



United States Department of the Interior



NATIONAL PARK SERVICE
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Department of the Interior Region 10

IN REPLY REFER TO:

L7617

March 4, 2022

John Ainsworth, Executive Director
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105

CD-0006-20 – National Park Service, Point Reyes National Seashore - Update and Request for Extension of Time for Presentation of Water Quality Strategy for Commission Review

Dear Mr. Ainsworth:

This letter is to update you on the status of the *General Management Plan Amendment for Point Reyes National Seashore and the North District of Golden Gate National Recreation Area* (GMPA), the water quality strategy and related matters, and to request a new hearing date.

On April 22, 2021, the California Coastal Commission (Commission) voted to conditionally concur with the Consistency Determination submitted by the National Park Service (NPS) for the GMPA. The conditions adopted by the Commission and agreed to by the NPS are set out in the Commission's letter of May 10, 2021.

Update on GMPA

Following the April 2021 Commission meeting, the NPS developed a modified preferred alternative and issued a Record of Decision (ROD) on the GMPA on September 13, 2021. Many of the modifications to the preferred alternative address concerns raised during the Commission meeting. These changes were presented to the Commission in the Executive Director's October 2021 report. Changes related to more robust requirements for ranch operations and additional restrictions on diversification activities will increase the certainty of water quality protections and reduce environmental impacts from dairy operations and forage production. The modified preferred alternative also made improvements to the management of free-ranging elk herds (see below). These changes are responsive to public concerns and conform to the Biological Opinions issued by federal wildlife agencies.

Since the release of the ROD, the NPS has met with ranchers to begin identifying operational and infrastructure needs to further improve resource conditions. While the NPS has made progress toward implementation of the GMPA, the fact that the ROD was not issued until late

September and the recent filing of a lawsuit over the GMPA have delayed our timeline for issuing leases under the GMPA. As a result, the NPS will not be issuing any long-term leases under the GMPA at this time and will instead issue short-term (1 or 2 year) lease extensions to ranchers. In order to achieve some of the environmental benefits of the ROD's modified preferred alternative, the NPS intends to include some operational changes in the short-term leases including:

- discontinuation of previously permitted diversification activities not identified in the GMPA ROD (e.g. no chickens without separate permit request and compliance review),
- managed closure of silage on approximately 800 acres,
- cessation of grazing on Allotment 4 (approximately 580 acres),
- conversion of Allotment 19 to seasonal grazing only,
- closure of McClure Dairy operation at I Ranch.

Revised Hearing Date

The condition related to the development of a Water Quality Strategy included a schedule for presenting the first-year version of the strategy to the Commission. During the April 2021 hearing, the parties anticipated that an appropriate time to hold a Commission hearing on the first-year version of the strategy was in April 2022 because the NPS contemplated issuing long-term leases under the GMPA on or before July 2022. This was reflected in the Commission's May 10th letter which stated "[S]ubmission of the first-year version of the strategy will be prior to NPS approval of any leases under the GMPA."

The NPS formally requests an extension of time for our presentation on the Water Quality Strategy (and Climate Action Strategy) to the Commission. An extension is appropriate because the issuance of long-term leases under the GMPA has been delayed for at least one year. Moreover, the NPS is not in a position to answer questions from the Commission on matters that are now the subject of federal court litigation. The NPS will work with Commission staff to schedule a new date for formal presentation to the Commissioners. The NPS will not issue any long-term leases under the GMPA before the Water Quality and Climate Action Strategies are presented to the Commission.

Despite the delay related to long-term leases, the NPS has been working diligently on the Water Quality and Climate Action Strategies and is able to provide the following status update to the Commission.

Water Quality Strategy

The Water Quality Strategy will include two primary components, (1) a water quality monitoring program with future iterations identifying more operation specific infrastructure planning and (2) implementation actions. The NPS is currently drafting the proposed monitoring component of the Water Quality Strategy. The NPS has looked to existing neighboring water quality monitoring programs to develop the approach for this monitoring effort. The NPS currently maintains a number of sites within the Tomales Bay watershed that are monitored and reported through San Francisco Bay Regional Water Quality Control Board Tomales Bay watershed program, using peer-reviewed field sampling, QA/QC, data handling and data management

protocols developed by the NPS San Francisco Bay Area Network Inventory and Monitoring Network (NPS 2006 – available online <https://irma.nps.gov/DataStore/DownloadFile/581124>). The NPS intends to expand this sampling regime to include the coastal sites that were sampled between 2000 and 2013 and reported on in the GMPA and other publications. The NPS believes that this approach will be complementary to existing coordinated efforts within the area and that the data will inform ongoing management of these coastal areas.

Monthly water quality monitoring at a subset of long-term coastal watershed stations was reinitiated this winter as a pilot effort to rebuild our capacity to stand up a program in line with the draft Water Quality Strategy. This pilot effort has also allowed the NPS to establish new lab agreements for these expanded efforts, procure additional equipment, and train new field staff. The NPS has introduced this approach to Commission and Regional Board staff and intends to coordinate review of the monitoring strategy with agency staff in the coming months.

Additionally, the NPS is coordinating with partners to continue participating in Marin County's Ocean and Bay Water Quality Testing Program. Sampling outside the seasonal April to October sampling window is ongoing. Two stations in the planning area (Drakes Beach and Drakes Estero) were maintained by partners during the past few years, and the NPS is now coordinating to support these efforts. The NPS may also consider additional marine sites for this program.

