



Board of Directors

November 22, 2017

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Cynthia MacLeod, Acting Superintendent
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

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Re: Comments on General Management Plan Amendment Newsletter

David Weinsoff, Esq.
Secretary

Dear Acting Superintendent MacLeod,

David Wimpfheimer
Director

The Environmental Action Committee of West Marin (EAC) greatly appreciates the opportunity to provide comments on the Point Reyes National Seashore (Seashore) General Management Plan Amendment (GMPA). Since 1971, EAC has worked to protect and sustain the unique land, waters, and biodiversity of West Marin.

Jerry Meral, Ph.D.
Director

Daniel Dietrich
Director

Cynthia Lloyd, Ph.D.
Director

EAC is appreciative of the planning process for the GMPA and the opportunity to provide public comments on six proposed conceptual alternatives (Concepts) recommended by the Seashore. The GMPA addresses all lands currently under agricultural lease/permits in the Seashore and the north district of Golden Gate National Recreation Area. The Seashore is a unique landscape and EAC remains committed to our guiding principles to ensure the protection and preservation of natural resources, restoration of degraded habitats and park resources, and maximum public access to parklands.

Staff and Consultants

Morgan Patton
Executive Director

Based on EAC's review of the 2006 National Park Service (NPS) Management Policies, when there is a conflict between the protection of resources and the use of those resources, conservation will be predominant, and concerns will be resolved with scientific study and public involvement, in order to pass on all park resources, not merely unimpaired, but in better condition, for the enjoyment of future generations.

Ashley Eagle-Gibbs, Esq.
Conservation Director

Jessica Reynolds Taylor
Membership Director

Catherine Caufield
Tomales Dunes Consultant

The GMPA must protect, restore, and preserve park resources using ranch leases that ensure multi-generational, environmentally sustainable ranching is complementary to the natural resources and visitor experiences within the park.

EAC understands the six Concepts presented in the GMPA Newsletter are a commencement of a process intended to engage public feedback and ideas, a process that, at this time, is deficient in definitions, baselines, and scope. Therefore, the public is not limited or constrained by the Concepts and should use this comment period to seek clarification, question the conceptual choices, and present information that is missing.

Based on this understanding, EAC offers the below comments and questions regarding the GMPA Newsletter. These comments are organized under the following eight areas of concern: 1) establishing a baseline, 2) management strategies and regulations, 3) diversification of operations, 4) protection of natural resources, 5) climate change, 6) habitat protections, 7) habitat restoration, and 8) public access.

1. Establishing a Baseline

The GMPA Newsletter does not provide any information on the baseline for new leases. What is the baseline against which new leases will be measured? The baseline for environmental impacts should be the conditions and practices authorized by the existing leases. However, if a leaseholder has violated their permits, the unauthorized practices should not represent a baseline.

EAC supports an additional baseline measurement to evaluate ranching operations based on the 1962 enabling legislation that allows for ranching and dairying purposes within the pastoral zone.¹

2. Management Strategies and Regulations

The GMPA should provide for clearly defined regulations concerning ranching operational practices in order to ensure the protection, restoration, and preservation of park resources (natural and cultural). The GMPA Newsletter does not include information on how ranching will be conducted, a critical subject that must be clearly defined and made available for public comment before any new leases are issued. EAC has included several topics under this heading of management strategies and regulations for the Seashore's review and response.

2. a. Issuing Long-Term Permits

Concepts 2-5² propose issuing new long-term permits (20-year) to ranching operations. Any long-term leases should ensure lease holders are engaged in dairy and cattle ranching practices that are compatible with the Seashore's mission to protect park resources (natural and cultural), and that the operations are based on conditions and practices that are complementary to the natural resources and visitor experiences within the park. Additionally, if new permits are issued, EAC requests that they be made public and posted for maximum public transparency, while allowing any information that is considered proprietary to be redacted.

¹ Pub. L. 87-657, Sec. 4, Sept. 13, 1962, 76 Stat. 540

² Concepts 2-5 include: No Dairy Ranching and Management of Drakes Beach Tule Elk Herd, Reduced Ranching and Management of the Drakes Beach Tule Elk Herd, Continued Ranching and Management of the Drakes Beach Tule Elk Herd (NPS Initial Proposal), Continued Ranching and Removal of the Drakes Beach Tule Elk Herd.

