

## **BACKGROUND FOR AGRICULTURAL AREAS ON NATIONAL PARK SERVICE LANDS**

A General Management Plan Amendment and environmental impact statement (Record of Decision, September 13, 2021) addresses the management of all lands currently under agricultural lease/permit within Point Reyes National Seashore and the north district of Golden Gate National Recreation Area. The approved action serves as a blueprint to guide the National Park Service's management of lands, resources, development, and visitor use in the 27,500 acre planning area ("Ranchland Zone"). It allows existing ranch families to continue beef and dairy operations, with limited diversified agricultural operations, under up to 20-year lease/permits, which include required infrastructure upgrades and operational changes for the protection of natural and cultural resources through a zoning framework. The GMPA requires each ranch to engage in a Ranch Operating Agreement (ROA) with the NPS that identifies the requirements for that particular lease and the zones within it. Implementation of each ROA will be monitored annually.

The zoning framework is identified in the GMPA and is based on analysis of topography and sensitive resources. Ranching activities will differ by subzone, with more intensive activities in zones without sensitive resources. Examples of sensitive resources are threatened or endangered species, riparian corridors, wetlands, or archeological sites. The area of each subzone will differ by ranch and will be field-checked, updated, and modified as appropriate.

- Resource Protection Subzone: approximately 2000 acres excluded from ranching due to sensitive resources
- Range Subzone: approximately 16,400 acres or 64% of lands where grazing is compatible with resource protection objectives but more intensive activities are not
- Pasture Subzone: approximately 8900 acres or 35% of lands where no sensitive resources are known to occur and more intensive ranching activities can take place
- Ranch Core Subzone (designated on the 18 residential ranch complexes): approximately 220 acres or less than 1% of lands including the developed complex of buildings and up to 2.5 acres of adjacent disturbed lands

## **GUIDING STANDARDS OF NATIONAL PARK SERVICE**

National Park Service lands are held to a high standard by virtue of its public trust interest and overarching mission: *"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."*

In addition, the purpose and uses set forth in each park's individual enabling legislation sets the direction for management. For Point Reyes National Seashore, the original 1962 enabling legislation states:

*"In order 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, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take*

*appropriate action in the public interest toward the establishment of the national seashore set forth in section 459c- 1 of this title.”*

The Golden Gate National Recreation Area 1972 enabling legislation states:

*“Marin and San Francisco Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreation Area (hereinafter referred to as the "recreation area") is hereby established. In the management of the recreation area, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this subchapter, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.”*

Congress revisited the Point Reyes National Seashore enabling legislation in 1970, 1972, and 1978, directing the NPS to purchase the private agricultural lands within Point Reyes boundaries and directing the continuing of agriculture through rights of use and lease-backs to “protect the pastoral character” of the lands added Point Reyes. Congress also revisited this legislation in 1978, authorizing the same use of lease-backs promulgated for Point Reyes.

In 2012, Secretary of the interior Salazar issued a memorandum regarding shellfish production in Drakes Bay that included direct to NPS to issue 20-year leases and affirming “working ranches are a vibrant and compatible part of Point Reyes National Seashore, and both now and in the future represent an important contribution to the Point Reyes’ superlative natural and cultural resources.” This was never accepted into law and continues to be at the discretion of the Secretary of Interior. On September 26, 2018 Rep. Huffman introduced a bill to secure 20 year permits and management of Tule Elk separately from cattle. It did not pass in the Senate and was not enacted into law.

In national parks, cultural Resources have often been identified as historic resources identified for a specific time period of significance. Historic is associated with post European contact with the US. In 2019, Point Reyes agricultural lands were designated as a historic district on the National Register of Historic Places “This register is the official list of historic buildings, structures, sites, objects and districts worthy of preservation. It provides formal recognition of a property’s architectural, historical, or archaeological significance and ensures those aspects are considered in planning state or federally assisted projects. It encourages preservation through public awareness, federal and state tax incentives, and grants.

Pt. Reyes has recently entered into a 20 year agreement with the Federal Indians of Graton Rancheria (FIGR) to ensure that the Coast Miwok heritage is included in management of the park’s cultural resources. *“The 20-year General Agreement is believed to be the only one of its kind in the country. Management efforts will focus on designations of Native American Traditional Cultural Properties eligible for listing in the National Register of Historic Places and*

*ensure Tribal views and traditional ecological knowledge are part of the management of tule elk and the ranching lands in PRNS.” (FIGR website)*

Establishing the agreement and connectino of NPS national guiding principles and specific national policy for the Ranchland Zone, NPS states in the Record of Decision:

*"In establishing Point Reyes and Golden Gate as unites of the national park system, Congress envisioned that lands within the parks would be administered to support recreation, inspiration, education, historic preservation, interpretation, and natural and scenic values, and that park resources would be managed in accordance with the high standard of the National Park Service Organic Act, as amended and supplemented. In addition, the legislative record reflects decades fo Congressional support for beef and dairy ranching on lands in the planning area [Ranchland Zone], as well as a recognition of the linkage between ranching and maintenance of the park’s scenic and patorial qualities. This history together with the recent reaffirmation of the Congressional support for ranching confirm that ranching remains an appropriate use of park lands today. In accordance with NPS Management Policies Section 1.4.3.1, the NPS has determined that ranching may continue provided that is does not cause impairment or unacceptable impacts to park resources.”*

