, PRSRA accepts the roles and responsibilities for maintenance and repair of existing infrastructure as agreed upon in the current SUPs and opposes the unequal performance of PRNS responsibilities under those permits. The permits require the ranchers and farmers to be fully responsible for cyclic maintenance including fencing, painting, water system maintenance, road maintenance and other items. The permits also state that the NPS is responsible for capital improvements. PRNS should be paying for major, long term infrastructure repairs. The common practice is that PRNS refuses to pay for capital improvements as set forth in the permits. Occasionally, however, PRNS has agreed to pay for capital improvements. One example is that requests for roof replacements with 30-year life expectancies are regularly denied, yet PRNS has recently paid for new roofs for one rancher. There are other examples of such unequal performance of PRNS responsibilities.

PRSRA is concerned that when rural land appraisals are completed by PRNS contractors, the appraisers are unaware that it is the rancher or farmer that has usually paid for capital improvements, not the NPS as the permits suggest. The resulting appraisal may be higher than if the appraiser knew the rancher actually has to pay for capital improvements.

If this EA actually does contemplate a change to the roles and responsibilities for maintenance and repairs of existing infrastructure, PRSRA asks that it be informed of the desired changes. PRSRA commits to working collaboratively with PRNS on any appropriate changes to the current agreements. With or without changes that may or may not trigger NEPA, PRSRA expects that full, fair and even implementation will be established throughout the project area.

## **9) Floodplains, Wetlands, Riparian Areas**

- a) Buffers for water quality protection. PRSRA members have been working and will continue to work with NRCS, RCD and NPS to establish appropriate buffers for sensitive riparian areas. PRSRA is not aware of any PRNS plan to change the existing protections. If NPS has a proposal to change the existing baseline with new restrictions it should make that proposal available to the public so that meaningful comments can be given. If NPS does not have a proposal to change the status quo, PRSRA will continue to collaborate with the agencies to protect sensitive habitats and no evaluation is necessary in this EA.
- b) Habitat enhancement. PRSRA members have been working and will continue to work with NRCS, RCD and NPS to enhance habitat in sensitive riparian and wetland areas. PRSRA is not aware of any PRNS plan to change the existing PRNS/PRSRA collaborations. If NPS has a proposal to change the existing baseline with new requirements or restrictions it should make that proposal available to the public so that meaningful comments can be given. If NPS does not have a proposal to change the status quo, PRSRA will continue to collaborate with the agencies to enhance sensitive habitats and no evaluation is necessary in this EA.

## V. CONCLUSION

Attached to this scoping letter is a PRSRA letter identifying the process anomalies of this current ranch CMP EA. Although PRSRA has pledged to cooperate in an honest process that can result in positive change, PRSRA is still unclear about what triggered this current NEPA process and why it has been initiated by NPS.

Many serious social, cultural, economic and environmental issues have been identified to be reviewed in this process. Some of these issues have already been analyzed by previous NEPA processes. From these processes, management plans have been approved. PRSRA recognizes that PRNS chooses to follow a plan in some cases, and chooses not to follow a plan in other cases. These PRNS decisions can be catastrophic to the ranchers and/or the ranch lands that NPS is entrusted to protect. One example is the PRNS decision to ignore the established purpose of the pastoral zone, a zone set aside by Congress to continue commercial agriculture due to its local importance and cultural value. PRNS, without a public process, removed the Horick family from the pastoral zone and changed the use and the intensity of use of the historic D Ranch from the authorized agricultural use to an unauthorized elk range in the middle of the pastoral zone. Another example is the PRNS decision to follow the 1998 elk management plan that was approved through a NEPA process for several years, only to stop following the plan without another NEPA process.

PRSRA requests that this EA analyze how the agency, NPS and PRNS, will inform PRSRA and the public about any changes to the ranch management plan that results from this process. It should detail a roll-out process with target dates to accomplish any changes. Furthermore, this EA should analyze and share with the public a process for PRSRA and/or the public to initiate if they have reason to believe that the plan that comes out of this process is not being followed by PRNS. A commitment to delegate day-to-day oversight

and management decisions to a nonprofit partner with a board of local farm advisors and ranchers would reassure PRSRA that the park service will follow through on the plan approved as a result of this process, a necessity if agriculture in the Historic Ranch Districts is to survive and thrive into the future.

PRNS staff has repeatedly reassured PRSRA that ranchers and farmers will have a meaningful seat at the “NEPA table.” We have been told that our voices are important, that we will be invited to special meetings to discuss plan alternatives and to have an active role in the process. PRSRA will participate in an honest and open process in good faith.

Sincerely Yours,

Point Reyes Seashore Ranchers Association

cc: US Senator, Dianne Feinstein  
US Senator, Barbara Boxer  
US Congressman, Jared Huffman  
State Assembly Member, Marc Levine  
Marin County Supervisor, Steve Kinsey

## Signature Page



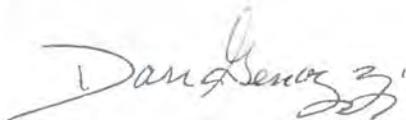
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David Evans  
Rogers Ranch



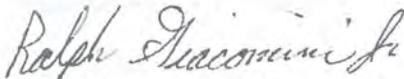
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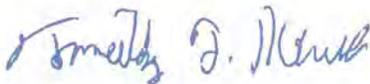
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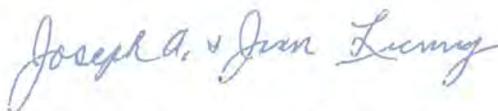
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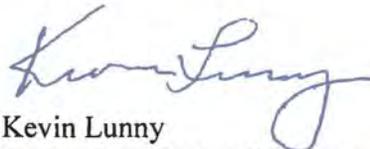
Rich Grossi  
M Ranch



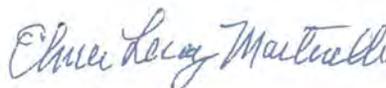
Timothy J. Kehoe  
J Ranch



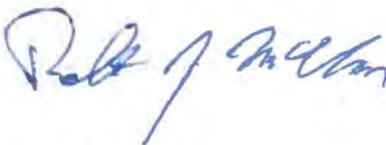
Joseph A. & Joan Lunny and family  
G Ranch



Kevin Lunny  
Drakes Bay Oyster Company



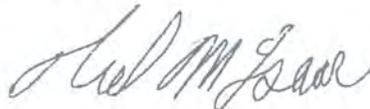
Leroy Martinelli  
Martinelli Ranch



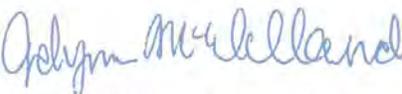
Robert J. McClure  
I Ranch, Inverness



James McFadden  
McFadden Ranch



Ted McIsaac  
Bert Ranch GGNRA



Jolynn & Robert McClelland  
L Ranch

Jarod Mendoza

Jarod Mendoza  
B Ranch

Joey Mendoza

Joey Mendoza  
B & L Ranches

Anne G. Murphy

Anne G. Murphy  
Home Ranch

Nicolette Hahn Niman

Nicolette Hahn Niman

William Niman

William Niman

Betty Nunes

Betty Nunes  
A, E & D Ranches

Fred Rogers

Fred Rogers  
Rogers Ranch, Olema

Nichola Spaletta Family

Nichola Spaletta & Family  
C & D Ranches



Attachment A

Point Reyes Seashore Ranchers Association  
15020 Sir Francis Drake Blvd.  
Inverness, CA 94937

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

The Point Reyes Seashore Ranchers Association appreciates this opportunity to provide the following comments on the initial public scoping process for the Ranch Comprehensive Management Plan.

*Please Identify The Proposal*

A scoping process is normally undertaken only after an agency publishes a notice of intent to prepare an EIS. Where, as here, a scoping process is begun earlier, before the environmental assessment, the agency should provide enough information “on the *proposal* so that the public and relevant agencies can participate effectively”. (Council on Environmental Quality, *Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations*, Question no. 13, 46 Fed. Reg. 18026 (23 March 1981) (emphasis added).) The Park Service’s 21 April 2014 “letter to interested parties” identified a broad project purpose, but did not identify the proposal. Please identify the proposal.

The Ranchers Association believes that the proposal should be to extend long-term permits to the ranchers to allow them to continue ranching, and to remove the tule elk from the pastoral zone. If that is the Park Service’s proposal, then, as the following sections explain, no new NEPA process should be undertaken. If the Park Service’s

proposal is something else, then that should be disclosed and the scoping process should be reinitiated so that the Ranchers Association and the public can participate most effectively.

*A New NEPA Process Should Not Be Undertaken To Renew Ranching Permits*

A new NEPA process should not be undertaken to renew permits to continue existing ranching operations in Point Reyes. If the Park Service wants to issue the ranchers long-term permits to continue existing ranching operations, it could do so now, without the time and expense of further NEPA review, for three reasons.

First, issuing new permits to continue existing ranching operations would be categorically excluded from NEPA. "Issuances, extensions, [or] renewals ... [of] permits that do not entail new construction or any potential for new environmental impact" are categorically excluded from NEPA. (NPS Director's Order 12, Section 3.4(A)(5).) Issuing permits to continue existing ranching operations is not authorization for new construction. Nor would issuing those permits result in any environmental impacts that are "new" in the sense intended by this categorical exclusion, i.e., impacts that are different in degree or kind from any "impacts" ranching has had over its 150-year history in Point Reyes. Because this categorical exclusion applies, no new NEPA process is required.

Second, the courts have recognized that NEPA does not apply to "action that does not alter the status quo". (*National Wildlife Fed'n v. Espy*, 45 F.3d 1337, 1344 (9th Cir. 1995).) The *Espy* case is directly on point. In *Espy*, the agency had acquired land that had historically been grazed by cattle. (*Id.* at 1340.) The agency then transferred the property into private ownership where it continued to be grazed by cattle. (*Id.*) An organization brought suit under NEPA alleging that continued grazing would harm "fragile riparian wetlands" and that an environmental review should have been undertaken before the transfer. (*Id.* at 1341.) The Ninth Circuit held that NEPA did not apply to the agency's decision to allow "continued" grazing:

[The agency] alleges that because the wetlands were used for grazing before it acquired the ranch and are now used for that purpose by the [private party], [the agency's] transfer of the title

did not alter the status quo and therefore was not subject to requirements on NEPA. We agree.

[...]

Discretionary agency action that does not alter the status quo does not require an EIS. [Citation.] The complaint alleges [the agency's] disposal of the Ranch will result in but one injury – continued degradation of the wetlands from grazing. It is not alleged that the disposal will add to that harm.

(*Id.* at 1343-1344.)

So it would be here. Because issuing permits to continue existing ranching operations will simply preserve the status quo, and not add any new harms, NEPA would not apply.

Third, the Park Service has long understood that no NEPA review was necessary to issue permits to continue ranching in the Seashore, because it has not conducted NEPA review of those permits in the past. If the Park Service's policy that NEPA does not apply to ranching permit renewals in the Seashore has recently changed, the Ranchers Association would appreciate an explanation why. (*See FCC v. Fox TV Stations, Inc.* (2009) 556 U.S. 502, 515 (“[a]n agency may not ... depart from a prior policy sub silentio ... [a]nd of course the agency must show that there are good reasons for the new policy”).)

*A New NEPA Process Should Not Be Undertaken To Remove Tule Elk From The Pastoral Zone*

A new NEPA process should not be undertaken to move tule elk from the Point Reyes pastoral zone back to the wilderness areas because the Park Service has already conducted a NEPA process sufficient for that action. The 1998 Tule Elk Management Plan authorized the relocation of elk to a “proposed” elk range in Limantour and rejected an alternative that would have allowed elk in the pastoral zone. In finding that the management plan would cause no significant impact to the environment, the Park Service approved mitigating the “[p]otential for harm to park resources by elk” by “[m]aintain[ing] capability to take corrective actions as necessary including ... capture ... of elk”. The Park Service has recognized, in the 1980 General Management Plan and

elsewhere, that ranching provides cultural and natural resources to the Seashore. The continued presence of the elk in the pastoral zone poses an urgent threat to those resources.

By rejecting a proposal that would have allowed elk to range into the pastoral zone, and approving mitigation measures that contemplate the capture of elk that cause damage to Park resources (which includes the ranches), the 1998 Tule Elk Management Plan gives the Park Service all the authority it needs to move the elk from the pastoral zone now – without further NEPA review.

*Any Doubt About The Park's Authority To Move The Elk Can Easily Be Addressed*

The Ranchers Association understands that the Park Service may have received a legal opinion that the 1998 Tule Elk Management Plan does not authorize moving the elk out of the pastoral zone. Please make that opinion publicly available.

Even if that legal opinion is correct, any gaps in the 1998 Tule Elk Management Plan could easily be fixed by a short addendum to that plan that makes clear that it authorizes the removal of elk from the pastoral zone. A proposed addendum is attached to this letter. Signing that addendum would remove all doubt that the Park has the authority it needs to begin moving the elk off the pastoral zone immediately.

*The Park Should Make Issuing New Permits And Moving The Elk Its Priority*

Ranching and protection of the environment are complementary, not conflicting. The ranchers' exemplary stewardship of the lands and waters of Point Reyes is what has allowed these families to successfully ranch this area for the past 150 years.

In the years since Congress authorized the Seashore, these ranching families have worked in partnership with the Park Service to prove that sustainable agriculture can co-exist in harmony with the environment. Congress endorsed the continuation of this partnership when it passed legislation (Pub. L. 95-625, § 318) allowing Point Reyes to be leased for ranching in perpetuity, encouraging "to the fullest extent" that the Park Service "maintain this compatible activity" (H.R. Rep. No. 95-1165, at 71 (1978)). And in his 29 November 2012 memorandum, Secretary Salazar directed you "to pursue

extending permits to 20-year terms for the dairy and cattle ranches within [the] pastoral zone”.

Please help fulfill Congress’s vision, and Secretary Salazar’s direction, that ranching be allowed to continue by promptly issuing the ranchers new long-term permits, and ensuring that the elk are removed from the pastoral zone.

With your help, the Ranchers Association looks forward to the next 150 years of ranching in Point Reyes.

Sincerely yours,

POINT REYES SEASHORE RANCHERS ASSOCIATION

Attachment

cc: US Senator, Dianne Feinstein  
US Senator, Barbara Boxer  
US Congressman, Jared Huffman  
State Assembly Member, Marc Levine  
Marin County Supervisor, Steve Kinsey

Attachment B

**Addendum to  
Point Reyes National Seashore  
Tule Elk Management Plan and Environmental Assessment (1998)**

**Purpose and Effect of Addendum**

The 1998 Tule Elk Management Plan authorizes the relocation of elk to a “proposed” elk range in Limantour. (Page 48, Figure 7.) The authorized range is outside the pastoral zone. The management plan does not authorize the relocation of elk within the pastoral zone.

The management plan specifies that the Park Service will be a good neighbor:

The Park Service has a responsibility to be a good neighbor to adjacent and nearby landowners. Anticipating the effects of tule elk management strategies on the property or perceptions of neighbors is an important consideration. Any depredations by elk on fences, crops, or other property would require mitigation actions to correct or avoid problems. [Page 13.]

To ensure that the Park Service remains a good neighbor, the management plan requires the capture or destruction of elk that stray onto private lands:

Damage to property could occur if elk move outside the Seashore onto private lands and consume crops or damage fences or other property. The Seashore will be ready to recapture or destroy problem animals should these situations arise, or establish partnerships with state and county agencies with the necessary skills and personnel to assist with the capture. The Seashore should be prepared to provide funding for compensating property damage if necessary. [Page 49.]

The management plan does not clearly specify that these good neighbor policies also apply to the pastoral zone. This addendum is being issued to make clear that these good neighbor policies apply to the pastoral zone and to the ranchers within the pastoral zone.

**NEPA Analysis**

The National Environmental Policy Act (NEPA) does not require the preparation of an Environmental Impact Statement (EIS) when an agency makes a finding of no significant impact. In 1998, the Park Service made a finding of no significant impact for the entire management plan. Based on this finding, no EIS is needed for the capture and removal of elk on pastoral lands, whose impacts are no greater than those related to the capture and removal of elk on private lands.

Approved By: \_\_\_\_\_ Date \_\_\_\_\_  
Superintendent, Point Reyes NS

Attachment C



October 28, 2013

Margo Parks  
 California Cattlemen's Association  
 1221 H. Street  
 Sacramento, CA 95814

Dear Ms. Parks:

I read with interest the recent article (probably from the Point Reyes Light) regarding the conflict between Pt. Reyes ranchers and the tule elk. I have a long history with the issue of the elk.

In the mid-1990s I sat on an advisory committee for the NPS, to study the tule elk situation and recommend a management approach. The outcome of that advisory group was recommendation to test the idea of fertility control, and approach that was already showing promise with other species. That in turn, led to a trial of fertility control, headed up by the late Susan Shideler, of UC-Davis. A three year study showed significant reduction in elk calves as a result of treatment with an *non-hormonal contraceptive vaccine* Known as PZP). The vaccine was delivered remotely, by dart gun.

The results are shown below:

Year	Pregnancy Rates	
	PZP Treated	Control
1 (1997-1998)	1/27 (4%)	24/31 (77%)
2 (1998-1999)	2/42 (5%)	10/31 (32%)
3 (1999-2000)	2/35 (6%)	19/29 (66%)

While the number of elk treated (cows only) was below that to achieve zero population growth, it had a stabilizing effect on the entire herd and actually slowed growth to historic lows. The results of this trial were published in a highly respectable scientific journal (Shideler wet al. 2002. Use of porcine zona pellucida (PZP) vaccine as a contraceptive



agent in free-ranging tule elk (*Cervus elaphus nannodes*). *Reproduction* (Suppl. 60): 169-176.

After the completion of the project, PORE reluctantly continued using the approach for about two more years but there were political reasons why PORE finally chose to retreat from this approach. The real tragedy was that they had everything in place to continue on, increase application and make a significant change in the elk population. One common reason why PORE retreated was that they claimed it was too expensive, but used research costs instead of simple management costs; there is a big difference between running a research program and a management program. That, however, was merely an excuse and some rather arcane politics stood at the center of the decision.

Application of fertility control, using this same vaccine has gone worldwide. Wild horses are being successfully managed in this manner on many ranges, where BLM bureaucracy has not prevented it; urban white-tailed deer are being successfully managed in this manner; the entire Catalina Island bison herd is being managed in this manner and has achieved zero population growth in a single year; even African elephants, in 15 different game parks in South Africa are being managed in this manner.

Now, application of PZP to PORE elk would not immediately stop the intrusion onto agricultural lands. However, every new calf born to one of those cows will learn the luxury of grazing on agricultural lands and the problem will grow. Fertility control can help and depending on the effort, it can make a difference.

I have over the years, watched the issue carefully, largely through the articles in the Pt. Reyes Light, and I am dismayed that such a scientifically valid approach was jettisoned by the park and everyone sat around for over 15 years watching the problem get larger and larger with little more than hand-wringing. If they had employed this approach 15 years ago, the herd size would be a fraction of what it is today. While I realize that your organization is seeking immediate relief, I cannot help but wonder what the situation will look like 15 years from now.

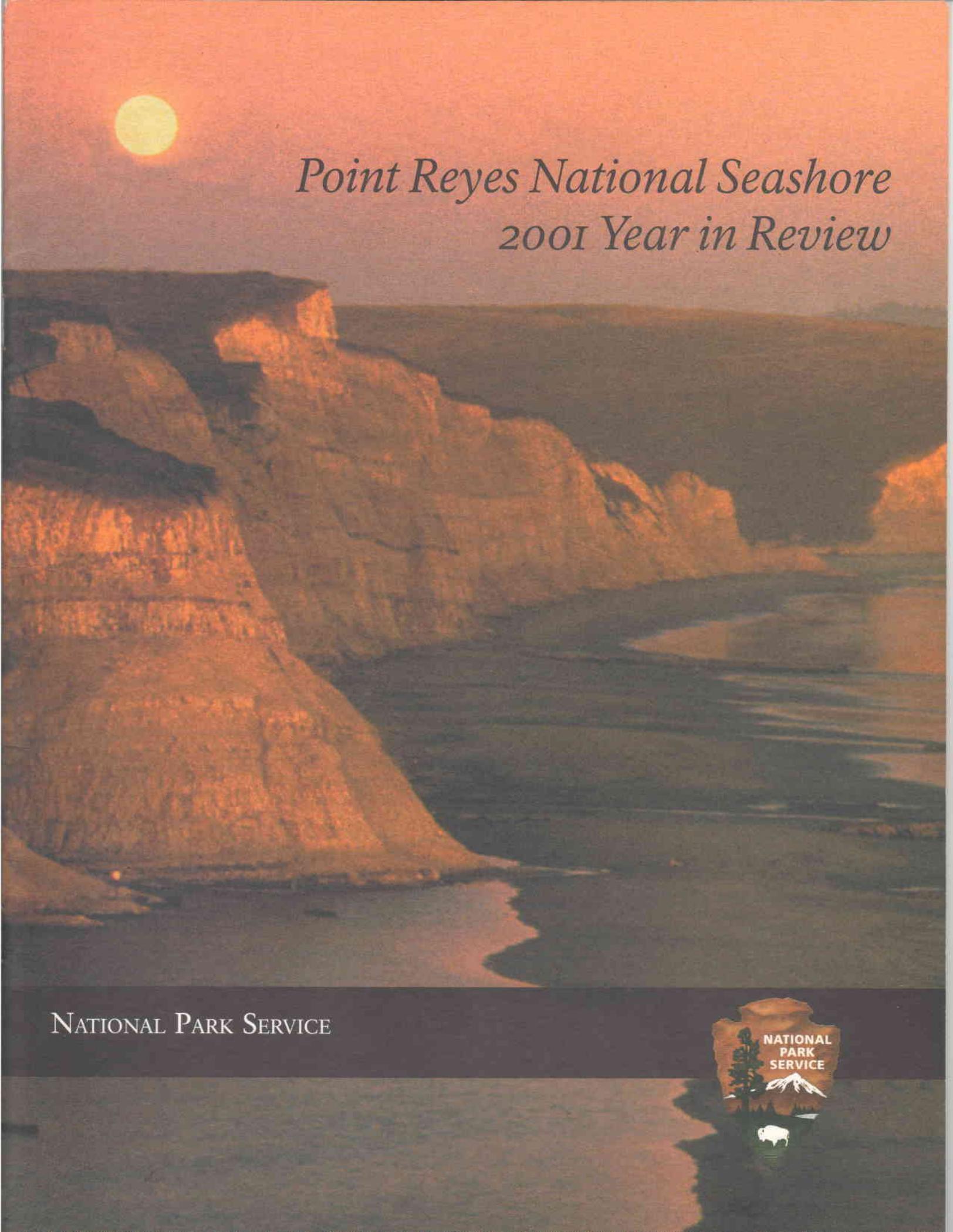
You remarked that because those elk are a public resource, the nation has a stake in the outcomes. Well, I'm from Montana, and I have spoken and I know what of I speak. If you want to know more about this, feel free to contact me.

Cordially,

A handwritten signature in black ink that reads "Jay F. Kirkpatrick". The signature is written in a cursive, flowing style.

Jay F. Kirkpatrick, Ph.D.  
Director

Attachment D



*Point Reyes National Seashore  
2001 Year in Review*

NATIONAL PARK SERVICE



## Native Tule Elk Range Freely at Point Reyes – An Update

The 1998 issue of *Natural Resource Year in Review* featured an article on the anticipated of the first free-ranging tule elk herd in 130 years. The release of 28 elk on June 1, 1999 marked the foundation of a restoration of the dominant herbivore to the coastal Seashore ecosystem. The released animals were captured in December, 1998 at Tomales Point, a fenced, 2,600-acre reserve at the northern extent of the Seashore, and relocated to the Limantour area of the Philip Burton Wilderness, 20 kilometers away. Before their release, the elk were quarantined for 6 months in a 21-acre enclosure and repeatedly tested for Johne's disease, or paratuberculosis, a chronic and fatal disease of livestock endemic in the Tomales Point elk herd. A stringent Johne's disease testing protocol, unprecedented in any livestock herd in the U.S., mandated release of only test negative animals:



NPS

Since their release, the new herd has been carefully monitored to ensure animals remain within Seashore boundaries, do not interfere with cattle ranches within the park and are not shedding the organism that causes Johne's disease.

Each released adult animal wears a uniquely identifiable radio transmitter collar designed to allow tracking

of locations and early detection of mortality. The majority of the animals in the relocated herd have remained within three miles of the release site. Collected data will be used to analyze habitat use, movements, and health status of the relocated elk. The current herd consists of 30 animals with 6 calves born in spring 2001. The release has enjoyed widespread support from the visiting public and local community alike. Finally, after more than a century, visitors can observe these impressive native ungulates, roaming free in their historic range.



USGS/Judd R. Howell

*Newly born tule elk calf and radio-collared cow in the Limantour wilderness area*



Attachment E

# Ranching at Point Reyes: Two Centuries of History and Challenges



Prepared by: Ethan L. Lane  
 Prepared for: Point Reyes Seashore Ranchers Association  
 May 2014

## **Ranching at Point Reyes: Two Centuries of History and Challenges**

### **INTRODUCTION**

In May 2014, the National Park Service initiated a “Ranch Comprehensive Management Plan/Environmental Assessment” (Ranch CMP) to address a variety of issues impacting the future of historic grazing and dairy operations inside Point Reyes National Seashore. Citing in part Secretary of Interior Ken Salazar’s 2012 memorandum directing the Park Service “to pursue extending permits to the ranchers within those pastoral lands up to 20-year terms,” the scoping document for the EA purports to seek management guidance on a variety of issues including articulation of a “clear vision for ranching” at PRNS, streamlining regulatory review processes, and finally, addressing tule elk impacts on existing ranching operations.

It is this last item, the rather clear-cut goal of addressing tule elk impacts, that belies the true gravity of a rapidly deteriorating situation that threatens not just two centuries of historic cattle and dairy operations at Point Reyes, but with it the larger agricultural fiber of Marin County.

The presence of tule elk at Point Reyes is the result of a series of impulsive and politically motivated management decisions beginning in the 1960s and carrying through to today. Time and again best management practices, existing leases and assurances to seashore ranchers, and even the original intent of Congress, have been ignored in the face of outside political pressure and a desire to create what can only be described as a “Disneyland” version of Point Reyes.

The pastoral landscape on display at Point Reyes National Seashore isn’t simply an anomaly on the heavily developed California coastline. It is the physical embodiment of centuries of agricultural history and culture dating all the way back to the earliest native inhabitants, who utilized controlled burns to improve grazing conditions - thus starting a tradition of responsible range management carried on to this day by the seashore ranchers at PRNS. It represents the hard work of generations of cattlemen and women to cultivate and maintain one of the most unique and productive grazing environments in the country. It is with this history of hard work in mind that one must examine the current agricultural and management conditions at Point Reyes National Seashore.

Inevitably, the result is a series of questions:

- What has been successful over the past two centuries?
- Perhaps more importantly, what hasn’t been successful? (Overgrazing, poor management of “native” plants and animals, introduction of new plants and animals without proper study)
- What was the original intent of elk introduction?
- How closely do today’s conditions mirror that intent?
- What can the range conditions at the Pierce Point Ranch and Limantour tell us about additional incursions of elk into the Pastoral Zone?
- Where have previous elk management attempts failed and who is responsible?
- Given the events to date, is the Park Service equipped to manage agricultural landscapes like Point Reyes?

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## EARLY HISTORY OF POINT REYES

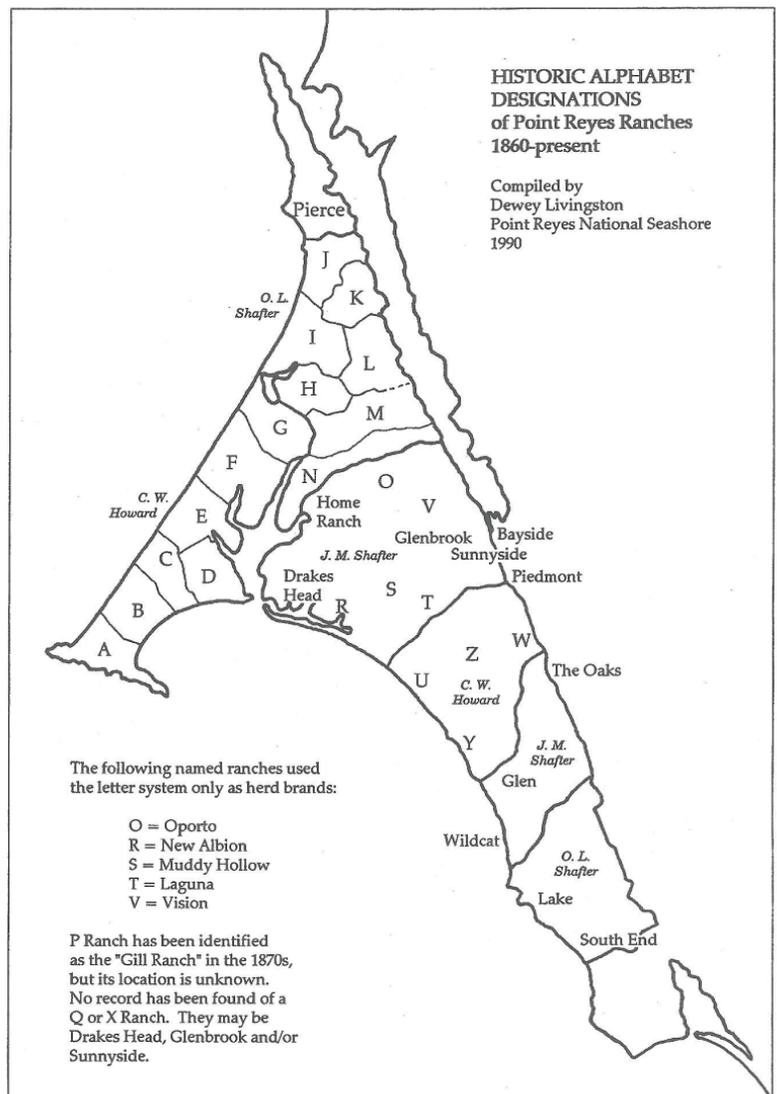
The first agricultural activity at Point Reyes came by way of the Coast Miwok Indians, who inhabited the area as early as 5000 years ago. They existed for millennia on the bountiful harvest afforded them at Point Reyes. Fish, shellfish, deer and elk, and wild growing vegetation like roots, berries, and acorns all contributed to the Miwok diet. Over the centuries, the Miwoks learned to enhance this harvest through brush control and what historians believe to have been a sort of rudimentary form of range management.

The Miwoks first contact with Europeans most likely came with Sir Francis Drake's exploration of the area in 1579. He is believed to have made landfall at modern day Drakes Estero and, according to John Hart's recent book *An Island In Time*, promptly interrupted a rite honoring the dead. By all accounts, these early interactions were peaceful, with the Miwoks existing as they had for two more centuries before all but disappearing with the founding of Spanish missions in the area around 1776 and the Miwoks' subsequent integration into mission, and later ranch life.

### Early Owners, Evolution of the Alphabet Ranches, and the Beginning of Ranching at Point Reyes

The first American settlers arrived with US annexation of California via the Mexican Cession in 1848 and the Gold Rush that immediately followed. In order to keep up with demand for dairy in booming San Francisco, a prominent San Franciscan named Randall set about consolidating land on the Point Reyes Peninsula in 1852, quickly introducing hundreds of head of cattle, sheep, and goats, as well as managing thousands of feral cattle left over from the Spanish missionaries of the preceding decades. This rapid expansion proved to be Randall's undoing, as he lost the ranch to foreclosure and was shot by one of his creditors in 1856.

Curiously, the ensuing legal wrangling over the Peninsula resulted not with ownership by Randall's creditors, but rather the partners in one of their law firms - Shafter, Shafter, Park & Heydenfeldt. Over several years, the firm assembled more than 50,000 acres, including most of the Inverness Ridge, Coastal Plain, and the area known



today as the Pastoral Zone. By the late 1850s, Oscar and James Shafter, joined by son-in-law Charles Howard, began organizing the ongoing ranching and dairy operations at Point Reyes into 30 ranches that could be leased to individual operators.

Many of the existing dairy ranches signed leases with the new owners to continue operations on the Peninsula. Beyond these leases, the Shafter's also sold a large parcel at Tomales Point to Solomon Pierce, who proceeded to build a dairy operation that reportedly rivaled the Shafter's own in terms of both quality and output.

Over the next decade the new owners subdivided their holdings several times, eventually settling on 33 individual ranches divided amongst 6 larger tracts, each owned by one of the partners. Twenty-six of these individual ranches were named for letters of the alphabet, starting with "A" closest to the Point and working down the alphabet to "Z".

The ranches flourished in this configuration through the rest of the 19th Century. The advent of refrigeration, new dairy operations with better road access in other parts of the region, damage from the 1906 earthquake, overgrazing, and the spread of several non-native plant species across working grassland all contributed to a precipitous drop in profitability by the onset of the Great Depression in the late 1920s.

Following a period of turnover fueled by real estate investors and speculators beginning in 1919, ownership of the individual ranches eventually landed with the contemporary tenants-turned owners-turned tenants again by the 1930s. Many of these families, the Mendozas, Grossis, McClures, and others, continue to ranch the Point Reyes peninsula today.

This ownership shakeup was just in time for the opening of the Golden Gate Bridge in 1937 and with it the expansion of real estate development from booming San Francisco into Marin County.

As a response to that development, and also spurred by a 1935 National Park Service report assessing potential park sites on the Pacific Coast, serious efforts were underway to protect the unique pastoral landscape on the Point Reyes Peninsula by the late 1930s and following World War II. That report, *Study of a National Seashore Recreation Area, Point Reyes Peninsula, California*, advocated for a comprehensive preservation effort in the form of a 56,000 acre park, roughly along the boundaries set forth in the eventual Congressional authorization in 1962.

According to *An Island In Time*, the first conservationists at Point Reyes were the ranchers themselves, beginning with the donation of Drakes Beach by a group including Joe Mendoza in 1938 and the sale of modern day McClure's Beach to Marin County for \$1 four years later.

Next came the dedication of Tomales Bay State Park in 1952, following seven years of fundraising and arm-twisting by the Marin Conservation League, together with matching funds from the county Board of Supervisors.

Thus began a decade-long struggle to create the Point Reyes National Seashore. The original 1935 report

was updated in the form of a new survey titled *Pacific Coast Seashore Survey Preliminary Report, Point Reyes Peninsula, California, Seashore Area* in 1957. This report, commissioned by NPS Director Conrad Wirth (who, incidentally, was the author of the original 1935 report), called for a much smaller footprint at Point Reyes, focusing on Tomales Point and the southern portions of the park, but largely excluding the existing ranching operations on the peninsula. Even this limited proposal was poorly received by the locals and ranchers who feared the inevitable result, a gradual elimination of agriculture on the Point Reyes Peninsula either by legislation, outsider encroachment, or both.

## CREATION OF POINT REYES NATIONAL SEASHORE

Point Reyes National Seashore was created by authorization of Congress in 1962. The legislative wrangling that preceded it at every level is a story unto itself. Following US Representative Clair Engle's 1958 resolution calling for a report on the proposed Point Reyes National Seashore Recreation Area, Clem Miller, the Congressman representing California's 1st District (at that time spanning the coast of California from San Francisco north to the Oregon border) introduced legislation in 1959 to create a national seashore at Point Reyes. Concurrently, then *Senator* Clair Engle introduced an identical companion bill in the Senate (H.R. 8358 and S. 2428, respectively). The original legislation was general in nature, proposing a seashore between 28,000 and 35,000 acres but not specifying any boundaries.

Lacking local public support for the proposal, particularly from seashore ranchers and others opposed to Federal condemnation of active grazing land, Miller and Engle put their bills on the back-burner and set about building local support through a variety of methods, including the creation of "grassroots" groups like the Point Reyes National Seashore Foundation. According to *Managing a Land in Motion: An Administrative History of Point Reyes National Seashore*, a report prepared for the NPS in 2007, Miller was quoted at the time as saying:

**"It is necessary that we begin to take some steps in our office to push this matter if the local people are unable to or unwilling to do it. At the same time, I want to retain the concept of local autonomy particularly West Marin local autonomy. We want to give the impression that everything is emanating from there. I am afraid, however, that McCarthy [attorney for the ranchers] sees through this."**

Also standing in opposition to the creation of a National Seashore at Point Reyes was the Marin County Board of Supervisors, who voiced their disapproval repeatedly through both votes and letters to Clem Miller; and the West Marin Property Owners Association. The latter was formed in 1958 by thirty-five West Marin ranchers in response to the perceived threat to their livelihoods from annexation into the proposed park.

The onset of the 87th Congress in 1961 brought revised bills from Miller in the House of Representatives and Engle, now joined by Republican Senator Kuchel, also of California. These updated but still identical bills (H.R. 2775 and S. 476) contained some important additions. The size of the proposed park had been expanded to 53,000 acres (based on the recommendations of the National Park Service), and provisions had been added to address the concerns of local land owners and ranchers.

Among these provisions was the creation of a “pastoral zone” of at least 20,000 acres which would allow continuation of historic ranching and dairy operations within the constructs of the larger park plan. This pastoral zone, along with “right of use and occupancy” language guaranteeing continued possession of seashore ranches by existing ranch families (as long as they continued their current grazing and dairy activities), and a land exchange structure allowing owners a way to exchange their property for something of equal value in elsewhere, all served to persuade local land owners and the Marin County Board of Supervisors to drop their opposition by early 1962.

This paved the way for final passage in the House and Senate in the summer of 1962, with President Kennedy signing the Point Reyes National Seashore Authorization Act on September 13, 1962. The final act authorized the Department of the Interior to spend up to \$14 million to establish Point Reyes National Seashore.

The four page authorization signed by President Kennedy - Public Law 87-657 - outlined the general boundaries of the intended seashore and pastoral areas, contained extensive language dealing with any acquisitions of property from owners wishing to sell to the Department of Interior, and specifically granted the Secretary authority to permit hunting and fishing, in keeping with the recreational intent as well as to allow ranchers to maintain their historic way of life at Point Reyes.



Map NS-PR-7002, showing the pastoral zone of Point Reyes National Seashore. (Image courtesy of NPS.)

It wasn't until 8 years later, in 1970, that the authorization for PRNS was expanded to include the seashore ranches and the original spending cap for land acquisition raised from \$14 million to \$57 million using money from the relatively new Land and Water Conservation Fund.

The intervening years between the original authorization in 1962 and the first amendment in 1970 saw an agency unsure as to just what they had created at Point Reyes. In fact, the National Park Service at this time was struggling nationwide to define their role in managing some of the newly created seashores, lakeshores, and parkways within the NPS system. *An Administrative History of Point Reyes* describes the creation of sundry committees, commissions, bureaus, and boards charged with resolving these issues and charting a path forward. Among them:

- The Outdoor Recreation Resources Review Commission (ORRRC) created by President Eisenhower in 1958. ORRRC produced a report in 1962 entitled *Outdoor Recreation in America*. In it, the ORRRC called for the creation of:
  - The Bureau of Outdoor Recreation (BOR), an offspring of the ORRRC which subsequently competed with the Park Service within the Department of Interior for control of DOI property and budget.
  - The Recreation Advisory Council, another ORRRC suggestion created by President Kennedy in 1963 that produced "Policy Circular No. 1" later that year. That document advocated greater accessibility of national recreation sites like NPS seashores for "all-purpose recreational use".
- A special committee of the NPS Advisory Board on National Parks, Monuments, and Historic Sites that was directed to address calls to "reorganize" the Park Service "to make very clear the distinction between the traditional functions of the Service and the newer and often very different ones that are primarily recreation related."

The unifying characteristic of all these initiatives is that they fell by the wayside within a decade - their conclusions and recommendations mostly forgotten by the greater public lands community. At places like Point Reyes, however, the aftereffects of this unfocused management are still being felt today.

The recommendations of the special committee of the NPS Advisory Board eventually led in 1964 to a directive breaking park unit management into three distinct categories - natural, historic, and recreational. Additionally, each new category now had its own operating guidelines ostensibly tailored to the primary objectives of the category. PRNS fell under the recreational area category in this new arrangement, with policy direction coming from the *Compilation of the Administrative Policies for the National Recreation Areas, National Seashores, National Lakeshores, National Parkways, National Scenic Riverways (Recreation Area Category) of the National Park System* - one of three manuals governing operation of the newly created categories.

Of the new categories, Secretary of Interior Stewart Udall wrote:

**"In looking back at the legislative enactments that have shaped the National Park System, it is clear that the Congress has included within the growing System three different categories of areas—natural, historical, and recreational.**

**“Natural areas are the oldest category, reaching back to the establishment of Yellowstone National Park almost a century ago. A little later historical areas began to be authorized culminating in the broad charter for historical preservation set forth in the Historic Sites Act of 1935. In recent decades, with exploding population and diminishing open space, the urgent need for National Recreation Areas is receiving new emphasis and attention.**

**“...a single, broad management concept encompassing these three categories of areas within the System is inadequate either for their proper preservation or for realization of their full potential for public use as embodied in the expressions of Congressional policy. Each of these categories requires a separate management concept and a separate set of management principles coordinated to form one organic management plan for the entire System.”**

The most obvious flaw in this new management plan was the issue of Congressional intent. The authorizations for many of the newly created units contained language that directly contradicted recreational priorities envisioned by the Advisory Board. In particular, the enabling legislation for Point Reyes outlines preservation, recreation, and deference to ongoing ranching activities as priorities in different parts of the law - a study in contradictions unto itself.

These contradictions were so frustrating to park staff that, according to multiple accounts, the new manuals were largely ignored by the early 1970s, aided by the General Authorities Act of 1970 which reestablished the idea of a common thread running through all units of the National Park Service, regardless of their disparate original intent. In other words, NPS quickly decided that it was easier to tailor units to fit a common theme than it was to operate unique areas like Point Reyes in a site-specific manner.

On a National level, the Park Service would revise its management policies several more times during the 1970s, each time wrestling with the question of how to manage resources that didn't fit into the traditional idea of a “national park”. This identity crisis was particularly detrimental to PRNS since it coincided with the seashore's formative years. Much of the park service's original management and master planning took place in an environment where national park management policy was changing year-to-year.

## **SHIFTING PRIORITIES**

By 1975, Point Reyes National Seashore, benefiting from an increased Congressional authorization (from the original \$14 million in 1962 to \$57 million in 1970) had acquired all 17 of the outstanding seashore ranches and were hard at work on a general management plan for the unit (the first iteration of which was published in 1972 although the current version wasn't published until 1980). Around this same time, the recreational-area approach to management of PRNS and the subsequent heavy public use it spurred led to calls from the environmental community for better protection of the seashore's natural resources.

A multitude of environmental and conservation organizations either formed or increased their involvement during this period. These included the Sierra Club, Audubon, the Marin Conservation

League (which had been involved in the creation of the original state park that preceded PRNS), the Environmental Action Committee of West Marin, and the Save Our Seashore” campaign.

Almost immediately, these environmental groups opposed the hunting and fishing activities promised by Congress in creating PRNS. They argued that hunting in the seashore would be dangerous and detrimental to the visitor experience, despite Clem Miller’s explanation a decade earlier that “The national seashores are not national parks - a wider range of outdoor recreational activities will be permitted...”. Miller and others maintained that irrespective of this intent, the locals in greater Marin County were generally opposed to hunting at the new seashore. This opposition did not extend to the ranchers, who had incorporated hunting as a way of life for generations at Point Reyes.

Even as PRNS instituted a total ban on hunting at the behest of local environmental groups in 1971, Superintendent John Sansing indicated his intent to study the need to retain hunting as an option for control of some wildlife populations, particularly deer.

This ban represented one of the early breaches of trust between the seashore ranchers and park service management. Critical to their inducement to sell (under threat of condemnation) long-held ranches to the Department of the Interior was the promise that the ranchers would maintain the right of “use and occupancy” under their new lease agreements. Sansing acknowledged as much by granting temporary exceptions to the hunting ban in multiple cases following the decision. Regardless, the foreshadowing was unmistakable that historic ranching at Point Reyes would have to be defended at every turn if it were to survive.

## **A NEW DIRECTION AND NEW SPECIES**

**“Although the final land purchases and formal National Park Service establishment of Point Reyes National Seashore in 1972 had “completed” the park by defining its geographic boundaries, the process of redefining the function and meaning of the peninsula’s natural, cultural, and human resources continued over the next three decades of PRNS history.”**

- Managing a Land in Motion: An Administrative History of Point Reyes National Seashore (Paul Sadin, Historical Research Associates, Inc. 2007)

Spurred on by the successful derailing of an ill-conceived development scheme within the seashore, left with an extensive local network of activists and organizations, and blessed with inconsistent and scattered NPS management, the environmental community in Marin County set about remaking Point Reyes National Seashore in its own image during the mid-1970s.

Contributing to this leadership vacuum, 1974 brought yet another failed management concept to Point Reyes. In an effort to more effectively deal with the competing resources and interests of the agency in the San Francisco Bay area, NPS attempted to reorganized Golden Gate National Recreation Area (GGNRA), Muir Woods, PRNS, and other areas into a single administrative unit. This arrangement proved wholly unsuccessful and was abandoned within a few years of its implementation.

It was during this period that the idea of reintroducing historically native tule elk first surfaced. As impossible as it sounds, on-going general management planning discussions simultaneously entertained both the need to control *over*populated deer and the desire to introduce the long-absent elk species into the already crowded and conflicted recreation area/seashore/historical site.

This lack of a cohesive approach to resource management led to the 1976 publication of a Natural Resources Management Plan and Environmental Assessment to deal with a variety of pressing issues inside the seashore. Among them grassland management, control of exotic plants, fire management, maintenance of exotic deer populations, control of dogs and cats, stocking of fish, dam removal, backcountry use, and reintroduction of tule elk. It is important to keep in mind that at this time, PRNS staff was still mid-way through formulation of a comprehensive general management plan (GMP) for the seashore, which would not be completed and published until 1980.