2. b. Constructing Long-Term Management Goals

Will the Seashore identify and include short and long-term management goals and metrics into the new leases? If so, what science-based criteria will be applied to determine the success of each of these goals? How will the Seashore update the goals and metrics in response to changed conditions?

2. c. Developing Permit Transparency, Compliance, and Incentives

Management guidelines for ranching permits should be transparent, consistent, and uniformly applied. EAC supports public disclosure of management metrics, monitoring of lease compliance, and habitat restoration efforts. We also support clear and timely consequences for non-compliance with permit terms. The leases should contain trigger mechanisms for non-lease compliance and include public transparency when leases are violated.

2. d. Defining Succession Planning

Succession planning is an important part of the GMPA process, yet references to succession planning for the proposed long-term leases are missing from the Concepts. A transparent succession planning process is necessary before long-term leases are issued so that the public and the lease holders can understand the obligations and conditions ranchers must satisfy in order for a lease to pass to another family member. What is the Seashore's current policy for succession planning when a family no longer wishes to operate under their lease? Will the Seashore have a new proposal for the GMPA regarding succession? If so, what will that include? EAC understands that leases/permits for multi-generational dairy and cattle ranching operations may be issued to the existing lease holders.

2. e. Establishing Best Management Practices

Best Management Practices (BMPs) promote protection of park resources and provide the Seashore and lease holders with measureable outcomes and expectations for operating practices. The proposed Concepts reference "establish programmatic approaches for streamlined implementation of best management practices." Please define how programmatic approaches will be developed and what streamlined implementation means. What are the primary objectives of the BMPs?

EAC supports BMPs that promote the protection and improvement of park resources, with clear and measurable goals and outcomes being written into all the operational permits. Sensitive resources like wetlands, riparian corridors, and estuaries are of particular concern. Water quality and the overall health of these important habitat areas must be adequately safeguarded.

2. f. Identify Authorized Measures for Operational Flexibility

Concepts 2-5 propose lease/permits that would identify authorized measures for "operational flexibility and diversification." It is important to differentiate and define these two terms. EAC requests that the Seashore separate these terms in subsequent planning documents and define what operational flexibility means. In addition, we request that the Seashore provide an explanation of the process by which the Seashore will use to determine how operational changes impacting land-use intensity will *not* impair resources, and how those operational changes will be measured and evaluated.

3. Diversification of Operations

Diversification is an inherently ambiguous term that needs to be defined so that the public understands that diversification could bring about a dramatic shift of commercial land use within the Seashore. Diversification is proposed in Concepts 2-5, implying that the Seashore is considering authorizing some level of diversification in the lease/permits. The November 2014 Ranch Comprehensive Management Plan Update public workshop newsletter described diversification as

“an important activity for some ranchers, but typically the first priority is to improve pasture management and then focus on potential diversification opportunities ... Diversification activities identified through the scoping process and ongoing discussions include the addition of new types of livestock, row crops, stabling horses, paid ranch tours and farm stays, small-scale processing of dairy products and sales of local agricultural products...”

EAC understands authorized ranching operations are limited to dairy and cattle ranching, as intended by the enabling legislation. Therefore, in order to preserve the Seashore’s natural and cultural resources, EAC does *not* support the conversion of land to commercial uses other than dairy or cattle ranching.

3. a. Production of Silage

The Seashore has recorded 490 bird species (54% of all North American birds) and is located along the Pacific Flyway, a major north-south flyway for migratory birds extending from Patagonia to Alaska³. The Seashore currently allows some lease/permit holders in the pastoral zone to produce silage to provide forage for cattle. Mowing the silage fields is known to exterminate nesting birds. How does the Seashore ensure that nesting birds are protected during the production of silage to ensure compliance with the Migratory Bird Treaty Act and other federal laws? How does the Seashore ensure that allowances, procedures, and timing for silage production are followed?