Relevant aspects of the NPS mission that defined this aspect of impairment or unacceptable impacts to park resources are identified in the following sections of NPS Policies of 2006:

#### *1.4.5 What Constitutes Impairment*

*The impairment that is prohibited by the Organic Act and the General Authorities Act is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values. Whether an impact meets this definition depends on the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts.*

#### *1.4.6 What Constitutes Park Resources and Values*

*The “park resources and values” that are subject to the no-impairment standard include*

- the park’s scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;*
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;*

- *the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and*
- *any additional attributes encompassed by the specific values and purposes for which the park was established.*

### **DRAFT MCL GOAL FOR AGRICULTURAL AREAS ON NATIONAL PARK SERVICE LANDS**

To understand, maintain, restore, and protect the inherent integrity of the natural resources, processes, systems, and values of the national parks and steward cultural resources while improving management practices and outcomes. Provide meaningful and appropriate opportunities to enjoy these values. Cultural resources include the archeological resources, cultural landscapes, ethnographic resources, historic and prehistoric structures, and museum collections.

### **DRAFT POLICIES FOR NPS LANDS**

#### General

1. As key features in the Golden Gate Biosphere Reserves ensure recognition for the roles in facilitating long-term research and monitoring; and encouraging education, training, and the demonstration of sustainable agriculture and resource use. \*
2. Use best management practices, as identified as mitigations in the GMPA EIS to protect park resources. Regulate livestock so that (1) ecosystem dynamics and the composition, condition, and distribution of native plants and animal communities are not significantly altered or otherwise threatened; and (2) cultural values are protected. \*
3. Implement a comprehensive monitoring program, and adaptive management practices must be used to protect park resources.\*.
4. Phase out the commercial grazing of livestock whenever possible and manage recreational and administrative uses of livestock to prevent those uses from unacceptably impacting park resources.\*

#### Cultural Resources:

5. Provide for the long-term preservation of, public access to, and appreciation of the features, materials, and qualities contributing to the significance of cultural and natural resources \*
6. Treat cultural landscapes based on significance over time, existing conditions, and use. Treatment decisions will consider both the natural and built characteristics and features of a landscape, the dynamics inherent in natural processes and continued use, and the concerns of traditionally associated peoples. \*
7. Any integrated pest management (IPM) agricultural practices and techniques, including the use of pesticides and other biocontrol agents should be specified in an approved

resource stewardship strategy. These practices and techniques are also subject to the provisions of federal and state laws, NPS regulations and policies, and Director's Orders #53: Special Park Uses and #77-7: Integrated Pest Management. \*Encourage ranchers to participate in greenhouse gas mitigation or carbon sequestration practices identified in the GMPA to USDA Natural Resources Conservation Science practice standards that have greenhouse gas mitigation and/or carbon sequestration benefits on farms and ranches, including Tree/Shrub Establishment, Conservation Cover, Riparian Forest Buffer, Riparian Herbaceous Cover, Critical Area Planting, Windbreak/Shelterbelt Establishment, Nutrient Management, Solid/Liquid Waste Separation Facility, Residue and Tillage Management, Grassed Waterway, and Filter Strip. (*Pt. Reyes Q and A website*).

#### Natural Resources

8. When an agricultural lease is terminated from an area, remove non-historic constructed features, restore natural topographic gradients, and restore natural processes and conditions to areas disturbed by human activities \*
9. Maintain and restore the quality of surface waters and groundwaters within the parks consistent with the Clean Water Act and all other applicable federal, state, and local laws and regulations. Actions include but not limited to: modernize manure management systems, fencing to exclude livestock from waterways or limit time spent in certain locations; controlled stream crossings to direct livestock across waterways at established locations; water supply for off-stream livestock drinking water; ranch infrastructure improvements such as road rehabilitation, roofs and gutters; waterway stabilization projects to reduce erosion; and riparian and upland vegetation planting. Monitor and evaluate water quality and use monitoring data to target areas for improvement.
10. Use best available agency guidance to monitor and evaluate water quality. Use monitoring data to direct resources to areas needing improvement. Improvement requirements incorporated into individual ranch operating agreements (ROAs) should include required timing to ensure resource protection outcomes. (*Pt. Reyes website Q and As, and \**). Water quality monitoring should include, at a minimum, fecal indicators, ammonia, nutrients (nitrogen) Chlorophyll A and visual algal cover as an indicator of eutrophication and dissolved oxygen (*Coastal Commission Comment 4/7/2022*)
11. Manage wetlands in compliance with NPS mandates and the requirements of Executive Order 11990 (Protection of Wetlands), the Clean Water Act, the Rivers and Harbors Appropriation Act of 1899, and the procedures described in Director's Order 77-1 (Wetland Protection). Take action to preventPrevent the destruction, loss, or degradation of wetlands and preserve and enhance the natural and beneficial values of wetlands.\*
12. Actively seek to understand and preserve the soil resources, and to prevent the unnatural erosion, physical removal, or contamination of the soil or its contamination of other resources. Obtain adequate soil surveys for the management of park resources. All soil surveys will follow National Cooperative Soil Survey Standards. Products will include soil maps, determinations of the physical and chemical characteristics of soils, and the interpretations needed to guide resource management and development decisions. \*

- Are existing NPS policies.