As with many aspects of the Point Reyes story, the formulation of the 1980 GMP is a story unto itself. With the onset of NEPA (the National Environmental Policy Act) in 1969, Point Reyes became an early test case of the public participation requirements built into the new law. Environmental groups, emboldened by their recent successes, took the opportunity to submit their own complete general management plans, rather than simply contributing or commenting on the park service's efforts.

One of their chief objectives was the establishment of a "wilderness" designation (as defined in the 1964 Wilderness Act) over the majority of land inside PRNS. This push resulted in Public Law 94-544 in 1976 designating some 25,000 acres of PRNS as wilderness and an additional 8,000 as "potential" wilderness - and helping to cast the organization of PRNS as it exists to this day. It should be noted that this wilderness was pushed through *prior* to the completion of the 1980 General Management Plan, effectively circumventing the new public participation requirements of NEPA. Instead, the wilderness was simply part of PRNS by the time the GMP was published four years later.

## **TULE ELK INTRODUCTION**

The establishment of the Phillip Burton Wilderness Area, as it was named in 1984, paved the way for one of the key items on the environmentalists agenda at Point Reyes to come to fruition - the reintroduction of tule elk.

One of the last ranch acquisitions completed at PRNS was the Pierce Point Ranch on Tomales Point in 1973. In the eyes of the Park Service and wilderness advocates, Tomales Point, with its expansive vistas and commanding views of the Pacific featured prominently in the new proposed wilderness area. The fact that it was being actively grazed as part of the Congressionally established Pastoral Zone was of little concern, and following its purchase, PRNS immediately embarked on the eviction of the resident rancher, Merv McDonald, who's family had been ranching at Point Reyes since the 1880s and at Pierce Point since 1966.

Evidence of this intent comes in the form of a 1974 letter addressed to Superintendent Sansing from the California Department of Fish and Game. The letter discusses a previously executed Memorandum of Understanding between NPS and CDFG regarding the elk, and goes on to discuss the specifics of erecting

a fence across Tomales Point to create a proper enclosure to "prevent them from spreading to adjoining areas where they could cause depredation problems." It should be noted that this letter, as well as the MOU that it references, come a full two years before the 1976 congressional directive to use federal lands to protect tule elk in California.

STATE OF CALIFORNIA—RESOURCES AGENCY

DEPARTMENT OF FISH AND GAME

1416 NINTH STREET  
SACRAMENTO, CALIFORNIA 95814

G. Ray Arnett, Director

RONALD REAGAN

October 22, 1974

Mr. John Sansing  
Point Reyes National Seashore  
Inverness, California 94937

I have been informed, John---

---that plans are moving ahead for the transplant of Tule elk to Point Reyes National Seashore.

I wish to reaffirm the desirability of the Department to cooperate in such a transplant as evidenced by our Memorandum of Understanding executed on April 27, 1974. I also wish to reaffirm that the Department of Fish and Game feels the fence called for in this Memorandum of Understanding is necessary to keep the elk on the northern part of Tomales Point and to prevent them from spreading to adjoining areas where they could cause depredation problems. When the fence is completed, we plan to provide Tule elk from Tupman and other available sources of the pure Tule elk race.

Sincerely,

  
Director

cc: National Park Service

In the five years following the purchase of the Pierce Point Ranch the Park Service made ranching operations at Pierce Point increasingly difficult for McDonald, their efforts made much easier with the inclusion of Pierce Point Ranch and all of Tomales Point in the 1975 wilderness designation. Clearing that legislative hurdle allowed PRNS to restrict the use of motorized vehicles, terminate electrical service to essential water pumps, prevent routine road grading, and hamper essential fence repair. The McDonald family fought the eviction until 1978, operating under a series of two year special use permits while attempting to work with the Park Service to find a suitable and affordable place to relocate outside the seashore. Amazingly, that search took the McDonalds as far away as Australia, to no avail.

The family was permanently evicted in 1979, but not before suffering the final indignity of watching the new tenants of Pierce Point, 10 tule elk from an existing herd on the San Luis National Wildlife Refuge in Southern California, released into a temporary enclosure on the ranch. In fact, Merv McDonald states that he was asked to help care for the new arrivals in his last months there and recalls one particular female that was sick with diarrhea (a telltale symptom of Johne's Disease) that subsequently died in the enclosure, one of several to die from illness in the years immediately following introduction.

## **HISTORY OF TULE ELK IN CALIFORNIA**

In 1998, the NPS completed an Environmental Assessment (EA) of elk management activities at PRNS (which will be discussed later in this report) following the guidelines of the National Environmental Policy Act (NEPA). That EA describes Tule Elk thusly:

*Tule elk females, or cows, give birth in the late spring and early summer from April through June usually to a single calf, and rarely twins. Weighing around 30 pounds at birth, the newborn calf was conceived some eight months earlier during the last summer's rutting season. The ratio of male to female calves at birth is 50:50, but this changes over their adult life, usually with females living longer than males.*

*Tule elk young grow rapidly, reach sexual maturity at 18 months of age, and eventually grow to some 300-500 pounds, with males being 50-100 pounds heavier on average than females.*

*Males at 1.5 years of age develop short (about one foot), straight antlers and are known as "spike bulls." As they age, the antlers rapidly become larger with four or five points that may weight up to 40 pounds. The antlers begin growing in the late winter shortly after being cast off. Covered with tissue or "velvet" during the growth period, the velvet covering dries out and is shed to reveal the completed antler. This nutritionally demanding annual accomplishment compounds the biological cost of reproduction for the male.*

*Tule elk breed in a polygamous mating system where males compete during the rut or breeding season for dominance. The result is that the dominant bull mates with many females, accomplished through forming harems. Thus, only 15-25% of males breed compared with 90% of females. At Point Reyes the rutting season is usually in the late summer in July through September. Bulls establish a dominance hierarchy through rutting behavior that includes vocalizations such as "bugling," various body postures and threats, and the dramatic fights that can result from head butting and antler charging. While most of these behaviors result in no harm to competing males, injuries can sometimes occur. Most dominant bulls are in the range of 4-8 years old, but this*

*varies' a great deal depending upon the age structure of the herd. The dominant bulls herd and defend females, which form a reproductive herd or "harem." The lead bull will go a month with little food to keep out competitors and breed with the females when they enter reproductive readiness or "estrus."*

*Tule elk are considered mixed grazers and browsers, meaning they feed on both ground-level herbs and grasses and on woody shrubs and trees. At Point Reyes elk eat a wide variety of plants including various grasses, coyote bush, willow, bush lupine, plantain, and miner's lettuce. As ruminants, their multi-chambered stomach is ideal for breaking down plant cellulose through bacterial action. Each animal consumes some 2 to 3 pounds of vegetation per 100 pounds body weight each day depending on nutritional content of the food. Thus, a 450-pound bull might eat 10 to 15 pounds of forage daily. Tule elk require 3-10 acres of habitat per animal, but this figure is very inexact due to the differences in productivity of different soils, climates, vegetation, communities, and numerous other factors.*

*Tule elk have few remaining predators at Point Reyes at this time. Originally black and grizzly bears, mountain lions, and coyotes would have taken their toll, especially on the newborn and young, along with the older infirm animals. Today, coyotes occur on the Tomales Point elk range and mountain lions have occasionally been spotted a few miles away. Should tule elk be allowed to expand their range in the Seashore, they will likely come into regular contact with these predators.*

*Life expectancy for tule elk is generally considered to be 8-12 years once they reach adulthood, but individuals can live much older than this. In 1998 one of the original animals, introduced in 1978, mown locally as "old cow," died at an age of at least 21 years.*

Once abundant in California, tule elk populations dwindled in the 1800s, dropping from 500,000 head in 1850 to a low-point of around 30 animals by 1874, primarily due to over-hunting and conversion of habitat to agricultural land. Decades of effort to restore the population resulted in a herd numbering several hundred by the 1940s.

In the 1970s, both the State of California (1971) and the Federal government (1976) passed legislation dealing with tule elk recovery. Both set 2000 animals as a sustainable state-wide population goal. The Congressional resolution went so far as to direct Federal agencies to make land available for species preservation. In the wake of these two bills an interagency task force was established to determine the best place to establish new herds in California. The task force was made up of representatives from the National Park Service, BLM, Department of Defense, California Fish and Game as well as Parks and Recreation, and the US Forest Service.

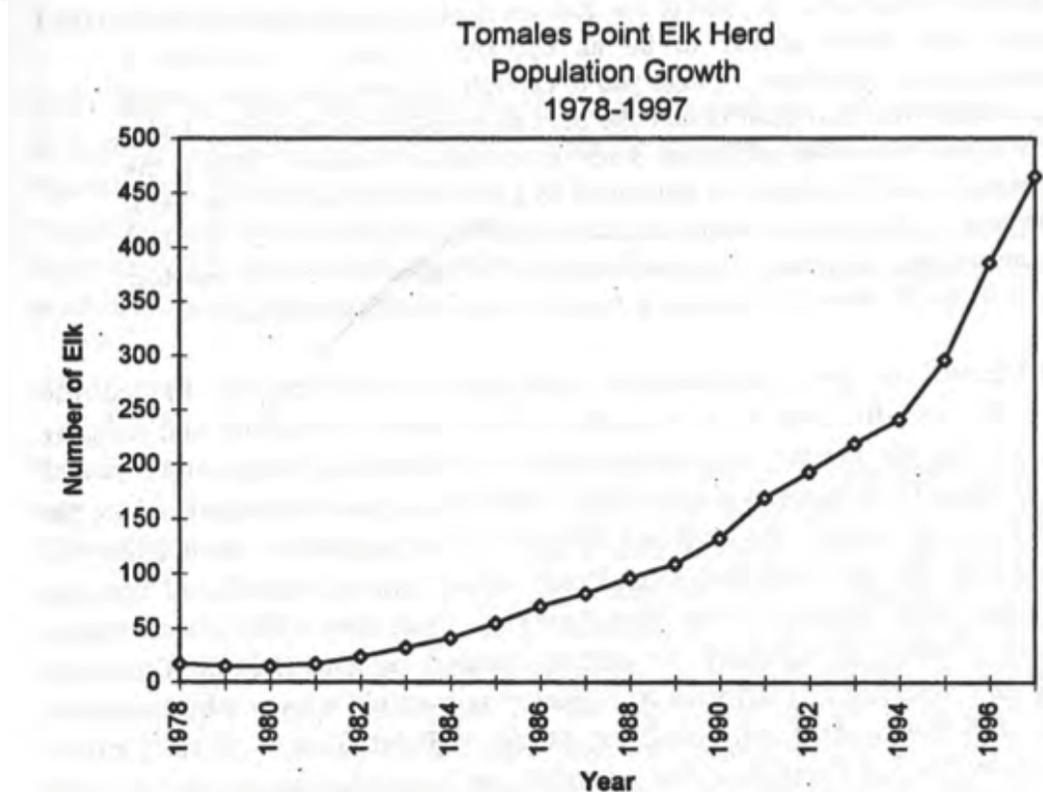
Beyond Point Reyes, the findings of that task force led to the establishment of herds on military reservations, federal, and state lands around California. That action led to a 1986 tule elk population in California numbering more than 2000 individuals in 22 herds throughout the state, thus achieving the goal originally put in place by the task force.

It should be pointed out that, despite the tremendous management instability and shifting priorities at PRNS during the 1970s, an Operations Evaluation in 1972 labeled tule elk reintroduction as a "pressing issue." This is astonishing considering the circumstances, and speaks to the larger historical management

issues at PRNS, particularly with regard to prioritization and best management practices.

### **GROWTH AND EXPANSION OF THE POINT REYES HERD**

Following the eviction of the McDonald family and the introduction of 10 tule elk to Tomales Point in 1979, a permanent enclosure was erected in the form of a 3-mile long fence between Tomales Bay and the Pacific Ocean creating a 2600 acre area for the elk to roam without interfering with ongoing ranching operations.



**Figure 2. Growth of Tomales Point Elk Herd from 1978 to 1997**

The optimal carrying capacity for the Tomales Point enclosure was identified in a 1986 study by Pete Gogan at UC Berkley as 140 animals. This number and Gogan's study are referenced in the historical portion of the 1998 Elk Management Plan as well. In his study, Gogan estimated that "once the elk reached that level, the population would naturally stabilize."

In reality, the opposite occurred. After struggling for the first several years in the enclosure, primarily due to persistent drought conditions and disease issues, elk numbers exploded through the 1980s and 1990s. A 1994 elk census counted 254 individuals at Tomales Point, and another in 1996 pegged the population at 380 individuals - 240 more than the estimated carrying capacity of 140 outlined in 1986 and 30 more than a subsequent study conducted by a panel of scientists in the early 1990s that concluded there was enough feed at Tomales Point to carry 350 individuals. Regardless of the estimate used, it is clear that by the mid-1990s the elk herd at Point Reyes had outgrown its 2600 acre enclosure and was not

stabilizing as predicted.

The first attempt at a public process to deal with the growing elk issue was a 1992 Environmental Assessment titled *Control of Tule Elk Population at Point Reyes National Seashore*. This EA identified five alternatives including removal of the Tomales Point fence, creation of additional fenced areas, relocation outside the seashore, and managed hunting of excess population.

Despite the pressing need to deal with the issue at that time, the 1992 EA was “withdrawn from the approval process” by NPS. Interestingly, and foreshadowing the Park Service’s disregard for NEPA compliance on future issues, Appendix B of the 1998 Elk Management Plan states that despite the abandonment of the process in 1992, PRNS used the draft assessment and public response to help formulate policy and direct strategies for tule elk at Point Reyes.

In May of 1997 PRNS explored numerous options for controlling the surging elk population at the seashore. Among them, immuno-contraception, chemical sterilization, relocating “surplus” elk to other wilderness areas in the seashore, and the culling of excess population through hunting by park rangers. These discussions, along with a “bumper crop” of 100 calves the previous summer, led to PRNS undertaking a new Environmental Assessment to formulate an Elk Management Plan, which was published in 1998.

The 1998 Elk Management Plan weighed a variety of options for dealing with the exploding elk population at Point Reyes. Conceding a current population of 465 individuals at the time of the report, already far in excess of even the most generous estimations of carry capacity at Tomales Point, the EA identified only four alternatives this time. Conspicuously absent was the public hunting alternative present in the 1992 report. No explanation was given as to why this option, which is used in various forms throughout the National Park Service and was included only six years prior, was not deemed worthy of inclusion in the 1998 EA. Given the history of administrative decision-making at PRNS, the logical conclusion is that political pressure once again took precedence over sound science and best management practices. Regardless, the new more politically palatable Environmental Assessment was

**Control of Tule Elk Population at Point Reyes National Seashore (1992)**

**Alternatives**

- 1. No Action**

No effort is made to control the population of the elk herd at Tomales Point. Using the population model developed by Gogan, the herd will continue to increase at a near exponential rate. The elk population would temporarily exceed the carrying capacity of the range, perhaps by a considerable amount.
- 2. Remove Fence and allow elk to disperse.**

With the Tomales Point fence removed, elk would initially disperse to the south. Eventually elk may migrate beyond the boundaries of the Seashore.
- 3. Create additional fenced reserves within the Seashore.**

Additional acreage elsewhere within the Seashore could be fenced off and a number of elk could be transplanted to the new range. This would require the construction of additional elk fences.
- 4. Relocate excess elk to areas outside the Seashore.**

As called for in the April 27, 1974 Memorandum of Understanding (this MOU has expired), California Department of Fish and Game (DFG) would remove any elk determined to be in excess of the maximum carrying capacity.
- 5. Allow Public Hunting to reduce the number of elk.**

A public hunt, regulated by DFG, would harvest elk on a yearly basis so that the carrying capacity of the elk range is not exceeded.

published with a Finding of No Significant Impact (FONSI) in July of 1998, meaning that PRNS was now free to pursue Alternative A, “Manage Elk using Relocations and Scientific Techniques”.

The specifics of implementing Alternative A are outlined in the report itself, including a summary of proposed actions, broken into Interim/Short-term and Long-term action categories.

Interim or short-term actions:

1. Maintain elk fence on Tomales Point Range.
2. Continue monitoring tule elk and their environment.
3. Continue PZP immunocontraception tests on elk.
4. Continue research efforts into tule elk ecology, including methods to alter elk population size where necessary.
5. Set interim management limit for Point Reyes tule elk population at 600-800 animals, with Tomales Point set at 350-450 and Limantour set at 250-350.
6. Establish thresholds for tule elk, vegetation, and other resource indicators to replace interim management limits.
7. Conduct a Risk Assessment Analysis to address Johne’s Disease transmission.
8. Establish a free-ranging herd within 18,000 acres by relocating 35-70 animals to the Limantour area. Work to ensure only Johne’s free animals are relocated.
9. Work to ensure public safety; reduce consequences to neighbors of free-ranging elk.
10. Work with other agencies to relocate 35-70 animals elsewhere in the State in the historic tule elk range in cooperation with the State of California.

Long-term actions:

1. Manage free-ranging herds using minimal intrusion to achieve viable management limits as part of dynamic ecosystem processes.
2. Adaptively manage the herd, revising this plan as necessary to best fit new situation and information.

Alternatives and Proposed Action

Alternative A



## Alternatives including the Proposed Action

### Overview of Alternatives

Four alternatives describe a range of reasonable approaches to the management of tule elk at Point Reyes National Seashore:

**Alternative A:** (Proposed Action) Manage Elk using Relocations and Scientific Techniques

**Alternative B:** Eliminate Restricted Range through Management Decisions

**Alternative C:** Reduce and Maintain Elk at Small Remnant Population Size

**Alternative D:** No Action / Minimum Requirements

The alternatives address the mission and goals established in this plan for tule elk at Point Reyes, the topics described under the section Issues and Concerns, and the other Seashore management plans such as the General Management Plan, the Statement for Management, and the Resource Management Plan. The alternatives vary in the number and size of elk herds projected, the amount of effort required in their management, and the number of years required to achieve their goals. Some alternatives meet some of the goals better than other alternatives, and such alignments will be discussed where applicable.

Alternatives B and D propose to manage elk populations sizes with minimal intrusion, within certain constraints. Alternative C places the tightest restraints on the upper limit of elk population size with a concurrent need to eliminate animals and/or reduce fertility. Alternatives A and B emphasize relocating elk to establish free-ranging herds. Alternatives C and D represent the lowest cost approaches over a long time period. While Alternative B may be low cost initially, future costs appear higher with this approach. Alternative C will be initially costly, but then costs will be lower. Alternatives A and C pose the least threat to other Seashore operations such as visitation or ranching; Alternatives B and D offers the highest level of potential impacts on these other resources. Alternatives A and B contribute the most towards managing tule elk as part of a natural ecosystem dynamic.

Alternatives may use a variety of methods to reduce elk populations when necessary, including contraception, sterilization, relocation, and lethal removal. The justification and decision process for making such reductions vary significantly between the alternatives.

Absent from either this list or the FONSI is any mention of managing threats to ongoing ranching operations - a topic addressed repeatedly in other parts of the report. Specifically in a matrix of environmental consequences for Alternative A that lists Cultural Resources and Ranching as potentially affected resources. The matrix cites concerns that large elk herds would “constitute visual intrusion on cultural landscape as they would not have been present during ranching period” as well as the enhanced risk that “free ranging herds may expand into territory adjacent to agricultural lands and possibly come into conflict with cattle.”

No explanation is provided as to why PRNS chose not to provide mitigation options to deal with these specific impacts, although the broader prescription for the management of herd, including capture, relocation, and culling if necessary, should all logically apply to the seashore ranches in the same manner as other impacted resources.

## IMPLEMENTATION OF THE ELK MANAGEMENT PLAN

Almost immediately following the publication of the Elk Management Plan and FONSI in July of 1998,

PRNS staff moved to relocate some of the overflowing elk population at Tomales Point (estimated to be 550 individuals by that summer) to the Limantour area as prescribed in the EA. Over the course of the next year, 27 elk were relocated by helicopter to a temporary enclosure in the Limantour area and, in June of 1999, released from the enclosure into the Phillip Burton Wilderness.

Also of note during the summer of 1999 was the termination of ranching operations at the “D” Ranch following the untimely death of the matriarch of the Horick family, who’s heirs were denied the right to continue leasing the ranch by PRNS. As in many other irregular management

Alternative A: Matrix of Environmental Consequences continued....

Affected Resource	Positive Consequences	Negative Consequences
Recreational Resources	There should be very little effect on recreational resources. Increased distribution of elk herds in Seashore will increase viewing opportunities for visitors. Interpretation will provide educational and enjoyment possibilities. Additional elk distribution will disperse visitors.	Possible closure of areas on temporary basis for a few days to conduct operations may inconvenience some recreationists, but no more likely in this alternative than others.
Public Safety	There should be little effect on public safety under the proposed action. Avoidance of need to lethally remove animals should reduce need for addressing the public safety issues involved.	Free-ranging elk may have potential for wandering onto roads and pose traffic hazard. Expanded distribution may increase visitor contact with elk during rutting season, a time of increased safety risk due to aggressive male behavior.
Cultural Resources	Elk will assist with maintaining open grassland landscape similar to that achieved through cattle ranching. No effect expected on historic structures. Will recreate prehistoric landscape element.	Some limited erosion of archeological sites may occur. Large herds of elk will constitute visual intrusion on cultural landscape as they would not have been present during ranching period.
Adjacent Landowners	Action should have little effect on adjacent landowners or land planning in area. Improved restoration should encourage additional visitors with positive effect on local economies.	Permitting free-ranging elk may generate dispersal of individual elk out of the Seashore boundaries onto private lands. Potential if this occurs for damage to private property to occur.
Ranching	Creation of new herds will remove pressure to expand Tomales Point elk range. Alternative compatible with ranching activities encourages continued support of permits and leases.	Free-ranging herds may expand into territory adjacent to agricultural lands and possibly come into conflict with cattle. Some use of cultivated crops may occur and cattle may affect health of elk herd through cattle borne diseases.
Non-native Deer	Native herbivores can replace non-native fallow and axis deer accelerating trend for restoration of ecosystem.	Conflicts between elk and non-native deer may increase need to reduce, remove, or eliminate non-native deer, increasing costs.

situations at Point Reyes, no explanation was given as to why the Park Service refused to allow the heirs to continue the terms of the existing lease or sign a new one. Like Merv McDonald two decades earlier, the Horicks were evicted from the “D” Ranch and the ranch was “decommissioned” despite its location squarely in the middle of the Pastoral Zone.

It is around this same time that contemporaneous accounts describe the appearance of a rogue bull on several occasions at the “L” Ranch. Seashore ranchers say that PRNS removed the bull twice before finally electing to shoot the animal once it became apparent that it would continue to travel outside the designated elk habitat of the Phillip Burton Wilderness. This action is consistent with other accounts of PRNS officials complying with their own management plan during this time, at times relocating herds of up to 40 individuals at a time and utilizing fertility control methods to control herd size.

### **THE ELK LEARN TO SWIM**

In the Summer of 2000, seashore ranchers observed two cow elk near Drakes Beach in the Pastoral Zone. This was a highly unusual development considering the geographic location of Drakes Beach relative to the designated elk range in the Limantour area. Put simply, the two areas are separated geographically by the relatively wide waters of Drakes Estero. By that Fall two more appeared, this time a bull and a cow, and this time each was wearing a GPS tracking collar. The Park Service contends that the elk must have “travelled across Drakes Estero” which in more practical terms means that they swam.

It must be mentioned here that seashore ranchers insist that none of them have ever seen elk swim, and certainly not across the fairly wide expanse of Drakes Estero. Further, one of the ranchers recalls seeing



an unmarked truck and stock trailer operating after sundown near Drakes Beach immediately prior to the appearance of the second, collared pair in the Fall of 2000.

The Park Service has no explanation for this, adhering instead to the idea that on multiple occasions elk from the Phillip Burton Wilderness Area swam across Drakes Estero to graze on the recently “decommissioned” “D” Ranch.

However the elk made the journey from their designated range into the Pastoral Zone, the Park Service chose not to adhere to the recently completed Elk Management Plan or deal with the incursion in any way. Instead, the elk were allowed to remain on the “D” Ranch to graze, multiply, and establish a third herd at Point Reyes, in direct conflict with the two year old management plan that clearly stated on page 46 under the heading “Relocation to Limantour” that “The Seashore will not attempt to establish new

herds that require permanently fenced, restricted ranges.”

According to Paul Sadin’s *An Administrative History of Point Reyes National Seashore*, “By 2001, a herd of thirty elk, including six calves born that spring roamed freely, closely monitored by park staff by means of radio transmitter collars attached to each animal.

### **TULE ELK AT POINT REYES TODAY**

The current tule elk herd at PRNS exists in three areas of the Seashore. The largest herd resides within the boundaries of the original Pierce Point Ranch at Tomales Point. This herd was in excess of 500 animals just a few years ago, but there are reports that 100 or more have died in the past 1-2 years, ostensibly from Wastings Disease, although a simple visual examination of the range conditions at



Tomales Point highlights the inadequate volume of feed available to support the herd at its present size. Despite pronouncements in the 1998 Elk Management Plan and elsewhere that grasslands have actually improved with the decades of elk grazing, the conditions inside the 2600 acre area today stand in stark contrast. The picture at left was taken in March of 2014 and highlights the dramatic difference in available feed and scrub brush along the 3 mile fence separating Tomales Point from the Pastoral Zone.

The second herd, established through transplant of 28 animals from Tomales Point to Limintour, numbers around 70 animals. Experiencing a degradation of conditions an lack of feed similar to the Tomales Point herd, the Limantour group makes daily incursions onto the Home Ranch, where dozens of elk, including a band of bachelor bulls, can be found routinely routinely grazing on grassland leased for cattle grazing. The pictures below were taken during a tour of the Home Ranch in March of 2014.





Again, it is hard to ignore the striking difference in available feed between the managed grazing land and the designated elk habitat in the Phillip Burton Wilderness Area - beginning just beyond the fence line in the pictures shown here.

These daily incursions are more than a simple nuisance for affected seashore ranchers. Adult tule elk, as described earlier in this report, can consume “10 to 15 pounds of forage daily” and “require 3-10 acres of

habitat per animal.” Dozens of elk consuming feed at that rate can severely impact grazing conditions and pasture rotation schedules.

In addition to the challenges at the Home Ranch it is perhaps the unsanctioned herd residing on the former “D” Ranch that is the source of greatest consternation to the agricultural community at Point Reyes and in Marin County. Now in excess of 80 animals, Park staff has essentially appropriated the “D” Ranch for their care, feeding, and watering, going so far as to drain wetlands adjacent to Drakes Beach to create stock water tanks exclusively for their use.

The lessees of the adjacent “C” Ranch have suffered tremendous loss of grassland and damage to pastures and fencing due to the unsanctioned elk that PRNS allows to remain in the Pastoral Zone.

The below pictures, taken in the Spring of 2014, partially convey the impact on their operations and explain the threat to their continued organic certification. Once again, the condition of the grassland in the grazed areas as compared to those left unmanaged speak volumes about the importance of continued beef and dairy operations at the seashore.





The fence lines shown here divide pastures on the “C” Ranch from the neighboring “D” Ranch. In an effort to placate the ranchers, PRNS staff have begun “hazing” the elk back onto their makeshift range on the “D” Ranch whenever complaints are received. The result of that “hazing,” an absurd management strategy on its own, can be seen in the pictures of trampled fence lines and wide game trails traversing the Spalettas' pastures.

In all, 11 leased, working ranches at the seashore are currently impacted by free ranging tule elk either from the Limantour or the “D” Ranch - including the A, B, C, D, E, H, M, N, and Home ranches. These impacted ranchers have found it virtually impossible to responsibly manage and maintain their pastures in the face of routine incursions from dozens of wayward elk. Further, there is a direct financial impact as well. The more grass eaten by the elk, the more supplemental feed must be purchased and fed to maintain a productive dairy or ensure adequate weight gain in beef cattle. Over the past year, seashore ranchers have paid an average of \$270 per ton of conventional hay and \$390 per ton for organic hay - essential to maintaining organic certification.

Ironically, the elk herd’s consumption of leased pasture grass also puts the ranchers at risk of violating (through no fault of their own) the PRNS grazing standard of 1200lbs of residual dry matter left on pastures prior to the rainy season.

## CONCLUSION AND RECOMMENDATIONS

Put simply, the situation at Point Reyes has become critical. Inconsistent management policies, indecision as to the purpose of the unit, and an unwillingness to deploy best management practices in the face of outside political pressure have all led to a climate that could mean the end of two centuries of historic ranching activity at PRNS.

Corrective action must be taken immediately to ensure preservation of the very cultural and historical resources that Congress intended when they created the Seashore in 1962. To that end, the following actions should be taken immediately, and further should require no administrative action on behalf of PRNS other than basic adherence to existing policy and precedent.

- 1) Remove all elk from the Pastoral Zone and return them to their designated range in the Phillip Burton Wilderness Area as prescribed in the existing 1998 Elk Management Plan.
- 2) Bolster fence lines separating the Wilderness from existing historic ranches to more effectively contain the elk and prevent future incursions.

Responsibly manage herds in the Tomales Point and Limantour Wilderness Areas to ensure that the elk do not attempt to leave in search of feed. Responsible management should include methods routinely used throughout the National Park System for controlling game populations, including culling. An examination of methods at other parks reveals the following:

- At Sleeping Bear Dunes National Lakeshore, NPS uses deer hunting (no bag limit, total of 3551 deer harvested between 1984-2011)

*“In 1926 four male and five female deer were introduced to the island with the hope that they would multiply to a number large enough for hunting. Since then the deer population has grown significantly due to lack of predation and artificial winter feeding supported for many years by the previous island owners. By 1981 there were an estimated 2,000 deer on the island. The island vegetation could not sustain such a large herd, so many deer starved. The surviving deer over browsed the island, eating all of the Yew and young Maple trees. Through reduction of the deer herd by hunting, the vegetation has recovered to some extent. Hunts (by permit only) have occurred annually since 1985.”* (Source:

<http://www.nps.gov/slbe/planyourvisit/nmihunting.htm>)

- At Rock Creek Park, Washington, D.C. – NPS uses deer hunting, fencing, and vegetation restoration

*“On May 1, 2012, the National Park Service approved the Record of Decision for the Rock Creek Park Final White-tailed Deer Management Plan/Final Environmental Impact Statement (FEIS)... The Record of Decision formally adopts Alternative D, the preferred alternative contained in the FEIS. Under this alternative, the NPS will continue current park deer management actions, including monitoring the deer population, protecting certain native plants and ornamental landscaping with fencing, and continuing educational activities to inform the public about deer ecology and park resource issues. The park also will use a combination of certain additional lethal and non-lethal actions to reduce the deer population. Since 1991, data gathered from the park's vegetation monitoring program clearly show that nearly all tree and shrub seedlings are being browsed by deer before they have a chance to grow. Protecting the park's native vegetation is a key objective of the FEIS...A variety of conservation tools are being used in plan implementation including fencing, vegetation restoration, and culling. Culling is the primary conservation tool that is being used for lethal reduction of the herd. In future years, the park, using adaptive management principles, could reevaluate opportunities to use elk redistribution, wolves, or fertility control as additional tools.”* (Source: <http://www.nps.gov/rocr/naturescience/animals.htm>)

- At Rocky Mountain National Park, Colorado – NPS uses elk hunting, fencing, vegetation restoration, and redistribution

*“The EVMP [Elk and Vegetation Management Plan] calls for maintaining an elk population of 600 to 800 animals on the winter range within Rocky Mountain National Park. To achieve this objective, culling is the primary conservation tool that is being used for lethal reduction of the herd in the park. No elk were culled during the winter of 2011-2012 and a total of 130 female elk and 1 antlerless male elk were removed from the population during winters 2008-2009, 2009-2010, and 2010-2011 (33, 48 and 50 elk removed, respectively). A total of 52 of these elk were removed as part of park culling operations and 79 were removed in support of chronic wasting disease (CWD) and fertility control research.”* (Source: [http://www.nps.gov/romo/parkmgmt/elkveg\\_fact\\_sheet.htm](http://www.nps.gov/romo/parkmgmt/elkveg_fact_sheet.htm))

- At Grand Teton National Park, Wyoming – NPS uses elk hunting

*“In 1950 when Congress expanded the boundaries of Grand Teton National Park, they included a provision to manage the elk population through an annual elk reduction program. Elk management is complex. The 2007 Bison and Elk Management Plan calls for 5,000 elk to winter on the National Elk and a summer herd segment in Grand Teton National Park of 1,600. The Wyoming Game & Fish Department has set a target objective of 11,000 elk for the Jackson herd that includes the park herd segment. Hunters with a valid Wyoming elk hunting license and a park permit harvest elk during the annual elk reduction program.”* (Source: <http://www.nps.gov/grte/planyourvisit/elkhunt.htm>)

- Gettysburg National Military Park, Pennsylvania – NPS uses deer hunting

*“Pennsylvania is the home of eastern White-tailed Deer, a species that has flourished in the Commonwealth over the past 80 years. Hunted in state game lands and on private property outside of park boundaries, deer instinctively made the battlefield a permanent home, which resulted in extensive damage to the natural environment as well as crops and pastureland. The National Park Service has undertaken an extensive deer control program which has reduced the population of white-tailed deer within the park boundary*

*over the past ten years. Though the population of deer has been reduced in the park, there are still many of these hearty animals that can still be observed, usually around dusk when they come out to graze in meadows and tall grass.”* (Source: <http://www.nps.gov/gett/naturescience/mammals.htm>)

Should the National Park Service and the staff at Point Reyes National Seashore fail to comply with these already accepted and administratively permitted practices, it will only serve to strengthen the case that they are incapable of managing the agricultural resources at the Seashore. In that event, the logical conclusion is that a third party must be involved to ensure proper preservation and administration of the Pastoral Zone.

Examples of this type of arrangement exist throughout the National Park System, the closest residing just down the road in the Golden Gate National Recreation Area (GGNRA). In 1996, daily management and preservation of the natural, cultural, scenic, and recreational resources of the Presidio were given to a congressionally authorized entity called the Presidio Trust, an arrangement which ensures that the unique features there are overseen by competent staff well versed in their maintenance and care, while freeing the Park Service to oversee the rest of the park unit, which falls into a more appropriate NPS management structure.

Regardless of the path chosen at Point Reyes, failure to act swiftly could lead to the loss of this precious historic resource, and with it, perhaps the eventual loss of agriculture in Marin County at large.

\* \* \* \* \*

### Acknowledgments

*This report would not have been possible without the efforts of countless individuals who have worked on this issue over the years. First and foremost, the ranchers of the Point Reyes Seashore Ranchers Association, who were exceedingly generous with their time, input, and perspective. Additionally, Laura Watt, who's comprehensive research and encyclopedic timeline proved invaluable in squaring differing versions of events throughout the history of PRNS. Thanks also to Stephanie Larson, Ph.D for her tireless work on behalf of the PRSRA, Melissa Cichantek for her constant support, and Phyllis Faber for serving as an ever present source of inspiration and perspective on the importance of agriculture in Marin County.*

CURRENT MAP OF POINT REYES NATIONAL SEASHORE



JUN 02 2014

## Alliance for Local Sustainable Agriculture - ALSA

22555 Highway 1 • Marshall, CA 94940 • 415-663-8618 • alsamarin.org

June 2, 2014

Cicely Muldoon, Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

sent via U.S. Mail

POINT REYES NS  
2014 JUN -3 AM 11:55

RECEIVED

Re: PRNS Ranch Comprehensive Management Plan and Environmental Assessment

Dear Superintendent Muldoon:

We offer the following comments on the proposed Ranch Comprehensive Management Plan and Environmental Assessment as an organization based in West Marin that supports sustainable agriculture and mariculture.

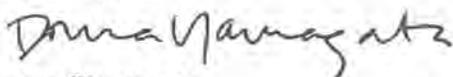
We urge the National Park Service to nominate the Olema Valley and Point Reyes Historic Ranch Districts for World Heritage Site status as described in Dr. Jeff Creque's guest column in the *Point Reyes Light* and *West Marin Citizen* on May 29, 2014 (copy enclosed).

To ensure the long-term viability of agriculture in these Districts, we respectfully request that NPS take immediate steps to remove the elk from the PRNS pastoral zone and develop a plan for managing the ranches in the Historic Ranch Districts that includes:

1. Fencing elk out of the Point Reyes Historic Ranch District;
2. Managing the ranches as part of a UNESCO World Heritage Site "continuing landscape;"
3. With the assistance of the Conservation Study Institute, creating and contracting with a nonprofit corporation, the Board of which includes farm advisors and Marin ranchers, to provide services similar to those provided by the Cuyahoga Valley National Park's nonprofit partner, as described in Dr. Creque's op-ed.

Thank you for this opportunity to provide scoping comments.

Very truly yours,



Donna Yamagata

enclosure

From the *Point Reyes Light*

## Seashore ranches eligible for world heritage status

By Jeff Creque

05/29/2014

The Point Reyes and Olema Valley Historic Ranch Districts, located within Point Reyes National Seashore, are eligible for listing on the National Register of Historic Places. Yet today the future of these ranches is threatened by an uncertain future and a growing herd of free-ranging tule elk. To ensure the long-term survival of the ranches, those submitting scoping comments on the national seashore's Ranch Management Plan and Environmental Assessment, due June 2, could urge the National Park Service to nominate these historic districts for World Heritage Site status.

The ranches in the seashore became an important food source for San Francisco after the Gold Rush, and they continue to supply quality dairy products to the Bay Area. More recently, they have provided a significant percentage of Marin's agricultural production capacity and played a key part in what has become an international farm-to-table movement.

The UNESCO Convention on World Heritage Sites defines a Cultural Landscape as "a diversity of manifestations of the interaction between humankind and its natural environment." The Olema Valley and Point Reyes ranches fall into the "continuing landscape" category, defined as "...one which retains an active social role in contemporary society closely associated with the traditional way of life, and in which the evolutionary process is still in progress. At the same time it exhibits significant material evidence of its evolution over time."

Ranches at Point Reyes are among the few dairies left in California's historic coastal dairying region, extending from Humboldt south through the Central Coast. Typically, the most successful dairies have often been located within five to ten miles of the shoreline, where frequent fog produces the best grass and the grazing season is long.

Olema and Point Reyes ranches are the only cluster of coastal California ranches on federal land. Tule elk ranging freely in the national seashore's pastoral zone now pose an imminent threat to the viability of the dairy ranches the pastoral zone was created to protect. Ironically, the formerly threatened elk are now found on 22 sites throughout the state, with a combined population of over 4,000.

UNESCO's guiding principles for managing World Heritage cultural landscapes include recognizing that "[p]eople associated with the cultural landscape are the primary stakeholders for stewardship"; that "[s]uccessful management... is shaped through dialogue and agreement among key stakeholders"; and that the focus of managing cultural landscapes should be "based on the interaction between people and their environment."

Today's seashore ranchers are the third, fourth and fifth generations on these lands. They not only have the history of the land in their blood, they are also actively engaged in developing

environmentally sound agricultural practices and products to enable the ranches to be economically viable into the future. The histories of some of these founding families were described in a series of local articles from the 1990s, republished in Dave Mitchell's recent "The Light on the Coast: 65 Years of News Big and Small as Reported in the Point Reyes Light."

World Heritage Site status would better ensure continued ranching and farming on historically agricultural areas that have evolved over the last 150 years. It could both extend existing leases, and include re-leasing ranches that have recently gone out of production, such as D Ranch on Point Reyes and the Jewell and Wilkins Ranches in the Olema Valley.

New long-term leasing regulations could be modeled on the Cuyahoga Valley National Park's Countryside Initiative. Lessees would be supported in the continued adoption of farming practices considered to be ecologically sustainable, including organic and carbon-beneficial practices. In order to encourage a sustainable combination of agricultural land uses, a diversity of food and fiber crops would be allowed.

With Cuyahoga as precedent, the park service could lease the land directly to ranchers and enter into an agreement for day-to-day management by a nonprofit partner whose board could include farm advisors and other Marin ranchers. In the case of Cuyahoga, the nonprofit partner "provides technical information and guidance on sustainable agriculture, helps prioritize rehabilitation of farm properties, recruits and evaluates prospective farm lessees, and will evaluate and monitor each farm's annual operation plan."

To ensure the ecological integrity of the cultural landscape, invasive exotic species removal and native plant community enhancement efforts could also be expanded. Marine research facilities could be created in cooperation with the state Department of Fish and Wildlife to better understand the ecological role of historic aquaculture activities in Drakes Estero and protect the ocean surrounding the park in the face of rising sea levels and acidification. In addition, rangeland management plans could be co-developed between the lessees, the Natural Resource Conservation Service and park staff in an adaptive management approach to link agriculture and pastoralism to ecological stewardship, restoration and climate change resilience and mitigation.

Whether or not the Olema Valley and Point Reyes Historic Ranch Districts are ultimately designated World Heritage Cultural Landscapes, the park service should be urged to develop a ranch management plan consistent with principles guiding management of World Heritage Sites. This would enable the seashore to integrate the management of its ranchlands with the region's natural resources and ecosystem processes, the county's agriculture, the goals of Historic District preservation and the park service's vision of cooperative community engagement.

*Jeff Creque has worked in West Marin agriculture for over 35 years. He is currently the rangeland and agricultural ecosystem management director of the Carbon Cycle Institute ([www.carboncycle.org](http://www.carboncycle.org)).*

May 29, 2014

Superintendent Cicely Muldoon  
Point Reyes National Seashore  
One Bear Valley Rd.  
Point Reyes Station, CA 94956

MAY 30 2014

RECEIVED

2014 JUN -3 AM 11:56

POINT REYES NS

RE: Please Protect Point Reyes National Seashore

I am writing to ask your help because California's National Seashore is a place of wonder and inspiration for millions of visitors from all over the world. It is also the home of several wildlife species, including the tule elk, a deer subspecies native to California, which are now in danger of being removed because of ranchers' complaints.

I urgently and respectfully ask you not to extend the current ranching leases. Private ranching operations do not benefit the public for which this National Seashore was created.

Ranchers who currently control about 28,000 acres of "beef cattle and dairy operations" within the National Seashore, are complaining that tule elk are causing damage to fences and that the elk eat feed and drink water meant for cattle. Ranchers want elk "removed" from what is now called the "pastoral lands." These lands were originally purchased by the National Park Service (NPS) with American taxpayers' money. However, in 2012, then Secretary of the Interior Ken Salazar issued a memorandum to the NPS to extend ranching permits for 20-year terms.

It is time for the NPS to phase out the current leases and, as they expire, take back and administer the approximately 28,000 acres of "pastoral zone," on behalf of the American public who paid for it.

It is urgent that during the time of phasing out ranching leases, the NPS must ensure a peaceful co-existence between cattle and wild animals, including tule elk. As the true historic grazer, the tule elk are native and belong in this area, not cattle.

There is no need for "relocation" or any other "removal" of tule elk. Ranchers have an obligation to co-exist and be complimentary to the native wildlife, not the other way around.

Should the need arise to reduce the tule elk population at some point, no lethal methods should be employed. Instead, cost-efficient and effective immunocontraception should be implemented as was done successfully between 1998 and 2000.

I ask you to discontinue private ranching operations and restore the coastal prairie to a large natural preserve in close vicinity to the San Francisco Bay area for the wildlife and people to enjoy.

Thank you for your help to protect Point Reyes National Seashore and restore the land for our great wildlife.

Yours truly,

  
J. Capozzelli  
New York

RECEIVED

2014 JUN -2 PM 4:07

POINT REYES NS

*Drakes Bay Oyster Company*

One Oyster Company Road  
Inverness, CA 94937  
(415) 669-1149

[kevin@drakesbayoyster.com](mailto:kevin@drakesbayoyster.com)  
[nancy@drakesbayoyster.com](mailto:nancy@drakesbayoyster.com)

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

The Drakes Bay Oyster Company (DBOC) is a member of the Point Reyes Seashore Ranchers Association (PRSRA) and fully endorses the points made in the PRSRA scoping letter. This letter is meant to focus more specifically on the future of the DBOC.

Oyster farming has a long history in Drakes Estero, now located within the Point Reyes National Seashore (PRNS), dating back to the Shafter era. As you know, we believe that oyster farming can and should continue within PRNS. The only rationale NPS and its supporters have used to justify removal of this historic piece the the working landscapes is related to the fact that most of the oyster culture is located within a designated potential wilderness area. The long term status of the oyster farm is being worked out in another legal process and will not be the subject of this letter. This letter will focus on the portion of the the historic site that is not in Drakes Estero, not in wilderness and not even close to the wilderness boundary. This scoping letter requests that this EA analyze the historic and future development and activities located in the pastoral zone, an historic zone quite central to this EA. The upland property at DBOC was actually a part of the Historic N Ranch. The Lucchesi and McDonald cattle grazing on the N Ranch are often greeting visitors to the oyster farm in the parking lot, stimulating seashore visitors to ask questions

1. Reduce the need to construct commercial kitchen processing facilities on individual ranches;
2. Solve the current unavailability of local commercial kitchen space;
3. Encourage collaboration between ranchers on value added products; and,
4. Add to the viability of DBOC as well as all interested seashore ranchers.

DBOC plans to make the main open space within the building a museum of the Shafter era through the present ranching operations within the project area with pictures and objects for the education and enjoyment of the public visiting the pastoral zone. All ranchers will be invited to participate in the planning of this space.

The shellfish processing portion of the approved space may or may not be constructed, depending on the future status of shellfish production in Drakes Estero.

The space will also include retail space, as use that has always been authorized at this location. This will provide what could be a vital location for all interested seashore ranchers and farmers to sell their products---a farmers market in the middle of the farms, as it were. Continuing the historic retail activity and making it available to other seashore ranchers would:

1. Reduce the need for other interested ranchers to build on-farm retail areas;
2. Add to the viability of all interested seashore ranchers by having a local market;
3. Allow more collaborative opportunities between seashore ranchers;
4. Improve visitor experience by having a more diverse selection of locally produced products;
5. Improve visitor experience by seeing the history center where they are purchasing the local food, resulting in a deeper connection to the food and the landscape; and,
6. Continue to provide many of the same services already provided by DBOC to approximately 50,000 visitors per year.