Ranch Infrastructure and Utilities Conditions

NPS staff conducted initial meetings with individual ranch operators in the fall of 2021 to set the framework for development of new leases under the GMPA. These first meetings were a review of current operations and infrastructure and included a discussion of the lease and appraisal development process under the GMPA.

The NPS has also been coordinating with other agencies to evaluate the condition of ranch utility systems and operations. In February 2022, the San Francisco Bay Regional Water Quality Control Board conducted inspections of all dairy operation in coordination with NPS. The NPS has also coordinated with the County of Marin to evaluate septic systems within some of the historic ranch core areas. These inspections will aid in identifying any short and long-term infrastructure improvements and management changes to those operations that will further protect water quality.

Climate Action Strategy

The actions during the past year that have directly reduced air quality emissions under the GMPA result from modifications to the preferred alternative adopted in the September 2021 ROD. The ROD included the removal of 691 dairy animals (resulting from the closure of McClure Dairy in May 2021), and the removal of 9,000 chickens. Appendix C of the ROD identified that these two actions would result in a 24-27% reduction in NH₃, a 15-17% reduction in VOC, a 16% reduction in CO₂e, and a 17% reduction in PM_{2.5} from the analysis presented in the Final EIS for alternative B. Any further reductions in authorized dairy animals would result in further reduction.

Infrastructure and utility condition assessments developed to inform future leases under the GMPA would also include identification of systems meant to address potential air quality emissions. While there are proven technologies for large scale operations, local organizations are working to develop affordable and effective systems that may be appropriate for the scale of the dairy operations in the GMPA planning area. The NPS anticipates that there would be partnership opportunities for ranch operators to pursue these technologies and would pursue such opportunities with implementation of new leases under the GMPA.

Other Matters

Although not adopted as a condition in the Commission's concurrence letter, the NPS agreed to provide the Commission with an annual report on three other topics. The following constitutes the annual report on these topics.

Status of Free Ranging Tule Elk Herds in the GMPA Planning Area

In the ROD, the NPS identified a management threshold for the Drakes Beach herd at 140 animals (revised from 120 animals as presented in the Consistency Determination Hearing). The NPS has completed the 2021 population census for the Drakes Beach herd. The census indicates that the Drakes Beach herd consists of 151 animals.

The ROD incorporated the terms of August 2021 government-to-government partnership agreement (General Agreement) between the NPS and the Federated Indians of Graton Rancheria (FIGR). Under the General Agreement, the NPS will coordinate elk management efforts in the Seashore with FIGR. The ROD also indicated that the NPS would consult with the California Department of Fish and Wildlife on the management of the Drakes Beach herd. The NPS is currently engaged in government-to-government consultation (confidential) with FIGR under the General Agreement regarding the implementation of management actions for the Drakes Beach herd. At this time, the NPS does not intend to initiate reduction of the Drakes Beach herd to a population threshold of 140 individuals.

Management of Tule Elk in the GMPA Planning Area

As identified, the NPS has not taken any management actions with respect to tule elk in the GMPA Planning Area.

Drought Response

Point Reyes National Seashore and Marin County were under extreme drought from 2020 and through much of 2021. On May 17, 2021, the Marin County Board of Supervisors declared a drought emergency, and on July 8, 2021, the State of California made a similar declaration for Marin County. The drought rating of Exceptional (D4) persisted for much of 2021 in Marin County.

The NPS's drought management efforts have focused on maintaining resource conditions related to residual dry matter and on other concerns such as water use. This heightened

drought response strategy continues into 2022. Since the Commission hearing, the NPS required ranch operators to identify actions to address drought conditions. Most ranchers decreased their herd size by approximately 20% to address the drought impacts to grazing operations and forage production. Other infrastructure improvements to support drought resilience included improving livestock water supply on two allotments and increasing storage capacity at one allotment. Riparian restoration efforts, including the planting of native species, occurred at two allotments. The NPS also supported continued annual management of high priority invasive species to protect resources and maintain ecological integrity of grasslands. In 2021, invasive species management efforts were conducted on seven ranch allotments.

Annual Residual Dry Matter (RDM) monitoring was conducted in the fall of 2021. The NPS assessed conditions on 43 long-term transects and visually mapped conditions on more than 18,000 acres of ranch lands. Despite the extreme drought conditions, 65% of transects (28 out of 43) and nearly 78% of visually mapped ranch areas (14,085 of 18,169 acres) maintained RDM at or above the park's 1,200 pound per acre standard. These results were far better than the RDM monitoring results observed during the drought of 2014-16 and reflect the heightened awareness and proactive response by the NPS and park ranchers to the current drought. The NPS continues to monitor conditions in 2022 and has requested ranchers to identify additional measures they will take this year should drought conditions worsen.

The NPS looks forward to coordinating with staff on the development of the monitoring component of the Water Quality Strategy. Additionally, the NPS will keep Commission staff apprised of the ongoing litigation and how that may continue to affect any potential actions by the NPS under the GMPA.

Sincerely,

Craig Kenkel
Superintendent

Cc:
Dr. Kate Huckelbridge, Deputy Director and Tribal Liaison
Cassidy Teufel, Federal Consistency Coordinator