EAC does not support the expansion of silage production outside of those locations that have currently permitted allowances for this practice, and encourages the establishment of a long-term program to monitor silage production and mowing, and to levy penalties where limits are exceeded. Additionally, the Seashore should require silage producers to implement best management practices to reduce the impacts on nesting birds and require advance bird surveys before fields are mowed to ensure compliance with federal nesting bird protection legislation. Finally, there are successful no-till practices for silage that can be implemented within the Seashore to protect and conserve habitat and soil quality.

3. b. Proposals for Visitor Experience Diversification

The November 2014 Ranch Comprehensive Management Plan Update public workshop included references to events (large and small) as potential opportunities for lease holders to generate income through commercial activities other than dairy or cattle ranching. In order to ensure visitor experiences are managed and regulated by the Seashore, all events should go through Seashore headquarters for special use permits. Individual lease-holders should not

³ Point Reyes National Seashore website, *Birds*, <https://www.nps.gov/pore/learn/nature/birds.htm>

have the authority to permit special major events as they could cause detrimental impacts to park resources that the Seashore would not be able to manage.

3. c. Authorization of Diversification

What level of diversified agricultural production could be allowed under the enabling legislation of the Seashore? EAC's reading of that legislation is that it provided for ongoing dairies and cattle ranch operations. What criteria and/or authority will the Seashore utilize to sanction diversification activities? If the Seashore plans to base those criteria on the intensity of land use, what baseline and scientific criteria will be utilized? Under what legal authority could the Seashore justify allowing diversified commercial agriculture that honors the preservation of park resources (natural and cultural)?

4. Protection of Natural Resources

The GMPA must protect, restore, and preserve park resources using ranch leases that ensure multi-generational, environmentally sustainable ranching is complementary to the natural resources and visitor experiences within the park.

The 2006 NPS Management Policies direct NPS to manage natural resources “to preserve fundamental physical and biological processes, as well as individual species, features, and plant and animal communities” and recognize all components of a natural system by preserving these processes in their natural conditions and avoiding resource degradation.⁴ Based on the management policies, what criteria will the Seashore utilize to ensure the preservation of natural resources, processes, and prevent degradation of habitats?

4. a. Tule Elk

The Seashore is the only national park⁵ with a native population of tule elk. The elk have been prevalent in the Bay Area and Marin for thousands of years, long before their extirpation in the 19th century. Tule elk are part of the Seashore's natural resources, just like the seals and whales, and are an important part of the Seashore's ecosystems. Considerations to manage the elk populations should be in the context of park policies to manage other natural resources of the Seashore. Based on these criteria, EAC offers comments on the elk management strategies.

The Concepts all reference “management” of the different elk herds. Please define management, and the tactics it includes. EAC is supportive of utilizing a diverse combination of management strategies, however EAC does not support culling or removing the herds.

The Philip Burton Wilderness area should not be manipulated or changed as part of any management strategy to accommodate the elk. Absolutely no structures should be authorized in the wilderness area that would diminish or compromise management of this dedicated wilderness.

⁴ 2006 *National Park Service Management Policies*, page 36.

⁵ *Citizen's Guide to the Tule Elk of California*,

www.biologicaldiversity.org/campaigns/protecting_Point_Reyes_elk/pdfs/TuleElkBrochure.pdf

Long-term leases and overall agriculture management strategies may strive to reduce conflicts and find a way to balance and accommodate the presence of both cows and elk, but the elk must not be managed for the purpose of benefitting commercial lease holders.

5. Climate Change

Climate Change will impact the park resources in the near future in many ways: to mention a few, sea-level rise, average temperature changes, changes in average rainfall totals, and distribution of species, both native and invasive. These impacts will alter the Seashore. For example, areas that border beaches and estuaries will experience flooding and migration of boundaries. This includes wilderness areas like Drakes Estero and Abbotts Lagoon that may eventually migrate into the pastoral zone. How will the Seashore manage changes to these bordering coastal areas?

