

December 14<sup>th</sup>, 2020



Mr. Larry Simon  
Federal Consistency Program  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105

Subject: Coastal Consistency Determination for the Point Reyes National Seashore and North District Golden Gate National Recreation Area General Management Plan Amendment and Environmental Impact Statement

Dear Mr. Simon:

The purpose of this letter is to express Marin Conservation League's support of the National Park Service's (NPS) request for a Coastal Consistency Determination (CDC) for the subject action.<sup>1</sup>

Under the Preferred Alternative (Alternative B in the General Management Plan Amendment/Environmental Impact Statement [GMPA/EIS]), the NPS is offering up to 20-year leases to multi-generational dairy and cattle ranches that have occupied the land for more than 150 years. Granting 20-year leases will give ranch owners a certainty of tenure, enabling them to invest in ranch infrastructure to assure the future viability of their operations and make necessary improvements to better protect natural resource values, such as water quality and sensitive habitat areas. The GMPA/EIS, including Appendices (notably Appendix F) details the conditions under which ranching would continue.

In general terms, MCL supports the continuation of historic family ranching on Point Reyes National Seashore (PRNS, Seashore, or Park) and the Northern District of Golden Gate National Recreation Area (GGNRA) under the guidance of an environmentally-sound management approach spelled out in the GMPA/EIS. Anchored by Ranch Operating Agreements (ROAs) between NPS and ranch owners and a sub-zoning plan designed for each ranch to protect sensitive resources from ranch operations, the approach consists of a comprehensive suite of strategies (detailed in Appendix F) that would be incorporated into each ROA, thus ensuring that the desired conditions laid out

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<sup>1</sup> To clarify the purpose of a Coastal Consistency Determination: Section 307 of the "[Coastal Zone Management Act of 1972](#)" (CZMA), requires that federal actions – including those on NPS parks not in the California Coastal Zone that might affect the state's interest in land, water or other natural resources within the coastal zone – be consistent with the enforceable policies of the state's federally approved coastal management program. A "consistency determination" is a brief statement describing how the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with enforceable policies found in Chapter 3 of the California Coastal Act. The Coastal Commission's goal is to provide open communication and coordination with federal agencies and provide the opportunity for the public to participate in the process.

in Chapter 1 (Page 2) of the GMPA/EIS would be met. These strategies include standardized management activities, employing “practice standards” based on federal and state agency regulations and guidance, and implementing required mitigation measures and other conditions outlined in the EIS and detailed in Appendices.

Continued ranching under these terms described in the Preferred Alternative would be consistent with “the natural environment, recreational opportunities, and the scientific and historical merits” that prompted the park’s original and later-amplified legislative authorizations.

With implementation of the conditions outlined above and discussed in greater detail below, MCL believes that the Preferred Alternative also is consistent with the policies in the California Coastal Act of 1976 as amended. Because the GMPA/EIS covers both detailed actions and programmatic elements, the NPS is requesting a Consistency Determination only for detailed actions. Projects under programmatic elements proposed during the 20-year GMPA plan period, such as diversification and some visitor amenities, would require subsequent environmental review, and possible CCC consultation.

MCL’s letter incorporates by reference the summary description of the GMPA/EIS Preferred Alternative contained in NPS’ letter to the CCC, dated October 16, 2020. To

#### PRNS connections and MCL assumptions

Four assumptions based on the factual record undergird MCL’s position:

1. First, it is necessary to view PRNS in its historic and local context as well as in terms of its national significance. Its history reveals that many parts had to come together to preserve this unique coastal site of natural beauty, scientific and historic/cultural interest, rare plants and wildlife, and public recreation as national park.

From inception in 1916 of the National Park System – regularly proclaimed “America’s greatest idea” but in reality an amalgam of ideas that have evolved over time – national parks have been interconnected with the surrounding world, with deep economic and cultural connections to adjacent communities and ecological linkages to surrounding landscapes. They have never served as isolated nature reserves.<sup>2</sup>

No national park demonstrates these connections as consistently as Point Reyes National Seashore. Set on the Pacific Coast within the West Marin context, with its millennia-old indigenous heritage, its historic, generations-old agricultural and rural village culture, as well as its location within an hour’s reach of a large metropolitan population, the Seashore is the product of the local, regional, and

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<sup>2</sup> Keiter, R.B., *To Conserve Unimpaired: The Evolution of the National Park Idea*, Island Press, 2013

national interests that came together in an eons-old geologic and ecological coastal setting to create the priceless and multi-faceted park that millions enjoy today!