The building would provide safe, clean, fully maintained ADA compliant restrooms for the visiting public.

DBOC will continue to maintain a safe picnic area. Thousands of visitors every year enjoy picnicking near the edge of Schooner Bay, across from the historic Schooner Landing where milk, cheese, butter, cattle, hogs and many other farm

products from the Point Reyes Ranches were loaded for their trip through Drakes Estero, into the Pacific Ocean and through the Golden Gate. DBOC also requests that this EA evaluate the effects of installing safe BBQ pits, similar to the units installed at Drakes Beach. Continuing the picnic area with BBQs would:

1. Improve visitor experience;
2. Improve the sale of the seashore ranchers products; and,
3. Reduce the hazard caused by the visiting public bringing their own BBQ's.

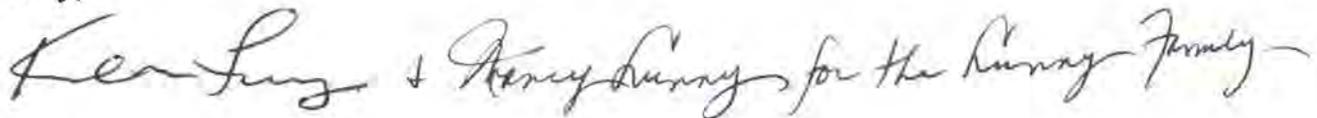
DBOC also asks that this EA analyze the effects of selling prepared food at the site. PRNS has always authorized restaurant operations inside the seashore at Drakes Beach. Authorizing the sale of prepared food produced by seashore ranchers would:

1. Add value to the food that would add to the viability of DBOC and all interested seashore ranchers;
2. Improve visitor experience by increasing food choices;
3. Add new ways for visitors to the pastoral zone to leave with a taste of the place; and,
4. Help to justify the large expense to install a commercial kitchen.

DBOC will continue to manage both the certified public water system at the site as well as the regularly monitored commercial septic systems. Both the water and the septic systems have significant excess capacity for the planned development.

Allowing the NPS vision from 1998 to finally move forward would benefit the ranchers, the working landscape interpretation and the public. Allowing this historic use to continue would further the goals of this plan and would be completely consistent with the unanimous request by PRSRA members. DBOC pledges to work with NPS and its contractors throughout this EA process to answer any questions so that continuing this important use, only much better, can be authorized in the upcoming FONSI.

Sincerely,

A handwritten signature in cursive script that reads "Kevin & Nancy Lunny for the Lunny Family". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Kevin & Nancy Lunny & Family



United States Department of the Interior



NATIONAL PARK SERVICE  
Point Reyes National Seashore  
Point Reyes, California 94956

BY REPLY REFER TO:

**Fax Message**

Date: 8/11/98

Time: \_\_\_\_\_

Number of Pages to follow: 4

To: TODD GARR, MARIN CO.

From: ANN NELSON

Subject: APPROVED FONSI FOR  
JOHNSON OYSTER CO. UPGRADE

Comments: ENVIRONMENTAL ASSESSMENT  
PLEASE CALL IF YOU HAVE  
ANY QUESTIONS.

ANN NELSON

X 321

Point Reyes National Seashore  
Voice: (415) 663-8522  
FAX: (415) 663-8182

U.S. Department of the Interior  
National Park Service  
Point Reyes National Seashore

**Finding of No Significant Impact (FONSI)**  
**Johnson Oyster Company Replacement and Rehabilitation of Facilities**  
**Point Reyes National Seashore**

The National Park Service (NPS) has completed the Environmental Assessment (EA) for construction and replacement of facilities at Johnson's Oyster Company (JOC) on Drakes Estero. The EA was prepared to assist the NPS planning and decision making process to determine if an Environmental Impact Statement (EIS) was required for the proposed replacement facilities and the construction of a new processing facility at JOC. The EA describes the NPS proposal and the affected environment, and evaluates the effects of the proposed action and alternatives on the environment. The EA was prepared in consultation with the Marin County Community Development Agency to aid their use of the analysis in fulfilling California Environmental Quality Act requirements.

The EA evaluates and describes the following alternatives: A) a no action alternative; B) rehabilitation of two facilities and construction of a new processing facility; and C) rehabilitation of existing structures at same location.

The preferred Alternative B was selected for implementation to bring the JOC into compliance with federal, state, and Marin County health and safety regulations. In addition, this alternative provides improvements to area's visual quality. The no action was rejected because it would not meet the goals of the park's General Management Plan and would result in failure to perform the necessary improvements which would result in Marin County and the NPS issuing cease and desist orders for the operation of the facility. Alternative C did not provide environmental benefits which would occur under the proposed action.

The NPS/Marin County conducted public review of the EA for 30 days with the comment period ending on June 19, 1998. The park received 11 letters regarding the project. Letters were received from the Marin Conservation League, California Department of Fish and Game (CDFG), Marin Audubon Society, Sierra Club Marin Group, Tomales Bay Association, the Environmental Forum of Marin, Gulf of the Farallones National Marine Sanctuary and two individuals.

Two of the letters endorsed Alternative B: The Proposed Action. Both specifically discussed the positive aspects of moving the main facility away from Drakes Estero.

Three of the letters expressed concern that the new facilities would create additional growth in the overall oyster operation in the Bay. The letters indicated that additional growth may create potential negative impacts. The project is not sized to create additional growth in oyster production in Drakes Bay. The building has been only sized to meet public health and safety codes. In addition, JOC has agreed, as a condition of the NPS permit, to not exceed an annual processing/production limit of 700,000 lbs (oyster weight). This limit is the past peak production level over the last 10 years. This 700,000 lbs limit will ensure that the new facilities will not create additional growth (and any new negative impacts) in overall oyster production in the estuary.

General stewardship of the estuary by JOC was discussed in a number of letters. Several of the letters discussed oyster production related debris—particularly black plastic tubes and deteriorated plastic oyster bag—around the JOC facility and on the shores of the estuary and adjacent beaches. To address this concern, JOC has agreed as a condition of their permit to monthly remove any debris from the shoreline. The NPS and CDFG have agreed to monitor JOC and inspect the shoreline on a regular basis. JOC has also agreed to immediately remove any unused or abandoned oyster racks. In addition, JOC has agreed to pay the Gulf of the Farallones National Marine Sanctuary for quarterly monitoring of the shoreline.

Long-term impacts of oyster production to resources in the estuary was a concern of a number of organizations. As stated above, the NPS has concluded that there will not be any new impacts in the estuary as a result of the alternative chosen. However, as a condition of the permit, NPS, JOC, Gulf of the Farallones National Marine Sanctuary, and CDFG agree to begin a three year research program on long-term impacts of the oyster operations on estuarine species. This information will provide information for future modification of the permit and limits on the oyster operation.

The importation of foreign oyster stock into Drakes Estero and the potential contamination of Drakes Bay with "hitch-hiking" alien species was a concern of several of the organizations. To mitigate any impacts related to this issue, both JOC, and the CDFG have agreed to establish a policy of zero tolerance, develop a risk assessment, and protocols for importing Mexican oysters into Drakes Estero. All foreign oyster stock shipments will be inspected by CDFG and NPS prior to placement in the estuary. If contaminated, the stock will not be placed in Drakes Estero.

At the July 18, 1998 Point Reyes National Seashore/Golden Gate National Recreation Area Citizens Advisory Commission meeting, the project was unanimously approved.

The required mitigation measures necessary to eliminate and minimize environmental impacts are addressed in the mitigation matrix that follow.

Impacts	Measures	Responsible Party
Vegetation	To mitigate the invasion of non-native vegetation, the main disturbed site will be monitored and non-native plants removed after construction from disturbed areas. Areas will be replanted with natives where needed. At the leach field area, the site will be monitored to ensure rapid regrowth by surrounding native vegetation. All weed species will be removed. If necessary, planting with natives will occur.	Point Reyes National Seashore Resource Management Staff
Water Resources	The site will be monitored during construction and appropriate measures taken to ensure Drakes Estero and adjacent pond are not contaminated with sediments and construction debris. Soil and straw bale berms and plastic fencing will be established, as necessary, to protect the estuary from sediments and construction debris.	Johnson Oyster Company
Air	Some dust will be generated from construction activities. Dust will be mitigated by watering of area and covering truck leaving area with debris.	Johnson Oyster Company
Wildlife	Park staff will monitor species before, during, and after the project to insure disturbance is minimal. Resident bird nesting season will be avoided.	Point Reyes National Seashore Resource Management Staff
Threatened and Endangered Species	NA	
Soils	Some short-term impacts due to heavy equipment on-site will occur. These impacts can be mitigated by JOC by regrading and restoring the site quickly to allow regrowth of vegetation. To minimize any soil loss during construction, the area will be sprayed with water regularly to reduce dust and soil erosion. In addition, ground disturbance will be kept to a minimum (less than three acres on the main construction area and 2.25 acres on the leach field site) to ensure soil erosion is minimal. Any materials stockpiled will be on previously disturbed sites away from the estuary.	Johnson Oyster Company
Topography	To mitigate any potential impact to new structures, a qualified soil engineer will investigate soil conditions	Johnson Oyster Company

	to ensure long-term stability of proposed structures.	
Cultural Resources	Archeological site will be fenced to protect from any potential impacts and monitored throughout the construction period. If any archeological material is located during construction, the project will be stopped and the area evaluated.	NPS Regional Archeologist
Visual Quality	NA	
Health & Safety	NA	
Noise	Short-term impacts only during normal business hours on weekdays as demolition crews remove the structures and debris. Residents will be notified of construction activity and hours of all construction activity will be regulated. No construction can occur before 7:00 am and after 7:00 pm.	Johnson Oyster Company
Public Services	NA	
Economic	NA	

Based on the analysis of the environmental assessment and the alternatives, required mitigation measures, and with consideration of the public comment, the National Park Service will be authorized to undertake the replacement of two facilities and construction of a new processing facility at JOC. The National Park Service has determined that this action will not have a significant impact upon the environment. There are no cumulative impact nor is precedent established by these actions. Therefore, the project will be implemented and an environmental impact statement (EIS) will not be prepared.

Recommended: Frank Dean  
 Acting Superintendent, Point Reyes National Seashore

AUGUST 11, 1998  
 Date

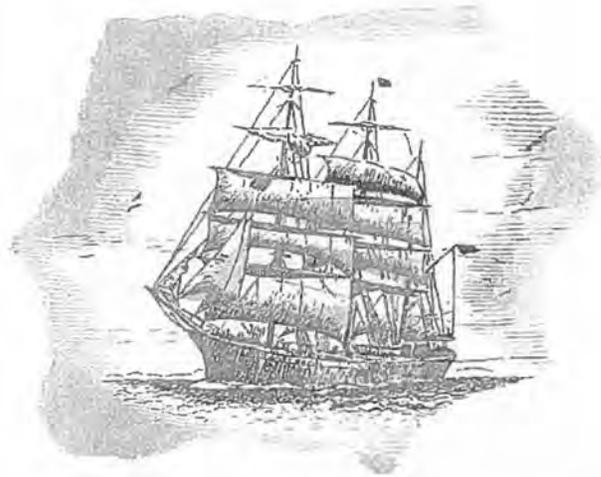
Approved: Cynthia [Signature]  
 for Regional Director, Pacific West

8-11-98  
 Date

# LAND USE SURVEY

Proposed

## POINT REYES NATIONAL SEASHORE



prepared by

REGION FOUR OFFICE

Lawrence C. Merriam, Regional Director  
180 New Montgomery Street  
San Francisco 5, California

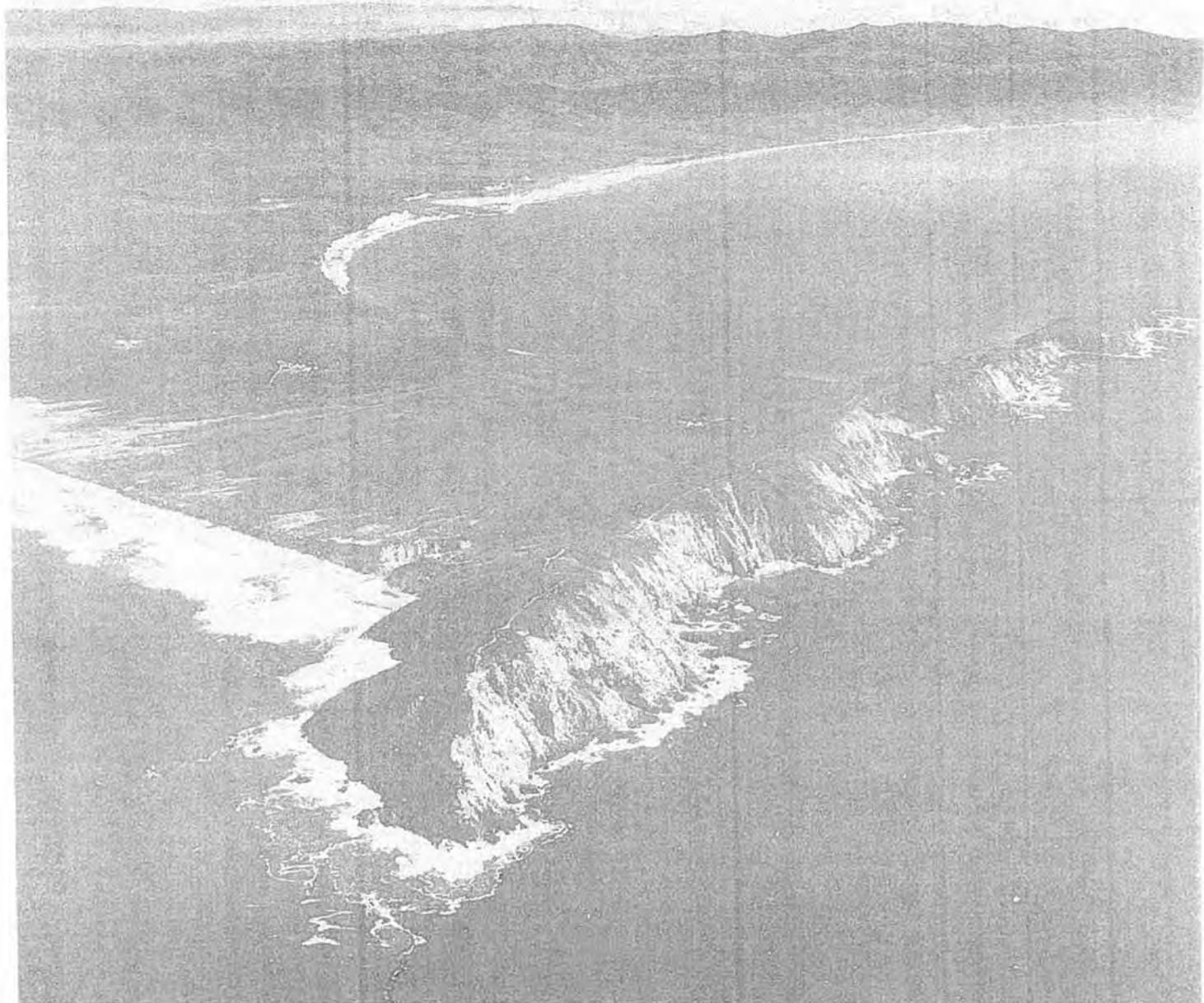
February 1961



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Stewart L. Udall, Secretary

NATIONAL PARK SERVICE  
Conrad L. Wirth, Director





## Point Reyes...

Granite cliffs pounded ceaselessly by the surging sea; a ten-mile long beach exposed to the thrust of wind and waves; the lowlands of sand dunes and rolling hills enclosing lagoons and esteros; the sandy, sheltered and curving beach of Drakes Bay; the forest-covered Inverness Ridge - all a geological island in time slowly moving northward. There are bird rookeries on offshore rocks, herds of sea lions in sheltered coves, marine birds relaxing on fresh-water lakes, mule deer on brush-covered slopes; and the "white cliffs of Albion" seen by Sir Francis Drake. All these combine to make the Point Reyes Peninsula, so near to the heart of San Francisco, an outstanding scenic, scientific, historic and recreation area.

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# Introduction

## LAND USE SURVEY

This is a LAND USE SURVEY of the proposed Point Reyes National Seashore located in Marin County, California, on the Point Reyes Peninsula. It is current as of April, 1960. The proposal embraces the entire Point Reyes Peninsula with the exception of the villages and adjacent expansion areas, the Tomales Bay State Park, the facilities operated by the U.S. Coast Guard, and certain radio communications facilities of critical international importance.

Included in the proposal are provisions for the continued operation of most of the dairy ranches, suggestions for expansion of commercial fisheries to furnish recreation opportunities commensurate with the purposes of the seashore proposal, and continuance of the oyster industry in Drakes Bay to supply additional recreation facilities. The area being considered approximates 53,000 acres of land and inland lakes, plus the included bays and esteros, and the tidal and submerged lands within one-fourth mile of the coast of the proposed seashore.

A national seashore is distinguished from a national park primarily in its method of development and management, which may be somewhat less restrictive than in a national park. The national parks are spacious land areas which require in their public use programs exacting application of protective controls to conserve, unimpaired, their compelling manifestations of nature.

A national seashore, although it may offer certain unique or outstanding natural history elements requiring absolute preservation just as in a national park, generally will be capable of sustaining as a major objective a varied public recreation program less restrictive than would be suitable in a national park. Both types of areas are administered under the laws, rules and regulations of the National Park Service. All of the recreation activities reasonably allowable in a national seashore are encouraged. Boating and other water and beach recreation, softball, golf and other sports and games may be highly consistent where they can be worked out without endangering other important considerations. Thus, public use opportunities could exert more recreation "pulling" force than is usually expected at a national park where the recreation is generally of a more passive or contemplative nature. It is all a matter of basic policy, planning, and programming for the wisest use of resources.

The LAND USE SURVEY, made with donated funds, proposes the dedication of about 53,000 acres of lands for the national seashore out of a total of roughly 64,000 acres on the Point Reyes Peninsula. The excluded 11,000 acres would consist of Tomales Bay State Park, together with private lands within it, villages on the Peninsula, and adjacent lands for their expansion. Within the exterior boundaries of the proposed seashore about 33,000 acres of the Peninsula would be used exclusively for a variety of public uses. The PUBLIC USE ZONE would make avail-

able for public enjoyment a 70-mile coastal area with many miles of sandy beaches, interspersed between steep bluffs containing marine caves and flanked by offshore rocks. Inland from the bluffs and beaches are grassy terraces, sand dunes, or rolling uplands covered with coastal brush, and wind-pruned trees.

On the southern half of the Peninsula, the Inverness Ridge rises to a height of 1,400 feet. Its seaward side supports broadleaf trees and Douglas firs in steep ravines and along its summit. The eastern side of the Inverness Ridge was solidly covered with a Douglas fir forest before 1958 when a lumbering operation commenced. About midway of the Peninsula where Inverness Ridge rises, and northward for some 8 miles, the forest is a mixture of broadleaf and coniferous trees with bishop pines predominating. The varied character of the proposed PUBLIC USE ZONE, its natural condition and proximity to a large urban center, make the area one of the five most outstanding segments of unspoiled seashore remaining along the Pacific Coast.

All of the lands on Point Reyes Peninsula suggested for administration by the National Park Service are in private ownership at the present time, and are devoted largely to dairy farming or beef cattle ranching. This LAND USE SURVEY proposes that 20,000 acres of land in the central part of the Peninsula would be leased for the operation of dairy ranches or the raising of beef cattle. The RANCHING AREA would preserve this portion of the proposed seashore as "open space" for its scenic pastoral qualities.

The proposed boundaries of Point Reyes National Seashore include a total of 15 dairy ranches which raise approximately 7,000 head of dairy stock, with about 3,200 head in active milk production, and 10 beef cattle ranches with approximately 3,500 head of beef cattle. If a national seashore were established and managed in accordance with the present proposal, about half the dairy and beef cattle ranches would continue operation under lease agreements. Ranching operations within the portion of the national seashore to be reserved for public use would be largely, if not wholly, discontinued.

The oyster beds and oyster cannery on Drakes Estero would add recreation and economic value to the seashore and should be continued. The commercial fisheries on Point Reyes likewise have valuable recreation and economic implications. The fishery operations could be expanded to furnish charter boat service for deep-sea sport fishing. Construction of a harbor of refuge in the west end of Drakes Bay where these fisheries are located, has been proposed by State of California authorities. A safe anchorage off Point Reyes Peninsula would significantly increase sport fishing and the use of this part of the Pacific Ocean by pleasure craft berthed in San Francisco Bay.

The two radio receiving installations on Point Reyes Peninsula would continue to provide communication ser-

vices to the Orient, Australia, and ships at sea. Relocating the Sir Francis Drake Highway farther away from these installations and retaining the undeveloped status of adjacent lands would insure less interference with radio reception than will occur if the national seashore is not established. Prevention of automotive traffic west of the radio receivers on the presently State-owned beach, and restricting boats on Abbotts Lagoon to canoes or rowboats, would materially benefit these radio facilities and at the same time would be within the concept of good public recreation use.

Public recreation use of Point Reyes Peninsula is limited now to the enjoyment obtained from driving to Point Reyes, where recreationists are permitted to visit the Point Reyes Lighthouse, or from driving north on the Pierce Point road to the vicinity of McClure Beach. A spur road from Sir Francis Drake Highway leads to Drakes Beach, a 52-acre county-owned park which is nearly all marshland. Tomales Bay State Park contains delightful picnic areas and three small beaches where visitors can swim. Out of many miles of State-owned beaches on the Point Reyes Peninsula less than five miles are publicly owned and thus accessible for public enjoyment. With the exception of these beaches, the lighthouse, the State Park, and about 30 miles of public road, all of the Peninsula is off-limits to the public. South of the road from Inverness to Point Reyes the land is all privately owned and public access is prohibited.

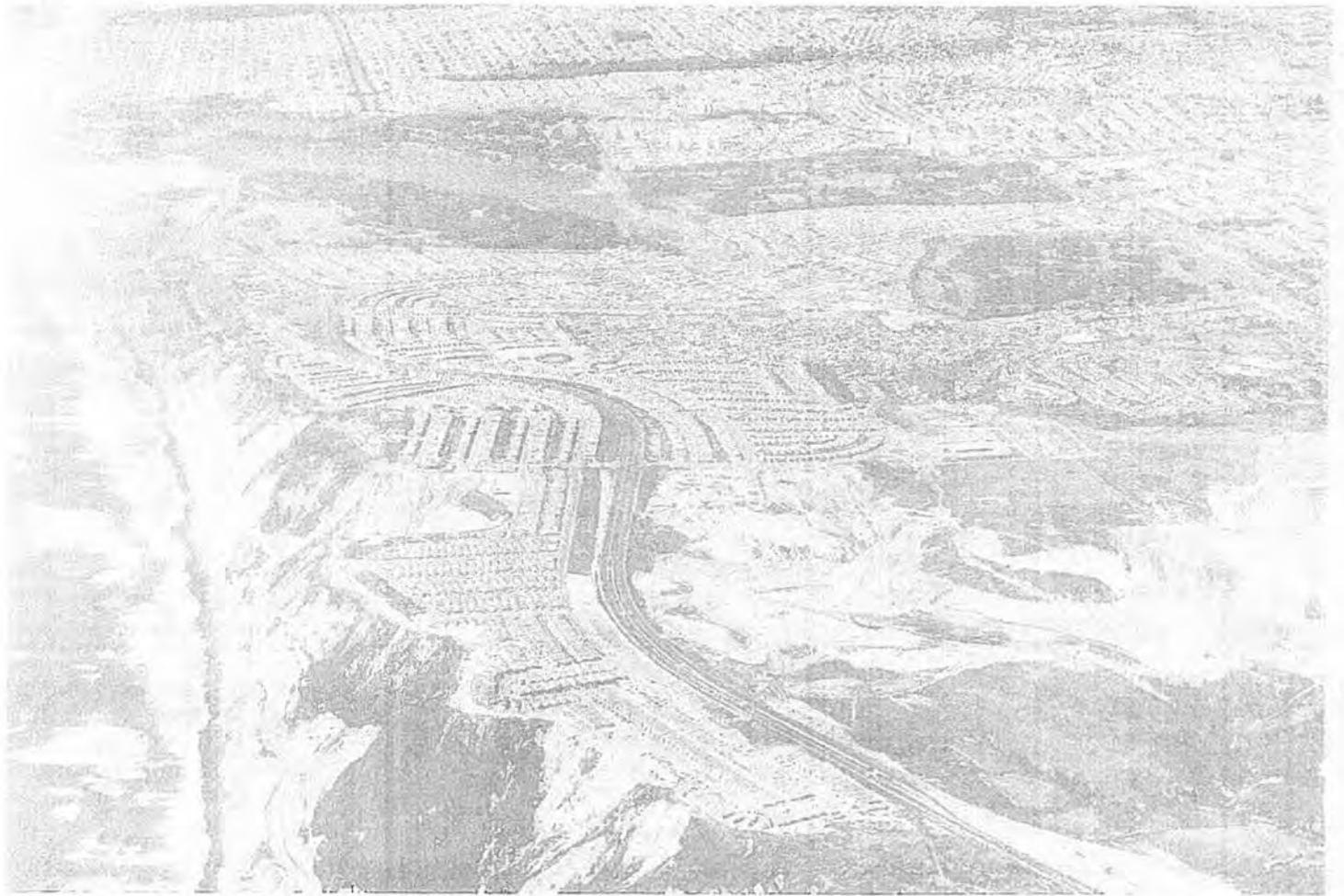
Day use visitation to the proposed Point Reyes National Seashore would be derived largely from residents of the nine-county San Francisco Bay Area, and the Sacramento and San Joaquin Counties, plus some from residents of the other counties of the State, and out-of-state visitors to California. Considering the population growth anticipated within the nine-county Bay area, and the increase of recreation nationwide, it is estimated that the national seashore would receive at least 2.1 million day use visitors annually by 1980. Construction within the national seashore of campgrounds, and the development outside its boundaries of overnight accommodations by private industry, would increase overnight, weekend, and vacation use, it is believed, by an additional one-quarter million visitors.

An economic survey made by the National Park Service in collaboration with University of California professionals and other authorities indicates that removal of lands from the tax rolls in the event of national seashore establishment would not necessarily result in increased tax burdens to other property owners in Marin County. Loss in tax revenues would be more than compensated for in a short time by the various taxes paid by new facilities and services outside the proposed seashore that would be essential to serve seashore visitors.

The drawings herein, the accompanying pages of text, and the photographs are a graphic interpretation of the Point Reyes National Seashore proposal.



Clyde Sunderlund, Oakland



Moulin Studios, San Francisco

The few remaining open spaces near San Francisco are disappearing. The undeveloped land in the foreground, where bulldozers were at work in April 1958, is now covered with houses or soon will be. The undeveloped lands around Laguna de la Merced are golf and country clubs and Fort Funston. Establishment of a national seashore on Point Reyes Peninsula will secure for public use the only remaining large section of undisturbed seacoast near San Francisco.

CONTRASTING LAND USES . . . The Golden Gate Bridge links densely populated metropolitan San Francisco with southern Marin County. The fast growing city needs more living space, and all the open land in Marin, where homes can be built, will disappear soon. Point Reyes Peninsula, just visible near the top of the photograph, cannot escape a similar fate unless it is set aside and managed officially as a public recreation area.

# PRESENT AND PROJECTED Population

**T**HE close relationship of the Point Reyes Peninsula to one of the nation's most heavily populated and fastest growing regions is a circumstance that is rarely found in combination with an extensive area endowed with such outstanding natural attributes as is the Point Reyes Peninsula.

The Bay Region, comprising 13 counties within a distance of about 100 miles of the Point Reyes Peninsula, is one of the two most densely populated areas of California, the other being the Los Angeles Urban Area. The counties within the Bay Region are listed below. Those preceded by an asterisk are within the immediate 9-county San Francisco Bay Area—the counties that actually front on the bay.

*Alameda	*Contra Costa	*Marin
Sacramento	*San Francisco	San Joaquin
*Napa	*San Mateo	*Santa Clara
Santa Cruz	*Solano	*Sonoma
Yolo		

In 1959, the 13 counties comprising the Bay Region supported a combined population estimated at nearly  $4\frac{1}{2}$  million persons. This figure represents a gain of more than 136% since 1930.

The greatest population density in the San Francisco Bay Region occurs within the vast metropolitan complex known as the San Francisco-Oakland Standard Metropolitan Area. It lies southeast of Point Reyes and rings the southern half of San Francisco Bay. The population of this metropolitan area was estimated at more than  $2\frac{3}{4}$  mil-

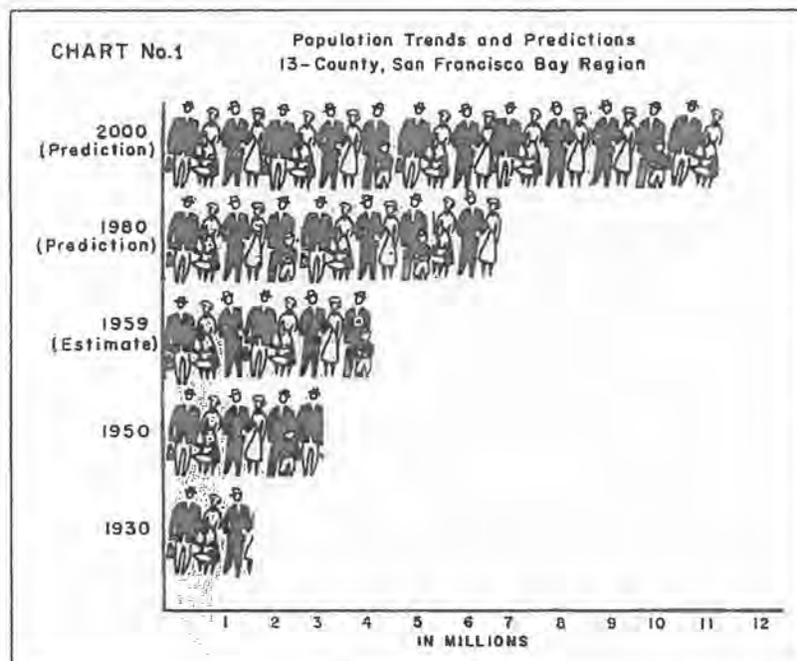
lion persons in 1959—nearly two-thirds of the resident population of the entire Bay Region in that year.

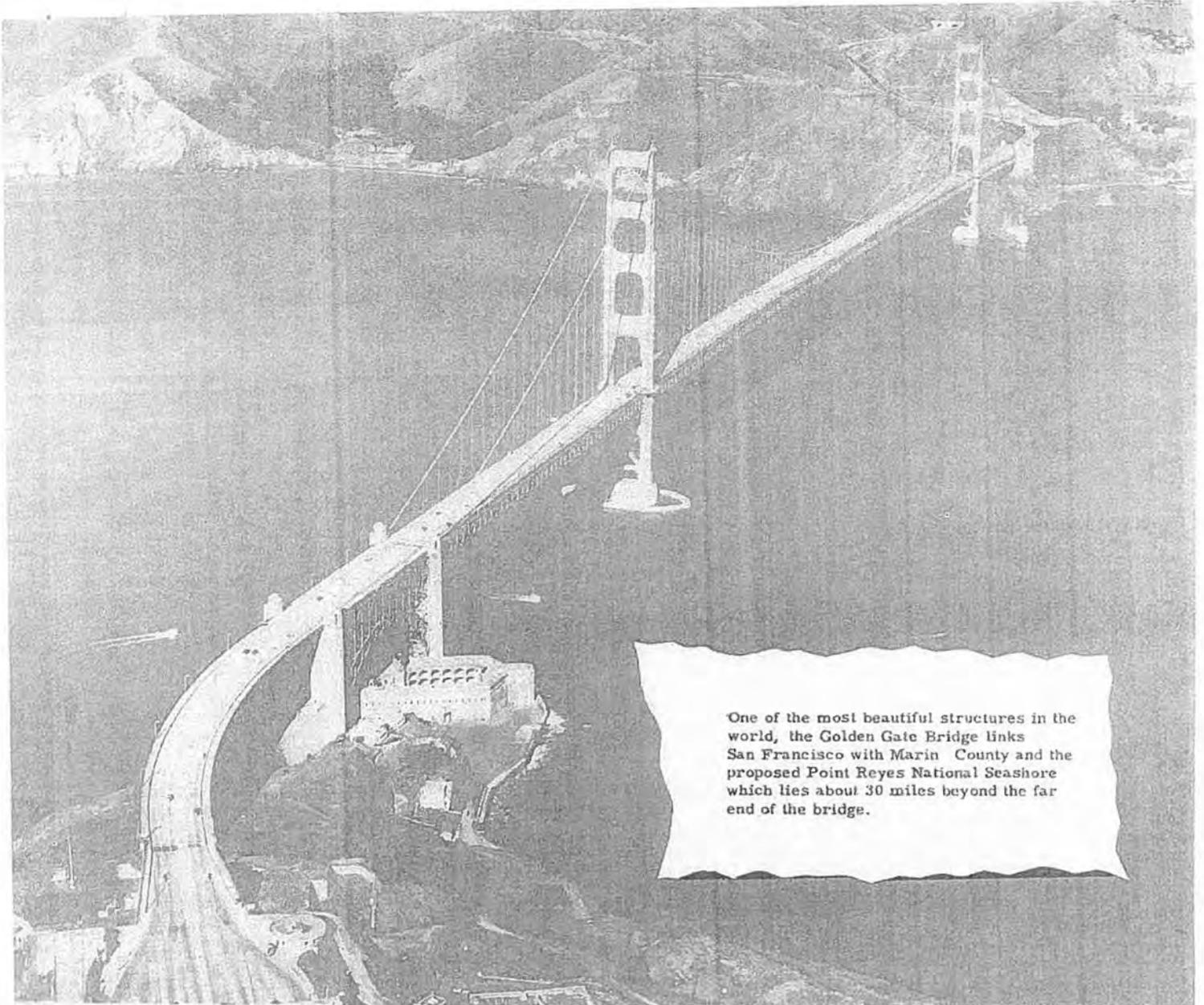
Other major population densities are located in the Sacramento Urban Area at the northeast extremity of the Bay Region, the San Jose Urban Area to the south in Santa Clara County, and the Stockton Urban Area to the south of Sacramento in San Joaquin County. Population statistics for 1959 are not yet available for these urban areas. The 1950 U.S. Census lists their combined population at slightly more than 500,000 persons.

In addition to the growth trends that have been recorded for the 9-county Bay Area and the 13-County Bay Region, several independent population studies employing various prediction methods have been made recently by such agencies as the U. S. Bureau of Census, the California Department of Finance, the San Francisco Bay Area Council, and the Bay Area Rapid Transit District. Taking into account the recorded growth trends of the Bay Region and the population predictions that have been made in the foregoing studies, it seems reasonable to anticipate that the resident population of the 13-County Bay Region will have reached at least 7,223,000 by 1980 and nearly 11,700,000 by the year 2000. Recorded trends and future predictions are shown on Chart No. 1.

The present density pattern is expected to continue throughout the period of analysis, but with added population densities developing in the East and North Bay sections of the Region.

See population map in the appendix.





One of the most beautiful structures in the world, the Golden Gate Bridge links San Francisco with Marin County and the proposed Point Reyes National Seashore which lies about 30 miles beyond the far end of the bridge.

Redwood Empire Association

## Highway Access and Circulation

**T**HE Point Reyes Peninsula is about 30 miles northwest of San Francisco and is thus centrally located in relation to California residents and to national travelers who visit the State. Present access to the Peninsula from the main arterial traffic routes is by narrow winding roads which will carry safely a limited amount of traffic only. Public travel on the Peninsula is restricted to one highway with two spur roads. Establishment of a national seashore would mean planned road circulation to open for public use portions of the Peninsula that are not now accessible to the public.

San Francisco Bay Area residents who drive to the Point

Reyes Peninsula use the Golden Gate Bridge or the San Rafael-Richmond Bridge to reach U.S. Highway 101 in southern Marin County. The southern approach to Point Reyes Peninsula from U.S. 101 is via State Highway 1. It branches off the freeway four miles north of the Golden Gate Bridge, and then turns westerly to the coast which it follows to Bolinas Bay at the southern end of the Peninsula. State Highway 1 continues northerly through the Olema Valley, passes through the towns of Olema and Point Reyes Station, and continues on along the east side of Tomales Bay to northern California.

Sir Francis Drake Highway is the best road to the Pen-

insula for Bay Area residents. It branches off U.S. 101 in southern Marin County near Greenbrae, runs westerly through the county to Olema and Point Reyes Station where it enters upon and crosses the Point Reyes Peninsula and terminates at Point Reyes. Additional access from U.S. 101 is afforded by several county roads, which although slow-speed routes, are scenically interesting.

Other California residents and out-of-state visitors may use a variety of State and Federal routes to reach Point Reyes Peninsula. U.S. Highways 40 and 99 are Federal Interstate and Defense Highways. Both of these have lateral roads which when improved as planned, will provide super highways for visitors from distant points to the proposed Point Reyes National Seashore.

The completion of highways in Marin County now approved by the California Legislature as part of the California Freeway and Expressway System will connect the Peninsula with the major freeway systems of the State and Nation. Portions of the Expressway System, scheduled for completion within the next 20 years, are designated Legislative Routes and are delineated as L.R. 51, 56, 69 and 252 on the HIGHWAY ACCESS Map in Appendix. Legislative Route No. 56 calls for the improvement of California State Highway 1 to freeway standards from its junction with U.S. 101 to and beyond Point Reyes Station.

Sir Francis Drake Highway is scheduled under Legislative Route No. 67 to become another four-lane freeway. It will connect near Point Reyes Station with Legislative Route 252, originating at Novato on U.S. 101. Improvement of the present low-standard county road connecting Novato and Point Reyes Station will provide direct access to the Peninsula from points within Sacramento Valley. Legislative Route No. 51 is essentially a continuation of State Highway 1. It will extend this freeway to U.S. 101 at Santa

Rosa, California. These State road construction programs would improve and speed access to the proposed Point Reyes National Seashore for Bay Area residents and visitors from more distant points both of California and of the Nation.

Public travel on the Point Reyes Peninsula is limited now to less than 15 miles of the Sir Francis Drake Highway, some 14 miles of the Pierce Point road which branches off this highway at the southern corner of Tomales Bay State Park, and a 1.5 mile spur road from the highway which leads to Drakes Beach County Park. The Pierce Point road passes the entrance to Tomales Bay State Park and continues on to a small county-maintained parking area near McClure Beach. These three points, Drakes Beach, Tomales Bay State Park, and McClure Beach, are the only public recreation areas on the Peninsula. The Point Reyes Lighthouse is open to the public, but it is reached by a long steep descent which discourages most visitors.

The suggested development for the proposed National seashore as shown on the POSSIBLE DEVELOPMENT LAYOUT sheet in this report, calls for construction of approximately 25 miles of new roads, the improvement of 40 miles of existing roads, and about 25 miles of horse and hiking trails. With these improvements, an area possessing outstanding scenic, scientific and recreation values within a short drive of one of the major metropolitan centers of the United States would be open to visitors. The southern half of the Peninsula within the proposed Point Reyes National Seashore which only a few persons are privileged to see or use, and which contains the most scenic part of the Peninsula, would become accessible to the public for the first time in more than a century.

## Human History OF POINT REYES PENINSULA

THE Point Reyes Peninsula is more than a place of recreation. It is a place which increases our understanding of the past and causes us to think about the course of our future, for here is a great sweep of shore, lowlands and hills virtually unchanged since it was seen by the first explorers. Here, for those who can read it, is the scene of a vast historical pageant. Coast Miwok Indians lived on the Point Reyes Peninsula and the location of known Indian occupation zones is shown on the accompanying drawing. Their habitations along the west side of Tomales Bay, around Drakes Estero and the seaward shores evidence their dependence upon the marine animals for food.

Around the year 1500 A.D. there were probably more Indians living on the Peninsula than there are Caucasians at the present time. Doubtlessly not all of the 113 known aboriginal village sites were occupied at the same time, but the number of sites suggests a fairly heavy population. While there are not many known archeological or prehis-

torical sites of critical importance on the Peninsula - perhaps not over two dozen at the most - the point is that early people did utilize the Peninsula and lived there.

Here with a vivid sense of immediacy, one recalls the courage of pioneer navigators who braved the unknown Pacific Coast in their cockleshell vessels. Here one thinks of the results - good and evil - of political and religious rivalries. Here one relives the wonder of men who saw these meadows and hillsides literally moving with migrating elk and with wheeling flocks of waterfowl. Here one honors the heroism of those who braved the shattering seas in attempts to rescue the many unfortunates wrecked on this section of the coast. And here one compares the way of life of the Mexican and American ranchers, whose isolation and unhurried calm were in such vivid contrast to the urban bustle of our lives today. Triangular symbols with captions are used on the accompanying drawing to generally locate these sites of historic interest.



The crowning of Francis Drake by the Coast Miwok Indians in 1579 is depicted in this illustration. The sketch appears in a book published in Amsterdam by the 17th century geographer Arnoldus Montanus in 1671. In addition to the crowning, the picture shows the erection of the brass plaque on which Drake claimed the country for Queen Elizabeth, and, in the distance, the Golden Hinde, the ship in which Drake sailed around the world.

For the nation as a whole, the most significant part of this story relates to the possibility that Sir Francis Drake, the English seaman and the scourge of Spain, may have repaired his vessel, the "Golden Hinde", here in 1579 before starting out across the Pacific on his journey around the world. Although historians do not agree as to his exact landing place along the central California coast, Drakes Bay has long been considered as the most probable location. At any time, the remains of Drake's stone fort may be discovered, an event which would catapult the area into the ranks of the nation's outstanding historical sites, since it would mark the scene of the first known English habitation within the boundaries of the present United States.

Point Reyes figured prominently in the annals of exploration along the Pacific Coast. Drakes Bay was then, as now, a harbor of refuge sheltered from northerly winds but exposed to southern storms. Here in 1595 the Spanish explorer Sebastian Rodríguez Cerméno suffered the first recorded shipwreck in California waters when his vessel, the "San Agustín", was blown ashore near the mouth of Drakes Estero. Archeologists have recovered from Indian mounds on the shores of Drakes Estero lots of porcelain which almost surely came from the "San Agustín". Seven years later, in 1602, the expedition of Sebastian Vizcaino, coming north from Mexico, stopped briefly near Point Reyes, giving the anchorage the name of Puerto de los Reyes or Port of the Kings.

The attempt of the Spanish to establish a settlement in this port led to the discovery of one of the best natural ports in the world. The Don Gaspar de Portola expedition traveling by land up the coast from San Diego in 1769 was thwarted in its search for Puerto de los Reyes by the estero now called San Francisco Bay. Six years later and 173 years after Vizcaino visited Drakes Bay, Juan Manuel de Ayala in the "San Carlos" made the first recorded passage through the Golden Gate. Thereafter, the anchorage in Drakes Bay was overshadowed by the Port of San Francisco.

During the early 19th century, Drakes Bay was familiar to the traders, whalers, and fur hunters of the United

States, Mexico, Great Britain, and Russia and here the well-known trading vessel, the "Ayacucho" went ashore in 1841.

Several large Mexican cattle ranches were established on the Peninsula and later it became famed for its fine dairy products, as it is today. For many years the produce from Point Reyes Peninsula was transported from Drakes Estero and Tomales Bay to the San Francisco markets in shallow-draft, coastal schooners. In 1870 the Point Reyes Lighthouse was installed to protect shipping on this dangerous section of the coast, the scene of many tragic wrecks. A colorful chapter is formed by the activities of smugglers in the region during the prohibition period. During World War II artillery observation posts and beach patrols were located on the Point Reyes Peninsula to defend San Francisco.

This, in brief, is the human story told by Point Reyes Peninsula. Perhaps nowhere else on the entire California coast have the scenes of such a broad panorama of events been left so untouched by the hand of man. As an unspoiled bit of the country described by California's early visitors, it is unique. It enables us to place ourselves in the footsteps of these pioneers and to understand more vividly their reaction to the scene. And it enables us to contrast what they saw with the situation in most of the rest of California today and makes us think about the direction in which our civilization is taking us.

The National Park Service would carefully plan the location of developments and guide the recreation activities in a manner which would leave important known historic and archeological sites undisturbed so that specialists would have opportunity to study them further and recommend a course of action for preservation of important sites. It is recommended that every possible attempt be made to preserve for future study all types of archeological sites on Drakes Bay, even those of modern derivation, on the assumption that any spot indicative of aboriginal occupation may yield data pertaining to the Drake Landing question.

# A Geological Island in Time



Clyde Sunderlund, Oakland

Tomales Bay separates the north end of Point Reyes Peninsula from the mainland. The depressed land surface beneath Tomales Bay extends southward through Olema Valley at the head of the bay and continues on under Bolinas Lagoon, not shown in the photograph. This depression delineates a short segment of the San Andreas Fault Zone.

The Point Reyes Peninsula has moved slowly northward along this fault since Cretaceous times 80 million years ago, but how far is not known. The present rate of displacement is about two inches a year. After the great San Francisco earthquake of 1906, a lateral land movement of 20 feet was recorded at the head of Tomales Bay.