EAC requests that the natural resources and buffers are prioritized, and suggests reduced ranching areas be designed with sea-level rise in mind. This would provide a reasonable basis to plan for pasture use for dairy and cattle ranching, while ensuring the long-term protection of park resources that will be subject to change in the foreseeable future. The Seashore should use the best available science to determine potentially impacted areas and to plan for the protection of the threatened natural and cultural resources. How will the proposed long-term leases incorporate flexibility for the Seashore to adjust for climate change impacts?

5. a. Carbon Farming Planning

Carbon farming is a set of management techniques that help to reduce the greenhouse gas emissions from a ranch through multiple techniques to sequester carbon. Carbon farming planning practices are being demonstrated on private lands in Marin County and through conservation easements managed by Marin Agricultural Land Trust (MALT). According to MALT's Carbon Farming website, the techniques used to reduce the overall greenhouse gas emissions include rotational grazing, woodland and stream restoration, native vegetation planting, no-till agriculture, dry-manure management, planting of hedgerows and windbreaks, methane capture, and compost application on pasturelands⁶.

Carbon farming planning techniques that restore habitat, improve water quality, and promote no-till farming practices are excellent ways to sequester carbon and improve the natural resource conditions on the ranches. These techniques should be prioritized and emphasized by the Seashore as one way the ranches may become more sustainable in their environmental practices.

⁶ Pasture and Rangeland as defined by U.S. Department of Agriculture, Natural Resources Conservation Service, *Pasture*: Lands composed of introduced or domesticated native forage species that is used primarily for the production of livestock. They receive periodic renovation and/or cultural treatments, such as tillage, fertilization, mowing, weed control, and may be irrigated. They are not in rotation with crops. *Rangeland*: Land used primarily for the production of grazing animals. Includes native plant communities and those seeded to native or introduced species, or naturalized by introduced species, that are ecologically managed using range management principles.

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1142489.pdf

Carbon farming planning techniques should not impair park resources and techniques that may inappropriately impact park resources should be considered only after long-term scientific studies have been conducted. For example, compost spreading could obstruct public access and cause harm to native plants on the coastal prairie by stimulating growth of non-native plants. In addition, if methane capture digesters are considered, what is the size of the infrastructure and what is the intensity of land use?

6. Habitat Protections

The proposed Concepts indicate “NPS would identify broad management strategies to preserve park resources...” What management strategies would be applied and what criteria will be utilized to measure natural resources and cultural resources?

6. a. Water Quality

The GMPA should ensure that water quality is not impaired by ranching and dairying activities. Water quality characteristics affect the ability of species to persevere. In order to ensure healthy and balanced habitats, the water quality of streams, creeks, wetlands, and estuaries should be subject to independent research to determine the acid-base status, nutrient conditions, and chemical stressors. As part of the conditions of the 2006 NPS Management Policies, protection and restoration measures should be taken into account to improve the water quality of natural riparian habitats and preserve natural system components.

6. b. Resource Buffers

Resources buffers are essential to protect sensitive habitats and ensure ecosystem health. How does the Seashore determine which park resources are included in a buffer area? Will resource buffers be designed to adjust over time, due to changing environmental conditions? How will the Seashore manage buffer areas that change with the landscape over time and due to climate change?

6. c. Pasture Management

EAC understands that the Seashore has adjusted its measurements of Residual Dry Matter (RDM) as of 2016 based on the 2015 Residual Dry Matter Analysis Report⁷, and has implemented an adaptive management technique to better understand the overall health and grazing patterns of the pasture grazing lands. How will the Seashore ensure that this type of important and comprehensive program continues year after year with limited personnel resources? In order to protect the rangelands and coastal prairies, what RDM techniques will be applied to ensure accurate measurement of the rangelands and prevent overgrazing? What actions will the Seashore take in response to indications of overgrazing?

⁷ Point Reyes National Seashore website, *1987-2014 Residual Dry Matter Analysis Report and Updated Rangeland Monitoring Guidelines for Livestock Grazed Grasslands within Point Reyes National Seashore and Golden Gate National Recreation Area*, Range Ecology Lab Department of Environmental Science, Policy, and Management University of California, Berkeley, August 30, 2015.

