



United States Department of the Interior



NATIONAL PARK SERVICE
Point Reyes National Seashore
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Point Reyes Station, CA 94956
Department of the Interior Region 10

IN REPLY REFER TO:

L7617

September 2, 2022

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

Subject: Agenda Item 10b. CD-0006-20, Consideration of Water Quality Strategy developed by National Park Service as specified in Conditions I and IV of the Commission's conditional concurrence.

Dear Mr. Ainsworth:

The National Park Service (NPS) submits this letter as follow up to our submittal of the Water Quality Strategy for the Management of Ranching Operations (Strategy) and the August 19, 2022 staff report on the review and consideration of the Water Quality Strategy scheduled for hearing by the California Coastal Commission (Commission) on September 8, 2022.

The revised Strategy is strongly informed by the feedback from the Commission and Commission staff, as well as through our ongoing coordination with staff from the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) and Marin County Environmental Health Services (Marin EHS). The Strategy uses an iterative approach to identify and address management issues using focused inspection, assessment monitoring and long-term water quality monitoring.

The Strategy incorporates ongoing actions that are being taken to address priority issues now, not as a condition of a future permit. The NPS has already taken the steps to implement inspection and repair of infrastructure, including septic systems and to begin addressing larger scale dairy systems within the Seashore. We have implemented many elements of the program over the past year and identified timelines for implementation of the remaining programs (e.g. Assessment Monitoring) that will begin this winter. As indicated in the Strategy, the NPS has taken actions to require reduced stocking rates in response to drought conditions and require mothballing, maintenance and/or replacement of septic systems under current permits. The NPS is finalizing the process of issuing 2-year interim leases which are aligned maintenance and reporting actions identified through our Section 7 Consultation with US Fish and Wildlife and National Marine Fisheries Service, and initiate changes identified in the ROD, and discussed previously with the Commission.

As part of the water quality monitoring program, the NPS incorporated additional parameters and added monitoring triggers that will be used to initiate follow up and more focused assessments through the Assessment Monitoring Program. Collectively the monitoring programs will inform priority for implementation of Management Activities while maintaining a long-term dataset to document response over time.

NPS appreciates the diligent review and consideration by staff on this item, including their outreach to other agencies the NPS has been coordinating with on these matters. The NPS has reviewed the Staff Findings and Recommendations and by this letter would like to address some of the items raised in the staff report.

Annual Updates to the Strategy and Timeline:

Specific to Element 5 discussed in the Staff Report, the NPS is committed to updating the Strategy and Timeline on an annual basis based on assessment and monitoring information. Updates to the Strategy would be communicated through ongoing coordination with Commission staff as well as through the Annual Report. As discussed in the Strategy, the approach is iterative, and will continue to be updated based on a range of information inputs, including but certainly not limited to inspections and monitoring results. The basis of the Strategy is that it will be adapted based on information; as Management Activities are implemented, assessment and monitoring will be used to identify new priorities. Annual adaptation and updates are a tenant of this Strategy as it has been developed and articulated and the NPS is committed to update the Strategy and working timelines annually as part of the Annual Report.

Commitment to Implement the Monitoring Program:

The staff discussion on Element 8 reviews the discussion for a revenue generation plan as part of the Strategy. The NPS can affirm that it is committed to funding the NPS staffing and analysis by water quality labs to implement the inspection, monitoring and reporting conditions as established through the Strategy. The Seashore received additional operational funding beginning in 2021 that is and will continue to support programs such as these. As indicated, the NPS has already initiated elements of the long-term monitoring program and will initiate the Assessment Monitoring Program this winter. The NPS will maintain these programs consistent with the Strategy.

The Record of Decision (ROD) for the General Management Plan Amendment (GMPA) and the Strategy are clear that ranch operators are responsible for the implementation of the Management Activities identified through the Strategy. The GMPA identifies that the NPS and each operator would identify and annually review operations through the Ranch Operating Agreement (ROA). Management Activities identified through the Strategy would be incorporated into the ROAs and would include implementation timelines based on the funding approach for each operation. The timelines for implementation would be established in coordination with operators and informed by available grant resources through Natural Resources Conservation Service and others, but ultimately the responsibility of implementation is assigned to the operator through the lease. As indicated in our communication to the Commission staff, the responsibilities for the actions identified in Objective 1 this year, namely maintenance, repair or replacement of septic systems, or requirements identified through the Regional Water Board Confined Animal Operation Inspection Reports, are the obligation of the ranch operator. While the responsibilities may not have been clear in the past, the ROD clearly establishes the operators as responsible for meeting conditions of the permits. The NPS will work with operators to understand funding constraints and timelines; however the ultimate obligation rests with the operator.

The NPS also plans to obtain new appraisals for operations before issuing long term agreements. It is anticipated that these appraisals will provide additional funding for ranch oversight, water quality monitoring, range management, and other ranch related needs. The appraisals will be informed by the conditions set out in the ROA.

Ongoing Coordination and Implementation of Recreational Beach Monitoring:

Element 6 of the Staff Report identifies that the ongoing coordination of the Recreational Beach Monitoring Program with the Environmental Action Committee of West Marin (EAC) raises questions about the long-term sustainability of this monitoring program. The NPS has appreciated the coordination with EAC and their funding of the water quality sampling in 2020 and 2021. The NPS took on the water quality monitoring costs beginning in November 2021 and has continued to partner with EAC on the sample collection and lab delivery as part of the Recreational Beach Monitoring Program. The NPS understands that priorities of EAC may change and commits to maintaining the program either in partnership with EAC or independently.

Incorporating Long-term Data into Annual Reporting:

Element 7 of the Staff Report suggests the Strategy may not incorporate all previous years of water quality data into the Annual Report. Element 3 of the Strategy intended to articulate how the data would be used for analysis, but the NPS can and will incorporate previous years' data into the annual report. As an example, the fecal indicator bacteria results through August 2022 for Monitoring Programs 2 and 4 were presented in Attachment 1 to the Strategy. Monitoring Programs 2, 4, 5 and 6 are collected on a regular basis as identified in the Strategy and in a manner that may be incorporated into a comprehensive analysis. Data collected from Assessment Monitoring (Monitoring Program 1) and Dairy Regulatory Monitoring (Monitoring Program 3) are collected on a more intermittent basis and for a different purpose (e.g. to help identify site specific source areas) and would be presented in the context of previous data from that specific station.

As identified, the tenants of the Strategy are to be adaptive and to inform management so that priority items are addressed. The NPS has reviewed the Staff Report and has identified our commitment to resolve the items raised in the findings to further address the Commission conditions. We have initiated many elements and will continue to coordinate with Commission, Regional Water Board and EHS as appropriate through implementation of the Strategy.

The NPS appreciates the Commission staff review and coordination throughout this process and looks forward to presenting the Strategy to the Commission on September 8, 2022.

Sincerely,

Acting for

Craig Kenkel
Superintendent