## THE Geology OF POINT REYES PENINSULA

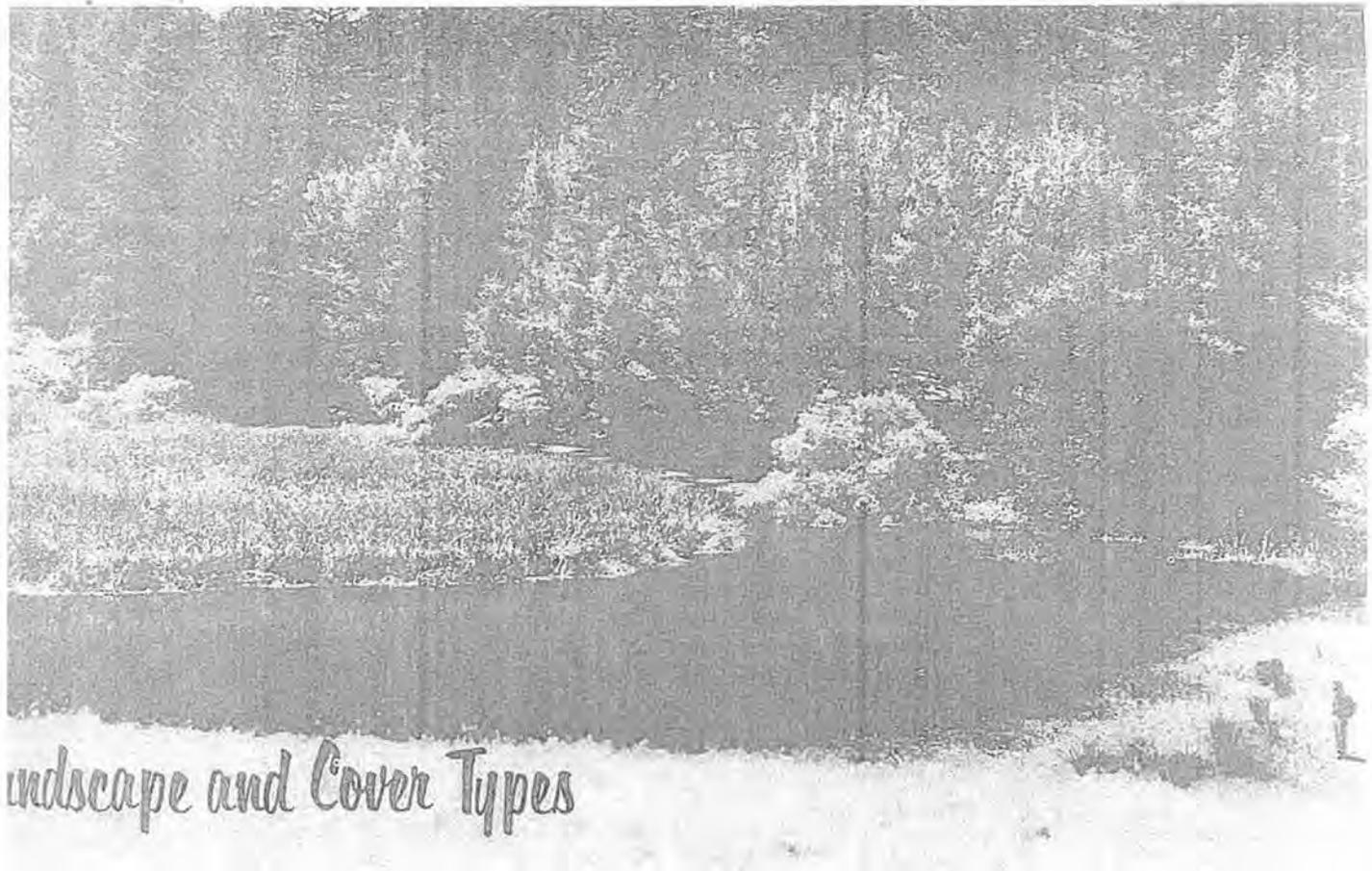
THE Point Reyes Peninsula can be conveniently divided into four topographic sections. These are from east to west: (1) the long straight depression occupied by Tomales Bay, Olema Valley and Bolinas Lagoon, (2) the high country of Inverness Ridge, (3) the rolling middleground west of the ridge and (4) the promontory of Point Reyes itself. Each of these landscapes reflects its geological environment and history.

The long narrow valley extending from Bolinas Lagoon to Tomales Bay, which separates the Peninsula from the mainland, is the location of a portion of the great San Andreas fault zone, along which the San Francisco earthquake of 1906 took place. Erosion of the shattered rock along the fault zone has produced the long straight valley. Lateral movement along the many earthquake cracks of this fault zone, including the easily identified one of 1906,

has produced a marked northward displacement of the land west of the fault zone. As a result, the rocks of the Peninsula which lie to the west of the fault are completely different in type and age from the rocks of the mainland to the east; the Peninsula is an isolated geological unit.

The high country of Inverness Ridge is mostly formed by hard granite which has resisted erosion. The granite encloses areas of limestones, quartzites and schists which are the remnants of the rocks into which the granite was intruded as a molten mass. These remnants are the oldest rocks in the area.

Low rolling country of softer sands and shales connects Inverness Ridge with the promontory of Point Reyes, which is composed again of hard granite as well as younger sediments. The relation of these various strata can be seen to advantage at the Point.



## Landscape and Cover Types

Hyde

**WOODED UPLAND.** The forest encircling Mud Lake illustrates the two types of forests on Inverness Ridge. Broadleaf trees are found in moist canyons and bordering the openings. Conifers are responsible for the name "Black Forest" which has been applied to the Peninsula uplands. Mud Lake has an interesting history. Most of the water drained out of the Lake in the 1906 earthquake.

## Landscape AND COVER TYPES

**T**HE Point Reyes Peninsula is scenically and ecologically unique for the following reasons:

California's coastal climate has no counterpart in this hemisphere. The warm, dry summers and cool, rainy winters produce a Mediterranean type of climate. The ocean fogs, which play a vital part in moderating seasonal temperature variations, also create collateral climatic conditions beneath the tall trees, and they influence vegetation on the Western slopes. These peculiar climatic factors in combination with the great variations in topography and soils of the Point Reyes Peninsula have produced an extraordinary diversity of forests, brush lands, grasslands, dune vegetation and marshes.

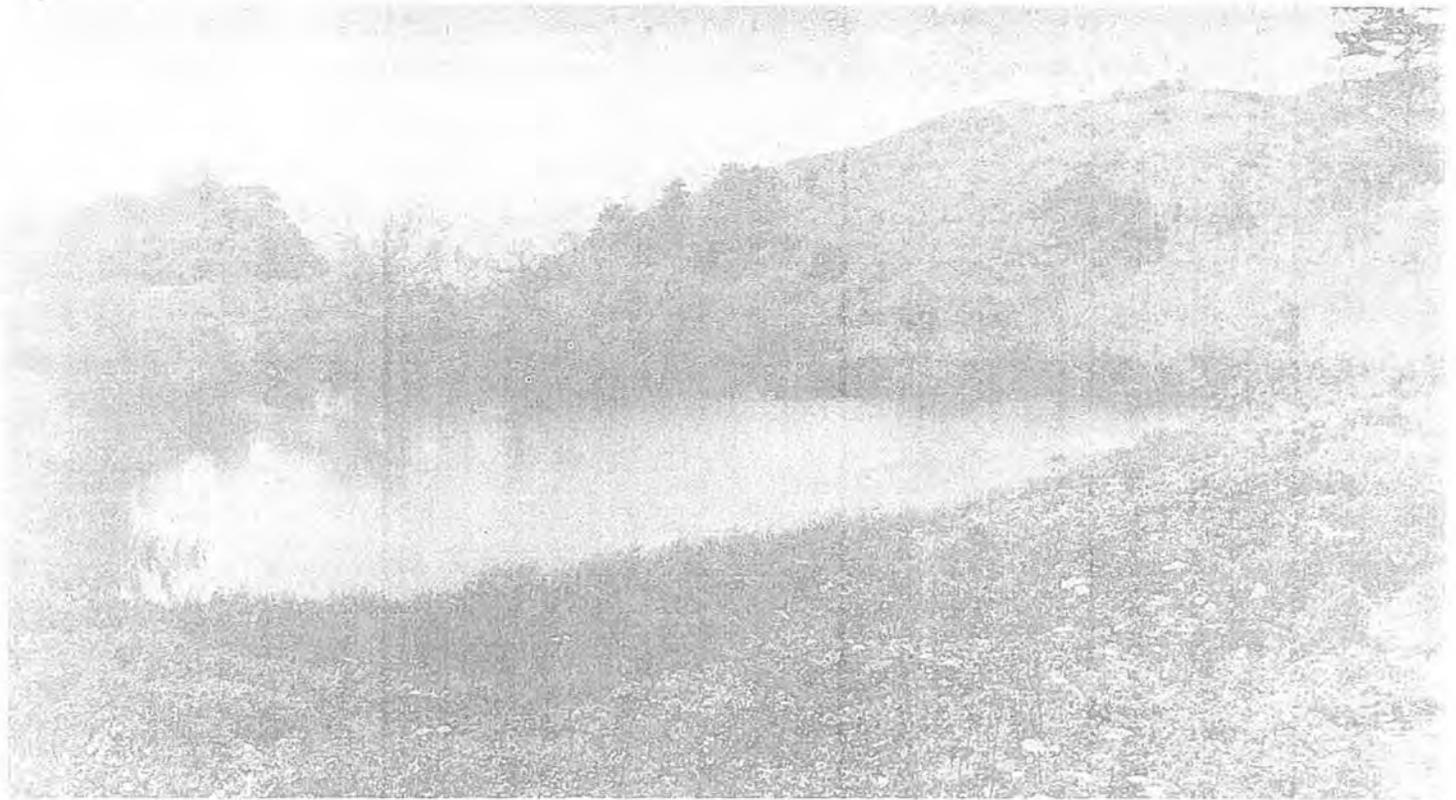
Point Reyes Peninsula flora evidences that the Peninsula has long been the meeting ground of northern and southern California Coast Range floras. The Douglas fir forest is a southern outpost of the Northern Forest Association. In places stands of these trees around Inverness Ridge resemble in density and uniformity the forests of this species that grow far to the north. The Bishop pine forest, on the other hand, is typical of the closed-cone pine forests of coastal California which occur in isolated groves from northern California south into Lower California. Distributional relationships of other plants show

that the movements of floras have been much stronger southward than northward.

The ranges of five species of plants are confined exclusively to the Point Reyes Peninsula. Two endemic Manzanitas, one having resemblances to a northern species, the other resembling a southern species, occur only on Mount Tamalpais and the Point Reyes Peninsula.

As a result of this diversified climate and plant life, the wildlife exhibits a corresponding diversity, ranging from salt-water shore birds to birds and mammals typical of dense mountain forests. One hundred and sixty-three species of birds and forty-three species of mammals have been recorded.

**WOODED UPLAND.** A forest of Douglas firs grows on the eastern slopes of Inverness Ridge and in some of the deeper canyons facing the ocean. Bishop pines, unique to the California Coast occur on the northern half of Inverness Ridge. A small grove of Coast Redwoods adds to the ecological variety. Mingled with the firs, or flanking them at lower levels, are groves of broadleaf trees consisting of California laurel, madrone, tanbark oak, live oak, maple and wax myrtle, with a profusion of shrubs including rhododendron, blue blossom, honeysuckle, wild



Philip Hyde

**BRUSHY SLOPES.** Coastal brushland is a type of chaparral. Shrubby plants, intermingled with perennial herbs, form tall, dense thickets on the moister sites. On drier, sunny hillsides the same plants are lower and more bushy. Douglas firs are invading the brushland suggesting its existence is due to recurring fires which have been suppressed by civilized man.

**GRASSY LOWLANDS.** Several types of grassland on the Point Reyes Peninsula are included in this category. Grass growing on a delta at the head of Drakes Estero differs from similar plant associations found on the tops of adjacent low hills. Grassland associations have been modified by cattle grazing for so long that the present vegetation is not representative of natural conditions.



Philip Hyde



Philip Hyde

**DUNES AND BEACHES.** Plants growing on the sandy portion of the Peninsula have adaptations which permit them to fill this niche in the scheme of nature. Persisting on the most recent geologic deposits they strive continually to hold their ground. Those washed by the highest surf, or those literally anchoring the dunes by their interlaced rootlets, differ markedly from inland species.

rose, and huckleberry. Here in thickets and tangles of down logs, a few colonies of that living fossil, the mountain beaver—which is not closely related to any other rodent—still survive. Below the ridge crest and bordering on the forest is an extensive belt of woodland, interspersed with grasslands in which the California buckeye is a common and conspicuous feature. This belt is a pleasant, hospitable place for camping and picnicking. Deer, rabbits, quail, and many species of songbirds inhabit these wooded uplands.

**BRUSHY SLOPES.** The brush covered slopes impart their own unique scenic quality to the upland landscape, and harbor bird species with comparably unique qualities. The coastal brush association includes thickets of a chaparral-type growth on the seaward slopes, and wind-swept plants on the maritime bluffs. In the hills and canyons, the shrubs on the moister slopes form tall, dense thickets. On the ocean bluffs plant growth is usually not so dense, the plants are lower and more compact. In the midst of the brushland, islands of Coast live oak and California laurel occur, the latter often wind-pruned. Some twenty-five species of shrubs grow on these brushy slopes. Coyote brush is a common colonizer and may occur as a pure society.

**GRASSY LOWLANDS.** This very extensive zone covers much of the seaward-facing lowlands, and gives to the Point Reyes Peninsula the open space, the wide dimensions, the "elbow room" for which this area, so close to

the heart of San Francisco, remains uniquely valuable. A profusion of wildflowers, dominated by lupines, decorates this spacious area wherever grazing has not been too severe. Brushland clearing on the flatter hilltops, and in swales, has created artificial openings where grass prevails with the help of man. Much of the grasslands on the Peninsula may be due largely to agricultural practices. Over the years, much of the lowland has been plowed, planted to crops, and then seeded to grass. Heavy grazing for over a century has drastically altered the natural grassland complex. Possibly, the lowlands originally were covered largely with brushy plants and the grasslands are mostly man-made.

**DUNES AND BEACHES.** The dramatic, see-saw struggle of plants to bind the drifting sands along the Point Reyes Beach and establish themselves in spite of wind and waves is a fascinating ecological story. Many of the dune plants, particularly the lupines, produce a notable wildflower spectacle. Some of them are unique to the Peninsula.

**THE MARSHES.** The fresh water marshes, although of limited extent, are of great interest to plant ecologists, to bird students, and to scientists in other fields. Vernal pools behind sand dunes which have dammed drainages produce a distinctive group of spring plants. The salt water marshes are vital feeding grounds for a great variety of waterfowl, including swans, marsh birds, and shore birds, which forage the tidal pools where their food supply becomes exposed twice daily.

# Climate OF POINT REYES PENINSULA

Point Reyes Peninsula climate is characterized by warm, dry summers, and cool, rainy winters. This is similar to the type of climate that prevails in the Mediterranean regions of Europe and Africa. Being located on the sea coast, the Point Reyes Peninsula is strongly influenced by the Pacific Ocean. Constant winds of moderate to strong velocity occur on the exposed headlands. The prevailing westerly winds have high humidities which accounts for the frequent fogs recorded at the lighthouse on the western extremity of Point Reyes. These winds have a moderating effect on coastal temperatures.

The U. S. Coast Guard Station located at the extreme western end of Point Reyes is the only Government operated weather observation station on the Point Reyes Peninsula. Other weather observation stations in Marin County are located at Hamilton Air Force Base, San Rafael, Kentfield, and Muir Woods National Monument. The weather at these stations is often considerably different from the Peninsula weather. It is believed therefore, that weather observations from none of these inland stations present a true picture of Peninsula weather.

The U. S. Weather Bureau and the U. S. Coast Guard have maintained weather records at Point Reyes for at least 60 years. The Coast Guard now makes six observations each day, one every four hours. A summary of weather conditions observed by the Coast Guard for the 5-year period 1949-1953 is given in Table No. 1.

TABLE NO. 1  
U. S. WEATHER BUREAU DATA FOR POINT REYES LIGHTHOUSE STATION  
Summary of Averages for the Period 1949-1953

	Wind Velocity		Temperature		Weather (Number of Days)			
	Max.	Ave.	Max.	Min.	Bright	Cloudy	Foggy	Rainy
Jan.	44	11	64	38	15	8	3	4
Feb.	43	11	65	40	14	5	6	3
Mar.	47	14	71	41	18	7	1	5
Apr.	43	14	68	45	13	10	6	1
May	45	13	76	42	15	7	8	1
June	45	13	80	46	15	8	6	1
July	34	11	77	48	8	5	17	0
Aug.	37	10	77	49	7	7	16	1
Sept.	36	9	80	49	9	9	12	0
Oct.	42	10	81	47	13	4	12	2
Nov.	51	11	74	49	13	6	8	3
Dec.	51	10	67	43	15	7	3	6

In summer the prevailing wind direction is northwesterly. There is a tendency for the winds to shift to the south during winter. The annual average wind velocity at the Coast Guard station on one of the most exposed points of the Cape is about 11.5 miles per hour. The annual average maximum velocity at the Station is about 43 miles per hour. November and December experience the greatest wind velocities, but these occur during southerly gales which happen infrequently. Inland from the headland at Point Reyes, and along beaches sheltered by high bluffs, the wind velocity decreases substantially.

Point Reyes and adjacent lands, especially along the 12 miles of beach on the north side of the Peninsula, almost always experience gentle to moderate breezes, even on the quieter days. Grass covered rolling hills in this vicinity offer one of the best year around opportunities in the San Francisco Bay Area for flying kites away from the danger of traffic, power lines, and other hazards.

Elsewhere on the Peninsula the climate is hospitable for swimming, picnicking, and similar warm weather activities. Drakes Beach, McClure Beach, and beaches on Tomales Bay experience heavy public use in season. Stinson Beach State Park, lying about 3 miles south of the Peninsula, had a visitation of about 500,000 people in 1959, attesting to the popularity of developed, accessible beaches in a similar climate.

The temperature extremes recorded at Point Reyes Lighthouse Station evidence the moderating influence of the Pacific Ocean. The monthly average minimum and maximum temperatures vary about 29 degrees Fahrenheit throughout the year. Owing to the persistency of the fog cover, through which it is said the sun's rays sometimes fail to penetrate for three or even four weeks at a time, Point Reyes has close to the lowest mid-summer temperature of any observation station in the United States. This unique cool and moist climate on the Point offers a welcome refuge to the visitor coming from the hot and dry Sacramento Valley, less than 100 miles away, where daytime temperatures in the summer often rise to more than 100 degrees. In the summer the Point Reyes visitor can usually experience the thrill of hearing the fog horn send its deep-throated blasts seaward as a warning to offshore ships.

These temperature records, however, apply to the climate of the Point Reyes Lighthouse Station. Much higher temperatures occur inland and especially on the beaches of Drakes and Tomales Bays and the east side of Inverness Ridge. In these places which are sheltered from the wind and where the sun's rays are reflected from the light colored sand or white colored cliffs, temperatures prevail much higher than those recorded by the U. S. Coast Guard.

Headlands of capes on the Pacific Coast and offshore islands are subjected to frequent heavy fogs. During most of the year water temperature near the coast is lower than that of the ocean farther to the west. The cooling effect of these coastal waters on the warmer, moist air moving easterly produces fog which blankets the ocean for 50 miles or more off the coast.

Summer fogs are common at the Point Reyes Lighthouse Station in the months of July, August, September, and October. The U. S. COAST PILOT published by the Department of Commerce, states that Point Reyes is often spoken of as being the actual center of heaviest and most frequent fogs on the Pacific Coast. The Coast Guard operates its Point Reyes fog signal an average of 1,493 hours per year, and one year the signal was operated 2,920 hours or the equivalent of about 122 days.

Rainfall averages about 11.6 inches per year at Point Reyes with the greatest precipitation occurring during the months of December, January and February. The summer months receive little or no rain. A few miles inland from the Point Reyes Peninsula rainfall is much greater, averaging 32 inches a year at the head of Tomales Bay, and 45 inches at Kentfield near San Rafael.

# History

## OF POINT REYES PENINSULA LAND OWNERSHIP

A fundamental part of the history of the Point Reyes Peninsula is the story of land ownership, beginning with grants made by the Mexican Governors of California in the 1830's and 1840's. The survey lines of these grants, as later delineated by the U.S. Surveyor General, are the basic land ownership lines of the area; some of them are still to be found on official county maps and on topographic maps issued by the U.S. Government.

The lines continue to exist because title to the lands had already been issued when the United States took over California in 1846, and because, by the terms of her treaty with Mexico in 1848, the United States guaranteed the security of property of the residents of these newly acquired territories. It was the United States, however, which determined the validity of the land grants and delineated the boundaries of the lands previously granted by the Spanish and Mexican governors of California. As we shall see, the boundaries so determined did not necessarily coincide with the lands actually occupied by the grantees.

Most of the Olema-Bolinas Valley lying between Tomales Bay and Bolinas Lagoon was controlled by the Mission San Rafael during its period of power. In the 1820's most of the Indians in the valley and on the peninsula were moved to San Rafael, leaving these lands vacant. Mission San Rafael maintained its power until 1834, and the lands over which it had control were therefore not available for settlement. The first white family of record to move onto the peninsula after secularization of the mission was that of Rafael Garcia, a retired corporal from the garrison at San Francisco. He had been for some years a member of the military escort at Mission San Rafael. Some time in 1834 Garcia settled in the Bolinas area. In July 1835 he asked for, and received the following year, a grant of about 8,800 acres. Garcia named his grant the Rancho Tomales y Baulenes.

Then in 1836, James Richard Berry, in recognition of services as a colonel in the Mexican Army, was granted about 35,000 acres in the northern part of the Olema Valley and on the west side of Tomales Bay. Berry named his land the Rancho Punta de los Reyes. The relative positions of the two ranches are shown on the History of Land Ownership map in Diagram No. 1.

According to the terms of his grant, Berry could not sell or otherwise alienate his land. Nevertheless, in 1838 he did sell 8,800 acres along the shore of Tomales Bay to Joseph F. Snook, an English sea captain and naturalized Mexican citizen. Snook and Berry legalized the transaction by the process of "denouncement." This provision of the Mexican law held that if a grantee were not using all of his land, the unused portion could be "denounced" by a second party, and if the claim were found to be true, that portion would be given to the denouncer. With Snook's money already in Berry's pocket, Snook denounced the

8,800 acres, Berry assented, and the Governor gave the land to Snook in 1839. Snook's portion of the Berry Rancho is shown on Diagram No. 2.

Three months after Snook received the land officially, he traded it for some property in Southern California belonging to Antonio Maria Osio, a government official in Monterey, California. Osio continued to live in Monterey, establishing a resident foreman on the northern rancho. Then in 1840, Osio asked for a grant of the sobrante, or remainder, of the Peninsula, and in 1843 it was given to him. In the meantime Rafael Garcia's brother-in-law, Gregorio Briones, moved on to the land east of Bolinas Lagoon and southerly along the coast. The holdings in that year are shown on Diagram No. 3.

Boundaries of land grants were rarely clearly defined in Spanish and Mexican California; there was plenty of land for all, and in spite of generally vague property designations, disputes were infrequent.

Nevertheless, because Garcia, Berry, Osio, and Briones were not actually using the lands granted them, a dispute arose in 1844. Garcia had moved up the Olema Valley, crowding Berry into Osio's lands, and Gregorio Briones had come into the land vacated by Garcia. The relative positions occupied by the rancheros are shown on Diagram No. 4, which is based on a report of the fiscal, or Government attorney, in Monterey, December 28, 1844, when the three rancheros sought the assistance of the Mexican Government to settle their boundaries. Following the American conquest of California in 1846, Osio became dissatisfied with the new government, and in 1852 he moved his family to Baja California, selling his land - the Snook portion of the Berry rancho, and the sobrante - to an American resident of Monterey, Andrew Randall. Randall began the long legal process of establishing the validity of title through the United States Land Commission and the Federal Courts, but died before the process was completed. The rancho was sold by the sheriff of Marin County in satisfaction of a judgment, and eventually was purchased by the San Francisco law firm of Shafter, Shafter, Park and Heydenfeldt. The firm also acquired title to the Berry Rancho, and the Shafter, having bought out their partners, were owners of most all of the Peninsula, as shown on Diagram No. 5.

Although the Shafter brothers had sold a 2,200 acre ranch on Tomales Point to Solomon Pierce in 1858, they and their heirs kept a tight hold on almost all of the remainder of the Peninsula for over 60 years.

As Diagram No. 6 indicates, in 1869 lands jointly owned by Oscar L. and James McM. Shafter were divided into six parcels. The Shafter brothers each retained two and allotted two parcels to Charles Webb Howard, the son-in-law of Oscar Shafter.

The west end of Point Reyes was sold to the United States, and the existing lighthouse was built there in 1870.

In 1889, several small tracts were sold by James Shafter for summer cottages in the Inverness area. Other than this subdivision, the lighthouse reservation, and the Pierce ranch, the Shafter-Howard families retained ownership of their ranches until 1919. In that year the heirs of Charles W. Howard sold their holdings to John Rapp, who in turn sold the ranches to tenant farmers. In 1939 the James and M. Shafter and Oscar L. Shafter estates on the Peninsula were sold, as is shown on Diagram No. 7.

The first ranchers who leased land from the Shafter family did not stay long. A comparison of the U. S. Census of 1860 and 1870 shows a complete population change in the Point Reyes township in this decade. The names of only two ranchers listed in the census of 1880 are found in the

Marin County Great Register of 1896. Some of these later ranchers lived on the Peninsula for longer periods; for instance James McClure, a native of Ireland, was naturalized in San Rafael in 1896 and that year was a registered voter in the Point Reyes precinct. He was still living on the Peninsula in 1919, the year he bought a ranch from John Rapp south of Abbotts Lagoon. His wife, Margaret McClure and two sons, David and George, now live on the old Pierce ranch.

Thus it was not until relatively recent years that individual ranchers have been able to own their own land on the Peninsula. The present pattern of land holdings is illustrated on Diagram No. 8.

## PRESENT

# Land Ownership and Use

Essentially all of Point Reyes Peninsula proposed for inclusion in the national seashore is privately owned. It passed into private ownership before California became a state. Most of this land was later acquired by the Shafter family who held it until 1919 when a few of the present ranch owners purchased their lands. The majority bought in 1939 or later. Some of the persons listed in Table 2 purchased lands only a few years ago.

Sixty-two persons or corporations have properties within the proposed boundary. Twenty-six of these properties are small tracts ranging in size from a few hundredths of an acre to 14 acres. They account for a total of 73 acres. Ninety-nine percent of all the lands on the Peninsula suggested for seashore status is owned by 25 persons or corporations. Six of these 25 properties contain 25,468 acres which constitutes 48 percent of all the land in the proposed seashore.

Federal property within the exterior boundaries of the proposed seashore includes three parcels. The old U.S. Naval Compass Station, comprising 3.4 acres, is one parcel. Another is the Point Reyes Lifeboat Station which contains 12.21 acres that was conveyed to the United States in 1913 by the Howard family for a life-saving station. Nearly 10 of these 12 acres are rights-of-way for roads which provide access to the Lifeboat Station from the Sir Francis Drake Highway. The third parcel is the 120-acre lighthouse reservation on Point Reyes. It is not contemplated that these lands would be acquired for public seashore use unless so requested by the Navy or Coast Guard.

The Marin County Drakes Beach Park of 52.12 acres and the contiguous Drakes Historical Monument of 2.14

acres would be included in the proposal, if agreeable to the County.

Uses of land as of April 1960 within the boundaries of the proposed Point Reyes National Seashore consist mostly of dairy and beef cattle ranching. Lands owned or leased by dairy ranchers total about 19,000 acres, while lands used for grazing beef cattle total about 23,000 acres. About half (9,600 acres) of the lands comprising the dairy ranches are proposed for lease-back in the Ranching Area; the other half are in the suggested PUBLIC USE AREA. Some 6,000 acres of the beef cattle ranches are within the RANCHING AREA with 17,000 acres in the PUBLIC USE AREA.

Lands included in both dairy and beef cattle ranches are not all suitable for grazing. There are approximately 3,000 acres of sand dunes and sea cliffs which furnish little or no forage for cattle. Practically all of these poor grazing lands have been included in the PUBLIC USE AREA. At least half of the 12,000 acres of densely forested land in the proposed national seashore are designated above as beef cattle ranches. Parts of both dairy and beef cattle ranches are covered with brush especially in the steeper slopes where very little grass grows or is available to cattle.

Considered here as dairy and beef cattle ranches are the Radio Corporation of America and American Telephone and Telegraph properties. The amount of land used for the radio receiving stations and the areas leased for cattle grazing has not been determined. Eighteen of the 25 ranches in the proposed seashore are operated by lessees.

TABLE NO. 2 - PRESENT LAND OWNERSHIP

## Proposed Point Reyes National Seashore

KEY NO.	OWNER	PUBLIC USE AREA	RANCHING AREA	TOTAL ACREAGE	KEY NO.	OWNER	PUBLIC USE AREA	RANCHING AREA	TOTAL ACREAGE
1.	American Tel. & Tel. Co.	160.13	361.70	521.83	33.	Mendoza, Zenna	2,437.79	0	2,437.79
2.	Barnes, Fred H.	0.58	0	0.58	34.	Menzies, R.H.	3.22	0	3.22
3.	Benevenga, Emma K.	0.04	0	0.04	35.	Murphy, Anna J.	1.51	0	1.51
4.	Blair, Francis P.	1.35	0	1.35	36.	Murphy, Leland S.	1,085.29	1,927.53	3,012.82
5.	Blanchard, Russell H.	0.34	0	0.34	37.	Murray, Blaine, Jr.	8.78	0	8.78
6.	Calif. Pacific Title Co.	252.69	596.26	848.95	38.	Nunes, George P.	435.20	1,037.20	1,472.4
7.	Chase, Richard D.	12.10	0	12.10	39.	Onslow, Ford	0	76.30	76.30
8.	Collins, H. A.	2.00	0	2.00	40.	Ottinger, Millard R.	0	4,040.43	4,040.43
9.	County of Marin	54.87	0	54.87	41.	Parker, Alan B.	1.31	0	1.31
10.	Danielson, Norman	1.45	0	1.45	42.	Pt. Reyes Land & Dev. Co.	406.4	0	406.4
11.	Gallagher, Edward	577.91	1,078.36	1,656.27	43.	Powers, John J.	3.5	0	3.5
12.	Gallagher, Thomas	1,053.3	0	1,053.3	44.	Radio Corp. of America	396.18	1,077.74	1,473.92
13.	Ghisletta, Ernest	162.78	1,077.22	1,240.00	45.	Righetti, Ethel	80.	0	80.
14.	Gottschalk-Sieroty Co.	90.	0	90.	46.	Santori, Frank	0.50	0	0.50
15.	Grossi, D.	120.17	2,624.83	2,745.	47.	Schluckebier, Ludwig	1.	0	1.
16.	Hagmaler, Daniel P.	499.04	0	499.04	48.	Scoville, Loren P.	4.51	0	4.51
17.	Hall, William T.	1,211.41	0	1,211.41	49.	Silveira, Christina T.	0.61	0	0.61
18.	Heims, Edward H.	273.50	841.50	1,115.	50.	Smoot, S. A.	84.	0	84.
19.	Hoefler, Otto	1.4	0	1.4	51.	Spenger, Frank	9.06	0	9.06
20.	Holter, Malone, Richards	63.0	43.0	106.	52.	Stewart, Boyd	889.61	0	889.61
21.	Jensen, Eileen C.	1.0	0	1.0	53.	Teixeira, Joseph F.	230.24	0	230.24
22.	Jensen, Mary D.	5.	0	5.	54.	Tevis Land & Livestock Co.	3,605.20	0	3,605.20
23.	Kehe, James V.	550.29	712.73	1,263.02	55.	The Golden Rule Church	3,348.22	0	3,348.22
24.	Kelham, Grace H.	7,714.66	0	7,714.66	56.	Turney, Sayles A.	709.53	2,211.47	2,921.00
25.	Kilkenny, Lillian H.	18.1	0	18.1	57.	U.S. Pt. Reyes Lifeboat Sta.	12.21	0	12.21
26.	King, Charles D.	1.02	0	1.02	58.	U.S. Naval Compass Sta.	3.4	0	3.4
27.	Lowman, Malden C., Jr.	0.56	0	0.56	59.	U.S. Pt. Reyes Lighthouse	120.	0	120.
28.	Lupton, Earl L.	0.95	0	0.95	60.	Vedanta Society	2,026.69	0	2,026.69
29.	McClure, James	735.21	956.76	1,691.97	61.	Ward, John F.	0.70	0	0.70
30.	McClure, Margaret	2,536.76	0	2,536.76	62.	Wistar, Richard	14.43	0	14.43
31.	McDonald, Morton	0.75	0	0.75		Totals	32,473.85	20,069.19	52,543.04
32.	Marshall, Robert D.	452.40	1,406.16	1,858.56					

## Boundaries SUGGESTED USE ZONES

Recreation lands for public use, ranch lands for dairy farms, and expansion areas for established communities constitute major use zones of the national seashore proposal for the Point Reyes Peninsula. Additional uses include the Point Reyes Lighthouse, the Point Reyes Lifeboat Station, the fishing and oyster industries, and the radio receiving installations.

Point Reyes Peninsula contains roughly 100 square miles or 64,000 acres. The suggested PUBLIC USE AREA for recreation would contain about 33,000 acres, the RANCHING AREA about 20,000, and the established communities with their expansion areas approximately 11,000 acres.

The majority of the wooded uplands on the Peninsula are included in the PUBLIC USE AREA because of their high recreation values, and because the forest and hills should be protected from additional timber cutting and resulting soil erosion. The southern part of the PUBLIC USE AREA accounts for more than half of the recreation use zone. Three-fourths of this land is wooded or brush-

covered. This part of the Peninsula includes the high Inverness Ridge and the freshwater lake region.

Beef cattle ranches in the PUBLIC USE AREA total about 17,000 acres, and provided grazing for approximately 1,500 head of cattle in the spring of 1960.

All of the lands of three dairy ranches in the PUBLIC USE AREA on that portion of the Peninsula south and west of Drakes Estero eventually would be required for recreation. If the national seashore were established, heavy public use on both sides and around the southern end of the Peninsula would materially interfere with the use of the land for dairy ranching. Any attempt to allocate the lands for both recreation and ranching would be unfair to both seashore visitors and the ranchers.

Boundary lines for the PUBLIC USE AREA have been drawn so as to interfere as little as possible with the dairy and beef ranches. A large portion of these ranch lands consists of terrain unsuitable for cattle grazing. A narrow strip along the coast between Point Reyes and Tomales Point, for instance, is covered with dune sand. Much



Surf fishing from the beaches, deep sea salmon trolling in Drakes Bay, abalone fishing on reefs or rocky shores, and clamming on tide flats are sports which could be enjoyed by fishermen if the shores of the Peninsula were accessible to the public.

of the narrow strip of land proposed for recreation which encircles Drakes Estero consists of cliffs or steep hillsides covered with brush. Practically all of the east side of Inverness Ridge, the majority of the top, and a large share of the western slope are so densely forested and covered with brush as to furnish relatively little forage for livestock.

The RANCHING AREA of about 20,000 acres consists primarily of dairy lands and it is proposed that they should be leased back to the ranchers for continuance of that type of land use. Within the RANCHING AREA, ten dairy ranches run approximately 3,600 head of dairy stock with about half of them in active milk production. Six ranches in this area now raise a reported 2,000 head of beef cattle. At least two of the latter ranches were formerly dairy ranches and could be used again for production of milk. Included as ranches are the properties of the Radio Corporation of America and the American Telephone and Telegraph Company. Parts of both of these properties are leased to tenant ranchers - one of whom operates a dairy ranch; the other raises beef cattle. Half of the dairy ranches in the RANCHING AREA are operated by tenants; about half of the beef cattle ranches are run by tenants or close relatives of the owners.

Point Reyes Lighthouse, which has been an aid to navigation for nearly a century, and the Point Reyes Lifeboat Station would continue to be operated by the U.S. Coast Guard. Both of these installations have fascinating histories and stories which could show by proper interpretive devices the role of the United States Government in guiding ships and in saving the lives of sailors.

The commercial fishing industry on Point Reyes could contribute significantly to public enjoyment of the proposed seashore. Continuation of fishing, expansion of facilities to include sea-food restaurants, markets, and

charter-boat service for deep sea fishing, would be activities compatible with the seashore recreation area concept. Consideration is being given by other public agencies to the construction of a jetty from the eastern end of Point Reyes which would make a harbor of refuge for pleasure craft. The presence of a safe anchorage near good fishing waters, especially when salmon are running, and a refuge when unexpected storms make the Golden Gate hazardous for small craft, would permit a significant increase in the use of these waters by boats berthed in San Francisco Bay. Launching ramps within the harbor of refuge would also permit smaller boats to fish Drakes Bay.

The oyster industry in Drakes Estero would be benefited by establishment of the proposed national seashore. Pollution of these waters, which would occur if the surrounding land were subdivided and occupied, would put the oyster operation out of business. A restaurant specializing in selling and serving fresh oysters and other sea foods would add another recreation attraction to the proposed seashore. Additionally, culture of oysters is an interesting industry which presents exceptional educational opportunities for introducing students to the field of marine biology.

Included in the PUBLIC USE AREA is the ocean beach fronting the American Telephone and Telegraph Company and the Radio Corporation of America properties. No road would be built between the receiving stations and the ocean. No vehicles would be allowed on the beach, nor power boats on Abbotts Lagoon. Sir Francis Drake Highway would be relocated in order to remove highway traffic from the immediate vicinity of the radio stations. Retention of the ranching area in its present-day agricultural use would preclude electrical interferences which would occur if the Peninsula were subdivided.



Philip Hyde

**BEACH USE.** Hearts Desire Beach in Tomales Bay State Park is characteristic of several beaches within the proposed seashore. A similar but larger beach in Tomales Bay is suggested for development to provide for the usual activities associated with beach recreation.

## POSSIBLE Development Layout

**T**HE accompanying drawing shows in stippled pattern the RANCHING AREA of 20,000 acres, and the adjoining PUBLIC USE AREA of 33,000 acres. Also shown are Tomales Bay State Park, the U.S. Coast Guard facilities, and the community areas of Bolinas, Inverness, and Inverness Park, which are excluded from the national seashore proposal.

Developments would be planned to avoid the RANCHING AREA insofar as that is possible. The roads would traverse the RANCHING AREA to some extent, of course, and would be needed not only by the public but by the ranchers as well. There are a number of existing roads in that area, and it is felt that ultimately the road system most satisfactory for all concerned would probably be somewhat different from the road system presently in use. It is believed that there would be a total of about 25 miles of new roads within the proposed national seashore, and about 40

miles of improved existing roads. The horse and hiking trails, either new or improved, would total approximately 25 miles. The trail system would include short stretches of trail which would be necessary to provide for public access to the beaches from nearby parking areas at numerous points along the coast. Also there would be a number of miles of hiking trails and horse trails in the interior of the area.

Beach developments would consist of bath houses, shelters, comfort stations, food concessions, picnic facilities, potable water and parking areas. One major development of this kind would be possible at Drakes Beach on the immediate shores of Drakes Bay, and a second major development could be located in the Tomales Bay area. It is believed that most of these facilities would be developed and operated by concessioners.

Picnic areas would be developed at five major locali-



Philip Hyde

**BEACH ACCESS.** This parking area built by Marin County on the P Ranch provides public access across private land to McClure Beach. Planned development of roads in the proposed seashore calls for par areas that would make many beaches accessible to seashore visitors

ties, to accommodate a total of about 2,000 people at one time.

The proposed campgrounds represent probably the only overnight accommodations which should be developed, in the opinion of the planners. The nearby communities are so close, and there is such a fine opportunity for them to improve their public accommodations in caring for many seashore visitors, that it hardly seems justifiable to consider major overnight accommodations such as ho-

tels and motels within the proposed national seashore itself. The total campground facilities contemplated would be 500 units in three major centers--Inverness Ridge, Drakes Estero, and the Bolema Club area. It is believed that exceedingly attractive campgrounds could be developed in these areas.

Riding stables could be developed on the Bear Valley Ranch, utilizing existing barns and corrals which are near the proposed entrance to the seashore area.

REPORT ON THE

# Economic Feasibility

of the

## Proposed

# POINT REYES NATIONAL SEASHORE

1961



prepared by  
**REGION FOUR OFFICE**

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February 1961



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Stewart L. Udall, Secretary

NATIONAL PARK SERVICE  
Conrad L. Wirth, Director



## Report on the

# Economic Feasibility

of the PROPOSED POINT REYES NATIONAL SEASHORE

### INTRODUCTION

This report concerns a survey of the economic consequences relating to the proposal to establish a Point Reyes National Seashore. The survey was conducted by the National Park Service in collaboration with University of California Professor John W. Dyckman of the Department of City and Regional Planning, and Professor Julius Margolis of the School of Business Administration. Marin County Assessor Bert Brommel and Executive Vice President Kenneth Davis of the Point Reyes National Seashore Foundation also made highly important contributions.

A tentative economic report, based on preliminary data, was completed in early 1960. The findings of that report were later supplemented by additional, more detailed information — especially concerning assessed valuation — which was brought out at a public hearing held in Kentfield, California, by a Public Lands Subcommittee of the Senate Committee on Interior and Insular Affairs.

Since the hearing, there has been opportunity to check further with Marin County officials, and the former tentative report has been edited to bring it into concert with the additional information presented at the Senate hearing. This document, which reflects the changes that have been made in the earlier report, represents a meeting of minds between the Marin County Assessor and the National Park Service with respect to assessed valuations.

So far as the investigators are concerned this report concludes the work to be done, at least for the time being, on the economics of the Point Reyes proposal. At some future time it may be feasible to develop other economic aspects of the Point Reyes proposal, and thus make a further contribution to the field of recreation economics, but there are no specific ideas in this connection on the part of the National Park Service at this time.

### SUMMARY

The proposed Point Reyes National Seashore is situated on the Point Reyes Peninsula, a conspicuous promontory on the coast of Marin County, California. The highway entrance to the Peninsula is 30 to 35 miles northwest of San Francisco.

The area under consideration includes approximately 53,000 acres of land, plus bays, inland lakes, and tidal and submerged lands extending one-quarter mile to seaward from mean high tide. The varied character of the shoreline, with its wide sandy beaches, wave-swept caves and offshore rocks, and steep coastal bluffs combines with sand dunes and grasslands, chaparral and scenic fir and pine forest to make the area one of the most outstanding segments of unspoiled seashore yet remaining along the Pacific Coast.

The proximity of the proposed national seashore to one of the major metropolitan centers of the United States is a feature that adds greatly to the recreation importance of the area.

Practically all of the lands within the suggested boundary of the proposed area are in private ownership and

those in productive use are largely devoted to dairy operations and beef cattle ranching. Under the present proposal the Point Reyes National Seashore would be operated through two types of land management. Of the 53,000 acres which would be acquired, 33,000 acres would be managed solely for public use. Some 20,000 acres of land situated in the central part of the Peninsula would be leased for ranching purposes to preserve the present pastoral scene.

The suggested boundaries as of April 1960 include a total of 15 dairy ranches which support approximately 7,000 dairy stock, with about 3,175 head in active milk production, and 10 beef cattle ranches with approximately 3,500 head of beef cattle. If the national seashore were established and managed in accordance with the present proposal, about half the dairy lands and beef cattle lands would continue operation under lease agreements. Ranching operation within the portion of the national seashore to be reserved for public use would be largely, if not wholly, discontinued. Two existing trans-Pacific radio receiving stations, maintained by the Radio Corporation of America and the American Telephone and Telegraph Company, respectively, would remain and would continue operation. Additional installations, consisting of public utilities in the form of electric power and telephone services, not only would remain in operation but would require expansion in connection with national seashore development.

Existing commercial oyster beds and an oyster cannery at Drakes Estero, plus three existing commercial fisheries, should continue under national seashore status because of their public values. The culture of oysters is an interesting and unique industry which presents exceptional educational opportunities for introducing the public, especially students, to the field of marine biology. Continuation of commercial fishing, with expansion of existing facilities to include sea food restaurants and markets and charter boat service for deep sea sport fishing would be compatible with the seashore concept.

Almost all of the Peninsula is privately owned and there is very limited access to the shoreline. Thus recreation now plays a relatively minor role within the boundaries of the proposed national seashore. Public areas are limited to two small developments along the shore.

On the basis of Marin County tax records, the total assessed valuation of lands and improvements within the 53,000 acres of the proposed national seashore is approximately \$2,695,000. This figure includes approximately \$1,726,000 in lands and improvements that are assessed locally (by the County) and \$968,550 in the State-assessed communications and power utilities already mentioned, which would remain if a national seashore were established. Of the locally-assessed lands and improvements, approximately \$1,291,000 represents the assessed valuation within the proposed PUBLIC USE AREA and approximately \$435,000 the value within the proposed RANCHING AREA.

Lands and improvements in Marin County are presently assessed at 23 percent of market value. On that basis, the value of the locally-assessed lands and improvements within the proposed area is estimated at about \$7,500,000, of which some \$5,610,000 represents the value within the proposed PUBLIC USE AREA and \$1,890,000 the value within the proposed RANCHING AREA. Since it is likely that land is somewhat under-assessed for the reason that assessments are presently based on a 1956 market level, the actual fair market value will be greater than the figures indicate.

Taxes on property for the entire 53,000-acre area in the 1959-1960 fiscal year totalled slightly less than \$160,000. Tax revenues from the proposed PUBLIC USE AREA amounted to \$102,000 and revenues from the proposed RANCHING AREA \$58,000.

It is anticipated that the visitors who would use the facilities at the Point Reyes National Seashore would be derived from two groups: residents within the nine-county San Francisco Bay Area, plus Sacramento and San Joaquin Counties, who would account for most of the day use attendance at the national seashore; and tourists, together with residents outside the nine-county ring, who would contribute substantially to the overnight, weekend and vacation attendance.

In consideration of the population growth which is expected within the nine-county Bay Area, and others who would visit the national seashore for day use types of recreation, it is estimated that the national seashore would receive at least 2.1 million days of visitor use annually by 1980. Assuming that sufficient campgrounds were provided within the national seashore and that ample overnight accommodations were developed by private interests outside the boundaries, it is estimated that overnight, weekend and vacation use could account for at least 250,000 additional visitors per year by 1980.

The value of the non-recreation land of the Point Reyes Peninsula up to 1960 has not been great. Relatively few land transactions have taken place during the recent past, and average prices per acre have been low.