2. As a second assumption, MCL is highly qualified to comment on PRNS as a public park of national and local significance. Few organizations are as intimately connected with the early history of PRNS as MCL. MCL, founded in 1934 as the Golden Gate Bridge was under construction, was among the first to identify the need to protect Marin's scenic coastal lands for the public and to act on it. At that time these lands were completely open to private exploitation. From a planned list of priorities for acquisition, MCL's first documented success was acquisition of a 54-acre property including Drakes Beach, the first "piece" of the National-Seashore-to-come. In the two decades that followed, MCL founders facilitated acquisition of other coastal sites that eventually became state parks and initiated or participated in many other public land acquisitions, including the Golden Gate National Recreation Area (GGNRA). MCL's key motivation behind these actions was to save special lands for public enjoyment. Ecosystems and sensitive habitats were not yet in the conservation vernacular.

Throughout the 1950s, MCL worked closely with other conservationists to seek protection for Point Reyes Peninsula from the destructive consequences that commercial and residential development could have. With authorization of most of the peninsula as a national park in 1962, some expressed interest in preserving the human as well as the natural landscape under the aegis of the NPS. Caroline Livermore, then president of Marin Conservation League, 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 proposed recreation areas."<sup>3</sup>

In the late 1960s, MCL devoted hundreds of hours and financial resources to the 1969 "Save Our Seashore" campaign to obtain Land and Water Conservation funds for acquiring the ranches. Ranchers played a key role in this campaign by supporting the new park and willingly selling their lands to fulfill the congressional intent. In the 1970s, MCL also advised protecting the park as a natural area in the preliminary master plan for the Seashore, and advocated for the maximum area to be designated as Philip Burton Wilderness.

3. MCL's third assumption concerns the role that cattle and dairy ranching continue to play as an important component of the Seashore's (and GGNRA's) cultural and natural resource values. This role has been acknowledged over the past fifty years in legislative authorizations, amendments and clarifications, and management policies. The NPS' working relationship with the ranches in the park was fostered

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<sup>3</sup> Livingston, D.S., *Ranching on the Point Reyes Peninsula – 1834-1992*, National Park Service, 1993, rev. 1994

by early park administration, which recognized that cows and cattle were “co-managers” of the scenic pastoral grassland landscape that would devolve into brush without a regular grazing regime. There were later indications that the working relationships between ranchers and park management were generally positive, and that the park was committed to keeping the ranches viable as an integral part of the national seashore as well as the GGNRA Northern District. Their historic significance was reinforced by their later designation as Historic Districts and their recognition as cultural resources to be protected in concert with protecting and preserving the well-documented natural and indigenous resources throughout the Park.

4. As a fourth assumption, the history of Marin County agriculture, including production records, has demonstrated for decades that the ranches on Point Reyes are an integral part of a single cultural heritage and agricultural economy. Roughly one third of Marin County’s land area is made up of rural rangeland and family farms. Together, ranches, both on and off the Seashore, constitute a critical mass that enables the whole to remain viable. MCL has long recognized the value of these agricultural lands and developed a supportive relationship with dairymen and ranchers in West Marin. As a previous Executive Director of MCL stated: “If you sold off the agricultural land and just let it go for open space, it would change the character dramatically . . . it would not be the pastoral scene we know today.”

#### Consistency with provisions of the California Coastal Act

The primary goal for amending the General Management Plan for this unique coastal resource over the next 20 years is to achieve the “Desired Conditions” articulated in the GMPA/EIS (Chapter 1). These conditions are organized around. . .

- preservation of ecological functions;
- preservation of native species, including threatened and endangered species;
- management of invasive/non-native species;
- preservation of cultural resources (including historic ranches); and
- public use and enjoyment/visitor experience.

In essence, these have been at the core of the Seashore’s management policies over the past fifty-years. Without exception, these “desired conditions” are consistent with key policies in Articles 2 through 6 of the Coastal Act that have protected California’s Coast for almost the same period of time, namely:

- provision of public access and recreational opportunities;
- protection of coastal waters and unique and sensitive marine and land resources;
- maintenance of prime agricultural land and the agricultural economy; and
- protection of scenic and visual qualities.

The actual achievement of these desired conditions in the Seashore, which are aspirational in nature, depends on successful implementation of a detailed and

comprehensive set of management actions that make up the Preferred Alternative, described in the GMPA/EIS, detailed in Appendices, and summarized in Table 2: Strategies for the Preservation of Area Resources, pages 29-32. Appendix F presents an inventory of management activities, practice standards, and required mitigations. Mitigation measures specific to avoiding impacts to threatened and endangered species are detailed in Biological Assessments (Appendices N and O). Implementing these conditions would accomplish the purposes of the Preferred Alternative. The discussion below offers selected examples of the many NPS management strategies that demonstrate consistency of the Preferred Alternative with Coastal Act policies.