6. d. Fencing

EAC supports the installation and maintenance of wildlife-friendly fencing to exclude cattle from sensitive resources and prevent degradation of natural habitat. Additionally, how much electric fencing is currently in use in the Seashore? EAC would not support this becoming the dominant form of fencing. The GMPA must analyze the cumulative impacts of electric fencing on public access and movement of wildlife.

6. e. Pesticides and Chemicals

The GMPA should require a permit/lease condition requiring a process for disclosure of the chemical types, storage techniques, and uses for pesticides, antibiotics, insecticides, herbicides, etc. to prevent these toxins from being released into the environment through improper storage, in the event of a natural disaster, or other inadvertent applications.

6. f. Integrated Pest Management (IPMs)

IPMs should be documented and approved by the Seashore before implementation by permit holders. Pesticides that have the potential to impact other species should not be applied under any conditions, for instance, rodenticides that would harm other species.

What is the current usage level of herbicides to control weed management? Is the current level assumed to be the baseline? Will the GMPA include a weed and pasture management plan? How will the Seashore evaluate and control the negative impacts of mowing as a weed management technique, including erosion and wildlife dangers? What priority will the Seashore place on restoration of native grasses?

7. Habitat Restoration

The proposed Concepts are deficient in references to restoration of habitats that have been degraded or impaired by ranching activities. It is important that habitat restoration (and protection) is a top priority of the GMPA. **Specifically, water quality, erosion, native plant and species impacts must be prioritized over other strategies to ensure that ranching operations are meeting the highest possible environmental compatibility standards.** What criteria will the Seashore use to review habitats within lease/permit areas? What opportunities will be available to lease/permit holders to engage in restoration activities?

7. a. Mitigation

The Seashore must determine that activities authorized in the GMPA will not impair park resources. What ranching and dairying activities require mitigation? How will the requirements for mitigation be re-evaluated over time due to changed conditions? What are the consequences of non-compliance with lease terms? Will the Seashore require that outstanding management issues and mitigation be addressed prior to the issuance of a new lease?

7. b. Native Grass Restoration

Restoration of native grasses must be included in the GMPA process to ensure a healthy pastoral zone. One method to support the reintroduction of native grasses would be to require that any lease holders who bring hay, hay cubes, straw, grain, and/or other crop or mulch products into the Seashore be required to use certified “weed free” products based

on the standards of the North American Weed Management Association, regardless of how they are used (feed, livestock bedding, erosion control, etc.)⁸.

7. c. Endangered Species

The 2006 NPS Management policies specifies that natural resources will be managed to preserve fundamental physical and biological processes. In the cases of special status and endangered species, NPS is legally compelled to protect habitat. How will the Seashore ensure that endangered species habitats are protected for established or newly discovered species? How will the Seashore anticipate and plan for protecting these habitats over time given changing conditions?

8. Public Access

The Concepts propose review of visitor carrying capacities and enhanced visitor experiences. EAC supports maximum public access to parklands, recognizing the respect needed within the ranch core. How will the Seashore improve visitor experiences working with ranchers to ensure clear signage, access points through gates, and maintaining trails? EAC would like to see improved visitor interpretation in areas of the pastoral zone and the removal of locks that prevent public access to these parklands. How will the Seashore evaluate and respond to visitor use in highly impacted areas that is damaging and impairing park resources, e.g. at Bass Lake in the Seashore? How will the Seashore establish visitor carrying capacities to manage public use while concurrently protecting park resources? What enhanced visitor experiences will be prioritized as part of the GMP amendment process?

Conclusion

Thank you for this opportunity to present comments. EAC looks forward to actively participating in the GMPA process. EAC would like to see the GMPA protect, restore, and preserve park resources using ranch leases that ensure multi-generational, environmentally sustainable ranching that is complementary to the natural resources and visitor experiences within the park. Specifically, impacts to water quality, erosion, native plant and species must have the highest priority to ensure that park management achieves the greatest possible level of natural resource protection.

Sincerely,



Morgan Patton
Executive Director

⁸ USDA Forest Service, Deschutes National Forest, *Livestock in the Forests – Weed Free Feed is Required*. <https://www.fs.usda.gov/detail/deschutes/learning/nature-science/?cid=stelprdb5300707>. Accessed November 18, 2017.