According to the Marin County Tax Assessor, if the Point Reyes National Seashore is established and managed as presently proposed (assuming that all taxable property except utilities on the 33,000 acres designated for public use would be removed from the tax rolls, and the taxable value of 20,000 acres designated for ranching adjusted to a possessory interest tax basis), there would result a local and county tax loss of possibly \$60,300 annually. The economic survey indicates that the removal of lands from the tax rolls in the event of national seashore establishment would not necessarily result in increased tax burdens to other property owners. Also it indicates that any possible loss in annual tax revenues as estimated above unquestionably would be more than compensated for by the various taxes paid by existing and new facilities and services that would be essential to serve the visitors.

On the basis of research to date the question of whether subdivision developments, which might occur if a national seashore were not established, would increase or decrease the tax burdens of other residents would depend largely upon the types of developments. However, accord-

ing to Marin County fiscal officials, the addition of the average tract home to the tax base does not react favorably to the tax position of property owners in general. This is so because the added tax revenue realized from the new home is less than the costs of education and other governmental functions needed to service that home.

Marin County has fewer industrial properties in proportion to residential properties than other counties in the Bay Area—over 67 percent of the tax base is in improved residential property. This fact, in turn, has resulted in a property tax burden on households which is greater than for any other Bay Area county. A national seashore would serve in the same role as industrial property in that it would attract taxable commerce and facilities beyond what would otherwise be required to serve the visiting public. Such expansion would add to the property, sales, gasoline and other tax bases of the county. In addition, the proximity of a national seashore would attract new commercial enterprises to the region because they would find that the recreation advantages of Marin County would make it easier to hold skilled labor and professional forces, especially of the substantial types Marin County is trying to attract.

#### CRITERIA FOR NATIONAL SEASHORE DEVELOPMENT

A brief review of the criteria with which we are concerned in this case is necessary before proceeding with the economic appraisal itself. Since there is as yet but one established national seashore, an explanation of how this type of area differs from other units of the National Park System is in order.

A national seashore is distinguished from a national park primarily in its method of development and management, which may be somewhat less restrictive than in a national park. The national parks are spacious land areas which have suffered little or no alteration by man, and require exacting application of protective controls to conserve, unimpaired, their compelling manifestations of nature. A national seashore, although it may offer certain unique or outstanding natural history elements requiring absolute preservation just as in a national park, generally will be capable of sustaining as a major objective a varied public recreation program less restrictive than would be suitable in a national park. Both types of areas are administered under the laws, rules and regulations of the National Park Service.

The proposed Point Reyes National Seashore exemplifies critically significant ecological processes involving varieties of earth and life resources which combine to produce rare scenery and a diversity of recreation opportunities. All of the recreation activities reasonably allowable at a national seashore are frankly encouraged. Boating and other water and beach recreation, softball, and other sports and games may be highly consistent where they can be worked out without endangering other important considerations. Thus, public use opportunities could exert more recreation "pulling" force than is usually expected at a national park where the recreation use is generally of a more passive or contemplative nature.

Preservation of the unique attractions of the natural

## THE POINT REYES AREA

### Location

The Point Reyes Peninsula is situated on the coast of Marin County, California. The Peninsula extends northward along 45 miles of seashore from a point some 15 miles north of the entrance to the Golden Gate Channel of San Francisco Bay. The highway entrance to the Peninsula is 30 to 35 miles from downtown San Francisco.

### Character of the Area

The proposed Point Reyes National Seashore is one of five coastal areas identified in the Pacific Coast Recreation Area Survey, published in 1959, as possessing scenic, scientific, and recreation values of possible national significance. That survey describes the area as follows:

"The shoreline varies in character, with wide sandy beaches, wave-swept coves, offshore rocks, steep coastal bluffs and one three-mile long sandspit. The upland consists of sand dunes and grassland graduating into chaparral and magnificent fir and pine forests. Also included are such features as Drakes Estero with its 28 miles of shoreline, 9 inland fresh-water lakes plus Abbotts Lagoon of several hundred acres, several fresh and salt water marshes, and an interesting variety of birds and mammals."

Two other commanding facts of the proposed national seashore which have to do with its location are particularly worthy of attention.

First, it is extremely rare for such a large unspoiled area of great natural interest to be within such easy reach of a major metropolitan area (The San Francisco-Oakland Metropolitan Area) as is the Point Reyes Peninsula. The values inherent in superlative natural areas identify and characterize them, of course, regardless of their geographic relation to user populations; and it so happens that most of them are far more distant from population centers than is Point Reyes.

The second locational attribute is that found in the rising attractiveness of water-related recreation. The most rapidly growing recreation activities are those of boating and other water-related uses. Where conservation objectives can include the creation of opportunities for recreation water use, an impressively large volume of benefits can result, as the reservoirs impounded by the U. S. Bureau of Reclamation, the Corps of Engineers, and other agencies attest.

These two factors of the Point Reyes area, its nearness to major populations and the added recreation lure of swimming and boating water, would be important factors in the total benefits accruing from national seashore development.

### Access

The Point Reyes Peninsula is well located with respect to both the large northern California metropolitan popu-

the Peninsula. U. S. Highway 101, the main arterial traffic route through San Francisco, is less than 15 miles to the east of the proposed national seashore. State Highway 1, which follows the coastline and connects with U. S. 101 about 13 miles south of Bolinas Bay and 4 miles north of the Golden Gate Bridge, is immediately east of the Peninsula.

Additional access is afforded by certain county spur roads which connect these two main highways at frequent intervals north of the above junction. These are slow-speed and scenically interesting roads.

East-west U. S. 40 inter-connects San Francisco and Oakland with Sacramento on U. S. 99, which roughly parallels U. S. 101 about 70 miles to the east. U. S. 50 connects the same two cities with Stockton; U. S. 40 joins trans-continental U. S. 30 at Salt Lake City; and other major trans-continental routes connect with U. S. 99 at various points. The improvement of U. S. Highways 30 and 99 as part of the Federal Interstate and Defense Highway System will further the presently good access to Point Reyes by national routes.

In addition, the completion of routes now approved for the California Freeway and Expressway System, all scheduled within the next 20 years, will bring virtually all sections of the Peninsula in direct contact with the major freeway systems. Legislative Route No. 69, over the existing Sir Francis Drake Highway which connects Point Reyes Station with the Marin County seat at San Rafael and U. S. 101, will be brought up to freeway standards over its 25-mile length. Legislative Route No. 252, which will join the Sir Francis Drake Highway near Nicasio five miles southeast of Point Reyes Station, will feed in from Novato on U. S. 101 and will provide direct access to Point Reyes from points within the Sacramento Valley. Legislative Route No. 51 will extend from the community of Valley Ford, about seven airmiles northeast of Tomales Point, to the City of Santa Rosa on U. S. 101, serving the Sonoma Valley. Legislative Route No. 56 calls for the improvement of California State Highway 1, the Coast Highway, to freeway standards over a 48-mile stretch reaching from its junction with U. S. 101 near the Golden Gate Bridge to its intersection with Legislative Route No. 51 at Valley Ford, thus greatly reducing time-distances to Point Reyes from both north and south.

These Federal and State programs will greatly improve and speed access to Point Reyes; connections between it and major U. S. travel routes, such as U. S. 99 and local traffic interchanges at San Francisco, will provide further ready access. Interior access, however, now is extremely limited by large ranch holdings which are not traversed by public roads. Suggested development for the proposed national seashore calls for construction of approximately 25 miles of new roads, the improvement of an additional 40 miles of existing roads, interior road bridges, an entrance road tunnel and about 25 miles of horse and hiking trails.

With these improvements, a wide range of attractions would be opened to the visitors. In addition to the natural

attractions the area possesses, which could be opened to public use merely by providing access such as the suggested hiking and riding trails and scenic overlooks, many others would have supporting facilities and developments for full public use and enjoyment.

#### The National Seashore Proposal

Preliminary plans provide for the acquisition of approximately 53,000 acres of land for the proposed Point Reyes National Seashore. The suggested boundaries also include tidal and submerged lands extending one-quarter mile to seaward from mean high tide. The existing communities of Bolinas and Inverness, plus lands required for their expansion, and the existing 1,019-acre Tomales Bay State Park, administered by the California State Division of Beaches and Parks, are excluded from the boundaries. Although they are situated within the exterior boundaries as presently proposed, 120 acres of land comprising the U. S. Coast Guard Point Reyes Lighthouse Reservation and the Coast Guard's Lifeboat Station of about 12 acres, also are excluded from the proposal.

Two types of land management are proposed within the exterior boundaries of the proposed national seashore. Thirty-three thousand acres of land, including the promontories of Point Reyes and Tomales Point and the forested eastern and southern portions of the Peninsula, plus inter-connecting strips along the coastline, would be managed solely for public use. The 20,000 acres of land situated in the central part of the Peninsula also would be acquired in fee simple by the Federal Government, but would be leased back to the ranchers to preserve the present pastoral scene which is such an important quality in the Point Reyes Peninsula landscape.

#### Present Land Uses

Though the Point Reyes Peninsula is within the San Francisco-Oakland Standard Metropolitan Area, it has been off the main path of urban development to date. With the lag in development until recently, land prices on the Peninsula have remained relatively low and use of the land has remained at a relatively low intensity. Nearly 70 percent of the Peninsula is taken up by brushlands and grasslands which are used for the grazing of livestock. Forest lands total about 12,000 of the 53,000 acres within the exterior boundaries of the proposed national seashore. The forest consists mainly of Douglas fir, Bishop pine and several species of broadleaf trees. Spectacular dunes and sea cliffs account for about 3,000 acres.

Considerable land on the Point Reyes Peninsula was under cultivation during World War II. Since that time, however, this form of land use has been almost entirely discontinued, due largely to the problem of obtaining and holding the labor required in connection with cultivated crops. At the present time, only a very minor fraction of the total acreage on the Peninsula is devoted to this use. It consists of grain crops and grain-type hay for livestock, rather than the more diversified crops that are raised elsewhere in Marin County. The major types of existing land uses are indicated in the following table:

TABLE 1  
Acreage in  
Existing Major Land Uses

	Within Exterior Boundaries of Proposed National Seashore	In Public Use Area	In Ranching Area
Forest	12,000	11,000	1,000
Brushland and Grazing	36,500	18,160	18,340
Dunes and Cliffs	3,060	3,060	
Cultivated Lands:			
Grain-type hay	340	80	260
Grain crops	1,100	700	400
Total Acreage	53,000	33,000	20,000

As the large acreage of brush and grazing lands in the foregoing table would indicate, dairying and beef cattle ranching are the dominant land uses at the present time on the Point Reyes Peninsula.

A National Park Service field survey of land ownerships, conducted in March and April of 1960 on a personal interview basis, showed 15 dairy ranches totalling about 19,000 acres and 10 beef cattle ranches with a total of 23,000 acres to be located within the presently designated boundaries of the proposed national seashore. The survey also showed that on the Point Reyes Peninsula (as in many parts of California) the practice of renting dairy farms is prevalent. It was found, for example, that 18 of the 25 ranches within the proposed national seashore boundaries are operated on a rental basis. Eleven of the 18 ranches so operated have completely absentee owners, and the other 7 are operated on a tenancy basis through family or estate arrangements.

Although the major part of the acreage comprising the dairy and beef cattle ranches is in brushlands and grazing lands, it also includes a considerable amount of forested land as well as unvegetated dunes and cliffs. Lands usable for agriculture are limited to the brushlands and grazing lands, improved pastures and hay acreage. Thus, of the 19,000 acres that are estimated to comprise the dairy ranches, some 20,000 actually are used for dairying operations. Of the 23,000 acres of beef cattle ranches, about 20,000 acres consist of lands that are actually used for that purpose.

The above-mentioned field survey also revealed that the 15 existing dairy ranches support approximately 7,000 dairy stock, with about 3,175 head in active milk production, and that the 10 beef cattle ranches support approximately 3,500 head of beef cattle. The dairy stock within the proposed boundaries constitutes about 16 percent of the 43,000 total dairy stock in Marin County, based on the Annual Livestock and Agricultural Report of the County for 1959. The beef cattle total represents slightly less than 90 percent of all stock of that type in the County for 1959.

If the proposed Point Reyes National Seashore were established and managed in accordance with the suggested acquisition program about half the dairy lands and some 37 percent of the beef cattle lands would be situated within the proposed ranching area and would continue operation

the proposed public use area, and ranching operations there would be largely if not wholly discontinued.

Although exact data on the annual catch are not available, commercial fishing, together with oyster farming and processing, is of undoubted economic importance to the Point Reyes area and Marin County. The economic advantages of this location are clear and undisputed.

Commercial oyster beds are located in Drakes Estero. The beds are leased from the State, and an oyster cannery is situated on the upper reaches of an arm of the Estero.

Three commercial fisheries, operating on a year-round basis, are located on the west shore of Drakes Bay. Each commercial fishing company owns one wharf and, in addition, leases a small amount of land from the land owner. Information obtained during the 1960 field survey indicated that the annual catch consists of crab, salmon, and bottom fish. Part of the catch is trans-shipped to San Francisco via boat, and the remainder is taken out in trucks to the various processing plants. In addition to fishing with their own boats, the companies purchase fish from independent operators. In the opinion of company representatives, the annual catch of salmon alone amounts to one million pounds.

Both the oyster production and the commercial fishery operations, in the thinking of the National Park Service planners, should continue under national seashore status because of their public values.

The promontory of Point Reyes has long served as a lookout and beacon to ships at sea. Here the United States Coast Guard maintains one of the most important Pacific Coast lighthouses. Lands comprising the Point Reyes Light consist of 120 acres. In addition, the Coast Guard maintains a lifeboat rescue station on a small property of about 12 acres. The station is situated at the west end of Drakes Bay, about three miles east of the Point Reyes Light.

Two religious organizations also engage in agricultural pursuits in the proposed area. The Church of the Golden Rule conducts dairying operations on 3,100 acres of land situated on the southern part of the Peninsula and, according to field information, has about 700 acres under cultivation, plus a plant nursery. However, this ranching operation (with the exception of the nursery) is conducted solely for the benefit of the religious organization rather than for general commercial purposes. It is one of the 15 dairy ranches mentioned above.

The Vedanta Society has a religious retreat, also situated on the southern part of the Peninsula within the proposed seashore boundaries. The lands are primarily forested, although a few livestock are kept. There is some development including living quarters, resthouse and tool-house for monastic and lay workers.

Two trans-Pacific radio receiving stations are maintained on the Peninsula by the Radio Corporation of America and the American Telephone and Telegraph Company respectively. The former owns 1,474 acres of land, while the latter owns 521 acres. In addition to serving radio communications, these lands also are leased for dairying or cattle ranching operations.

proposed national seashore, and is limited to two small public areas. Both are very popular. One of these, known as McClure's Beach, comprises about one-half mile of excellent beach frontage located near Tomales Point. The private land owner has made the area accessible to the public through cooperation with Marin County.

Drakes Beach County Park, developed and managed by Marin County, is the only other recreation area within the proposed boundary that is open to the general public. It includes 52 acres of lands situated on the shore of Drakes Bay a short distance west of the entrance to Drakes Estero.

A third area, known as the Bolema Club, comprises 681 acres of land north of the promontory known as Double Point, near the southern end of the Peninsula. It is restricted to members of the Bolema Club, a sportsmen's organization.

Although the forests do not constitute timber of good commercial quality in the view of experts who have studied the national seashore proposal, timber rights have been sold in several instances, and logging operations have been conducted over the past year and a half. Some 800 acres were logged up to mid April 1960.

#### Assessed Valuation and Tax Revenues

The Marin County tax base is made up largely of private homes, neighborhood shopping and servicing facilities for the homeowners, dairying, and a few industrial enterprises.

An analysis of tax records for the year 1959-60 shows the total assessed valuation of all land, improvements, secured and unsecured personal property within the proposed national seashore to be approximately \$3,244,000. This figure includes \$2,695,000 for lands, improvements and secured personal property and \$549,000 for unsecured personal property. It represents not quite 1.5 percent of the total county tax base.

Assessed valuation of State-assessed public utilities (the Trans-Pacific receiving facilities of the Radio Corporation of America, the American Telephone and Telegraph Company and electric power and telephone facilities) amounts to approximately \$968,550. The portion of the tax base formed by these utilities amounts to nearly 30 percent of the total tax base within the proposed national seashore.

Secured and unsecured personal property and State-assessed public utilities must be taken into consideration in analyzing the effects on the local tax base of national seashore establishment. Even though included within the national seashore area, neither the personal property nor the public utilities would be acquired by the Federal Government. The personal property situated within the proposed public use area would, however, be removed from the tax rolls together with the land and improvements. The taxable property within the proposed ranching area would be adjusted to a possessory interest basis for tax purposes, while the public utilities would continue in operation.

The total assessed valuation (tax base) of the lands and improvements within the proposed public use area is approximately \$1,291,000 and approximately \$435,000 for the proposed ranching area. This totals about \$1,726,000.

These assessed valuations represent 23 percent of the fair market value appraisals made in relation to 1956 market levels. The 1956 value of locally assessed private lands and improvements within the area now proposed as a national seashore is estimated at approximately \$7,500,000. Of this total approximately \$5,610,000 represents the value of lands and improvements within the proposed public use area and \$1,890,000 the value of lands and improvements within the proposed ranching area.

According to the Marin County Tax Assessor, adjustment of the market value of the lands and improvements within the boundaries of the proposed national seashore to reflect current conditions results in a maximum figure somewhat in excess of \$10,300,000. It is emphasized that this amount would not necessarily represent the final cost to the Federal Government in the event the area were acquired for national seashore purposes. The national seashore proposal itself has generated considerable interest in the area and there has been a substantial increase in real estate sales and subdividing during the past two years. It is logical to believe, therefore, that the longer acquisition is delayed, the greater the land costs will be.

Taxes for the entire 53,000-acre area in the 1959-60 tax year totalled slightly less than \$160,000. Tax revenues from the proposed public use area amounted to some \$102,000, while revenues from the proposed ranching area totalled about \$58,000.

#### POPULATION CHARACTERISTICS AND TRENDS

It has been found that urban centers in this country generate upwards of 90 percent of the day use of accessible outdoor recreation areas. Records at national and state parks and recreation areas suggest that where they are located within close proximity to a major population center, that center may be expected to dominate the visitor use at the area.

The population growth of the 9-county San Francisco Bay Area and the 13-county San Francisco Bay Region, therefore, may be expected to be primary factors in the demand for recreation at the proposed Point Reyes National Seashore. The counties within the Bay Area and Bay Region are listed below. Those preceded by an asterisk are within the nine-county San Francisco Bay Area.

*Alameda	Sacramento	*Santa Clara
*Contra Costa	*San Francisco	Santa Cruz
*Marin	San Joaquin	*Solano
*Napa	*San Mateo	*Sonoma
	Yolo	

In terms of future travel time and ease of access, the San Francisco-Oakland Standard Metropolitan Area, the Sacramento Urban Area, and the Stockton Urbanized Area of San Joaquin County could be expected to provide most

of the visitor use of the National Seashore from within the entire 13-county San Francisco Bay Region. The population of the San Francisco-Oakland Standard Metropolitan Area was estimated in 1959 at more than two and three-quarters million persons,<sup>1</sup> or nearly two-thirds of the resident population in the entire 13-county San Francisco Bay Region.

In addition to the growth trends that have been recorded for the 9-county Bay Area and the 13-county Bay Region, several independent population studies employing various prediction methods have been made recently by such agencies as the U. S. Department of Commerce,<sup>2</sup> the California Department of Finance, the San Francisco Bay Area Council, and the Bay Area Rapid Transit District.

Taking into account the recorded growth trends and the population predictions made in the studies mentioned above, the population of the 9-county Bay Area (estimated at 3.6 million as of July 1, 1959,) could well be expected to grow to a level of about 6 million by 1980 and to 8.3 million by the year 2000. Thus, during the next 40 years some 4,700,000 persons probably will be added to the Bay Area. More than 2,000,000 persons, by conservative estimation, will be added to the Bay area population in the twenty years from July 1, 1959.

#### TRAVEL TRENDS

A study of travel trends in California was conducted in 1957 and 1958 by the Department of Public Works as a partial basis for a State-wide plan of freeways and expressways. The findings of this study are embodied in the report "The California Freeway and Expressway System" which was published in September 1958. Many of these findings have a direct bearing upon the proposed Point Reyes National Seashore and its importance to the people of California, particularly those in the San Francisco Bay Area, as well as to the Nation.

The report reveals that California's travel is dominated by the metropolitan areas of Los Angeles and the San Francisco Bay Region.<sup>3</sup> The residents of these areas generate two-thirds of California's vehicle miles. Bay Area residents were found to travel widely through the northern and central regions of California. The report states that they "even contribute nearly seven percent of all travel in the Santa Barbara region," a distance of some 300 miles to the south. Northern California receives about 37 percent of the travel generated by Bay Area residents, and the Monterey section of south central California about 24 percent. In contrast, the Point Reyes Peninsula is located a radial distance of but 40 miles from

1/ Estimate by Financial and Population Research Section, California Department of Finance.

2/ Future Development of the San Francisco Bay Area, 1960-2020, December 1959.

3/ The San Francisco Bay Region, as defined by the California report, includes nine counties.

the central core of the San Francisco-Oakland Standard Metropolitan Area. A 50-mile radius from Point Reyes encompasses all but the outlying portions of the Metropolitan Area.

A finding of particular interest, in that it reveals much about the importance of recreation in the day-to-day lives of Californians, is that 29 percent of all travel in the State is for social and recreation purposes.

The increasing mobility of California residents is illustrated by yet another finding of the freeway study. The 7,492,000 motor vehicles registered in the State in 1957 meant about one auto or truck for every two residents during that year. The report found that the number of vehicles is increasing slightly faster than the population, and estimates that by 1980 the persons-per-vehicle ratio will decline to about 1.85. About 20 percent of all vehicles by that date are expected to be of the registered commercial type.

Further findings concerning travel characteristics are contained in a travel survey for Yosemite National Park, published in December, 1953.<sup>4</sup> The survey shows that three districts of population concentration -- the southwestern, the San Francisco Bay Area, and the Central Valley -- contributed some 90 percent of the park's California visitors during the calendar year.

Travel by out-of-state tourists is another important facet of the California travel pattern and is of major economic importance to the State. According to the travel research agency, Californians, Inc., manufacturing, agriculture, and the tourist industry in that order are the three most important industries in the State as sources of basic income.

Travel in California by out-of-state tourists since 1950 is shown in Table 2.

	Tourists	Percent Increase or Decrease Over 1950	Expenditures	Percent Increase or Decrease Over 1950
1950	2,968,000	0	\$560,168,000	0
1951	3,330,000	12.2	625,488,000	11.7
1952	4,191,000	41.2	653,128,000	16.6
1953	4,334,000	46.0	771,833,000	37.8
1954	4,270,000	43.9	692,353,000	23.6
1955	4,414,000	48.7	734,719,000	31.2
1956	4,732,000	58.4	775,058,000	38.4
1957	4,763,000	60.5	787,288,000	40.5
1958	4,537,000	52.8	700,172,000	25.0
1959	4,877,000	64.3	839,983,000	50.0

\*Californians, Inc.

Total visits to California by out-of-state tourists have shown a strong upward trend since 1950, though they are somewhat sensitive to changes in the economic climate, as shown by the decline in visits and in tourist spending during the recession year of 1958.

Out-of-state tourist travel to the San Francisco Bay Area increased 10.5 percent in 1959 over 1958. The total

number of such visits to the Bay Area in the latter year was 1,622,923, according to statistics by Californians, Inc.

Reducing the two-thirds growth in out-of-state tourists to California, which was achieved in the fifties, to allow for the effect of a somewhat slower rate of growth in the future, it is still possible to arrive at an estimate of over 2,000,000 out-of-state tourists who will visit the Bay Area annually by 1980, and over 2,500,000 out-of-state tourists to the 13-county Bay Region. With the increases in leisure time, mobility and disposable income per capita expected in the decades ahead, the tourist total could be much greater.

#### PROPOSED NATIONAL SEASHORE DEVELOPMENT

If the Point Reyes National Seashore were established, the following types of facilities would be provided on the land in the Public Use portion of the area:

Interior access would be provided by a road system, utilizing existing roads wherever feasible, but about 25 miles of new roads also would be built as outlined in a previous section of this report. These would be supplemented by hiking and riding trails, also mentioned in the previous section on access.

Campgrounds, with tables, grills, sanitation facilities, utilities and parking areas, would be established in suitable locations.

Bathhouses, shelters, comfort stations, water, food concessions, picnic facilities and parking areas would be available at Tomales Beach and Drakes Beach to create more favorable conditions for swimming and beach use.

Picnic areas, with tables, grills, sanitation and potable water and parking, would be provided at such areas as McClure Beach, Abbotts Lagoon, Limantour Spit, Bear Valley and Double Point.

Docks would be constructed to make possible the enjoyment of pleasure boating.

The visitor would have the opportunity of learning firsthand the full story and the meaning of the earth and life resources of the Point Reyes Peninsula through a system of interpretive devices and structures, such as self-guiding trails and interpretive signs and markers. Through this medium, his enjoyment of the area and his total seashore experience would be enhanced.

Riding stables would be developed in the area and would be operated on a concession basis.

Five overlook developments would be programmed to take advantage of the many landscapes and seascapes which are outstanding features of the Point Reyes Peninsula.

Under the present proposal, the existing commercial fisheries at Drakes Bay and the existing oyster cannery at Drakes Estero would continue under private operation as at present, but with some added facilities such as entrance roads and parking areas.

A headquarters development would be programmed, to include employee housing, utility buildings, an administration and public contact building, and necessary roads, power service, water and sewage disposal.

4/ Conducted by National Park Service in cooperation with California Division of Highways and U. S. Bureau of Public Roads.

## ESTIMATED ATTENDANCE

### Extent of the Market and Area Capacity

The visitors who would be expected to use the facilities at the Point Reyes National Seashore can be divided into two groups for purposes of estimation: those residing in nearby counties and those residing in other places.

The volume of actual visits in each case would be generated from three main sources: the growth of population, the increase of leisure time and disposable income, and a certain number of visits which would result from the substitution of the Point Reyes experience for recreation at other points.

The geographical extent of the market for visits is determined by the character of use that is anticipated. The day-use portion of the market will be derived predominantly from the nine-county San Francisco Bay Area, plus Sacramento and San Joaquin Counties. The overnight, weekend and vacation visitors would be drawn largely from vacation tourists traveling from all sections of the United States.

Over the past years, total attendance at State parks has been increasing more rapidly than population growth.<sup>5</sup> But, if the rate of park attendance were stabilized at the 1954 national average of 1.05 guest days per capita of state population the population growth alone would mean 3.8 million visits in 1960 and 6.3 million in 1980 for the nine-county Bay Area. This is a most conservative assumption, especially in view of the fact that in 1958 the national average of guest days per capita rose to 1.38, and to 1.43 per capita in California the same year. If the Point Reyes National Seashore were to attract one-third as many visitors as State parks in the Bay Area, based only on population in the nine-county Bay Area (again a conservative figure) it would receive 2.1 million visitors in 1980.

The tourist component of the estimated total annual attendance would be made up of two parts: (1) the growth of California tourist population, which would contribute many trips to the National Seashore; and (2) the additional touristy which would be induced by the establishment of the National Seashore.

It is difficult to estimate the volume of touristy which would be generated by the addition of a national seashore in this area. California already contains several units of the National Park System — such as Yosemite National Park — which attract many national visitors. A Point Reyes National Seashore would provide an attractive extension, or side trip, for many of the visitors to Yosemite, as it would for many visitors to San Francisco. The highway improvements mentioned above would permit visitors to reach Point Reyes from Yosemite National Park in a half day's normal driving time. It is not possible to estimate the marginal increment to the total visits to Yosemite which would result from adding a stay at the Point Reyes National Seashore to the journey of the Yosemite visitor, but it is safe to say that it would be a positive factor.

The actual volume of the overnight market at the National seashore would depend heavily on the facilities

provided. If sufficient campgrounds were provided within the national seashore, and sufficient overnight cabins, lodges, and motels were made available by private industry outside the boundaries, overnight stays could easily account for 250,000 visitors per year by 1980 in addition to the 2.1 million estimated above.

Tourist visits depend in large measure upon the nature and cost of accommodations which are available. The tourist potential if the Point Reyes National Seashore were established would be likely to exceed the available accommodations for some time after its development.

In summary, it is seen that while the present population would support a substantial use the largest single factor in the increased demand for recreation at the proposed Point Reyes National Seashore would inevitably be the population growth of the northern California region as a whole.

A 1957 study by staff members of the School of Forestry of the University of California found that growth of California population was a good indicator of growth in numbers of visits to national parks located in the State even where there had been no significant increase in facilities at those parks.<sup>6</sup>

The more conservative population growth forecasts for the San Francisco Bay Area indicate a growth in number sufficient to generate at least as much attendance at a Point Reyes National Seashore as there was at Yosemite, Kings Canyon and Sequoia, and Lassen Volcanic National Parks combined in 1955 (2,362,707 visitor days).

## EFFECTS OF NATIONAL SEASHORE ON THE ECONOMY

### Of the Point Reyes Peninsula

Using market evidence, it is relatively easy to establish that the value of the non-recreation use in the past of the Point Reyes Peninsula has not been great. Relatively few land transactions have taken place in the area during recent years, and the prices per acre have been low on the average.

Under present proposals for the Point Reyes National Seashore, Marin County would not lose the total value of the output of the dairy and beef cattle herds. From the figures cited in the previous section, "Present Land Uses," it would seem that the area in question is very important to Marin County for beef cattle. But the total size of beef herds, and the yield from that activity, are both low, and in fact Marin County is not an important beef producer.

Similarly, dairy use of the particular acres of the proposed seashore now used for that purpose is not a unique or critical factor in the total dairy production of Marin County. For one thing, the combined output is not large compared to the total output of the County, and

5/ Attendance figures from National Park Service, State Park Statistics.

6/ J. Zivnuska and A. Shideler, "A Projection of the Recreational Use of Public Forest Areas in California to 1965," *Forest Science*, September, 1957.

output in other nearby milk-producing areas, or by relocation of the Point Reyes herds and contracts to other areas in West Marin. But even more significant, there is no consistent relationship between the available acreage within a given ranch and the number of stock or milk-producing cows on the premises. Vegetative cover on the brushlands and grasslands does not furnish the forage needed to support dairy ranching operations in most cases. Much of the hay and grain concentrate required is imported, and the lands are used primarily as holding areas. Much of the available pasturage is used for dry and young stock, while some pasturage is used for the milk-producing herd in the spring. As a result, the discontinuance of approximately half the acreage of the dairy lands would not necessarily mean a proportionate reduction in the gross dairy product of the Peninsula.

In view of the present day surpluses of milk in California any diminution of the relatively small supply coming from Point Reyes Peninsula would not necessarily result in any overall, critical disadvantages to the dairy industry or to the consumer. This is borne out by the dairy information bulletins issued monthly by the California Crop and Livestock Reporting Service.

In Marin County, there are more than one hundred tax code districts. It might perhaps be argued that if the area becomes a public reservation and is removed from the tax rolls the property owners who are in the same tax district as the National Seashore would suffer, since they would then have to pay a larger share of the tax burden. The fear of this undue burden on the neighboring property owners is often magnified by the belief that if left in private hands and permitted to develop in urban uses, the lands would produce substantial tax revenues for the local governments and would relieve some of the tax burden from neighbors. In analyzing the probable effects, it is necessary to consider both the current and the prospective tax situations.

A considerable portion of the monies that are now collected in taxes from properties on the Point Reyes Peninsula need not be lost from the tax rolls under the present national seashore proposal. The two trans-Pacific radio receiving stations, for example, would continue to be privately operated as long as these facilities are needed. In addition, other public utilities, such as electric power and telephone service, would be needed for national seashore operation and by the private lessees within the ranching area. Basically, therefore, all the public utilities not only would remain in operation if a national seashore were established, but development of the seashore for public use would require additional installations of public utilities and thus increase that portion of the present tax base.

Further, the proposal to lease the lands within the proposed ranching area back to private individuals if a national seashore is established would not mean the loss of taxes now paid to the County by the ranch operators. Each lessee, by virtue of the temporary rights he would receive under the lease, would be subject to possessory interest taxation, and the taxable value of the ranches would be adjusted to a possessory basis (which would however, be

legal framework, this would also apply to any concessions developed within the national seashore.

The Marin County Assessor has estimated that a maximum of about \$60,300 (of the \$160,000 total 1959-60 tax revenue) would be lost to county-wide and local governments if the national seashore were managed as presently proposed, and if the Federal Government made no compensatory arrangements for in lieu tax payments, and if there were no taxable public use developments by private interests. This loss would result in a reduction in the current county tax base of .58 of 1%. The largest loss in tax revenue would be sustained by the four local school districts serving the Point Reyes area.<sup>7</sup>

It should be pointed out, however, that losses to the school districts could be largely mitigated, or the present situation perhaps even improved, through reorganization of the districts, which is currently under study. Such reorganization would be contingent on the will of the people to reorganize the districts, and no recommendations therefore can be made in this connection.

The full loss in tax revenue would not be shifted to other groups in the district. Associated with the transfer of property would be a transfer of services. The decline in resident population within the national seashore would reduce the volume of local services such as police and fire protection and road maintenance within the national seashore, because they would be largely assumed by the Federal Government.

Associated with the national seashore would be an increase of commercial activities nearby to serve the visitors, and income producing property, income and sales taxes. Motels, gas stations, restaurants, and stores would develop. The area itself would have a substantial payroll from resident staff, and would provide from time to time construction and maintenance projects of financial value to the local economy. These would provide private property and sales taxes in amounts far greater than the increase in local public expenditures necessary to protect or service them. While it would be difficult to estimate reliably the local tax payments of the new establishments which would be built near and on account of the National Seashore, those tax payments certainly would far exceed the amount of \$60,300 which the County Tax Assessor estimates would be lost in the event of national seashore establishment. For example, \$150,000 accrues to Mariposa County annually from concessions in Yosemite National Park, and it is estimated that additional tax income from businesses in the vicinity, which are supported by visitors to the Park, totals \$278,000 annually. As further evidence that local tax payments would more than compensate for tax losses, a study by the Marin County Planning Department shows that one 65-unit motel with restaurant-bar and swimming pool on five acres of land in Marin County pays an annual tax revenue to the County of nearly \$8,000.

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7/ West Marin Union School; Tomales Union High School; Point Reyes School; and Bolinas School.

Therefore, eight such motels (which would incidentally, accommodate a total of only 520 visitors per night) would more than compensate for the maximum \$60,300 which could be lost in the event that Point Reyes National Seashore were established.

Assuming that the Point Reyes Peninsula would be devoted primarily to subdivision developments if a national seashore were not established, it is by no means clear whether such development would lighten or aggravate the tax burdens of the present neighboring populace. A development of low density, high income homes with few children would mean property tax payments which would exceed the needs of the residents for public services. This type of development it is believed would also result in lower sales taxes and higher subventions to the units of government within the County. A more intensive urban settlement might result in a higher volume of property added to the tax rolls but, at the same time, a more than proportionate increase in demands for urban services. In this case, the neighboring property owners could well find their tax burdens increased materially.

The fact that residential uses may have associated public expenditures which are greater than their tax payments has been borne out by several studies, both in California and elsewhere in the Nation. This also has been found to be the case in many instances in Marin County, according to a statement made in October 1959 by the Marin County Tax Assessor to the Citizen's Advisory Committee on Development of Marin County, which was included in a report of the Committee and presented to the Marin County Board of Supervisors in March 1960. The Tax Assessor stated that, although there are residential areas in Marin County which amply carry their load, most of the normal type of subdivisions in the County tend to create a burden on property owners in general. Those residential developments which are self-supporting in taxes in the County consist of residences from \$25,000 to \$50,000 in value, situated on half-acre to one-acre sites.

There is no way in which the National Park Service at this time can speak with confidence about the patterns of possible urban settlement on the Peninsula if a National Seashore is not established. More investigation than time has permitted to date would be required in answering that question. Suffice it to say that a burdening of the local people with greater taxes than they have now would be as likely as lightning of them.

Setting aside the question of taxes borne by local people and turning to other points, one could reasonably assert that the local people, who have found almost perfect tranquility in living in this vicinity, would benefit in some ways if the Peninsula were accorded national seashore status. Their proximity to the national seashore would permit them to use it far more intensively than could any other part of the metropolitan area or Nation. This is borne out by the pattern of usages at existing state and national parks in California. The immediate neighbors of the National Seashore would benefit greatly by the increased demand for commercial facilities to accommodate the visitors. These facilities in large part

would not be desired within the National Seashore. For the rest of Marin County, the existence of the National Seashore would be a marginal inducement for the location of new or additional limited commercial businesses. There are many firms which rank recreation opportunities highly in locating their plants. Often, rather than expanding engineering and research facilities or by offering higher wages, such firms prefer to find locations with greater living and working advantages which attract and hold more highly qualified professional personnel. The presence of a national seashore would certainly enhance the desirability of Marin County for such firms.

The main concern of Marin residents at present is the possible loss of tax revenues. There is a strong feeling among the residents that compensation should be made by the Federal Government to offset any loss in such revenues, if a Point Reyes National Seashore is established.

#### Of the Surrounding Area

Once the pattern of settlement of a given region has developed, the acquisition of park spaces to match rising population and recreation demands poses a difficult problem. Park agencies — city, regional and national — because of various controlling factors tend to acquire land where it is available on reasonable terms, but this often results in the parks being located well away from the population groups which need them most. In some cases the outcome is park usage far below that which would yield the economic benefits contemplated at the time of expenditure. When a major natural recreation resource like the contemplated Point Reyes National Seashore is also within easy access of a large population center and major tourist center, the potential economic returns are exceptionally high.

Many of the tourists who visit California annually would be inspired primarily by the anticipation of visiting such a place as Point Reyes to plan a tour of many of California's scenic and recreation attractions. Collaterally, it would put visitors in a position to enjoy the business and vacation advantages of the nearby metropolitan center. Motels, lodges and other facilities which would grow up in the vicinity of the seashore development also would be in a favorable position, as a result of their easy access to both downtown San Francisco and Point Reyes, to attract some of those visitors whose primary trip motive to San Francisco would be other than recreation.

Though the San Francisco Bay Area is rather well provided with open space at present, its tremendous growth prospect in the near future threatens to greatly reduce this favorable balance. Certain recreation resources, such as usable ocean beaches, are in short supply even now. The great potential use of water recreation localities in metropolitan areas is suggested by the experience of the largest metropolitan centers in the East. A recent memorandum of the National Outdoor Recreation Resources Review Commission observes that "The beaches of New York City, for example, handle a visitor load equivalent to that of the National Parks; and the Palisades Interstate Park on Labor Day weekend handled 157,000 visitors, which almost equals the total

season visits (1956) to Mesa Verde National Park."

Thus a very real benefit of national seashore establishment, through the coincidence of geographic location, would be that of preserving the amenities of open space within the inner ring of the metropolitan area in the face of strong development pressures.

To recapitulate, the specific benefits of a national seashore at the Point Reyes Peninsula are traceable through several sources, outlined as follows:

One, the major criterion for reservation and development of this type of national area—preservation of a

unique natural attraction through controlled use—as established by the basic Act (August 25, 1916) creating the National Park Service.

Two, the provision of maximum personal recreation benefits as measured by the estimated number of users and the value to the user.

Three, the tangible benefits to the whole metropolitan area of which the natural seashore would be a part.

Four, important economic benefits found in commercial opportunities which would occur as a consequence of seashore establishment.

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# LAND USE SURVEY

**& Economic Feasibility Report**  
**Proposed**  
**POINT REYES**  
**NATIONAL SEASHORE**

**NATIONAL PARK SERVICE**  
**UNITED STATES**  
**DEPT. OF THE INTERIOR**



**Environmental Assessment/  
Initial Study  
Joint Document**

**Johnson Oyster Company  
POINT REYES NATIONAL SEASHORE  
Marin County, California**

**Environmental Assessment/Initial Study  
Joint Document**

**Johnson Oyster Company  
Marin County, Point Reyes National Seashore**

**May 1998  
U.S. Department of the Interior  
National Park Service  
Point Reyes National Seashore**

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## Purpose and Need

This *Environmental Assessment (EA)* has been prepared to assist National Park Service (NPS) planning and decision making, and to determine whether an Environmental Impact Statement (EIS) is required for the proposed new facilities at the Johnson Oyster Company (JOC) Point Reyes National Seashore (PRNS). JOC is proposing the construction of a new oyster processing plant and the replacement and rehabilitation of several existing accessory structures located on the JOC Reservation of Use and Occupancy at Point Reyes National Seashore. The facilities are located 17171 Sir Francis Drake, Inverness, California (AP #109-130-17).

As a federal facility, the PRNS is subject to the provisions of the National Environmental Policy Act (NEPA), the basic national charter for environmental protection. NEPA requires an interdisciplinary study of the impacts associated with federal actions. For the PRNS, these requirements were initially met with the preparation of the *PRNS/Golden Gate National Recreation Area General Management Plan and Environmental Analysis* (NPS 1980). Because the proposed rehabilitation of the JOC involves new construction, an EA has been prepared to address site-specific impacts to determine whether further environmental review is necessary.

The purpose and need for this proposed project is to bring the JOC into compliance with federal, state and Marin County regulations. Existing facilities do not currently meet federal, state, and county health and safety codes. Failure to perform the necessary improvement would result in

Marin County and the NPS issuing cease and desist orders for operation of the facility.

**Section 7 of the Endangered Species Act**  
Section 7 of the Endangered Species Act directs federal agencies to further the purposes of the Act. Under provisions of the Act, federal agencies are required to consult with the U.S. Fish and Wildlife Service (USFWS) to ensure that any action authorized, funded or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat. The NPS initiated informal consultation under Section 7 in May 1997 on this project. Based on informal consultation, the NPS has concluded that the proposed action would not adversely affect any federally listed species or critical habitat.

### **Section 106 of the National Historic Preservation Act**

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their actions on properties listed on the National Register of Historic Places. Because none of the buildings are listed on the List of Classified Structures, or determined eligible or listed for the National Register of Historic Places, the proposed action would not adversely affect an historic property.

### **Other Environmental Compliance Provisions**

Because this project is being reviewed jointly by the County of Marin and the National Park Service, this document has been voluntarily prepared to meet the

requirements of the California Environmental Quality Act (CEQA), Sections 15063A2 and 15221. This EA is incorporated into the Initial Study Checklist in its entirety.

Other environmental provisions which may affect this project are the following:

Americans with Disabilities Act 1990  
California Coastal Act  
Archeological Resources Protection Act  
Clean Water Act

#### **Relationship to Other Plans and Projects**

*General Management Plan (GMP), Point Reyes National Seashore (NPS 1980)* places JOC in a special use zone. These are lands on which the NPS does not have complete jurisdiction, or upon which activities are permitted other than preservation and visitor use. The GMP calls for the JOC to continue until the reservation of use and occupancy expires.

*The Statement for Management for Point Reyes National Seashore (NPS 1993)* discusses JOC Reservation of Use and Occupancy but does not discuss its long-term future.

*Marin Countywide Plan (1994)* identifies the project area as Coastal Recreational Zone. Within this zone, the county supports and encourages mariculture for the purposes of producing food, enhancing, and restoring fisheries stock, and contributing to the State of California's economy. The plan states that the need for mariculture sites must be balanced with protection of coastal wildlife, water, and visual resources.

*Marin County Local Coastal Program, Unit 2* discusses agriculture and aquaculture and encourages the continuation of this industry in the coastal zone.

*Marin County Code Title 22 (Zoning)*. The proposed project is consistent with the Coastal Open Space District (C-OA) zoning which allows appurtenant waterfront uses (Chapter 22.57.130). The project must prescribe conditions that will assure the promotion of agriculture, preserve scenic beauty, and maintain such land in a permanent open state.

#### **Issues and Impact Topics**

This document, prepared by the NPS and the County of Marin, in cooperation with JOC, evaluates three alternatives and the impacts associated with these actions. Evaluation of the project site has identified the following issues of potential concern and provides the basis for the analysis of alternatives: impacts on natural resources, such as soils, threatened and endangered species, water resources and wildlife; impacts on visual quality; impacts on noise; impacts on public health and safety; impacts to public services and utilities; and impacts on cultural resources.

These issues of concern were developed from public scoping and the CEQA Initial Study Checklist located in Appendix E. Those issues, from the Checklist, that were identified as potential concerns are evaluated in the Environmental Consequences section of the document. The Initial Study Checklist summarizes the EA and is adequate to meet the requirements of CEQA Section 15063A2.

**Reports Filed**

All reports regarding this project will be filed and available at the Headquarters, Point Reyes National Seashore. This includes the project's final monitoring plan, the JOC safety plan, the PRNS Hazardous Waste Plan, Marin County building permits and approvals, and the California Department of Health Services permits.

## Alternatives, Including the Proposed Action

### Alternative A: No Action

This alternative will leave the site in its present condition; no demolition of buildings would occur. New buildings and septic system would not be constructed. No site improvements would be constructed for parking or public interpretation. JOC would continue to haul sewage daily to a permitted disposal site. Under this alternative, the JOC would fail to comply with county, state, and federal regulations related to health, safety, and building codes.

### Alternative B: The Proposed Action: Rehabilitation of Two Facilities and Construction of a New Processing Facility

This proposed alternative will remove the processing plant, seed plant, stringing plant, and garage and replace with new structures. The replacement structures with sizes are: garage, 900 square feet (sf); seed plant, 2,625 sf; stringing plant, 500 sf; and a two story processing plant, 7,600, sf. Total square footage for these new structures will be 11,625 sf. Existing sf is 8,327. No work is proposed for any of the residential structures located on the property. However, fencing will be placed adjacent to the residential structures to screen them from public facilities to provide privacy.

The new processing plant would be moved approximately 100 feet from its current location directly adjacent to the shoreline. Other structures would be located in

existing sites. Appendix C provides detailed drawings of this option.

A new septic system, approximately 3000 feet east of the processing plant and two acres in size, would be constructed to accommodate the rehabilitated facilities (See Appendix D for detailed drawings). The NPS would issue a special use permit to accommodate this use. The proposed site was selected because of its acceptable percolation ability and because it is located outside the immediate watershed of the Estero. The new buildings would include a gray water drainage system; waste water would be pumped to the rehabilitated former leach field (.25 acre) field above and south of the JOC facility.