### **Articles 2 and 3 – Public Access and Recreation**

*“ . . . maximum access. . . shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.”* (Section 30210)

*“ . . . ocean front land suitable for recreational shall be protected for recreational use and development. (Section 30221) . . . upland areas necessary to support coastal recreational uses shall be reserved for such uses.”* (Section 30223)

The Seashore welcomes more than 2.5 million visitors annually and provides wide ranging opportunities and facilities for educational and scientific activities, affordable day and overnight accommodations such as camping, volunteer programs, trails for hiking, equestrian, and cycling recreation, and wide-ranging opportunities for “sight-seeing.”

Public access currently is allowed in the existing Pastoral Zone (to be renamed as the Ranchland and Scenic Landscape Zones under the Preferred Alternative), consistent with the need to avoid disrupting ranch operations and infrastructure, protect ranchers’ privacy, and ensure safety. Many of these public amenities are made possible through partnership with the non-profit Point Reyes National Seashore Association’s robust program of educational and volunteer activities.

These would all remain under the Preferred Alternative. The Ranchland and Scenic Landscape zones would continue to maintain the current landscape and public access to coastal and upland sites for access and recreational and educational use. In addition, the GMPA/EIS describes numerous possible projects to enhance existing opportunities. Most are described and their impacts analyzed at a programmatic level. For example, proposals to enhance a network of connecting trails and old ranch roads, detailed in Appendix H, could be proposed over the 20-year plan horizon covered by the EIS, and would require site-specific environmental review. Similarly, proposed farm stays and farm tours to engage ranchers in the Seashore’s interpretive programs would require subsequent environmental review and possible coastal consistency. Appendix I discusses indicators and thresholds for visitor use and enjoyment, and considers visitor capacity and addresses issues such as traffic and parking and the need for shuttle systems. The

NPS does not anticipate expanding levels of visitor access under the Preferred Alternative. Even with some enhanced options, e.g., trail loops and connections, or new interpretive programs, visitor use would continue to be managed to avoid sensitive resources in the Park.

#### **Article 4 – Marine Environment**

*“ . . .The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes . . .shall be maintained and, where feasible, restored through . . .minimizing adverse effects of waste water discharges and entrainment, controlling runoff . . . encouraging waste water reclamation, maintaining . . . riparian habitats . . .”*  
(Section 30231)

The planning area does not include marine waters. It does, however, include watersheds and streams that carry runoff from cattle and dairy operations and discharge into esteros and the ocean and Tomales Bay via Olema Creek, thus potentially impacting the quality of coastal waters and related biological productivity. Ranch activities that require water quality and erosion management include road and other infrastructure maintenance, stream stabilization and riparian protection, water supply for livestock, stream crossings, and, in the case of dairies, manure and nutrient management.

This complex issue is analyzed in depth in the GMPA/EIS and Appendix L. The NPS and ranchers over recent decades have already implemented many management activities to improve water resource conditions but acknowledge the need for improvements. The Preferred Alternative’s approach to protecting sensitive resources from water pollutants involves a comprehensive suite of actions, beginning with the zoning and ranch sub-zoning strategy outlined in Appendix J, in which ranch operational areas are separated by intensity of use and to avoid sensitive resources. The GMPA/EIS then describes the existing water control management actions and presents in Table 3, Page 40, an array of management actions to monitor and further improve water quality.

Actions to manage manure and nutrients and associated water quality apply only to the six dairy ranches. To avoid polluting nearby streams and wetlands, water and waste from confined animal facilities have been regulated for many years by the state’s San Francisco Bay Regional Water Quality Control Board. Under the Preferred Alternative, ranches would continue to operate under these regulations, with improvements outlined in Appendices F and L. With these actions, the desired conditions listed in Table 2 would be achieved.

#### **Article 5 – Land Resources**

*“ . . .Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values . . .and development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited . . .to prevent impacts. . .and shall be compatible with the continuance of those habitat and recreation areas.”* (Section 30240)

Many of the actions described above for protecting marine resources also apply to protecting environmentally sensitive habitat areas in the planning area against potential disruption from cattle and dairy operations: Zoning and sub-zoning of ranches to avoid impacting sensitive habitats; a comprehensive suite of management activities, practice standards, and mitigations identified in Appendix F; and mitigations defined in the Biological Assessments, Appendices N and O. As noted in the EIS, the grazing regimes associated with livestock vary in their impact on special status plant species. Grazing can be both beneficial for some species and damaging for others. To minimize these impacts, 1,200 acres are currently set aside as Resource Protection Buffers. The Preferred Alternative would add 800 acres to these protective buffers.