No major changes in the topography is necessary. The proposed site for all new, rehabilitated and replacements structures is relatively flat. All structures will be slab on grade and all drainage will be sloped away from building and use the natural drainage pattern where appropriate.

Gravel entry and parking areas will be developed on the northern extent of the property. Twenty-two parking spaces will be developed, including the appropriate number of handicap spaces. Picnic tables will be placed at the entrance to the facility adjacent to the parking area.

Once the site has been cleared of all debris, the site will be evenly graded and revegetated with native vegetation.

### **Alternative C: Rehabilitation of Existing Structures Only**

This alternative is similar to alternative B, except the processing plant would be reconstructed/rehabilitated at its current location which is directly adjacent to the Estero. The new facility will be the same in terms of overall scale and types of materials.

All other site amenities such as parking and other facilities would be constructed as in Alternative B. The leach field and sewage system also would be constructed as in Alternative B.

### **Alternatives Considered but Rejected**

The removal of the entire complex was rejected as an alternative. JOC has a Reservation of Use and Occupancy (leasehold interest) until the year 2012. The existing *GMP (NPS 1980)* calls for the continuation of an oyster operation within the park. PRNS is currently in the process of updating and revising the existing *GMP* which will need to address the issue of JOC lease hold interest.

## Affected Environment

### Project Site Description

JOC, Drakes Estero, Marin County, California is located within the Point Reyes National Seashore, approximately 30 miles northwest of San Francisco. Drakes Estero, an estuary where freshwater runoff mixes with saltwater, encompasses approximately 2,380 acres and is about 3.5 miles in length from its mouth. JOC operates in the Estero on two state aquaculture leases having a combined area of 1,600 acres. The project area is approximately five acres in size and is located directly adjacent to Drakes Estero. See Appendix A for project location map.

### Reservation of Use and Occupancy

JOC, and its successors and assigns, has a terminable right to use and occupy the five acres until the year 2012 "for the purpose of processing and selling wholesale and retail oysters, seafood and complimentary food items, the interpretation of oyster cultivation to the visiting public, and residential purposes reasonably incidental thereto." The PRNS GMP is currently being revised. An issue to be addressed is the long-term status of the lease agreement past 2012.

### History

The original allotment of which the subject operation now grows its oysters was recorded on January 18, 1934. It was recorded in the name of David C. Drier, for the purpose of growing oysters. The first transfer was to Drakes Bay Oyster Company on March 30, 1935 (Harding Appraisal 1972). Later transfers occurred in 1954 to the Van Camp Sea Food Company. In 1955, the Coast Oyster

Company held the allotment which was a wholly-owned subsidiary of Van Camp Food Company. On November 18, 1960 Coast Oyster transferred the allotment to Charles Johnson, who assigned the allotment to JOC. When transferred from Coast Oyster to Charles Johnson, the price paid was \$75,000 according to Charles Johnson, with an additional \$35,000 being paid for the existing oysters and buildings.

### Improvements

Except for the oyster racks in the bays, the majority of the improvements associated with JOC are located within the five acre reserved parcel. However, the seed plant and stringing plant are currently located outside the reserved area. Building improvements include the processing plant, a seeding building, office, main residence, four trailers, and cabin.

**Processing Plant.** This structure, constructed in 1948, contains a total of 3,600 sf and has a concrete and frame construction with a concrete foundation. The roof has hip construction and roll composition covering floors are concrete. An office complex was added at a later date on the second floor. In addition; the building contains another 400 sf of office and storage. A cold storage room (80 sf) is attached to the main processing plant. Two detached containers associated with the operation of the plant are approximately 560 sf. A lunch room and associated trailer (893 sf) were added to the site. These buildings do not currently meet health, safety, and building codes. In total, existing square footage in the processing plant and associated structures is 5,533 sf.

**Main Residence.** The main residence has a floor area of 1,385 sf and a covered porch area of 60 sf. This structure was constructed in 1956.

**Cabin.** The cabin is approximately 672 sf and is constructed of wood with a concrete pier foundation.

**Seed Plant.** The seed plant, for growing small larval oysters before placement in the estuary, is located on the south side of the project area, is 2,178 sf, and is currently in poor condition.

**Stringing Plant.** The stringing plant is used for preparing oysters for placement in the estuary. This 616 sf structure is constructed of sheet metal with a wood frame and is in poor condition.

#### **Utilities**

Pacific Gas & Electric Company (PG&E) provides electrical service in the project area. Pacific Bell provides telephone service to the project area. Both services are currently available to the JOC. No natural gas, municipal water or sewage service is available. JOC must maintain their own sewage and water systems. One potential source of pollution is the JOC sewage septic field which failed in early 1994. The original Marin County Septic Permit was for seven bedrooms. When the septic field failed, 12 trailers plus the two residences were on the site, clearly exceeding the capacity of the system. Since that time, all sewage has been pumped daily from the septic tank and transported to a waste disposal facility. In addition, eight trailers have been removed from the site.

The site also has a waiver from the Regional Water Quality Control Board to operate a leach pit for rinse water from the oyster processing plant.

#### **Geology, Topography, Soils**

Geologically, land at JOC is part of the Drakes Bay Formation the foundation is comprised of marine sediments that filled the basin between Inverness Ridge and the Point Reyes Headlands toward the end of the Tertiary age during the early Pliocene epoch (about eight million years ago). The site is relatively flat, with major portions of the site having been compacted due to road use. Road base material has been supplemented with crushed oyster shells. Tomales-Steinbeck soils exist at the JOC project site. These soils, derived from soft sandstone of the underlying Drakes Bay Formation, are deep (to about four feet) and moderately well drained.

#### **Vegetation**

The project area has vegetation typical of those plant communities found in northern coastal scrub characterized by densely packed shrubs less than 6 feet tall interspersed with scattered grassy openings. This scrub community is found on windy, exposed sites with shallow soils. Most flowering takes place in late spring and early summer. Typical species include California sagebrush, bush lupine, coyote bush, bush monkeyflower, and poison oak. Weedy exotic species, such as scotch broom and poison hemlock, are also present on the site. One intermittent drainage is fed by springs transecting the property. A large pond is located on the northern edge of the project area. Tidal salt marsh species, predominately pickleweed and saltgrass, are located on the northern edge of the project area.

### **Cultural Resources**

The project area does not contain any structures that have been placed on the List of Classified Structures determined eligible for the National Register of Historic Places. An archeological site does exist at the southern edge of the project site.

Marin 296 is a shell midden which has suffered extensive damage from cultural modifications over time. These include fencing, grazing, impoundments of stock, grading, gardening, and the dumping of oyster shells.

### **Wildlife**

Drakes Estero provides approximately 2,380 acres of shallow estuary habitat for a variety of wildlife. A large number of shorebirds and migratory waterfowl species utilize the habitat, particularly during the winter months. The estuary also serves as an important pupping ground for harbor seals, whose population ranges between 700 to over 1,000 individuals year-round. Coyotes, gray fox, mountain lions, bobcat, black-tailed deer, striped skunk and other small mammals are known to occur in the area.

### **Invertebrates**

Drakes Estero, an estuary where freshwater runoff mixes with saltwater, encompasses approximately 2,380 acres. The rich habitat of the estuary supports a variety of intertidal life such as various species of clam, ghost shrimp, phoronid worms, geoducks, moon snail, and hundreds of other invertebrate species. The estuary borders the western edge of the project area.

### **Special Status Species**

No special status species, such as threatened or endangered plants or animals,

are found in the project site area. Brown pelicans, brandt geese, and peregrine falcons are known to occur in the vicinity of the project area. See Appendix B for correspondence from the U.S. Fish and Wildlife Service identifying special status species in the vicinity of the project site.

### **Recreation**

Drakes Estero is accessible to kayaks and canoes at the JOC Schooner Bay facility and via Drakes Bay. Access from Drakes Bay is possible only during high tides, and the shallow nature of the Estero, as well as the presence of a sand bar across the mouth of the Estero, discourages kayakers and canoeists. The only motorized watercraft allowed on the Estero are the JOC work boats and barges. The Estero has been designated "potential wilderness"; therefore, recreational motorboats are prohibited by regulation.

## Environmental Consequences

**Environmental impacts associated with each alternative are addressed below:**

**Alternative A: No Action**  
(Continue to operate under current conditions)

### **Impacts on Natural Resources**

Under the No Action alternative, impacts on natural resources would be limited to those associated with natural processes and human activities already occurring on site.

**Vegetation.** Under this alternative, impacts associated with vegetation would be limited to those associated with human activities already occurring at the site. Negative impacts would occur as non-native plants continue to flourish at JOC.

**Water Resources.** Some potential negative impacts could occur due to sewage spills if hauling continues off-site. Sewage could be spilled on the roadway and into the estuary if an accident occurred.

**Air.** Because the current facility does not emit pollutants, this alternative would not produce or adversely affect air quality.

**Wildlife.** Some potential negative impacts could occur if JOC continues hauling sewage off-site. Sewage could be spilled on roadway and into the estuary if an accident occurred. This could potentially damage wildlife species should the water become contaminated.

### **Threatened and Endangered Species.**

Since no federally listed or special status species have been detected on the project site, there will be no effect on threatened or endangered species.

**Soils and Topography.** No new ground disturbance or change to topography would occur under this alternative. Therefore, no new impacts would occur as a result of this alternative.

**Conclusion.** Although there would be no further ground disturbance, topography change, and no improvements to the area, non-native plants would continue to flourish if site restoration is not accomplished. In turn, negative impacts could occur to water quality and wildlife from improper sewage treatment and potential sewage spills due to current practices of off-site treatment of waste.

### **Impacts on Cultural Resources**

There would be no direct impact on archeological or historic structures as a result of this alternative. However, disturbance to the archeological site that has occurred in the past may continue. This could result in a negative impact to the archeological site. No historic structures would be adversely affected.

**Conclusion.** Under this alternative, the NPS would continue to monitor and fence the archeological site in the area to deter any additional impacts. Therefore, no new impacts are anticipated.

### **Impacts on Visual Quality**

Negative impacts would continue. Current structures were not designed to visually accommodate the landscape and are in serious need of repair. The site also has debris stored around the facilities that would continue to visually impair views toward the estuary.

**Conclusion.** No new impacts would occur. However, negative impacts from the dilapidated buildings would continue to impair scenic views of the estuary.

### **Impacts on Human Health and Safety**

Under this alternative, the JOC would fail to comply with local, state, and federal regulations. This alternative would constitute an adverse impact on health and human safety. In addition, failure to comply with building codes for life and safety would pose a potential threat to anyone in or near the buildings.

**Conclusion.** Significant negative impacts to human health and safety would continue to occur due to noncompliance with health and safety codes.

### **Impacts on Noise**

Noise levels would continue to be at the same levels; no positive or negative impacts anticipated. Limited noise is currently generated by worker activity, occasional use of heavy equipment, and motorboat use.

**Conclusion.** Since there will be no construction activities, there would be no new disturbance or inconvenience to park visitors as a result of this alternative.

### **Impacts on Public Facilities and Services**

**Water Supply.** Under this alternative, water supply and amount of use would remain unchanged.

**Roadways and Public Transportation.** Under Alternative A, public roadways would remain unaffected.

**Energy Consumption.** Energy consumption, because of the potential closing of the facility, would be reduced. Changes are insignificant because of the small amount of electricity currently used by Johnson Oyster Company.

**Fire Protection.** No change to fire protection services would occur under this option.

**Schools.** No change to enrollment in local schools would occur under this alternative. Residences in area are expected to remain constant.

**Other Government Services.** Under this alternative, no new government services will be needed.

**Conclusion.** Because this option may result in the continuation of Johnson Oyster Company on the site without new construction or the closing of the facilities, public services and utilities are not expected to be adversely affected. Some reduction of services needed may occur if the facilities are closed but the effect will be less than significant.

### **Impacts on the Local Economy**

Negative economic effects could occur because JOC would eventually be closed due to noncompliance with federal, state, and local codes and regulations.

**Conclusion.** This alternative may negatively affect the local economy. However, because Johnson Oyster Company is a very small percentage of the total economy of Marin, the effect will be less than significant to the regional economy.

## Alternative B: The Proposal: Construction of New Facilities

### Impacts on Natural Resources

**Vegetation.** On the main construction site the proposed action would result in approximately three (3) acres of ground disturbance on a developed site dominated by non-native vegetation. To mitigate any potential negative impacts, in accordance with NPS management policies and guidelines, disturbed areas would be revegetated with native plant materials (e.g., seeds, cuttings, transplants) that originated from the genetic stock on site or from other adjacent sources. Revegetation efforts would be concentrated in and around the pond and shoreline to establish native salt grass, grindelia, and coyote brush.

The development of the main leach field and the rehabilitation of the former leach field will disturb approximately 2.25 acres of native coastal scrub/grassland dominated by coyote brush. Any impacts are expected to be mitigated by rapid regrowth of native vegetation in the leach field area and full restoration of the site is anticipated in 1-2 years. If necessary, any impacts will be mitigated by planting native vegetation in accordance with NPS revegetation policies.

The proposed project will not result in negative impacts to native vegetation, wetlands, stream/riparian habitat, coastal dunes, or significant adverse impacts to other sensitive habitats.

**Water Resources.** Some short-term minor impacts could result due to ground disturbance and grading. However, actions

such as installing protection fencing and strategically placing straw bale berms would be taken to ensure that sediment and runoff from the construction site does not enter Drakes Estero or the adjacent pond. To eliminate the possibility of water contamination of the Estero, buildings would be equipped with internal drains that empty into a holding tank and pumped to an approved septic system.

Because this project primarily involves the rehabilitation of existing structures, surface runoff and drainage patterns will not be altered significantly or increased substantially. No impervious surfaces such as asphalt will be installed within the parking area; the area will remain as a graveled surface. Minor drainage swales will be installed behind the main building to drain storm water runoff to the estuary. Another drainage swale will be installed along the eastern edge of the building to drain storm water away from the building. No significant impacts are therefore anticipated.

No changes to surface or ground waters will result from this project. Grading will be minimal and limited to the construction area and will not increase existing flow. Storm water runoff will continue towards the estuary and adjacent pond and remain as natural as possible. Drainage will be reviewed and approved by the Marin County Department of Public Works. Because the current flow and drainages are not be significantly altered, less than significant impacts are anticipated.

**Air.** Oyster processing in the new facilities will not release significant types or levels of air pollutants. Heating systems, the only source of exhaust, will meet current

standards and codes. Some dust will be generated from construction activities; however, these impacts will be mitigated to less than significant levels by implementing mitigation measures, including watering of disturbed areas and covering the beds of trucks hauling material from the project site.

**Wildlife.** Existing noise and human activity levels coupled with the disturbed nature of the site make it highly unlikely that wildlife would reside on the grounds of the JOC. Those that do frequent the site are accustomed to human disturbance. It is doubtful that construction activities would result in permanent displacement of wildlife in the immediate area.

Because the proposed action would result in only temporary and localized impacts on wildlife, these effects are considered insignificant since animals and shorebirds would be expected to return to the area once construction and restoration activities are completed.

Because of the abundance of coastal scrub/grassland habitat adjacent to the proposed leach field site, recolonization of the area by birds and other species will occur over the long-term. During construction, there will be some short-term insignificant impacts to resident avian species such as wrentits and scrub jays as well as small mammals such as the brush rabbit and white-footed mouse.

**Threatened and Endangered Species.** Since no federally protected species or their host plants have been detected at the site, there would be no adverse effect on threatened or endangered species.

**Soils.** In addition to ground disturbance

and minor grading that would occur, the potentially liquefiable soils are anticipated to need stabilization. Based on site conditions, compaction could be used to stabilize the soil beneath buildings and structures. All work would be closely monitored to minimize soil disturbance and its potential impact on the adjacent estuary.

To minimize ground disturbance, equipment and materials would be stockpiled on existing disturbed areas. Pockets of native vegetation would be identified and a combination of fencing and signing would be installed to protect these areas from disturbance during construction activities.

**Topography.** The project will not substantially change the topography; surface grading will be limited to minor alterations required to provide a level parking area and for foundation construction for the new facilities. Fill area for foundation construction will be approximately 9,000 sf in size. The estimated quantity of fill material is 170 cubic yards. Therefore, because the grade change will be less than 12 inches and fill will be minimal, less than significant impacts are anticipated on the site. To mitigate any unforeseen impact, a qualified soil engineer will investigate soil conditions to ensure long-term stability of proposed structures. The proposed project will not alter any unique geologic or ground surface features.

**Conclusion.** Under this alternative, no special-status species would be adversely affected. Some short-term impacts may occur to wildlife but would be temporary in nature. Water resources will be protected from impacts by mitigation measures to reduce potential impacts to less than significant levels. Ground disturbance and

change to topography will be minimal and monitored to ensure soil erosion does not occur. Overall, this alternative is not anticipated to have any significant impacts to natural resources.

#### **Impacts on Cultural Resources**

The site does not contain historic structures or significant cultural landscape elements. No ethnic cultural values or religious or sacred uses currently occur within the project area.

One disturbed archeological site is known in the area. The archeological site will be fenced temporarily during construction activities to ensure disturbance does not occur. The NPS will also stabilize the site to protect it from further disturbance. If any archeological material is found during construction, construction will stop and a qualified archeologist will evaluate the situation to mitigate any impacts.

**Conclusion.** With mitigation measures in place, no adverse effects are anticipated to occur to cultural resources.

#### **Impacts on Visual Quality**

The project will enhance the site's overall visual quality and views of and from Drakes Estero. The current buildings are in a dilapidated condition and are primarily located along the edge of the estuary. Because the main building will be located over 100 feet away from the estuary, the view south along the estuary will be greatly enhanced. In turn, wood fencing/screening on the east side of the complex will enhance views in this direction from the proposed parking lot. Unsightly trailers and other

storage areas will be screened from public view by wooden fencing and vegetation.

The project incorporates height, mass and bulk characteristics that are proportional to the site. The new structures would maintain adequate setbacks from other structures in the vicinity and would not adversely impact existing scenic vistas within the Point Reyes National Seashore.

The proposed design of the new structures would better blend with the surrounding natural environment. Proposed colors and construction materials would compliment the surrounding natural environment, as well as integrate well with the existing residential units located nearby. Each of the new structures would maintain adequate setbacks from other structures in the vicinity and, therefore, no impacts upon the light, air or privacy of people living or working in nearby structures would occur.

**Conclusion.** This alternative will enhance the visual quality of the site by removing dilapidated buildings, removing debris, screening buildings from public view, and relocation of the main facility away from the estuary edge.

#### **Impacts on Human Health and Safety**

By bringing the complex into compliance with health and safety codes, JOC will no longer pose a health risk. In addition, by modifying existing buildings and constructing new facilities to comply with building codes for life and safety hazards (e.g., fire detection, handicap access, seismic stability) to the operating staff at the site would be minimized.

The former septic system at JOC has been abandoned because of overall general failure. Under Marin County supervision, sewage is now being stored on-site and hauled to approved disposal area. New water and septic systems will ensure that ground water and the estuary system are not contaminated by JOC operations. All surface drains in the facilities will be connected to the gray water leach field for proper disposal. This gray water and septic systems will meet Marin County and State of California requirements. Monitoring requirements for the septic systems will be established by Marin County and the State of California. The new sewage systems with appropriate monitoring will reduce any potential discharge of pollutants to a less than significant level.

JOC is approximately five miles west of the San Andreas Fault. Because of the geology, there is a potential for a moderate susceptibility to ground shaking intensity. Also, the maximum ground shaking intensity potential is considered strong. To mitigate any impacts to less than significant, the new facilities will be constructed in conformance with Uniform Building Code (UBC), Chapter 16, (Zone 4) and fully meet standards for wind and earthquakes.

Liquefaction susceptibility is considered low in the Drakes Bay Formation.

Tsunami risk is considered low; the site is located three miles inland from the Pacific Ocean within a shallow estuary. The tsunami warning system through the National Weather Service and the Marin County Office of Emergency Services will be utilized to evacuate the site if necessary.

Historical records indicate that drainage at this site has been a problem when extreme high tides and major storm events occur simultaneously. Because these two events are predictable, sand bags and other mitigation measures will be implemented to reduce/eliminate hazards to humans or property. To mitigate any impacts to property, the main processing building will have a cement wall perimeter to limit potential flood waters from entering and all electrical equipment will be raised off the floor area.

Based on site investigations and historical records, the area is not prone to mudslides or landslides. Because of past minor slope failure on the southern bluff area, a retaining wall is planned for construction, and adequate space (25 feet) between the bluff and the main building will be maintained. These two actions will mitigate any impact to less than significant.

The proposed project area is situated near coastal scrub/grassland vegetation. The proposed facilities will contain flammable materials such as cleaners, lubricants, solvents and other potential hazards. In consultation with Marin County Fire Department, mitigation measures have been adopted to ensure the project will not significantly increase fire hazards in the area. These include access enhancements along the main entrance road, proper storage of hazardous material and waste, fully automatic sprinkler systems in buildings, proper removal of vegetation around complex, and adequate space around buildings for emergency vehicle access. In addition, the main objective of the project is the rehabilitation of buildings to meet current health and safety codes and reduce potential fire hazards.

All hazardous materials and waste, such as paint and oil, will be properly stored in the new facility and be in accordance with federal/state standards and regulations and the *Point Reyes National Seashore Hazardous Waste Management Plan*. In addition, all hazardous waste such as paint and oil will be disposed of according to the *Hazardous Waste Management Plan*. No pesticides are used by JOC. As no major or unusual quantities of explosives or hazardous materials will be present on the project site during construction or when improvements are completed, the likelihood of an explosive hazard is extremely remote and deemed insignificant.

**Conclusion.** Code compliance upgrades will have a positive effect on human health and safety. Once the buildings and septic system meet current codes, they will no longer be a health and safety risk to park visitors and JOC staff. In addition, once hazardous material is properly stored and disposed of, potential impacts to visitors and JOC staff will be minimal and not significant. Building and site improvements will also improve fire safety.

#### **Impacts on Noise**

The proposed project will result in the periodic generation of noise associated with short-term construction activities. Vehicles traveling to and from the site will result in the generation of intermittent low levels of noise. Although ambient noise levels in the surrounding area are expected to increase during construction, the construction-related noise would represent a temporary increase of limited duration, and therefore, is not considered a significant impact. In addition, all construction activity will be regulated by the County's Design Review and building permit process, in compliance

with standard regulations controlling permitted hours of activity and permitted noise levels.

**Conclusion.** Some short-term impacts to local residents related to noise will occur during construction. However, there will be no new long-term impacts.

#### **Impacts on Public Facilities and Services**

**Water Supply.** Johnson Oyster Company has a County regulated well water supply operated under a permit from the National Park Service. No other public or private entities utilize this water source. Therefore, no impacts to other public water sources will occur.

**Roadways and Public Transportation.** The buildings are replacement structures and not an expansion of the existing facilities. Therefore, no new transportation impacts are anticipated. Because overall traffic is generated primarily by recreational users, some increase in the use of Sir Francis Drakes may occur over the next 15 years, but the increase will be related to park visitation. Park visitation, however, peaked at 2.6 million in 1992 but has dropped over the last five years to 2.4 million in 1996. The NPS anticipates park visitation will slowly increase approximately 2-3% per year. The Point Reyes National Seashore GMP does not call for any additional facilities in the north district of the park which would have a cumulative impact with this proposed project on traffic. No public or NPS transportation facilities are available in the area. Therefore, this project will have a less than significant impact on traffic and public transportation facilities.

**Energy Consumption.** Energy use is anticipated to increase only slightly, approximately (10%), because of the small increase in square footage. Current energy use is estimated at 5,000 kilowatts per month.

**Fire Protection.** Increased square footage of replacement buildings will add minor impacts to Marin County Fire Department responsibilities. In addition, based on correspondence with Marin County Fire Department, improvements to street and site address labeling, road access, water storage, and facility automatic fire sprinkler systems will be needed. These improvements will be added to the overall JOC plan for the site to mitigate impacts as directed by the Marin County Fire Department and NPS. With these mitigation measures, the impact will be minimized and less than significant.

**Police Protection.** NPS is the primary law enforcement agency in the project area. No increase in service is anticipated. Marin County Sheriff's Department currently provides adequate back-up law enforcement protection to the subject property. No increase in this service is necessary. Therefore, less than significant impacts will occur.

**Schools.** The project will not increase housing or number of employees working at JOC. Because there will be no increase in housing or number of employees, school children attending local schools is not anticipated to change and will remain at current levels. Therefore, a less than significant impact will occur to the Shoreline School District.

**Other Government Services.** Because of the small scale nature of this project, no new

governmental services will be needed. Current facilities are being upgrade to meet current codes and correct deficiencies.

**Utilities.** Pacific Gas and Electric Company has adequate facilities in the project area to provide service to the proposed project. Only a minor increase in power and propane is anticipated. No new phone or communication services will be required for the project.

**Conclusion.** Public facilities and services, such as fire, police, public services and utilities, and schools will not be significantly increased or adversely affected.

#### **Impacts on the Local Economy**

No positive or negative impacts are anticipated. Construction costs are estimated to exceed \$500,000.

**Conclusion.** Under this alternative, JOC will continue to operate and contribute to the local economy. Since JOC produces 38% of the total harvest of oysters in California, they are a major contributor to the State's oyster supply.

#### **Cumulative Impacts**

Because the proposed improvements would bring JOC into compliance with local, state and federal regulations and laws, the project's overall impact on the environment and NPS operations would be beneficial.

**Conclusion.** The NPS concludes that this project, by itself and in conjunction with the long-range goal to provide the public with safe facilities, does not constitute a significant cumulative impact.

## Alternative C: Rehabilitation of Existing Structures

### Impacts on Natural Resources

**Vegetation.** Because the rehabilitated processing facilities would be located in the same location, this action would result in only approximately two (2) acres of ground disturbance. The ground disturbance would occur on a developed site dominated by non-native vegetation. In accordance with NPS management policies and guidelines, disturbed areas would be revegetated with native plant materials (e.g., seeds, cuttings, transplants) that originated from the genetic stock on site or from other adjacent sources. Efforts would concentrate in revegetation in and around the pond and shoreline to establish native salt grass, grindedia, and coyote brush.

In addition, this alternative would require 2.25 acres of native vegetation to be disturbed for the septic system. The area would be allowed to revegetate naturally and monitored for weed removal. If necessary, any impacts will be mitigated by planting native vegetation.

**Water Resources.** Some short-term minor impacts could result due to ground disturbance and grading. However, actions such as plastic protection fencing and soil/straw bale berms would be employed to ensure that sediments and runoff from the construction site do not enter Drakes Estero or the adjacent pond.

To eliminate the possibility of contamination of the Estero, buildings would be equipped with internal drains that would empty into a holding tank and then pumped to an approved septic system.

Because this project only involves the rehabilitation of existing structures, volume of surface runoff and drainage patterns will not be altered significantly or increased substantially. No impervious surfaces such as asphalt will be installed within the parking area; the area will remain gravel. Minor drainage swales will be installed behind the main building to drain storm water into the estuary. Another drainage swale will be installed along the eastern edge of the building to drain storm water away from the building. No significant impacts are therefore anticipated.

No changes to surface or ground water will result from this project. Grading will be minimal and limited to the construction area and will not increase flows. Rain water drainage will continue towards the estuary and adjacent pond and remain as natural as possible. Drainage will be reviewed and approved by the Marin County Department of Public Works. Because the current flows and drainages are not be significantly altered, less than significant impacts are anticipated.

**Air.** Oyster processing in the newly rehabilitated facilities will not result in the release of significant air pollutants. Heating systems, the only source of exhaust, will meet current standards and codes. Some dust will be generated from construction activities; however, it will be mitigated to a less than significant level by implementing mitigation measures, including watering disturbed areas and covering the beds of trucks hauling material from the project site.

**Wildlife.** Noise and human activity, coupled with the current disturbed nature of the site, make it highly unlikely that wildlife would reside on the grounds of the

JOC. Those species that do inhabit the site are accustomed to human activity. It is doubtful that construction activities would result in the permanent displacement of wildlife in the immediate area. Because the proposed action would result in only temporary and localized impacts on wildlife, these effects are considered less than significant since animals and shorebirds would be expected to return to the area once construction and restoration activities are completed.

#### **Threatened and Endangered Species.**

Since no federally protected species or their host plants have been detected at the site, there would be no effect on threatened or endangered species.

**Soils.** In addition to ground disturbance and minor grading adjustments that would occur, the potentially liquefiable soils are anticipated to need stabilization. Based on the site conditions, compaction would be used to stabilize the soil beneath buildings and structures. All work would be closely monitored to minimize ground movement and its potential impact on buildings and structures.

To minimize ground disturbance, equipment and materials would be stockpiled on existing disturbed areas to be impacted by construction. Pockets of native vegetation would be identified and fenced or signed to protect these areas from disturbance.

**Topography.** This alternative will not substantially change the topography; surface grading will be limited to minor alterations for leveling the parking area and foundation construction for the new rehabilitated facilities. Therefore, because the change in

topography will be minimal, less than significant impacts are anticipated on the site. To mitigate any unforeseen impacts, a qualified soil engineer will investigate soil conditions to ensure long-term stability of proposed rehabilitated structures. The proposed project will not alter any unique geologic or ground surface features.

**Conclusion.** Actions under this alternative would not adversely affect special-status species. Some short-term impacts may occur to wildlife but would be temporary in nature. Water resources will be protected from impacts by implementing mitigation measures to reduce adverse impact to less than significant levels. Ground disturbance would be less acreage than Alternative B. Ground and soil movement will be monitored to ensure soil erosion does not occur. Overall, this alternative is not anticipated to have any significant impacts to natural resources.

#### **Impacts on Cultural Resources**

The site does not contain historic structures or significant cultural landscape elements. One disturbed archeological site is known in the area. The archeological site will be fenced to ensure disturbance does not occur. If any archeological material is found during construction, the project will stop and a qualified archeologist will evaluate the situation to mitigate any impacts.

**Conclusion.** With mitigation measures in place, no adverse effects are anticipated to occur to cultural resources.

### **Impacts on Visual Quality**

Same as Alternative B, except the main processing facility will remain on the western side of the project area adjacent to Drakes Estero. The building will be sided with wood and allowed to weather (gray) to blend in with the surroundings. The overall visual quality of the site will be enhanced by removing the dilapidated buildings and removing unwanted debris. The main building would, however, have a negative visual impact along the shoreline, restricting visitor views of the estuary.

**Conclusion.** This alternative will enhance the visual quality of the site by removing dilapidated buildings and removing debris. However, the main building would remain on the shoreline and have a negative visual impact on scenic views by park visitors.

### **Impacts on Human Health and Safety**

Impacts to Human Health and Safety are the same as Alternative B. By bringing the complex into compliance with health and safety codes, JOC will no longer pose a health risk. In addition, by modifying existing buildings and construction of new facilities to comply with building codes for life and safety (e.g., fire detection, handicap access, seismic stability) hazards to the operating staff at the site would be minimized.

The former septic system at JOC has been abandoned because of overall general failure. Under Marin County supervision, sewage is now being stored on-site and hauled to approved disposal area. New water and septic systems will ensure ground water and the estuary system are not contaminated by JOC operations. All

surface drains in the facilities will be connected to the gray water leach field for proper disposal. This gray water and septic systems will meet Marin County and State of California requirements. Monitoring requirements for the septic systems will be established by Marin County and the State of California. The new sewage systems with appropriate monitoring will reduce any potential discharge of pollutants to a less than significant level.

JOC is approximately five miles west of the San Andreas Fault. Because of the geology, there is a potential for a moderate susceptibility to ground shaking intensity. Also, the maximum ground shaking intensity potential is considered strong. To mitigate any impacts to a less than significant level, the new facilities will be constructed in conformance with Uniform Building Code (UBC), Chapter 16, (Zone 4) and fully meet standards for wind and earthquakes.

Liquefaction susceptibility is considered low in the Drakes Bay Formation.

Tsunami risk is considered low; the site is located three miles inland from the Pacific Ocean within a shallow estuary. The tsunami warning system through the National Weather Service and the Marin County Office of Emergency Services will be utilized to evacuate the site if necessary.

Historical records indicate that drainage at the site has been a problem when extreme high tides and major storm events occur simultaneously. Because these two events are predictable, sand bags and other mitigation measures will be installed to reduce/eliminate hazards to humans or property. To mitigate any impacts to property, the main processing building will

have a cement wall perimeter to limit potential flood waters from entering and all electrical equipment will be raised off the floor area.

Based on site investigations and historical records, the area is also not prone to mudslides or landslides. Because of past minor slope failure on the southern bluff area, a retaining wall is planned for construction, and adequate space (25 feet) between the bluff and the main building will be maintained. These two actions will mitigate any impact to a less than significant level.

The proposed project area is situated near coastal scrub/grassland vegetation. The proposed facilities will contain flammable materials such as cleaners, lubricants, solvents and other potential hazards. In consultation with MCFD, mitigation measures have been adopted to ensure the project will not significantly increase fire hazards in the area. These mitigation measures include: access enhancements along the main entrance road; proper storage of hazardous material and waste; fully automatic sprinkler systems in buildings; proper removal of vegetation around complex; and adequate space around buildings for emergency vehicle access. In addition, the main objective of the project is to rehabilitate the buildings to meet current health and safety codes and reduce potential fire hazards.

All hazardous materials and waste, such as paint and oil, will be properly stored in the new facility and be in accordance with federal/state standards and regulations and the *Point Reyes National Seashore Hazardous Waste Management Plan*. In addition, hazardous wastes such as paint

and oil will be disposed according to the *Hazardous Waste Management Plan*. No pesticides are used by JOC. As no major or unusual quantities of explosives or hazardous materials will be present on the project site during construction, or following the project completion, the likelihood of an explosive hazard is extremely remote and deemed insignificant.

**Conclusion.** Code compliance upgrades will have a positive effect on human health and safety. Once the buildings and septic system meet current codes, they will no longer be a health and safety risk to park visitors and JOC staff. In addition, once hazardous material is properly stored and disposed, potential impacts to visitors and JOC staff will be minimal and less than significant. Building and site improvements will also improve fire safety.

#### **Impacts on Public Facilities and Services**

These potential impacts are the same as Alternative B.

**Water Supply.** Johnson Oyster Company has an independent well water supply permitted to them from the National Park Service. No other public or private entities utilize this water source. Therefore, no impacts to other public sources will occur.

**Roadways and Public Transportation.** The buildings are replacement structures and not an expansion of the existing facilities. Therefore, no new transportation impacts are anticipated. Because overall traffic is generated primarily by recreational users, some increase in the use of Sir Francis Drake Blvd. may occur over the next 15 years, but the increase will be related to park visitation. Park visitation, however,

peaked at 2.6 million in 1992 but has dropped over the last five years to 2.4 million in 1996. The NPS anticipates park visitation will slowly increase approximately 2-3% per year. The Point Reyes National Seashore GMP does not call for any additional facilities in the north district of the park which would have a cumulative impact with this proposed project on traffic. No public or NPS transportation facilities are available in the area. Therefore, this project will have a less than significant impact on traffic and public transportation facilities.

**Energy Consumption.** Energy use is anticipated to only slightly increase, approximately (10%) because of the small increase in square footage. Current energy use is estimated at 5,000 kilowatts per month.

**Fire Protection.** Increased square footage of replacement buildings will add minor impact to Marin County Fire Department responsibilities. In addition, based on correspondence with MCFD, improvements to street and site address labeling, road access, water storage, and facility automatic fire sprinkler systems are needed. These improvements will be added to overall JOC plan for the site to mitigate impacts as directed by the MCFD and NPS. With these mitigation measures, the impact will be minimized and less than significant.

**Police Protection.** NPS is the primary law enforcement agency in the project area. No increase in service is anticipated. Marin County Sheriff's Department currently provides adequate back-up law enforcement protection to the subject property. No increase in this service is necessary.

Therefore, less than significant impacts will occur.

**Schools.** The project will not increase housing or number of employees working at JOC. Because there will be no increase in housing or number of employees, school children attending local schools is not anticipated to change and will remain at current levels. Therefore, a less than significant impact will occur to the Shoreline School District.

**Other Government Services.** Because of the small scale nature of this project, no new governmental services will be needed. Current facilities are being upgraded to meet current codes and correct deficiencies.

**Utilities.** Pacific Gas and Electric Company has adequate facilities in the project area to provide service to the proposed project. Only minor insignificant increase in power and propane are anticipated. No new phone or communication services are required for the project.

**Conclusion.** Public facilities and services, such as fire, police, public services and utilities, and schools will not be significantly increased or adversely affected.

#### **Impacts on Noise**

There would be no long-term or significant impact on ambient noise levels. There will be some short-term impacts due to construction noise; however, restriction on noise levels and timing of construction activities will mitigate any short-term impacts.

**Conclusion.** Some short-term impacts to local residents related to noise will occur during construction. However, there will be no new long-term impacts.

#### **Impacts on the Local Economy**

Positive impacts would occur because the operation of JOC would continue.

Construction cost, associated with this option, are estimated at over \$450,000.

**Conclusion.** Under this alternative, JOC will continue to operate and contribute to the local economy. Since JOC produces 38% of the total harvest of oysters in California, they are a major contributor to the State's oyster supply.

## Consultation and Coordination

The Golden Gate National Recreation Area/Point Reyes National Seashore Citizen's Advisory Commission, Point Reyes Committee, was consulted during the formulation of the draft environmental assessment.

The U. S. Fish and Wildlife Service was consulted regarding special status species, including threatened and endangered species.

The County of Marin, Community Development Agency, (MCCDA) has been consulted in the formulation of this environmental assessment. The MCCDA has conducted a design review of the project and prepared the visual quality section of the document. Environmental Health Services has evaluated the sewage waste disposal system.

The Marin County Fire Department was consulted regarding the formulation of fire protection needs.

California Regional Water Quality Control Board was consulted to provide guidance on facilities needed to treat drain water.

Others consulted on the project include:

Sarah Allen, Wildlife Biologist, Point Reyes National Seashore  
Frank Dean, Assistant Superintendent, Point Reyes National Seashore  
John Dell'Osso, Chief of Interpretation, Point Reyes National Seashore  
Chuck Desler, Architect, Johnson Oyster Company  
Rick Dorrance, Landscape Architect, Point Reyes National Seashore  
Larry Harris, Chief of Maintenance, Point Reyes National Seashore  
Dale Hopkins, California Regional Water Quality Control Board  
Tom Johnson, Johnson Oyster Company  
Roger Kelly, Archeologist, Pacific Great Basin Support Office, NPS  
Rich Lincoln, Rich Lincoln & Sons, Waste Water Disposal Systems  
Dewey Livingston, Historical Technician, Point Reyes National Seashore  
Don Neubacher, Superintendent, Point Reyes National Seashore  
Point Reyes National Seashore Citizen's Advisory Committee  
Bill Shook, Chief, Resource Management, Point Reyes National Seashore  
Robert Studdert, Attorney at Law, Johnson Oyster Company

## **Preparers**

Don L. Neubacher, Superintendent, Point Reyes National Seashore

Anne Clemons, Assistant Planner, Point Reyes National Seashore

Tod Carr, Planner, Marin County Community Development Agency

## References

- California Division of Mines and Geology. 1977. *Geology of the Point Reyes Peninsula, Marin County, California.*
- Evens, Jules G., 1988, 1993 (Revised). *The Natural History of the Point Reyes Peninsula.* Point Reyes National Seashore Association.
- Marin County Comprehensive Planning Department, 1994. *Marin Countywide Plan.*
- Marin County Comprehensive Planning Department, 1980. *Marin County Local Coastal Program, Unit 2./ As amended.*
- National Park Service, 1980. *General Management Plan, Point Reyes National Seashore.*
- National Park Service, 1993. *Statement for Management, Point Reyes National Seashore.*
- National Park Service, 1997. *Hazardous Waste Management Plan. Point Reyes National Seashore.*
- Riley, Lynn M. Assessment of Endangered Archeological site at Point Reyes National Seashore. 1976.
- U.S. Fish and Wildlife Service, Letter March 21, 1997. Species Lists for Proposed Construction of a New Oyster Processing Plant and the Rehabilitation of several accessory Structures located on the Johnson Oyster Company.
- Uniform Building Code. Chapter 16. 1994.

## Summary Impact/Mitigation Matrix

Park: Point Reyes National Seashore

Project: Construction/rehabilitation of Johnson Oyster Company and Development of Parking and Other Site Amenities.

### IMPACT

### PRESCRIBED MITIGATION AND RESPONSIBILITY

#### I. Natural Resources

##### Vegetation

To mitigate the invasion of non-native vegetation, the main disturbed building site will be monitored and non-native plants removed after construction from disturbed areas. Areas will be replanted with natives where needed. At the leach field area, the site will be monitored to ensure rapid regrowth by surrounding native vegetation. All weed species will be removed. If necessary, planting with natives will occur. (PRNS Resource Management)

##### Water Resources

The site will be monitored during construction and appropriate measures taken to ensure Drakes Estero and adjacent pond are not contaminated with sediments and construction debris. Soil and straw bale berms and plastic fencing will be established, as necessary, to protect the estuary from sediments and construction debris. (Johnson Oyster Company)

##### Air

Some dust will be generated from construction activities. Dust will be monitored and mitigated by watering of area and covering truck leaving area with debris. (Johnson Oyster Company)

##### Wildlife

PRNS Resources Management Staff will monitor species before, during, and after the proposed project to insure disturbance is minimal. Resident bird nesting season will be avoided.

##### T/E Species

NA

Soils	Some short-term impacts due to heavy equipment on-site will occur. These impacts can be mitigated by JOC by regrading and restoring the site quickly to allow regrowth of vegetation. To minimize any soil loss during construction, the area will be sprayed with water regularly to reduce dust and soil erosion. In addition, ground disturbance will be kept to a minimum( less than three acres on the main construction area and 2.25 acres on the leach field site) to ensure soil erosion is minimal. Any materials stockpiled will be on previously disturbed sites away from the estuary. (Johnson Oyster Company)
Topography	To mitigate any potential impact to new structures, a qualified soil engineer will investigate soil conditions to ensure long-term stability of proposed structures. (Johnson Oyster Company)
2. Cultural Resources	Archeological site will be fenced to protect from any impacts and monitored throughout the construction period. If any archeological material is located during construction, the project will be stopped and the area evaluated by the NPS Regional Archeologist.
3. Visual Quality	NA
4. Health and Safety	NA
5. Noise	Short-term impacts only during normal business hours on weekdays as demolition crews remove the structures and debris. Residents will be notified of construction activity and hours of all construction activity will be regulated. No construction can occur before 7:00 am and after 7:00 pm. (Johnson Oyster Company)
6. Public Services	NA

**Appendix A: Location Map and Plot Plan**

**Appendix B: Special Status Species in Vicinity**

**Appendix E: Initial Study Checklist**

**MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION**

**JOINT ENVIRONMENTAL ASSESSMENT/INITIAL STUDY  
(The EA is incorporated into the Initial Study)**

*Replacement and Rehabilitation of Johnson Oyster Company Facilities*

**I. BACKGROUND**

- A. Project Sponsor's Name and Address: Johnson Oyster Company
- B. Lead Agencies Name and Address: National Park Service  
Point Reyes National Seashore  
Point Reyes, CA 94956
- Marin County Community Development Agency,  
Planning Division, 3501 Civic Center Dr., Room 308  
San Rafael, CA 94903
- C. Contact Person and Phone Number: Charles Desler, Architect, 916-626-9416

**II. PROJECT DESCRIPTION**

- A. Project Title: Replacement and Rehabilitation of Johnson Oyster Company Facilities
- B. Type of Application(s): Design Review
- C. Project Location: APN #109-130-17  
17171 Sir Francis Drake Boulevard  
Inverness, CA 94937
- D. General Plan Designation: Coastal Open Space (C-OS)
- E. Zoning: Coastal, Open Area (C-O-A)
- F. Description of Project:

Environmental Setting and Existing Conditions

Located on the northern shore of Drakes Estero within Point Reyes National Seashore, Johnson Oyster Company (JOC) has been in existence under various owners since June 1934. JOC utilizes two state aquaculture leases covering approximately 1060 acres of Drakes Estero for their oyster production. This project is limited to the onshore facilities which occupy a five acre parcel that is under a reservation of possession from the National Park Service, which purchased the land from the Johnson family in 1972. This reservation provides JOC with the right to use the five acres until the year 2012 for the purpose of processing and selling oysters. The oyster operation on Drakes Estero is consistent with the *Point Reyes National Seashore General Management Plan (GMP)*.

The existing oyster processing facilities and office are located at sea level along the shore line and occupy approximately three acres of land. An existing leach field, located approximately 100 yards to the south, was formerly authorized under a separate permit from the National Park Service (NPS).

The site is accessible by vehicle from Sir Francis Drake Blvd. and then by a one half mile one lane dirt road.

The existing processing facilities are as follows:

1. 3,600 square foot (sf) oyster processing plant of concrete and wood frame construction.
2. 400 sf business office and storage addition to structure #1.
3. 80 sf cold storage room addition to structure #1.
4. Two detached shipping storage containers totaling 560 sf.
5. 893 sf lunch room and trailer.
6. 2,178 sf seed plant for growing small oysters prior to placement in the Estero.
7. 616 sf stringing plant for assembling oyster growing equipment.

#### Proposal and Project History

In the spring of 1996, a failing leach field prompted JOC to approach the NPS for permission to develop a new wastewater system in a more favorable soil area. The NPS agreed to consider the replacement leach field if JOC would look at the condition of all the developed facilities and bring them up to existing Health and Safety codes. With the cooperation of various state and county agencies, the JOC facilities were inspected on May 7, 1996.

The inspection revealed that many of the facilities did not meet code and were in a deteriorated state. It was then determined that the most prudent action would be to replace, rather than repair, the existing buildings and waste water system.