*“ . . . the maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas’ agricultural economy.”* (Section 30241)

The adoption of a Ranchland Zone under the Preferred Alternative would not expand or otherwise change the area of ranching on either PRNS or GGNRA Northern District. Nor would it expand the stocking capacity for livestock. It would, however, offer the opportunity for limited diversification of ranching activities. The addition of chickens, goats, or sheep, or dryland cropping, for example, would allow ranchers to react to poor forage production years and fluctuation in the economic market (e.g., the price of cattle, hay, and grain).

The prospect of diversification has been misunderstood in public comments as though it would open the door to unlimited options. In fact, any diversification would be limited in scope – chicken or goat “animal units” would replace not add to comparable cattle animal units. Activities would be restricted to the ranch core or, where warranted, the pasture zones. Further, as stated in the EIS (ES Page iv), proposals for diversification would only be considered if they incorporate the US Department of Agriculture, Natural Resources Conservation Service Conservation Practice Standards and mitigation measures for a defined set of Management Activities identified in tables F-11 through F-13 of Appendix F of the EIS. NPS would continue to work closely with local agricultural organizations, state agencies, and natural resource conservation experts to share information and discuss issues related to ranching.

## **Article 6 Development**

*“ . . . the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. . . to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas. . . ”* (Section 30251)

The connection between national parks and cultural resources is well established in federal law. The act that created the NPS in 1916 mandated that “. . . natural and historic objects and the wildlife therein. . .” be protected for public enjoyment. Over the years the idea that cultural resources are a matter of national interest has been affirmed by

numerous congressional actions, including the National Historic Preservation Act and its amendments. Federal law and NPS policies now place equal weight on protecting natural, historic/cultural, and scenic values.

The historic/cultural and scenic resources that are being preserved on PRNS and GGNRA, along with their rich natural resources, are a combination of the historic pastoral landscape and the multi-generational farm families, who, four and five generations later, are the legacy of an historic period of dairies and farming that dates back to the mid-1800s.

Notable is the role played by the “historic pastoral landscape,” which includes not just historic farm structures, but also the dominant scenic rangeland vistas that meet the eye of the visitor. Without continuation of the grazing regimes managed by cattle, that grassland scene would change dramatically, as evidenced on former ranches that have been retired and cattle grazing has ceased. The Preferred Alternative is not the only alternative that would protect this scenic resource, but it presents the optimum combination of preserving the array of values that have been discussed above. It also would be maximally consistent with Coastal Act policy that calls for “minimizing the alteration of natural land forms.”

Drawing on these comments as examples, MCL believes that the Preferred Alternative examined in detail in the GMPA/EIS demonstrates not only a high affinity with the purposes of the California Coastal Act but also consistency with most of the specific policies set forth in Chapter 3.

In summary, Marin Conservation League believes that the NPS Preferred Alternative analyzed in the GMPA/EIS is consistent with the Coastal Act because . . .

- Both PRNS and GGNRA will continue to provide opportunities for visitors from around the world to enjoy the coastal resources that they encompass and at the same time preserve their richly diverse natural and cultural resources;
- Under the Preferred Alternative, both parks will continue to maintain, among their other purposes, productive ranching operations that are the legacy of a 150-year-old culture and occupy a significant role in the local agricultural economy. Offering up-to-20-year leases will ensure the ranches’ continued viability and enable investing in long-term environmental improvements;
- The GMPA/EIS and its Appendices present a comprehensive suite of practices, including zoning and sub-zoning, mitigation measures and other conditions applicable to each ranch. Under the regulatory and guidance oversight of NPS and multiple agencies, these conditions will assure that coastal marine and land resources continue to be protected from the potential impacts of ranching operations;
- The continuation of a grazing regime under the Preferred Alternative will assure that the pastoral landscape, dominated on PRNS by broad vistas of grassland, will not be irreversibly altered if the present grazing regime were to cease; and



- Agriculture in the two parks will not expand under the Preferred Alternative; closely delimited diversification will, however, offer ranchers a buffer against the economic vicissitudes of cattle and dairy-based agriculture.

In closing, public comments too often reveal a “black and white” view of the NPS options on Point Reyes and GGNRA – either ranches, *or* wild nature. Marin Conservation League believes that these can coexist under thoughtful and sensitive park management and continue to enrich the lives of millions of visitors. Thank you for your attention to this important issue.

Sincerely,



Robert Miller  
President



Nona Dennis  
Chair, Parks and Open Space Committee

Cc: Jared Huffman, US Congressman, California 2<sup>nd</sup> District  
Laura Joss, General Superintendent Golden Gate National Recreation Area,  
National Park Service  
Carey Feierabend, Deputy Superintendent, Point Reyes National Seashore