This proposed alternative will remove the oyster processing plant, seed plant, stringing plant, and garage and replace with new structures. The replacement structures with sizes are:

1. garage, 900 square feet (sf),
2. seed plant, 2,625 sf,
3. stringing plant, 500 sf, and
4. a two story processing plant, 7,600 sf.

Total size for these structures will be 11,625 sf. No work is proposed for any of the residential structures located on the property.

The new processing plant would be moved from directly adjacent to the shoreline to approximately 100 feet from Drakes Estero. Other structures would be located in existing sites. Appendix C provides detailed drawings of this option. A new septic system, approximately 3000 feet east from the processing plant, would be constructed to accommodate the rehabilitated facilities (See Appendix D for detailed drawings). The new leach field will disturb approximately two acres of area currently grazed by a special use permittee. The NPS plans to issue a special use permit to accommodate this use. The site was selected because of its acceptable percolation ability and its location outside the immediate watershed of the Estero. A new gray water drainage system from floor drains would be constructed and pumped to the rehabilitated former leach field above and south of the JOC facility. This rehabilitated leach field is

approximately .25 acre in size. Both areas temporarily disturbed by the construction of the two new septic facilities will be replanted with native vegetation.

No major change in the topography is necessary. The projected site for all new, rehabilitated and replacements structures is relatively flat. All structures will be slab on grade and all drainage will be sloped away from building and use the natural drainage pattern where appropriate. Drainage from processing operation will be collected and treated with the approved wastewater facility.

Gravel entry and parking areas will be developed on the northern extent of the property. Twenty-two parking spaces will be developed, with appropriate handicap spaces. Picnic tables will be placed at the entrance to the facility adjacent to the parking area.

Once the site has been cleared of all debris, the site will be evenly graded and the area restored with native vegetation.

### III. CIRCULATION AND REVIEW

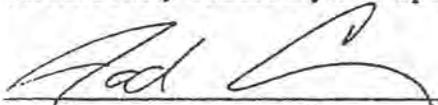
This Initial Study is being circulated to all agencies which have jurisdiction over the subject property or natural resources affected by the project to attest to the completeness and adequacy of the information contained in the Initial Study as it relates to the concerns which are germane to the agency's jurisdictional authority.

*(The agencies listed in the section include County departments or divisions which have jurisdictional authority and/or oversight over the project, as well as State, Federal or other jurisdiction-by-law agencies which may use this document in executing their respective permit authority over the project.)*

a) Marin County Agencies:

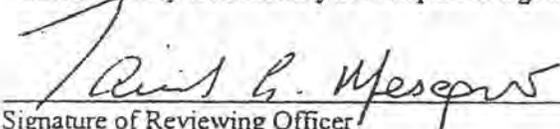
**The following signature of the agency reviewing officer attests to the completeness and adequacy of the information contained in the Initial Study as it relates to the concerns which are germane to the agency's jurisdictional authority.**

**Marin County Community Development Agency (CDA), Planning Division**

  
\_\_\_\_\_  
Signature of Reviewing Officer

4/1/98  
Date

**Marin County Community Development Agency, Environmental Health Services Division**

  
\_\_\_\_\_  
Signature of Reviewing Officer

4/8/98  
Date

**Marin County Department of Public Works, Land Use and Water Resources Division**

  
\_\_\_\_\_  
Signature of Reviewing Officer

4/1/98  
Date

b) Responsible Agencies: *(agencies whose approval is required and permits needed)*

California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105

National Park Service  
Point Reyes National Seashore  
Point Reyes, CA 94956

c) Trustee Agencies: *(State agencies who have jurisdiction by law over natural resources affected by project)*

California Dept. of Fish and Game  
P. O. Box 47  
Yountville, CA 94599

d) Other Jurisdiction-By-Law Agencies: *(other agencies which have permit authority over the project)*

California Dept. of Health Services  
Don Goms, Public Health Biologist  
Pre-Hervoit Shellfish Sanitation Unit  
2151 Berkeley Way, #118  
Berkeley, CA 94704

Calif. State Food & Drug  
Mike Hernandez  
185 Berry Street, #260  
San Francisco, CA 94107

e) Other Interested Parties:

Army Corps of Engineers  
33 Market St.  
San Francisco, CA 94105

EAC of West Marin  
John Grissim  
Box 609  
Point Reyes Station, CA 94956

California Reg. Water Quality, Control Brd.  
2101 Webster Street, Suite 500  
Oakland, CA 94612

Env. Forum of Marin  
P.O. Box 74  
Larkspur, CA 94977

Gulf of the Farallones Nat. Marine Sanctuary  
Fort Mason, Bldg. 201  
San Francisco, CA 94123

Marin Audubon  
Barbara Salzman  
48 Ardmore Road  
Larkspur, CA 94977

California State Lands Commission  
Betty Eubanks  
100 Howe Avenue, Suite #188  
Berkeley, CA 94704

Johnson Oyster Company  
c/o Charles Desler Architect  
864 Oak Terrace  
Placerville, CA 95667

Sierra Club, Marin Group  
Chair  
934 Bel Marin Keys Blvd.  
Novato, CA 94949

Robert Studdert, Attorney  
P.O. Box 6  
Inverness, CA 94937

Marin Conservation League  
President  
55 Mitchell Blvd., #21  
San Rafael, CA 94903

#### IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Pursuant to Section 15063 of the State CEQA Guidelines, and the County EIR Guidelines, Marin County will prepare an Initial Study for all projects not categorically exempt from the requirements of CEQA. The Initial Study evaluation is a preliminary analysis of a project which provides the County with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration. The points enumerated below describe the primary procedural steps undertaken by the County in completing an Initial Study checklist evaluation and, in particular, the manner in which significant environmental effects of the project are made and recorded.

- A. The determination of significant environmental effect is to be based on substantial evidence contained in the administrative record and the County's environmental data base consisting of factual information regarding environmental resources and environmental goals and policies relevant to Marin County. As a procedural device for reducing the size of the Initial Study document, relevant information sources cited and discussed in topical sections of the checklist evaluation are incorporated by reference into the checklist (e.g. general plans, zoning ordinances). Each of these information sources has been assigned a number which is shown in parenthesis following each topical question and which corresponds to a number on the data base source list provided herein as Attachment I. See the sample question below. Other sources used or individuals contacted may also be cited in the discussion of topical issues where appropriate.
- B. In general, a Negative Declaration shall be prepared for a project subject to CEQA when either the Initial Study demonstrates that there is no substantial evidence that the project may have one or more significant effects on the environment. A Negative Declaration shall also be prepared if the Initial Study identifies potentially significant effects, but revisions to the project made by or agreed to by the applicant prior to release of the Negative Declaration for public review would avoid or reduce such effects to a level of less than significance, and there is no substantial evidence before the Lead County Department that the project as revised will have a significant effect on the environment. A signature block is provided in Section VII of this Initial Study to verify that the project sponsor has agreed to incorporate mitigation measures into the project in conformance with this requirement.
- C. All answers to the topical questions must take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Significant unavoidable cumulative impacts shall be identified in Section VI of this Initial Study (Mandatory Findings of Significance).
- D. A brief explanation shall be given for all answers except "Not Applicable" answers that are adequately supported by the information sources the Lead County Department cites in the parenthesis following each question. A "Not Applicable" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "Not Applicable" answer shall be discussed where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- E. "Less Than Significant Impact" is appropriate if an effect is found to be less than significant based on the project as proposed and without the incorporation of mitigation measures recommended in the Initial Study.
- F. "Potentially Significant Unless Mitigated" applies where the incorporation of recommended mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead County Department must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section V, "Earlier Analyses", may be cross-referenced).
- G. "Significant Impact" is appropriate if an effect is significant or potentially significant, or if the Lead County Department lacks information to make a finding that the effect is less than significant. If there are one or more effects which have been determined to be significant and unavoidable, an EIR shall be required for the project.

V. ISSUES (and Supporting Information Sources):

1. LAND USE AND PLANNING. *Would the proposal:*

a) Conflict with applicable Countywide Plan designation or zoning standards? (source #(s): 1, 2, 3, 15, 22)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ X ]	[ ]	[ ]

Project is governed by the *Marin Countywide Plan (MCP)*, *Reyes National Seashore GMP*, Title 22 (Zoning) of the Marin County Code, and *Local Coastal Plan, Unit II (LCP)*.

**The Marin Countywide Plan**

The subject property is located on the northern edge of Drakes Estero within Point Reyes National Seashore. The site is designated Coastal Open Space. The continuation operation of JOC would be consistent with the intent of the Coastal Recreation Corridor (Policy EQ-1.3). As stated in MCP, open space, recreational, and agricultural land uses will be emphasized in the Coastal Recreation Corridor along with the preservation of existing communities. Specific policies contained in the Environmental Quality Element pertain to the proposed project: 1. Conservation of Coastal Resources; 2. Species Preservation; 3. Prevention of Air, Water, and Noise pollution; 4. Wildlife, Vegetation and Habitat Preservation; 5. Visual Qualities and Views Conservation; 6. Public Open Space; and 7. Preserve and Promote Agriculture.

**1. Policy EQ-2.41. Conservation of Coastal Resources. The conservation of coastal resources shall be maintained following detailed policies in the Local Coastal Plan I and II adopted by the County and the Coastal Commission.**

The proposed project will not result in significant adverse impacts to native vegetation, aquatic resources, wetlands, streams and riparian habitat, coastal dunes and other coastal resources. The replacement and rehabilitation of JOC facilities will be constructed on a already disturbed site (approximately 3 acres in size). No dune, wetland, steam/riparian habitat will be lost as a result of this project. Because the main facility will be located over 100 feet from the estuary and because new sewage facilities will be constructed, the project will have a positive impact on water quality. The project also reduces the potential for accidental spills of hazardous material from entering Drakes Estuary. The new septic facilities will temporarily disturb 2.25 acres of coastal scrub/grassland, but the impacts will be short-term in nature. These impacts are expected to be mitigated by rapid regrowth of native vegetation in the leach field area is expected and full restoration of the site is anticipated in 1-2 years. If necessary, any impacts will be mitigated by planting native vegetation.

**2. Policy EQ-2.87. Species Preservation in the Environmental Review Process. Environmental review of development applications shall consider the impact of the proposed development on species and habitat diversity. Environmental review documents should propose mitigation measures for ensuring the protection of the habitat and species therein.**

As stated above under the discussion regarding Policy EQ-2.41, the proposed project will not result in significant adverse impacts to native vegetation, wetlands, stream/riparian habitat, coastal dunes, and other sensitive habitats. The development of the main leach field will disturb approximately 2.25 acres of native coastal scrub/grassland dominated by coyote brush. However, because native vegetation will be planted in the disturbed area to mitigate any temporary loss of native vegetation, the long-term

impacts will not be significant. Because of the abundance of coastal scrub/grassland habitat adjacent to the Drakes Estero, recolonization of the area by birds and other species will occur in the long-term. During construction, there will be some short-term impact to resident avian species such as wrentits and scrub jays and small mammals such as the brush rabbit and white-footed mouse. These impacts will be less than significant because the recolonization of the area is expected to be rapid, only 1-2 years.

**3. Policy EQ-3-2. Air, Water, and Noise Pollution. Air, water, and noise pollution shall be prevented or minimized.**

Oyster processing in the new facilities will not release significant air pollutants. Heating systems, the only source of exhaust, will meet current standards and codes. Some dust will be generated from construction activities; however, these will be mitigated to less than significant by mitigation measures, including watering of disturbed areas and covering the beds of trucks hauling material from the project site.

Because the main facility will be located over 100 feet from the estuary and because new sewage facilities will be constructed, the project will have a positive impact on water quality. The project also reduces the potential for accidental spills of hazardous material from entering Drakes Estuary. Currently, sewage is being hauled from the site for disposal.

To reduce any short-term minor impacts related to nearby residential use due to any construction noise, construction will be limited to between 7:00 am to 7:00 pm.

**4. Policy EQ-3.6 Wildlife, Vegetation, and Habitats. A diversity and abundance of wildlife and marine life shall be maintained. Vegetation and animal habitats shall be preserved wherever possible.**

See comments under Policy EQ-2.87.

**5. Policy EQ-3.11. Visual Qualities and Views. Visual qualities and the view potential of the natural and built environment shall be considered in any project or operation review. Tree-cutting and damage shall be avoided wherever possible.**

The project will enhance the site's overall visual quality and views of and from Drakes Estero. The current buildings are in a dilapidated condition and are primarily located along the edge of the estuary. Because the main building will be located over 100 feet away from the estuary, the view south along the estuary will be greatly enhanced. In turn, wood fencing/screening on the east side of the complex will enhance views in this direction from the proposed parking lot. Unsightly trailers and other storage areas will be screened from public view by wooden fencing and vegetation.

**6. Policy EQ-4.7a. Public Open Space. The Countywide Plan recommends that the National Seashore be retained in its natural condition to the greatest extent possible, and that it provide primarily low-intensity recreational uses such as hiking and wilderness education.**

This project will not enhance open space; however, it does not impact any additional open space preserved within Point Reyes National Seashore. The project will be constructed primarily on disturbed areas already utilized by JOC.

**7. Policy A-1.11. Preserve and Promote Mariculture.** The County shall seek to preserve and promote maricultural usage of tidelands and on-shore production areas. The need for mariculture sites in coastal water should be balanced with the need to provide for other uses, such as commercial fishing, recreation calming and boating, and the need to protect coastal wildlife, water and visual resources.

Because the oyster operation will be allowed to continued, the proposed project will preserve aquaculture, specifically oyster processing and harvesting, at Drakes Estero. In turn, the project will not displace any other potential recreational activity. As stated under various other sections above, the project will have a direct positive impact on water quality and will not significantly affect coastal wildlife or visual resources.

**Point Reyes National Seashore General Management Plan**

The proposed replacement of structures and rehabilitation of JOC would be consistent with the special use zone of the Point Reyes National Seashore GMP Plan which specifically allows the JOC to operate until its reservation of use and occupancy expires (2012).

**Marin County Code Title 22 (Zoning)**

The proposed project is consistent with the Coastal Open Space District (C-OA) zoning which allows appurtenant waterfront uses (Chapter 22.57.130). The project must prescribe conditions that will assure the promotion of agriculture, preserve scenic beauty, and maintain such land in a permanent open state. This project promotes the continuation of aquaculture within the Drakes Estero area.

**Local Coastal Plan (LCP), Unit II**

The LCP concurs "that mariculture operations be considered in park waters, provided that they are compatible with other park uses and that they are subject to consistency review by the Coastal Commission." The project is also consistent with the natural resource concerns/policies in the document as stated in the above sections.

b) <b>Conflict with applicable environmental plans or policies adopted by Marin County?</b> (source #(s): 1, 2, 15)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

Please refer to Section 1(a) of this initial study for a discussion of the project's conformance with pertinent section of the Environmental Quality Section of the MCP and applicable environmental plans.

c) <b>Affect agricultural resources, operations, or contracts (e.g. impacts to soils or farmlands, impacts from incompatible land uses, or conflicts with Williamson Act contracts)?</b> (source #(s): 1, 3)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The proposed project will allow the continuation of an aquaculture operation in Drakes Estero of approximately 1060 acres and will not affect upland agricultural operations currently operating under lease and permit agreements within Point Reyes National Seashore.

d) <b>Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?</b> (source #(s): 1, 3)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The project area is not within an established community plan area; the project site is in rural Marin. JOC is the only facility of this kind at this location within Point Reyes National Seashore.

e) <b>Result in substantial alteration of the character or functioning of the community, or present or planned use of an area?</b> (source #(s): 1, 3, 15)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The project site is not an established community and will not alter present or planned use of area. As described in Section 1a, the project is also consistent with the *Marin Countywide Plan, Point Reyes National Seashore GMP* and the *LCP*. Oyster harvesting at the project site was first established in 1934 and has been continuously used for oyster production since this first allotment by the State of California.

f) <b>Substantially increase the demand for neighborhood or regional parks or other recreational facilities, or affect existing recreational opportunities?</b> (source #(s): 3)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The existing facilities are being replaced and rehabilitated, including the septic system and gray water system; its main purpose is to bring all facilities into code compliance. No impacts to Point Reyes National Seashore will occur. The project will provide the public better access to the shoreline; therefore, some increase in recreational use such as scenic viewing and hiking/walking can be anticipated. In addition, the area will be cleared of debris and therefore kayak and canoe access to the estuary will be enhanced and could increase public use of the estuary system. However, because boating access is limited by the National Park Service and the shoreline access to the estuary is less than 200 yards, no significant impact to estuary resources are anticipated.

2. **POPULATION AND HOUSING. *Would the proposal:***

a) <b>Increase density that would exceed official population projections for the planning area within which the project site is located as set forth in the Countywide Plan and/or community plan?</b> (source #(s): 1, 3, 15)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ ]	[ X ]

No increase in population density will occur from this project. Main objective of this project is to bring current buildings and septic system into compliance with state, federal, and county codes. In addition,

the project areas is not located within an adopted Community Plan Area. According to the LCP, mariculture operations should be considered in park waters, provided that they are compatible with other park uses. The LCP also calls for existing facilities to be used for any development; however, in the project area, no existing facilities such as historic structures are available, adjacent to the estuary, for a processing plant and support facilities.

b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? (source #(s): 1, 3, 15)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[ X ]

The project will not induce growth in the area. The *Point Reyes National Seashore GMP* does not allow any additional growth in adjacent areas; the plan also does not allow oyster operations in other areas of the park. The septic system has been sized to only accommodate the current operation and residential level and not for any future growth. In addition, the water system will not be increased by this proposed project and therefore will not induce any additional growth. This project does not entail the extension of electric and phone systems with capacity to service additional development.

c) Displace existing housing, especially affordable housing? (source #(s): 1, 3, 15)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[ X ]

Project does not increase or decrease housing units. Affordable housing is currently at the facility. Two houses and four trailers will continue to be available for JOC staff. In addition, the *Point Reyes GMP* and *LCP*, do not call for additional housing in the area. The *LCP* expressly states that Point Reyes National Seashore minimize development and use existing structures when possible.

3. **GEOPHYSICAL.** *Would the proposal result in or expose people to potential impacts involving:*

a) Location in an area of geologic hazards, including but not necessarily limited to: 1) active or potentially active fault zones; 2) landslides or mudslides; 3) slope instability or ground failure; 4) subsidence; 5) expansive soils; 6) liquefaction; 7) tsunami ; or 8) similar hazards? (source #(s): 1, 4, 16, 18)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ X ]	[ ]	[ ]

JOC is approximately five miles west of the San Andreas Fault. Because of the geology, there is a potential for a moderate susceptibility to ground shaking intensity. Also, the maximum ground shaking intensity potential is considered strong. To mitigate any impacts to less than significant, the new facilities will be constructed in conformance with Uniform Building Code (UBC), Chapter 16, (Zone 4) and fully meet standards for wind and earthquakes.

Liquefaction susceptibility is considered low in the Drakes Bay Formation.

Tsunami risk is considered low; the site is located three miles inland from the Pacific Ocean within a shallow estuary. The tsunami warning system through the National Weather Service and the Marin County Office of Emergency Services will be utilized to evacuate site if necessary.

Based on site investigations and historical records, the area is also not prone to mudslides or landslides. Because of past minor slope failure on the southern bluff area, a retaining wall is planned for construction, and adequate space (25 feet) between the bluff and the main building will be maintained. These two actions will mitigate any impact to less than significant.

b) <b>Substantial erosion of soils due to wind or water forces and attendant siltation from excavation, grading, or fill?</b> (source #(s): 6, 17)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ X ]	[ ]	[ ]

Project area is relatively (grade change is less than one foot in construction area) flat and highly disturbed by existing JOC activities. Grading to be conducted is minimal and limited to approximately .25 acres for foundation grading. Fill needed is estimated at 170 cubic yards. For the septic field areas, site work will be limited to 2.25 acres.

During construction, mitigation measures will be implemented to reduce any soil loss. These measures include: temporary berms and hay bale dikes to reduce any sediments into Drakes Estero and spraying the area with water to reduce wind generated dust. In turn, the landscape plan for the revised project specifies plants to stabilize soils and reduce any potential soil erosion. NPS resource management staff will regularly monitor site work.

c) <b>Substantial changes in topography from excavation, grading or fill, including but not necessarily limited to: 1) ground surface relief features; 2) geologic substructures or unstable soil conditions; and 3) unique geologic or physical features?</b> (source #(s): 4, 6, 17)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ X ]	[ ]	[ ]

The project will not substantially change the topography; surface grading will be limited to minor alterations for leveling parking area and foundation construction for the new facilities. Fill area for foundation construction will be approximately 9,000 sf in size. The estimated quantity of fill material is 170 cubic yards. Therefore, because the grade change will be less than 12 inches and fill will be minimal, less than significant impacts are anticipated on the site. To mitigate any unknown impact, a qualified soil engineer will investigate soil conditions to ensure long-term stability of proposed structures. The proposed project will not alter any unique geologic or ground surface features.

4. **WATER. Would the proposal result in:**

a) <b>Substantial changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?</b> (source #(s): 6, 17)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ X ]	[ ]	[ ]

Because this project primarily involves the rehabilitation of existing structures, surface runoff and drainage patterns will not be altered significantly or increased substantially. No impervious surfaces

such as asphalt will be installed within the parking area; the area will remain gravel. Minor drainage swales will be installed behind the main building to drain rain water to the estuary. Another drainage swale will be installed along the eastern edge of the building to drain rain water away from the building. No significant impacts are therefore anticipated.

Because all washing and processing drains will be directly linked to a septic system, water quality of the estuary and pond area will be enhanced. Currently, drains flow to a sump area and then seep into Drakes Estero, the pond area, and surrounding soils.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Exposure of people or property to water related hazards, including, but not necessarily limited to: 1) flooding; 2) debris deposition; or 3) similar hazards? (source #(s): 16)	[ ]	[ X ]	[ ]	[ ]

Historical records indicate that drainage at this site can be problem when extreme high tides and major storm events occur simultaneously. Because these two events are predictable, sand bags and other mitigation measures will be installed to reduce/eliminate hazards to humans or property. To mitigate any impacts to property, the main processing building will have a cement wall perimeter to limit potential flood waters from entering and all electrical equipment will be raised off the floor area.

Debris deposition historically has not occurred; the watershed adjacent to the project site is relatively small and free from debris. Surface grading will ensure proper drainage of site during normal storm events.

With adequate mitigation measures in place, the proposed project will not expose people or property to significant water related hazards.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
c) Discharge of pollutants into surface or ground waters or other alteration of surface or ground water quality (e.g. temperature, dissolved oxygen or turbidity)? (source #(s): 6, 17)	[ ]	[ X ]	[ ]	[ ]

The former septic system at JOC has been abandoned because of overall general failure. Under Marin County supervision, sewage is now being stored on-site and hauled to approved disposal area. New gray water and septic systems will ensure ground water and the estuary system are not contaminated by JOC operations. All surface drains in the facilities will be connected to the gray water leach field for proper disposal. This gray water and septic systems will meet Marin County and State of California requirements. Monitoring requirements for the septic systems will be established by Marin County and the State of California. The new sewage systems with appropriate monitoring will reduce any potential discharge of pollutants to a less than significant level.

- |  |                       |   |                                    |                   |
|--|-----------------------|---|------------------------------------|-------------------|
| d) Substantial change in the amount of surface water in any water body or ground water either through direct additions or withdrawals, or through intersection of an aquifer by cuts or excavations?<br>(source #(s): 6, 19) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|  | [ ]                   | [ ]   | [ X ]                              | [ ]               |

No substantial change in the amount of surface water will occur as a result of this project. No aquifer will be excavated. Water use, provided on site by a well system which produces 20 gal/min, will not be altered to increase capacity. Water system will be approved by the State of California and Marin County. Monitoring of water system will be by the appropriate agency.

- |  |                       |   |                                    |                   |
|--|-----------------------|---|------------------------------------|-------------------|
| e) Substantial changes in the flow of surface or ground waters, including, but not necessarily limited to: 1) currents; 2) rate of flow; or 3) the course or direction of water movements?<br>(source #(s): 6, 17) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|  | [ ]                   | [ ]   | [ X ]                              | [ ]               |

No changes to surface or ground waters will result from this project. Grading will be minimal and limited to the construction area and will not increase flows. Water direction will continue towards the estuary and adjacent pond and remain as natural as possible. Drainage will be reviewed and approved by the Marin County Department of Public Works. Because the current flows and drainages are not be significantly altered, less than significant impacts are anticipated.

- |  |                       |   |                                    |                   |
|--|-----------------------|---|------------------------------------|-------------------|
| f) Substantial reduction in the amount of water otherwise available for public water supplies?<br>(source #(s): 10, 19, 20 ) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|  | [ ]                   | [ ]   | [ X ]                              | [ ]               |

Johnson Oyster Company has an independent water supply. The well produces 20 gal/min of exceptionally good water. The water supply is on NPS land and used only by JOC and is authorized by a Special Use Permit from the Superintendent, PRNS. No other public or private entities utilize this water source.

5. AIR QUALITY. *Would the proposal:*

- |   |                       |   |                                    |                   |
|---|-----------------------|---|------------------------------------|-------------------|
| a) Generate substantial air emissions that could violate official air quality standards or contribute substantially to an existing or projected air quality violation?<br>(source #(s): 6, 8) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|   | [ ]                   | [ X ]   | [ ]                                | [ ]               |

The rehabilitated facility will not generate substantial air emissions that could violate air quality standards. Processing oysters does not generate regulated air emissions. During construction, some

short-term impacts will result from dust becoming airborne. To reduce impacts to a less than significant level, construction areas will be watered regularly and beds of trucks will be covered during hauling. NPS resource management staff will regularly monitor the production of dust during construction and ensure compliance

- |   |                       |   |                                    |                   |
|---|-----------------------|---|------------------------------------|-------------------|
| b) Expose sensitive receptors to pollutants, such as noxious fumes or fugitive dust?<br>(source #(s): 6, 8) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|---|-----------------------|---|------------------------------------|-------------------|

[ ]	[ X ]	[ ]	[ ]
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Some construction dust is expected during construction; this will be a insignificant short-term impact and will be mitigated as described in the mitigation matrix and in Section 3b.

- |   |                       |   |                                    |                   |
|---|-----------------------|---|------------------------------------|-------------------|
| c) Alter air movement, moisture, or temperature, or cause any change in climate?<br>(source #(s): 17) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|---|-----------------------|---|------------------------------------|-------------------|

[ ]	[ ]	[ ]	[ X ]
-----	-----	-----	-------

The project, because of its small size, will not alter moisture, temperature, or air movement in the area.

- |   |                       |   |                                    |                   |
|---|-----------------------|---|------------------------------------|-------------------|
| d) Create objectionable odors?<br>(source #(s): 6, 10 ) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|---|-----------------------|---|------------------------------------|-------------------|

[ ]	[ ]	[ X ]	[ ]
-----	-----	-------	-----

There are three possible receptors for objectionable odors: the general public; employees; and adjacent housing residents. No other sensitive receptor is within .5 miles of the site. Historically, processing of oysters has not created objectionable odors; Point Reyes National Seashore has not received any complaints over the last ten years regarding odors related to the current facilities.

If not properly collected weekly, garbage may create objectionable odors to the visiting public, residents and employees. Therefore, proper storage and collection of garbage is a current enforceable condition of the use and occupancy agreement for the site. Monitoring will occur by NPS staff to ensure any potential odors and impacts to possible receptors are less than significant level.

b. **TRANSPORTATION/CIRCULATION.** *Would the proposal result in:*

- |   |                       |   |                                    |                   |
|---|-----------------------|---|------------------------------------|-------------------|
| a) Substantial increase in vehicle trips or traffic congestion such that existing levels of service on affected roadways will deteriorate below acceptable County standards?<br>(source #(s): 3, 6, 10) | Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigated | Less Than<br>Significant<br>Impact | Not<br>Applicable |
|---|-----------------------|---|------------------------------------|-------------------|

[ ]	[ ]	[ X ]	[ ]
-----	-----	-------	-----

The buildings are replacement structures and not an expansion of the existing facilities. Therefore, no new transportation impacts are anticipated. Because overall traffic is generated primarily by recreational users, some increase in the use of Sir Francis Drakes may occur over the next 15 years, but the increase will be related to park visitation. Park visitation, however, peaked at 2.6 million in 1992 but has dropped over the last five years to 2.4 million in 1996. The NPS anticipates park visitation will slowly increased approximately 2-3% per year. The Point Reyes National Seashore GMP does not call

for any additional facilities in the north district of the park which would have a cumulative impact with this proposed project on traffic. Therefore, this project will have a less than significant impact on traffic.

- |   |                           |   |                                     |                       |
|---|---------------------------|---|-------------------------------------|-----------------------|
| b) <b>Traffic hazards related to: 1) safety from design features (e.g. sharp curves or dangerous intersections); 2) barriers to pedestrians or bicyclists; or 3) incompatible uses (e.g. farm equipment)?</b><br>(source #(s): 6, 10, 14) | <b>Significant Impact</b> | <b>Potentially Significant Unless Mitigated</b> | <b>Less Than Significant Impact</b> | <b>Not Applicable</b> |
|   | [ ]                       | [ ]   | [ X ]                               | [ ]                   |

Project does not involve creating new access roads or new intersections. ~~No barriers to pedestrians are to be constructed.~~ Enhanced public access will be provided to the estuary shoreline by the project. Current equipment will be used and limited primarily to a forklift. To ensure access for emergency equipment, road will be improved as directed by the Marin County Fire Department.

- |  |                           |   |                                     |                       |
|--|---------------------------|---|-------------------------------------|-----------------------|
| c) <b>Inadequate emergency access or access to nearby uses?</b><br>(source #(s): 14) | <b>Significant Impact</b> | <b>Potentially Significant Unless Mitigated</b> | <b>Less Than Significant Impact</b> | <b>Not Applicable</b> |
|  | [ ]                       | [ X ]   | [ ]                                 | [ ]                   |

Road access will be improved as directed by Marin County Fire Department (MCFD) to ensure access will be adequate for emergency services. The actions proposed by MCFD as described in Section 9e related to road improvement will mitigate any impacts to less than significant level.

- |  |                           |   |                                     |                       |
|--|---------------------------|---|-------------------------------------|-----------------------|
| d) <b>Insufficient parking capacity on-site or off-site?</b><br>(source #(s): 6) | <b>Significant Impact</b> | <b>Potentially Significant Unless Mitigated</b> | <b>Less Than Significant Impact</b> | <b>Not Applicable</b> |
|  | [ ]                       | [ ]   | [ X ]                               | [ ]                   |

Parking will meet Marin County and NPS standards; current level of 22 parking spaces will meet projected demand as verified by Marin County Department of Public Works and the NPS.

- |   |                           |   |                                     |                       |
|---|---------------------------|---|-------------------------------------|-----------------------|
| e) <b>Substantial impacts upon existing transportation systems, including rail, waterborne or air traffic systems?</b><br>(source #(s): 10) | <b>Significant Impact</b> | <b>Potentially Significant Unless Mitigated</b> | <b>Less Than Significant Impact</b> | <b>Not Applicable</b> |
|   | [ ]                       | [ ]   | [ ]                                 | [ X ]                 |

No public or NPS transportation facilities are available in area.

7. **BIOLOGICAL RESOURCES.** *Would the proposal result in:*

- |    |   |                                  |  |   |                          |
|----|---|----------------------------------|--|---|--------------------------|
| a) | Reduction in the number of endangered, threatened or rare species, or substantial alteration of their habitats including, but not necessarily limited to: 1) plants; 2) fish; 3) insects; 4) animals; and 5) birds listed as special-status species by State or Federal Resource Agencies?<br>(sources #(s): 5, 11) | Significant<br>Impact<br><br>[ ] | Potentially<br>Significant<br>Unless<br>Mitigated<br>[ X ] | Less Than<br>Significant<br>Impact<br>[ ] | Not<br>Applicable<br>[ ] |
|----|---|----------------------------------|--|---|--------------------------|

In consultation with the Fish and Wildlife Service and NPS biologists, this project has been determined to not adversely affect any special status species or alter any critical habitat.

- |    |   |                                  |  |   |                          |
|----|---|----------------------------------|--|---|--------------------------|
| b) | Substantial change in the diversity, number, or habitat of any species of plants or animals currently present or likely to occur at any time throughout the year?<br>(source #(s): 5, 11) | Significant<br>Impact<br><br>[ ] | Potentially<br>Significant<br>Unless<br>Mitigated<br>[ X ] | Less Than<br>Significant<br>Impact<br>[ ] | Not<br>Applicable<br>[ ] |
|----|---|----------------------------------|--|---|--------------------------|

The proposed project will not result in significant adverse impacts to native vegetation, wetlands, stream/riparian habitat, coastal dunes, and other sensitive habitats. The development of the main leach field will disturb approximately 2.25 acres of native coastal scrub/grassland dominated by coyote brush. However, because native vegetation will be planted in the disturbed area to mitigate the any loss of native vegetation, the long-term impacts will not be significant. Because of the abundance of coastal scrub/grassland habitat adjacent to the Drakes Estero, recolonization of the area by birds and other species will occur in the long-term. During construction, there will be some short-term insignificant impacts to resident avian species such as wrentits and scrub jays and small mammals such as the brush rabbit and white-footed mouse.

- |    |  |                                  |  |   |                          |
|----|--|----------------------------------|--|---|--------------------------|
| c) | Introduction of new species of plants or animals into an area, or improvements or alterations that would result in a barrier to the migration, dispersal or movement of animals?<br>(source #(s): 8) | Significant<br>Impact<br><br>[ ] | Potentially<br>Significant<br>Unless<br>Mitigated<br>[ X ] | Less Than<br>Significant<br>Impact<br>[ ] | Not<br>Applicable<br>[ ] |
|----|--|----------------------------------|--|---|--------------------------|

Project will be monitored by NPS Vegetation Management staff to ensure the invasion of non-native vegetation will not occur. As a mitigation measure, any non-native species found at the site will be removed after construction and the site would be monitored each year.

8. ENERGY AND NATURAL RESOURCES. *Would the proposal result in:*

a) Substantial increase in demand for existing energy sources, or conflict with adopted policies or standards for energy use? (source #(s): 6)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

Energy use is anticipated to only slightly increase, approximately (10%) because of the small increase in square footage. Current energy use is estimated at 5,000 kilowatts per month.

b) Use of non-renewable resources in a wasteful and inefficient manner? (source #(s): 6)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

This project will not use non-renewable resources in an inefficient manner. Buildings are primarily metal with exterior wood siding; concrete will be used for the foundation. Cedar wood siding (not redwood), a renewable resource, will be used because it is regionally abundant.

c) Loss of significant mineral resource sites designated in the Countywide Plan from premature development or other land uses which are incompatible with mineral extraction? (source #(s): 1)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[ X ]

The JOC is not an area designated as a mineral extraction site. This area is part of Point Reyes National Seashore and mineral extraction is prohibited.

9. HAZARDS. *Would the proposal involve:*

a) A risk of accidental explosion or release of hazardous substances including, but not necessarily limited to: 1) oil, pesticides; 2) chemicals; or 3) radiation)? (source #(s): 6, 21)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

All hazardous materials and waste, such as paint and oil, will be properly stored in the new facility and be in accordance with federal/state standards and regulations and the *Point Reyes National Seashore Hazardous Waste Management Plan*. In addition, all hazardous waste such as paint and oil will be disposed of according to the *Hazardous Waste Management Plan*. No pesticides are used by JOC. As no major or unusual quantities of explosive or hazardous materials will be present on the project site during construction or when improvements are completed, the likelihood of a explosive hazard is extremely remote and deemed insignificant.

b) Possible interference with an emergency response plan or emergency evacuation plan? (source #(s): 10)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

The project does not interfere with the NPS service or county emergency response or evacuation plan.

c) The creation of any health hazard or potential health hazard? (source #(s): 6, 10)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ X ]	[ ]	[ ]

The proposed project under consideration is to improve public health and safety. This construction will bring facilities and processing operations into compliance with state, federal, and Marin County building and health/safety codes. Mitigation measures as described in Section 5a will eliminate some short-term potential health hazards related to airborne dust and water contamination. With these mitigation measures in place, less than significant impacts are anticipated.

d) Exposure of people to existing sources of potential health hazards? (source #(s): 6, 16)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ X ]	[ ]	[ ]

No existing sources of potential health hazards will be exposed to the public or employees. Current health hazards have been documented by Marin County, NPS, and State of California agencies. These deficiencies are related to building code violations, food processing violations, and health and safety code violations. Existing health hazards will be eliminated by the construction of the new processing facilities and septic systems.

e) Increased fire hazard in areas with flammable brush, grass, or trees? (source #(s): 7, 14)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

The proposed project area is situated near coastal scrub/grassland vegetation. The proposed facilities will contain flammable materials such as cleaners, lubricants, solvents and other potential hazards. In consultation with MCFD, mitigation measures have been adopted to ensure the project will not significantly increase fire hazards in the area. These include access enhancements along the main entrance road, proper storage of hazardous material and waste, fully automatic sprinkler systems in buildings, proper removal of vegetation around complex, and adequate space around buildings for emergency vehicle access. In addition, the main objective of the project is the rehabilitation of buildings to meet current health and safety codes and reduce potential fire hazards.

All hazardous materials and waste, such as paint and oil, will be properly stored in the new facility and be in accordance with federal/state standards and regulations and the *Point Reyes National Seashore Hazardous Waste Management Plan*. In addition, all hazardous waste such as paint and oil will be disposed of according to the *Hazardous Waste Management Plan*. No pesticides are used by JOC. As no major or

unusual quantities of explosive or hazardous materials will be present on the project site during construction or when improvements are completed, the likelihood of a explosive hazard is extremely remote and deemed insignificant.

10. **NOISE.** *Would the proposal result in:*

a) Substantial increases in existing ambient noise levels? (source #(s): 1, 6 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

The proposed project will result in the periodic generation of noise associated with short-term construction activities. Vehicles traveling to and from the site will result in the generation of intermittent low levels of noise. Although ambient noise levels in the surrounding area are expected to increase during construction, the construction-related noise would represent a temporary increase of limited duration, and therefore, is not considered a significant impact. In addition, all construction activity will be regulated by the County's Design Review and building permit process, in compliance with standard regulations controlling permitted hours of activity and permitted noise levels.

b) Exposure of people to significant noise levels, or conflicts with adopted noise policies or standards? (source #(s): 1, 6 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

See Section 10a above. To ensure the public is not allowed to enter the construction site, appropriate barriers will be installed to keep individuals at least 100 feet from noise sources. Therefore, they will not be exposed to significant noise levels during construction.

11. **PUBLIC SERVICES.** *Would the proposal have an effect upon, or result in a need for new or altered government service in any of the following areas:*

a) Fire protection? (source #(s): 14 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ X ]	[ ]	[ ]

Increased square footage of replacement buildings will add minor impact to Marin County Fire Department responsibilities. In addition, based on correspondence with Marin County Fire Department, improvements to street and site address labeling, road access, water storage, and facility automatic fire sprinkler systems are needed. These improvements will be added to overall JOC plan for the site to mitigate impacts as directed by the Marin County Fire Department and NPS. With these mitigation measures, the impact will be minimized.

b) <b>Police protection?</b> (source #(s): 7 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

NPS is the primary law enforcement agency in the project area. No increase in service is anticipated. Marin County Sheriff's Department currently provides adequate back-up law enforcement protection to the subject property. No increase in this service is necessary. Therefore, less than significant impacts will occur.

c) <b>Schools?</b> (source #(s): 10 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

The project will not increase housing or number of employees working at JOC. Because there will be no increase in housing or number of employees, school children attending local schools is not anticipated to change and will remain at current levels. Therefore, a less than significant impact will occur to the Shoreline School District.

d) <b>Maintenance of public facilities, including roads?</b> (source #(s): 6 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

Vehicle use on park and county roadways is not anticipated to change. The facilities are being replaced to accommodate current codes and correct deficiencies, not for increased capacity. Therefore, a less than significant impact will occur.

e) <b>Other governmental services?</b> (source #(s): 10)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[ X ]

Because this is a small scale project, no new governmental services will be needed. Current facilities are being upgraded to meet current codes and correct deficiencies.

12. **UTILITIES AND SERVICE SYSTEMS.** *Would the proposal result in a need for new systems, or substantial alterations to the following utilities:*

a) <b>Power or natural gas?</b> (source #(s): 6)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

Pacific Gas and Electric Company has adequate facilities in the project vicinity to provide service to the propose project. Only minor increases in power and propane are anticipated. No new services are required for this project.

b) <b>Communications systems?</b> (source #(s): 6)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

Normal communication systems are available to serve the proposed project. No new phones lines or connections are needed at the project site.

c) <b>Local or regional water treatment or distribution facilities?</b> (source #(s): 6)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ ]	[ X ]

Septic system is being upgraded on NPS lands adjacent to JOC facilities. A regional system is not available in the area.

d) <b>Sewer or septic tanks?</b> (source #(s): 6)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The former septic system at JOC has been abandoned because of overall failure. Under Marin County supervision, sewage is now being storage on-site and hauled to approved disposal area. New gray water and septic systems will ensure ground water and the estuary system are not contaminated by JOC operations. All surface drains in the facilities will be connected to the gray water leach field for proper disposal. These new gray water and septic systems have been designed to meet Marin County and State of California requirements and are being reviewed by Marin County Environmental Health Service staff. Monitoring requirements for the septic systems will be established by Marin County and the State of California. The new sewage systems, with appropriate monitoring, will reduce any potential discharge of pollutants to a less than significant level.

e) <b>Storm water drainage?</b> (source #(s): 6)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

Because this project is focused on the rehabilitation of existing structures, surface runoff and drainage patterns will not be altered significantly or increased substantially. No impervious surfaces such as asphalt will be installed within the parking area; the area will remain gravel. Minor drainage swales will be installed behind the main building to drain rain water to the estuary. Another drainage swale will be installed along the eastern edge of the building to drain rain water away from the building. No significant impacts are therefore anticipated.

Because all washing and processing drains will be directly linked to a septic system, water quality of the estuary and pond area will be enhanced. Currently, drains flow to a sump area and then seep into Drakes Estero, the pond area, and surrounding soils.

f) <b>Solid waste disposal?</b> (source #(s): 6)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The current JOC facility solid waste disposal is performed by the NPS on a fee basis. Because the primary purpose of the project is to rehabilitate existing operational facilities, the new complex will not significantly increase current levels of solid waste disposal. Therefore, no significant impact to NPS solid waste garbage service is not anticipated.

13. **AESTHETICS/VISUAL RESOURCES. *Would the proposal:***

a) <b>Substantially reduce, obstruct, or degrade a scenic vista open to the public or scenic highway, or conflict with adopted aesthetic or visual policies or standards?</b> (source #(s): 3, 22)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The project proposes to remove all existing on-shore processing facilities and construct a new processing facility and accessory structures appurtenant thereto. The existing processing facility and accessory structures do not meet Uniform Building Code and are in a deteriorated condition. Their removal and the construction of new structures would result in a positive visual improvement of the immediate area. The project incorporates height, mass and bulk characteristics that are proportional to the site. The new structures would maintain adequate setbacks from other structures in the vicinity and would not adversely impact existing scenic vistas within the Point Reyes National Seashore.

b) <b>Have a demonstrable negative aesthetic effect by causing a substantial alteration of the existing visual resources including, but not necessarily limited to: 1) an abrupt transition in land use; 2) disharmony with adjacent uses because of height, bulk or massing of structures; or 3) cast of a substantial amount of light, glare, or shadow?</b> (source #(s): 3,22)	<b>Significant Impact</b>	<b>Potentially Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>Not Applicable</b>
	[ ]	[ ]	[ X ]	[ ]

The proposed project would not have negative aesthetic effect upon existing visual resources in the area. The removal of the existing deteriorated processing facility and dilapidated accessory buildings and the construction of new structures which meet Uniform Building Code would result in a beneficial visual improvement of the area. The proposed design of the new structures would better blend with the surrounding natural environment. Proposed colors and construction materials would compliment the surrounding natural environment, as well as integrate well with the existing residential units located nearby. Each of the new structures would maintain adequate setbacks from other structures in the vicinity and, therefore, no impacts upon the light, air or privacy of people living or working in nearby structures would occur.

14. **CULTURAL RESOURCES.** *Would the proposal:*

a) Disturb paleontological, archaeological, or historical sites, objects, or structures? (source #(s): 9, 12 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ X ]	[ ]	[ ]

No historic structures or sites are known in the project area. One archeological site is located next to and on the bluff at the southern edge of the project area. The site is highly disturbed. To mitigate any impacts, the site will be fenced off during construction and monitored weekly by NPS staff. Archeological clearance, including an additional site survey, will be conducted by the NPS Regional Archeologist before the project begins. If any artifacts are located during construction, all work will cease and a NPS archeologist team will provide consultation of how to proceed and/or what additional mitigation measures are needed.

b) Have the potential to cause a physical change which would adversely affect unique ethnic cultural values, or religious or sacred uses within the project area? (source #(s): 9 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[ X ]

No ethnic cultural values or religious or sacred uses currently occur within the project area.

15. **SOCIAL AND ECONOMIC EFFECTS.** *Would the proposal result in:*

a) Any physical changes which can be traced through a chain of cause and effect to social or economic impacts. (source #(s): 13 )	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ X ]	[ ]

Project will positively impact the local economy. JOC accounts for 39% of the State of California's commercial oyster harvest. Tomales Bay and Drakes Estero oysters operations are estimated to contribute \$2,500,000 to the local economy.

VI. **MANDATORY FINDINGS OF SIGNIFICANCE.** Pursuant to Section 15065 of the State EIR Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:

*(Please explain your answer after each question)*

- |    |     |     |       |
|----|-----|-----|-------|
|    | Yes | No  | Maybe |
| a) | [ ] | [X] | [ ]   |
- Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

*As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a level of insignificance.*

- |    |     |     |       |
|----|-----|-----|-------|
|    | Yes | No  | Maybe |
| b) | [ ] | [X] | [ ]   |
- Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

*As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a level of insignificance.*

- |    |     |     |       |
|----|-----|-----|-------|
|    | Yes | No  | Maybe |
| c) | [ ] | [X] | [ ]   |
- Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).

*As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a level of insignificance.*

- |    |     |     |       |
|----|-----|-----|-------|
|    | Yes | No  | Maybe |
| d) | [ ] | [X] | [ ]   |
- Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

*As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a level of insignificance.*

**VII. PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES:**

Acting on behalf of the project sponsor or the authorized agent of the project sponsor, I (undersigned) have reviewed the Initial Study for the Johnson Oyster Company and have particularly reviewed the mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study, including the recommended mitigation measures, and hereby agree to modify the proposed project applications now on file with Marin County to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Ma F. Neulbacher  
Superintendent, Point Reyes National Seashore

3/30/98  
Date

**VIII. DETERMINATION:** (Completed by Marin County Environmental Coordinator). Pursuant to Sections 15081 and 15070 of the State Guidelines, the forgoing Initial Study evaluation, and the entire administrative record for the project:

I find that the proposed project WILL NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Tim Haddad  
Signature

3/30/98  
Date

Tim Haddad  
Printed Name

\_\_\_\_\_  
For

ATTACHMENT 1  
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM  
DOCUMENTS INCORPORATED BY REFERENCE

The following is a list of relevant information sources which have been incorporated by reference into the foregoing Initial Study pursuant to Section 15150 of the State Guidelines. The number assigned to each information sources corresponds to the number listed in parenthesis following the incorporating topical questions of the Initial Study Checklist. These documents are both a matter of public record and available for public inspection. The information incorporated from these documents shall be considered to be set forth fully in the Initial Study.

1. *Marin Countywide Plan*, CDA - Planning Division, 1994.
2. *Marin County Zoning Ordinance*, Title 22, CDA - Planning Division.
3. *Point Reyes National Seashore, General Management Plan*, National Park Service, 1980.
4. *Geology of Point Reyes Peninsula, Marin County, California*. California Division of Mines and Geology. 1977.
5. Fellers, Dr. Gary, U.S.G.S. Biological Resource Division. Personal Communication. May 1997.
6. Desler, Chuck. Personal Communication. June 1997
7. Dean, Frank, Chief Ranger, Point Reyes National Seashore. Personal Communication. June 1997.
8. Koenig, Sara, Vegetation Management Specialist, Point Reyes National Seashore. Personal Communication. 1997.
9. Kelly, Roger, Regional Archeologist, National Park Service Pacific Great Basin Support Office. May 9, 1997.
10. Neubacher, Don L., Superintendent, Point Reyes National Seashore. Personal Communication. June 1997.
11. Allen, Dr. Sarah, Research Biologist, Point Reyes National Seashore. Personal Communication. May 1997.
12. Riley, Lynn M. *Assessment of Endangered Archeological Sites at Point Reyes National Seashore*. 1976.
13. Moore, Tom. California Department of Fish and Game. Files. 1994.
14. Parker, Keith. Marin County Fire Department. Letter. May 1997.
15. *Marin County Local Coastal Program, Unit II*. Adopted by Marin County Board of Supervisors, 1980.
16. Johnson, Tom. Personal Communication. September 1997.

17. Smith, Frank. Civil Engineer, Point Reyes National Seashore. Personal Communication September 1997.
18. Uniform Building Code. Chapter 16. 1994.
19. State of California, Department of Water Resources. Water Well Drillers Report. February 22, 1989.
20. Gannon, Tom. Consulting Sanitary Engineer. Water Supply Sanitary Survey, Johnson Oyster Farm. April 1994.
21. Hazardous Waste Management Plan. Point Reyes National Seashore. June 1997.
22. Marin County Community Development Agency. Staff 1998.

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# United States Department of the Interior

NATIONAL PARK SERVICE  
Point Reyes National Seashore  
Point Reyes, California 94956



ON REPLY REFER TO:

L1425  
02-106

May 12, 1998

**RECEIVED**

**MAY 28 1998**

**LAW OFFICES  
F. ROBERT STUDDERT**

**Subject: Replacement and Rehabilitation of Johnson Oyster Company Facilities**

Dear Reviewer:

Pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), the National Park Service, and Marin County Community Development Agency have prepared the enclosed Environmental Assessment (EA) and CEQA Initial Study Checklist for the replacement and rehabilitation of the facilities at Johnson Oyster Company (JOC). JOC operates under a reservation of use and occupancy agreement with the National Park Service. The JOC reservation of use and occupancy expires in 2012.

Based on the EA, the National Park Service proposes to approve a Finding of No Significant Impact (FONSI) for the proposed action, Alternative B: Replacement and Rehabilitation of JOC Facilities. Based on the Initial Study, Marin County has determined there will not be a significant environmental impact; therefore, a Negative Declaration will be prepared.

Marin County is considering the Initial Study for the purposes of adopting a Negative Declaration and taking action on a Design Review application, individual sewage disposal system and subsequent building permit. The Marin County Planning Commission will hold a public hearing on the JOC application for a Design Review sometime shortly after the National Park Service's public hearing. Please contact Tod Carr of the Marin County Community Development Agency, Planning Division at (415)499-6275 if you have any questions.

If you challenge the decision on the merits of the project or the adoption of a Negative Declaration of Environmental Impact in court, you will be limited to only raising those issue you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Agency at, or prior to, the Marin County Planning Commission public hearing.

The National Park Service and Marin County Community Development Agency invite you to express your comments on the EA to the point of contact listed below by June 19, 1998.

Superintendent  
Point Reyes National Seashore  
Point Reyes, CA 94956

Email: [Ann\\_Nelson@nps.gov](mailto:Ann_Nelson@nps.gov)

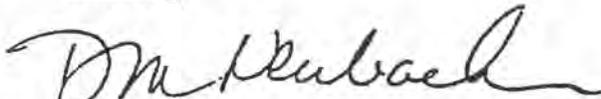
FAX: (415)663-8132

A final decision will be determined on the proposed action will be made after the EA and Initial Study Checklist have been reviewed.

For additional information you may contact John Dell'Osso at Point Reyes National Seashore at (415)663-8522, ext. 226

Thank you for your participation in the environmental assessment process.

Sincerely,



Don L. Neubacher  
Superintendent

JUN 02 2014

RECEIVED

2014 JUN -3 AM 11:55

POINT REYES NS

McClelland's Dairy  
6475 Bodega Ave.  
Petaluma, CA 94952

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

I am contacting you today to express my support for the Point Reyes Seashore Ranchers Association (PRSRA). I am a dairyman from Sonoma County who understands what an important role the 24 historic ranching families play in the North Bay agriculture infrastructure. I am very concerned with their wellbeing and I want to share with you management practices that they need to be able to practice in order to remain sustainable:

1. The ability to grow more feed on-farm. In order to do so the ranchers must be able to:
  - a. No-till farm.
  - b. Harvest excess pasture when it is at its optimum nutritional quality and have the ability to store it.
  - c. Rotationally grazing is a practice that farmers use to maximize pasture intake. In order to do so efficiently, the ranchers must be able to put in cross fencing and water systems. In order for ranchers to grow quality pasture, they also need to be able to seed and mow weeds.
2. Ranches need constant upgrading and maintenance. These Ranchers need to have the project approval process streamlined so they can make the proper improvements in a timely fashion. NRCS and FSA could be good resources that the PRNS and ranchers can use to review projects for either party and to determine impacts on the ranches.
3. Ranching in the North Bay has become extremely difficult. If it had not been for the organic dairy movement this past decade there would have been numerous dairies out of business. The PRNS ranchers need to have the flexibility to diversify their operations in order to be sustainable and serve the growing local food movement.

4. The Elk that have been allowed to encroach on the pastoral zone need to be humanely returned to the wilderness zone and kept there.
5. In order to give the ranching families, their employees, and lenders confidence about the future, the twenty year leases being offered need to be rolling leases.

In closing, I highly encourage you to take the letter from the Point Reyes Seashore Ranchers Association to heart. These people have been working these lands for generations and have proven they have what it takes to survive for the next. In order for them to remain for the next generation, the management practices I just outlined and the ones written in the PRSRA letter must be put into action.

Sincerely,

A handwritten signature in cursive script that reads "George McClelland". The signature is written in black ink and is positioned below the word "Sincerely,".

George McClelland  
McClelland's Dairy

JUN 02 2014

**McClelland's Dairy**  
[REDACTED]  
[REDACTED]RECEIVED  
2014 JUN -3 AM 11:55  
POINT REYES NS

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

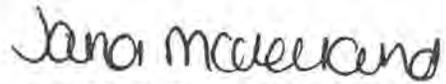
Dear Superintendent Muldoon,

This letter is a show of support for the Point Reyes Seashore Ranchers Association (PRSRA) letter dated June 2, 2014 regarding the Ranch Comprehensive Management Plan Environmental Assessment (EA). I felt compelled to express my opinion and reinforce the practices they need to be able to do in order to remain the thriving operations they are today. The ranches in PRNS are an important part of our cultural history and vital to supplying wholesome, quality food in the future.

1. The Tule Elk that now call the pastoral zone home need to be returned to the wilderness zone immediately. Safeguards need to be put in place in order for them to stay in the wilderness area.
2. As the local food movement grows, these ranchers should have the opportunity to participate by diversifying their operations. They should be able to explore the option of growing different kinds of crops, raising different species of animals, tourism endeavors, and being able to process and sell their products on farm.
3. Along with diversification, ranchers need to be able to repair existing structures and build new agriculture ones. The approval process needs to be looked at and streamlined.
4. Offer the twenty year leases with the option for them to be "rolling" leases.
5. The ranchers need to be able to grow more of their own feed. In order to do that, they need to be able to no-till farm, seed, mow brush and weeds, install cross fencing and water sources to rotationally graze, and harvest and store excess pasture.

As a third generation farmer in Sonoma County, I have gotten to know the ranchers within PRNS. These are upstanding stewards of the land who are an important part of our Sonoma-Marin agriculture history. They deserve to be able to continue to have the opportunity to carry on the farming tradition for years to come.

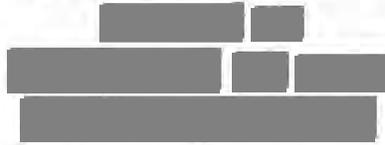
Sincerely,

A handwritten signature in black ink that reads "Jana McClelland". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Jana McClelland

JUN 02 2014

*R & J McClelland Dairy*  
*Operating on the Historic "L Ranch" in Point Reyes National Seashore*  
*Robert and Jolynn McClelland and Family*



RECEIVED  
2014 JUN -3 AM 11:55  
POINT REYES NS

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

To begin, I would like to reiterate my endorsement of the Point Reyes Seashore Ranchers Association (PRSRA) letter regarding the Ranch Comprehensive Management Plan Environmental Assessment (EA) dated June 2, 2014. I strongly urge you to consider and act upon all of the points raised in that letter. There are practices that the PRSRA brought up in their letter that I would like to make further comment on.

***Effects on the Community***

During this EA process I encourage everyone to be mindful the impact the historic ranches have not only within the Seashore but in the greater community as well. We are a part of an important national, state, county and local infrastructure. 2% of the population of the United States is farmers and ranchers. That is a striking number given that the total world population is growing at an alarming rate of 1.2% a year according to the United Nations. The reality is all of these people need to eat. All over the United States farms are being closed down due to many factors: economics, a movement towards large scale farms and away from small family farms, no one to carry on the tradition, to name a few. These farms are either left barren or developed. If these trends continue, how do we expect to feed a world population that the United Nations expects will reach 8 billion by the year 2025?

Over the past five years California has lost 356 dairies due to a severe downturn in the dairy economy. These dairies either relocated out of state or completely went out of business altogether. This is a growing trend in California due to an unstable conventional dairy market and the high cost of doing business in the state. Why is it devastating for our state to lose even one dairy? Dairies are a vital part of our economy and provide stability in our communities. For every four dairy cows, one job is created. Not only on farm jobs but it creates jobs within the entire community infrastructure. Supply companies, veterinarians, dairy processing plants, distributors, milk truck drivers, feed farmers, retailers, feed supply companies all depend on a thriving dairy industry. Marin and Sonoma Counties have a long standing tradition of being intertwined agriculturally speaking. There are now roughly 85 dairies left in the two counties. Over time, various support industries have developed in order to serve these dairies. These businesses depend on a stable ranching environment. The loss of even one farm can have a devastating effect on the entire Marin/Sonoma infrastructure. We all depend on each other to stay viable in order to keep these support systems in place. Other businesses indirectly benefit from having farming in their community as well. Restaurants, doctor's offices, banks, retail stores all service farmers and the families they employ. Having thriving farms in a rural community like West Marin is crucial to our local economy.

The farmers and ranchers of PRNS make up roughly 20% of Marin County's agriculture economy. The farmers and ranchers within the Seashore are stellar examples of people who have learned to adapt to an ever changing industry. The local food movement has taken the Marin County Ag industry by storm the past ten years. More and more people want to support local farmers and ranchers. The farmers and ranchers of PRNS are producing high quality organic milk, grass fed beef and eggs. We are a huge player in producing a local product that people in the North Bay want to have access to.

How many times a day do you have to milk the cows? How much milk does one cow produce? Do brown cows make chocolate milk? These are all questions that are on the minds of the American public. When the PRNS came to be more and more people got into their cars and made the journey to visit the majestic peninsula. As they make their way out to the various points of interest in the Seashore, they have the opportunity to pass by these historic farms and ranches. A huge portion of the American population is not involved in farming and has not been for generations. A trip out to PRNS not only gives them the chance to see a historic way of life, they also get to see firsthand where their food comes from. They have an opportunity to meet the people who manage these small family farms and get out onto the farm to take in all of the sights, sounds and smells around them.

For generations the historic families of PRNS have played an important role in the West Marin community. We have helped build this community and support the infrastructures and traditions that make Point Reyes unique. We and the families on our ranches are active members of the school, church, and other community organizations. Allowing these 24 historic families to create a sustainable future is necessary to allow the families to remain in West Marin and continue to support the overall community beyond the Seashore boundaries. We are the backbone of the community; we hold the key to West Marin's past and will play an important role in its future.

### ***Sustainable Future***

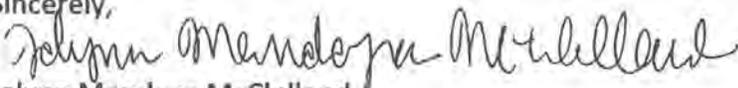
In order for the PRNS ranchers to be able to continue to support our local infrastructure, educate the public, and remain active in the community there are some topics I urge PRNS to consider during this EA process. As stated before, agriculture is an ever changing industry. The farmers and ranchers in PRNS must have the ability to execute these practices in order to continue to operate and remain in PRNS:

1. Issue the twenty year leases as "rolling leases". This would give the historic ranching families and their lenders confidence about our future and stability. In turn we would be able to make more improvements knowing our future is more concrete.
2. Having the ability to grow our own feed on-farm is a key component in our sustainability and better for the environment. A reduction in off-farm feed would mean less fuel being burned to truck it in, less traffic and wear and tear on the roads. In order to grow more feed on our ranches the ability to use the following practices are necessary:
  - a. No-till farming.
  - b. Rotationally graze more efficiently which also includes the more flexibility to cross fence and develop water sources.
  - c. The ability to seed and mow brush and other weeds.
  - d. The opportunity to harvest and store excess feed when it is at its optimum nutritional quality. A management tool that was practiced during the Shafter era.
3. Examine the process of how projects get approved and executed.
  - a. When it comes to low impact and maintenance projects these projects need to happen in real time. There needs to be a way to make the approval process go faster so we can make the proper improvements.
  - b. For larger projects either done through NRCS and RCD or by the rancher independently the approval process needs to be streamlined and happen in a timely manner.

- c. The opportunity to develop new agriculture infrastructures such as new barns, feed storage buildings, buildings related to diversification, etc.
- d. When it comes to PRNS projects, NRCS and FSA need to be consulted in order to explore the impacts the said projects could have on the historic ranches.
4. More collaboration between ranchers and PRNS staff. There needs to be more opportunities for both sides to educate each other on why we feel the management practices we are using are necessary and justified. The ranchers are committed to continue to be an integral part of PRNS. I want to see relationships repaired and all of us beginning to work together.
5. Nominate the historical ranches for World Heritage Status.
6. Develop a succession plan for each ranch. That way if someone were to pass on, there would be a smooth transition to their family or in the event the family is not interested, other PRNS ranching families can have the opportunity to manage the said farm.
7. The opportunity to diversify our operations to reflect historic practices that used to exist in the PRNS, current practices that some partake in today, and any other endeavors that have not been tried yet (ex: processing, different kinds of crops, different species of animals, tourism, farm-stands).
8. The removal of all Elk from the pastoral zone immediately. A plan needs to be developed to prevent them from returning to the pastoral zone as well. Any rogue Elk that enter the pastoral zone need to be returned in real time in order to prevent a herd developing in the future.

The Point Reyes National Seashore is a unique example of government and ranchers working together to protect the land and continue to produce high quality food for a growing population. During the 1900s more and more families left the farms and countryside to move into the suburbs. We are now meeting people who are three, four, five generations removed from the farm. Traditionally, the premise of the government protecting land was to protect the natural landscapes. PRNS can continue to be a place that not only protects the natural landscape, but highlights the cultural landscape as well. PRNS can give tourists the opportunity to experience a way of life that is the backbone of American history and to learn where their food comes from. The PRNS has the opportunity right now through this EA process to continue to protect this "dying art" in a sense by supporting the PRSRA recommendations on the practices that will ensure our sustainability for generations to come.

Sincerely,

  
Jolynn Mendoza McClelland

A circular stamp with the word "RECEIVED" in a bold, sans-serif font.

2014 JUN -2 PM 4: 07

(415)669-1117 FAX (415)669-7272

POINT REYES NS

**LUNNY RANCH**

17300 SIR FRANCIS DRAKE BLVD. INVERNESS, CA 94937

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

The Lunny Ranch is a member of the Point Reyes Seashore Ranchers Association (PRSRA) and fully endorses the points made in the PRSRA scoping letter. This letter is meant to focus more specifically on the Lunny Ranch (aka the Historic G Ranch).

During the Shafter era, the G Ranch, similar to other ranches on the Point Reyes Peninsula, was quite diversified. A dairy, many large barns for cattle and horses, a slaughterhouse to kill and process cattle, sheep and hogs, a cheese processing plant, pastures, hayfields, and worker housing all existed at the G Ranch. It is unknown whether row crops or field crops were raised on the G Ranch prior to World War II. As thousands of acres were under cultivation on the peninsula for artichokes, beans, peas and other vegetables, it is quite possible that these crops were grown at the G Ranch because most of the ranch is level with deep soil.

Post World War II, with the availability of inexpensive shipping, the landscape at Point Reyes began to change. Ranchers realized that they did not need to depend on the local food system to make a living. More money could be made by concentrating all effort on the dairy, leaving diversification behind. The local farms turned into a dairy monoculture, shipping feed in from distant areas and shipping milk to distant markets. This same transition to large scale, single commodity agriculture was happening all over the country. The NPS acquired the Peninsula just after the conversion to a cow-only, mostly dairy monoculture.

It is our understanding that NPS policy does not require that activities in a cultural landscape present at the time of purchase be frozen in time, ignoring and/or disallowing the rich historical activities and/or the need to allow modernization and change from that moment in time. We have been very pleased with the fact that the NPS has allowed significant changes, upgrades construction and development to be undertaken over the years by the ranchers, which has allowed seashore ranches to better compete in commodity markets. Since the 1960's when PRNS was created, family farms generally strove to compete in a nationally price driven commodity based agriculture, competing with large scale corporate farms (big ag).

The reality for the family farm has changed. Over the past decade or so, the U.S. is losing approximately 50 family farms per week and big ag is getting bigger. Small family farms have realized that the secret to survival is to begin to move away from large scale single commodity monoculture and refocus on small scale diversified agriculture and local markets. The local marketing allows small farmers to build local relationships, collaborate with other ranchers on value added products processing and distribution. This "new" model is actually a recreation of the traditional diversified farms found on the Point Reyes peninsula during the Shafter era, not long before it became a unit of the NPS.

Upon reading the PRSRA scoping letter, it is evident that all seashore ranchers are encouraged and excited to see the PRNS focus on preserving the Shafter era agriculture as well. This gives new hope that our ranches and farms will survive as viable businesses into the future. Without giving full support of the points and requests made in the PRSRA letter, NPS will actually be contributing to the elimination of the ranches and the loss of an important cultural resource.

The Lunny family has specific plans for the Lunny Ranch that, if necessary, this EA should evaluate so that PRNS can approve these changes in a future long-term permit. The Lunnys plan to return the ranch to a diversified farm consistent with Shafter era. While doing so, recognizing that its location is inside the highly visited working landscape of a national seashore, all improvements will be compatible to public visitation, public viewing, on-farm tours and educational opportunities. The Lunny Ranch will become a current time, viable reflection of what made Point Reyes worth protecting.

1. Restore the dairy operation. The Lunnys operated a Grade A dairy for most of its tenure on the G Ranch. The dairy was closed and the operation was converted to a beef operation due to a downturn in milk prices in the late

1970s. Now, as the economic realities have changed dramatically, the highest and best use of the G Ranch includes a dairy. With a dairy, it will more closely resemble the Shafter era ranching on Point Reyes. Issues to consider are:

- a. This use existed on the G Ranch during the Shafter era;
  - b. Pollution control - Almost all of the necessary pollution control infrastructure is still in place. The manure sump near the dairy still exists, the pipeline out to the manure lagoons still exists and the manure lagoons still exist;
  - c. Concrete cattle handling corrals still exist;
  - d. Milking barn still exists, but the interior will need to be remodeled;
  - e. Feeding areas and feed storage areas still exist; and,
  - f. PRNS has already allowed other previously closed dairies to resume operations.
2. Begin milk processing to make butter. Issues to consider are:
- a. This use existed on the G Ranch during the Shafter era;
  - b. The Point Reyes Peninsula was known for its high quality butter; and,
  - c. This would require new construction within the existing building complex to house a butter processing facility.
3. Enhance row crop production. Issues to consider are:
- a. This use existed on the G Ranch during the Shafter era;
  - b. This use currently exists on the G Ranch;
  - c. Acreage will be expanded from about 6 acres to about 30 acres;
  - d. Production will be located on land that is currently authorized for crop (forage) production;
  - e. Production will focus on crop species that were historically grown during the Shafter era, including artichokes, beans and peas; and,
  - f. Production will include dry-farming techniques.
4. Restore small scale hog production. Issues to consider are:
- a. This use existed on the G Ranch during the Shafter era;
  - b. The hogs will utilize the whey from the butter processing and the waste vegetables from the row crop operations; and,
  - c. This use will avoid disposal of the above ranch resources.
5. Restore small scale chicken production. Issues to consider are:
- a. This use existed on the G Ranch during the Shafter era;
  - b. Both eggs and meat will be produced;
  - c. Chickens will be pastured;
  - d. Chickens will be used to enhance pasture management; and,
  - e. Chickens will be used to help control parasites within organic pastures.

6. Build a new freestall barn to house the milking cows during winter. Issues to consider are:
  - a. Water quality improvements;
  - b. Rangeland protection;
  - c. Housing for animals during inclement weather;
  - d. Reduction of stress on animals; and,
  - e. Allows the Lunny Ranch dairy to compete with other dairies within PRNS that have recently been permitted to build similar barns for the same reason.
7. Build a roof over the feed storage area. Issues to consider are:
  - a. Protection of feed from rain damage;
  - b. Keeping birds, including ravens, away from the livestock feed; and,
  - c. Allows the Lunny family to purchase feed at the right time if a safe storage location is available.
8. Begin direct on-farm sales if PRNS forces closure of the Drakes Bay Oyster Company farm store now directly marketing Lunny Ranch farm products. Issues to consider are:
  - a. Provides opportunities for the visiting public to connect with the working landscapes;
  - b. Provides educational opportunities;
  - c. Provides additional income to the Lunny family by capturing the retail prices of our farm products instead of only commodity wholesale prices; and,
  - d. Requires new construction.
9. Continue to produce and harvest on-farm forage crops. Issues to consider are:
  - a. This use existed on the G Ranch during the Shafter era; and
  - b. This use has continued to present.
10. Provide 2 new worker residences within the ranch building comple. Issues to consider are:
  - a. This use existed on the G Ranch during the Shafter era;
  - b. Allows the Lunny Ranch to compete for good employees; and,
  - c. Allows for the necessary staff for round the clock emergency work often encountered on a dairy.

This simple plan, once approved, would allow the Lunny family to restore an exciting, diversified, profitable, visitor-friendly farm that more closely resembles the Shafter era ranching than anywhere else in the seashore, while protecting the natural resources at the same time.

The Lunny family pledges to work with the team preparing this EA to answer any questions regarding the Lunny Ranch plans.

Sincerely,

*Calvin and Nancy Lunny for the Lunny Family*

The Lunny Family

JUN 02 2014

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2014 JUN -3 AM 11:55

POINT REYES NS

Alfonso Martinez  
[REDACTED]  
[REDACTED]

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

I am the herd manager on the L Ranch. I am submitting my comments for the EA. Please include the following practices:

1. We would like to be able to no-till farm. Harvest and store excess feed. Have it easier to cross fence and put in water troughs so we can graze the pastures better. We would like to be able to seed and mow brush and other weeds on in order to make the pastures better.
2. Approve projects faster. Especially low impact projects such as installing fencing and other maintenance projects. Also consider the possibility of building new agriculture structures.
3. Remove the Elk and keep them in the wilderness area.

Thank you for the opportunity to submit my comments.

Sincerely,



Alfonso Martinez  
Herdsman on L Ranch



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2014 JUN -2 PM 4: 07  
POINT REYES NS

June 2, 2014

Point Reyes Ranch CMP/EA  
Superintendent Cicely A. Muldoon  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

**Subject:** Point Reyes National Seashore Ranch Comprehensive Management Plan/Environmental Assessment

Dear Superintendent Muldoon:

Thank you for the opportunity to participate in the Ranch Comprehensive Management Plan Environmental Assessment public scoping process. Over the years the Marin Resource Conservation District (Marin RCD) has planned, permitted, engineered and implemented many natural resource protection projects on ranches located with the Seashore boundaries. The Marin RCD maintains a strong interest in natural resource protection and the viability of agriculture in Marin County and therefore offers the following comments for consideration:

- I) Community partnerships, outreach and education to build collaboration:
  - a) We support a collaborative partnership program that fosters trusting relationships and includes a regular forum between ranchers and Seashore staff to troubleshoot, educate and inform each party regarding mutual issues of concern.
  - b) Agritourism: tours and workshops for the public will help inform and educate the public about the historical significance and perspectives on agriculture and natural resource protection.
  
- II) Natural and Cultural Resource Management/Ranch Management Operations:
  - a) Address the issue of elk in the pastoral zone by setting up structures or management practices that will result in the protection of ranching operations. Consider culling practices to address herd health and numbers. Without predators the herd will and has become unhealthy. Keep the numbers manageable.
  - b) Encourage the implementation of natural resource protection and management activities pursued by the ranching community by facilitating the approval process for such practices. Management practices such as no-till farming, rotational grazing practices/structures, weed management, water developments can offer benefits to natural resource protection and farm viability. The Marin RCD offers support in the development of these stewardship practices and

suggests collaboration with our federal partner agency, the USDA Natural Resources Conservation Service who maintains an extensive list of conservation practices for dairy and livestock operations.

- c) Evaluate existing local, state and federal regulatory framework against any new PRNS authorizations for proposed ranch activities to ensure they are not duplicative. In many instances, existing permitting structure exists for the protection of natural resources and farming practices through our federal and state agencies. Support the ranchers by streamlining the approval process so that they may implement new and innovative projects which allow them to remain viable in their operations.

III) Preservation of Ranch Culture and Viability:

- a) Offer ranchers 20-year rolling leases and successional planning to support the historical agricultural families within the Seashore. These families are devoted to the area and community they live in. They have long ties to the land and it is important to support their continued viability. Long term rolling leases will allow them to make long-term commitments to natural resource protection. The Marin RCD's state and federal funding programs require 10-20 year maintenance and monitoring commitments to participate in natural resource protection programs. Many of the ranchers currently do not qualify for these programs due to the uncertainty of their leases.

The Marin RCD is pleased to participate in further discussions and the development of the Ranch Comprehensive Management Plan. Please do not hesitate to contact us with questions or requests for information related to our programs.

Sincerely,



Nancy Scolari  
Executive Director

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2014 JUN -3 AM 11:55  
POINT REYES NS

*R & J McClelland Dairy*  
*Operating on the Historic "L Ranch" in Point Reyes National Seashore*  
*Robert and Jolynn McClelland and Family*

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

I am writing you to endorse the Point Reyes Seashore Ranchers Association (PRSRA) letter regarding the Ranch Comprehensive Management Plan Environmental Assessment (EA) dated June 2, 2014. I strongly urge you to consider all the points brought up in that letter and make them the frame work for your Ranch Plan.

I want to take a moment to reiterate the points that need to be addressed in the EA:

1. Offer the twenty year leases as "rolling leases".
2. The ability to grow our own feed on-farm. In order to do that the ranches need to be able to:
  - a. No-till farm.
  - b. Be able to install cross fencing and develop water sources in order to rotationally graze more efficiently.
  - c. Re-seed and mow brush and other weeds.
  - d. The ability to store excess feed.
3. Streamline and more collaboration on projects.
  - a. Streamline approval on projects.
  - b. Allow ranchers to build agriculture structures.
  - d. Collaboration on PRNS projects with NRCS and FSA to determine if those projects will impact the ranching operations.
4. Opportunities for ranchers and park staff to meet and educate each other on practices.
5. Nominate the historical ranches for World Heritage Status.

6. Work with each ranch to develop a succession plan.
7. Allow ranchers to diversify their operations.
8. Immediate removal of Elk from the pastoral zone. Build a fence between the wilderness and pastoral zone to prevent them from returning.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert McClelland". The signature is fluid and extends to the right with a long, sweeping tail.

Robert McClelland

L Ranch

RECEIVED

2014 JUN -4 AM 11:38

POINT REYES NS

JUN 02 2014

Ms. Irene Lopez  
4986 Field St  
San Diego  
CA 92110

Dear Suph. Muldoon -  
I'm appalled  
that you want to renew ranching  
leases within the park / This park  
belongs to the people of California &  
the USA / and we should and must  
have a say as to what goes on  
with things / like this - the wildlife must  
come first, this is a wild life habitat  
not a farm / farmers are already  
a huge problem with the pollution they  
cause to our environment! So please  
think of keeping this park as a  
wild life habitat and tell your

boss at the National Park Service  
to please do the following -

- ① No extension of ranching leases  
for 20 yr terms (in fact there should  
be no leases and the ones you have  
must ~~be~~ be phased out!
- ② NO "Removal" of tule Elk!  
the "pastoral land" is owned by  
the Public! not the ranchers!  
Tule Elk and other wildlife are  
the rightful inhabitants of the  
Coastal Prairies! not cattle!
- ③ No more welfare for ranchers  
on public lands!

I would be so very  
grateful and would appreciate  
a kind reply.

Sincerely  
Gene

**MARIN COUNTY FARM BUREAU**

P.O. Box 219, Pt. Reyes, CA 94956

**RECEIVED****2014 JUN -2 PM 4:06****POINT REYES NS**

May 31, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
1 Bear Valley Rd.  
Pt. Reyes, CA 94956

**Subject: Pt. Reyes National Seashore Ranch Comprehensive Management Plan/  
Environmental Assessment**

**Dear Superintendent Muldoon:**

Marin County Farm Bureau (MCFB) appreciates the opportunity to comment on the Ranch Comprehensive Management Plan/Environmental Assessment. Supporting agricultural production and protecting natural resources go hand in hand, and in fact depend on one another. Grazing, pasture rotation and stocking rates all contribute to the management of rangeland. Those who grow crops know that they have to care for the land in order to continue harvesting by returning nutrients to the soil. The same can be said for aquaculture and other agricultural producers.

Agriculturalists all over have found it necessary to diversify their production and Marin County is no different. Many have been able to adjust their operations to continue to survive by being creative and using and caring for the resources that we have. Additional regulations or the elimination of agriculture in the PRNS lands would be detrimental to the natural and cultural resources in existence.

Marin County Farm Bureau would strongly encourage the appropriate management of the tule elk in respect to the pastoral zone. California and Marin County agencies and organizations have a myriad of information on natural resource and agricultural planning and management that already exists. The ranchers of the Point Reyes Seashore Ranchers Association (PRSRA) have been committed to working with government organizations to appropriately manage and improve ranching practices.

MCFB hopes that the PRNS recognizes the dynamic nature of agriculture within the project area and also recognizes the benefits that these ranchers and agriculturalists bring to the environment and the public as a whole. The ranchers and farmers voices are important. Please continue to include them in meetings and discussions of plan alternatives and to have an active role in the process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Dolcini'.

Sam Dolcini, President

JUN 02 2014

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May 31, 2014

2014 JUN -4 AM 11:36

POINT REYES NS

Point Reyes Ranch CMP-EA  
 Superintendent, Point Reyes National Seashore  
 #1 Bear Valley Road  
 Point Reyes, CA 94956

Regarding the proposed New Management Plan for Point Reyes National Seashore Park.

I would like the following to be included in the new Park Management Plan:

1. That all the free roaming Elk now on the south Pastoral (agriculture) Zone be humanely removed off this Zone and returned to the Wilderness Area (Limantour).  
 that any diseased Elk at the same time be euthanized.  
 that this Wilderness Area (Limantour) for ELK be appropriately fenced as at Pierce Point.  
 that Elk within this area be carefully monitored and taken care of so that they do not suffer from lack of water and food as the Elk located at Pierce Point. *That herd is now very Small.*  
 that any new Park Staff be advised of the history within the last ten years of problems caused by the ELK in the Pastoral Zone. *This also would be a reminder for present Park Staff to understand how hard it is for the caretakers of the Pastoral Zone to meet their commitments to organic specifications because of the ELK encroachment, drought, high cost of feed, etc.. Park Staff knows about the lack of food in the world and should be more accepting of, and helpful to the agricultural community that is under their jurisdiction.*
2. That Park Staff treat those who lease land with respect, as well as they would treat each other, and Park Visitors.
3. That the Park always ask 24/7 for enough staff to deal with all that the Park encompasses, Wildlife, Beaches, Leased Land, Trails etc.etc.etc. *Most of us who live next to you would back your needs if asked.*
4. That an Advisory Forum be formed from the Park Staff and Community Members to help with some of the problems that if not addressed have in the past divided this community. *This group could help build trust that now is lacking in the community.*  
 that the community be advised as soon possible (by local papers, the local Radio Station and community flyers,) of meetings, problems and decisions that could effect all of us. *These actions could also help build more trust and another way for all of us to work together.*
5. That this Park Plan provide more and/or better accommodation such as picnic tables, trash containers, benches etc.. near parking areas for visitors, particularly elderly and disabled to use, allowing them to view ~~of~~ the beach or whatever is featured at those area. *The Park and the Community could hold a competition for items such as above, giving us a way to inter act.*
6. That this Park Plan provide for Park Staff to address and help the Community hand to hand and in turn the Community would do the same during emergencies that effect us both or

individually. *This happened before 2000 during the fire and the flood thus making our relationship clearer and much stronger*

7. That the Park Staff adhere to the new plan, and if changes are made that effect either the Park or the Community, that the Community will be advised in a timely manner.
8. That all Park Staff be made aware that they have a responsibly to recognize our growing population as it effects the Park directly and indirectly.
9. That Food Producers within the park are encouraged to continue to be as productive as they can and conditions allow. They work and/or oversee 20% of Park land which is devoted to agricultural. *They are aware that 40% of this County lives on and below the medium wage, and that 1 in 5 children go to bed hungry each night. Because the agriculture community live and love what they do we are privileged to have them in this Park and Marin.*

I have lived in Inverness which is adjacent to this park since 1962 and am a long time Environmentalist (my early life was spent on a farm that used many of the tools, products, and philosophy which today are the same or very similar to the organic farming processes). Plus, being a long time Artist my sculpture represents how people and animals are effected by the negative uses we have injected into our planet and its atmosphere.

I am both very positive (that we have this incredibly beautiful land that is owned by each and everyone of us, and that all of us are welcome to see and experience it). I hate to say, that I have some very negative feelings regarding the unprofessional ways which some Park Staff have taken to deal with both caretakers and wildlife. This feels extremely contrary in this beautiful land which belongs to all of us.

My hope is that Park Staff will address the ELK problem as soon as possible so it will not tear this community apart as the Park and some Environmentalists did over DBOC. I believe that moving the ELK off the Pastoral zones can happen now under the existing 1998 management plan. Why do I believe this...because you have changed Zone names and regulations...making the present plan work for what the Park Staff needs. Don Neubacher had no problem with the 1998 Management Plan in moving Elk out of areas which were in conflict back to the Wilderness Area (Laminator).

I see and hear so much conflicting information from the present Park Staff that I have a very hard time knowing what or who to believe. This is more than disappointing as transparency (we used the word Honesty in the past) must be a prerequisite for each of you to be approved to become a member of any National Park Staff. I do however look forward to better times when all of us can come together with no trappings from the past.

Sincerely Yours,



Marj Stone



Comments regarding the Ranch CMP:

COWS BE GONE - TULE ELK FOREVER!  
 I KNOW THIS SOUNDS MIGHTY HARSH BUT  
 I FEEL IT IS TIME TO PHASE OUT CATTLE  
 RANCHING AND ALLOW THE ELK TO TAKE  
 OVER. IT SHOULD BE DONE OVER TIME  
 SO THE ANGRY RANCHERS CAN BEGIN  
 THE LONG PROCESS OF SELLING THEIR  
 POCUTTING COWS THAT ARE BEING OVER GRAZED  
 AND ALLOW THE ELK TO FILL IN THE POINT.  
 CAN YOU IMAGINE WALKING (HIKING), BIKING,  
 DRIVING ALONG THE SIR FRANCIS DRIVE ROAD  
 AND SEEING THESE MAGNIFICENT ANIMALS  
 IN THEIR NATURAL SETTING AT PEACE  
 ON THE POINTS (PEWEE + POINT REYES)  
 THE C.M.P. SHOULD CONSIDER THESE IDEAS  
 FOR THE HEALTH OF THE HABITAT OF WHICH  
 THE POINT REYES NATIONAL SEASHORE IS  
 COMPRISED AND THE WELL BEING OF ALL THE  
 WILD LIFE OF THE PARK.

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 2014 JUN -4 AM 11:37  
 POINT REYES NS

JUN 02 2014

Your Name:

WALTER HOFFMAN

Mailing or email address:

Organization (if applicable):

EAC

Member

Official Representative

(circle one)



## Providing Comments

Please provide your comments online using the NPS's Planning, Environment, and Public Comment (PEPC) web site at: <http://parkplanning.nps.gov/ranchcmp> or use the reverse of this page to record your comments and ideas about the Ranch Comprehensive Management Plan/Environmental Assessment (Ranch CMP).

Below are some scoping questions you may consider as you are reviewing the draft purpose, need and objectives of the proposed project.

- What do you think the NPS should be considering as it develops this Ranch CMP?
- What are the most important issues regarding the lands under agricultural lease/permits that you believe need to be addressed in this plan?
- What are reasonably foreseeable future ranching activities that should be considered and reviewed as part of this plan?
- What are reasonably foreseeable actions related to the management of tule elk affecting park ranch operations that should be considered as part of this plan?
- What are potential park actions related to the management of cultural and natural resources on ranch lands that should be considered as part of this plan?
- What do you, as a member of the public, need from NPS to be meaningfully engaged in the planning process?

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.



Walter H Hoffman



SAN FRANCISCO CA 94111

02 JUN 2014 PMS 1



Ranch CMP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes Station, CA 94956

94956 974956





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 POINT REYES NS

1315 K STREET  
 MODESTO, CALIFORNIA 95354-0917  
 TELEPHONE (209) 527-6453  
 FAX (209) 527-0630  
[www.westernuniteddairymen.com](http://www.westernuniteddairymen.com)

May 30, 2014

JUN 02 2014

Point Reyes Ranch CNMP/EA  
 National Park Service Superintendent  
 1 Bear Valley Road  
 Point Reyes Station, CA 94956

**Re: Point Reyes Ranch CNMP /EA Scoping Process**

Western United Dairymen (WUD) is the largest dairy producer trade association in California representing the majority of California's milk production. WUD represents its members on a variety of issues, including environmental regulatory requirements.

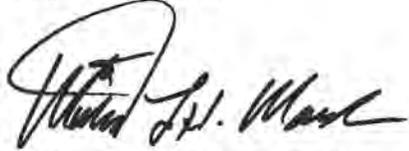
West Marin's agricultural environment is considerably different than the rest of the State's and that environment needs to be considered as the National Park Service begins the ranch CNMP scoping process. Plan objectives outlined in the ranch Comprehensive Nutrient Management Plan brochure state a willingness to support sustainable operational practices, update permitting structures, identify activities that provide operational flexibility and promote the health and safety of agriculture workers. These objectives are consistent with the needs of the 6 dairies that WUD represents in West Marin, and we encourage strict follow-through in the following ways:

- Allow no-till farming, silage harvest, freedom to cross-fence grazing pastures and more efficient weed and brush removal
- Allow for low-impact projects and daily maintenance without the need for written permission
- Allow for management practices that safeguard livestock from predator wildlife
- Collaboration with the Natural Resources Conservation Service (NRCS), Resource Conservation District, ranchers and park staff on potential projects
- Succession planning for each ranch to allow for continued operation
- Removal of tule elk from the pastoral zone, including attention to development and management of wildlife habitat to encourage elk to be successful in the wildlife zone.

The 6 dairies WUD represents in the Point Reyes National Seashore are all producers of organic milk and ship to local processors. They make up approximately 20% of the agriculture of Marin County, and most are from families that have farmed the same land for four generations. The challenges these dairies face on a daily basis include: providing for the welfare of their cattle, maintaining organic certification, ensuring a safe work environment for employees and meeting the bottom line each month clearly make the case for the necessity of a ranch CNMP process that minimizes red-tape for agricultural producers and park staff alike. We sincerely hope you'll take our above comments into consideration when finalizing your planning process.

We are also supportive of the comments and recommendations of the Point Reyes National Seashore Ranchers Association, and the Marin County Farm Bureau and encourage the National Park Service to review and respond appropriately to their comments and recommendations.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael L. H. Marsh". The signature is fluid and cursive, with a large initial "M" and "L".

Michael L. H. Marsh, CPA  
Chief Executive Officer  
Western United Dairymen

June 2, 2014

Cicely A. Muldoon, Superintendent  
Point Reyes National Seashore  
One Bear Valley Road  
Point Reyes Station, CA 94956

RECEIVED

2014 JUN -4 AM 11:41

POINT REYES NS

JUN 03 2014

Correct

RE: Scoping Comments on the proposed Ranch Comprehensive Management Plan and Environmental Assessment

Dear Superintendent Muldoon:

Number one on my wish list is locking the elk out of the pastoral zone or fencing them in at the D Ranch.

Secondly I would like to is the pastoral zone nominated for World Heritage Status.

Thirdly, I would like to see would be the rolling twenty year lease idea applied for all. I feel this would be a win-win for the rancher and the park because the rancher would be more likely to keep up the buildings, fencing, and the roadside appearance which helps the beauty of the park. The banks would be more likely to loan the ranchers the money needed to accomplish these improvements.

We also need a good system that enables the next generation to continue ranching as well as putting a system into place that allows for diversification such as raising chickens or growing crops.

We also need to be able to mine gravel again.

The process for repairing and maintaining historic homes and barns needs to be speeded up.

We would like more input into projects like the sand dune project which you are already doing and thank you for that.

We need a way to speed up approval of NRCS & RCD projects.

I feel that that another important thing that would help us would be being able to farm and store silage. 70% of total dairy cost goes to feed costs compared to 50% ten years ago.

We also need to be able to use cross fences and electric fences so we can rotate our pastures more efficiently. We need to be able to no-till farm, cut more brush and reseed in order to improve our feed production.

Sincerely,

Joe Mendoza



UNITED STATES DEPARTMENT OF THE INTERIOR  
 NATIONAL PARK SERVICE  
 POINT REYES NATIONAL SEASHORE  
 POINT REYES, CA. 94956  
 April 25, 2014

RECEIVED

May 1  
 2014 APR 31 AM 11:15

POINT REYES NS

RE: TOPICS AND CONCERNS THAT SHOULD BE ADDRESSED IN THE RANCH COMPREHENSIVE MANAGEMENT PLAN/ENVIRONMENTAL ASSESSMENT IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT.

- (1) The lands called "The Pastoral Zone" are really a large remnant of the California Coastal Prairie and are extremely valuable for its potential for biological diversity.
- (2) Today, the Tule Elk which was listed by the Federal Government in 1972 as an endangered species has made a stunning comeback under park protection.
- (3) The 28,000 acres of coastal prairie should be open to the public.
- (4) Natural history research with a goal of restoring original plant and animal systems should be encouraged.
- (5) Private livestock grazing within the seashore denies the public free Access to these lands that had been purchased by the nation for park land and has other degrading issues such as potential disease introduction, land erosion, water pollution and the introduction of exotic plant species through the planting of livestock feed.
- (6) In the early 1970's upon government purchase of these more than 28,000 acres, most of the former owners and lessee's signed 20 year leases which due to lack of public oversight were quietly extended as they expired.
- (7) With a goal toward removing all ranching operations out of the park, we have to consider options.
  - (a) The buying out of all leases with terms favorable to the ranchers but requiring livestock removal.
  - (b) Financial consideration to those who may suffer from removal.
  - (c) Recognize affluent families who no longer live on their leasebacks but still run cattle there.

In closing:

- Please do not extend the leases for another 20 years.
- Consider offering favorable terms to terminate livestock operations.
- Embark upon a coastal prairie restoration program through The California State Coastal Conservancy and universities.
- Open the grasslands to the public.
- Point Reyes National Seashore should be a park for the people, not a private agricultural preserve.

Bruce Keegan  
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Cc Congressman Jared Huffman  
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 California Coastal Prairie Restoration  
 National Parks and Conservation Association