

Point Reyes Seashore Ranchers Association
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Inverness, CA 94937

Hand delivered

June 2, 2014

Cicely A. Muldoon, Superintendent
Point Reyes National Seashore
One Bear Valley Road
Point Reyes Station, CA 94956

Re: Ranch Comprehensive Management Plan Environmental Assessment (EA)

Dear Superintendent Muldoon,

The Point Reyes Seashore Ranchers Association (PRSRA) appreciates the opportunity to comment on the Ranch Comprehensive Management Plan (CMP) during the current public scoping period.

I. INTRODUCTION

Ranching and farming families have been the stewards of the beautiful lands and waters of the Point Reyes peninsula and surrounding rangelands for many generations. It has been widely recognized that because of the careful management by these families, these cultural and natural resources were preserved. As ranchers know well, we must take very good care of the land we love so that it will remain productive for future generations. In the 1950s and 1960s, Congress recognized that this land and water preserved by these enduring, committed families should be protected into the future---not protected from the long standing land stewards and their historic businesses, but protected from new development. Congress created the Point Reyes National Seashore (PRNS or seashore) to protect not only the natural resources, but also the agriculture, mariculture and fisheries that had shaped the landscapes for the previous century. The relationship to the land of the historic families who had been caring for the land for previous generations was also to be protected.

The members of the PRSRA provide a number of important environmental, educational and economic benefits to the area. Ranchers have had most of the agricultural land within the seashore certified organic. Ranchers work closely with the Marin County Resource Conservation District (MRCDD) and the Natural Resources Conservation Service (NRCS) to adopt new conservation practices and implement on the ground projects to protect and improve natural resources. Most of these beneficial projects come by choice, and at the financial expense of the historic rancher or farmer. PRSRA members provide exceptional educational opportunities. Members of PRSRA partner with other organizations and agencies to help inform the public about the benefits of family farming. One PRSRA member, the Drakes Bay

Oyster Farm, provides on-farm educational opportunities for schools, organizations and roughly 50,000 members of the visiting public annually. PRSRA members produce over 20% of Marin County's agricultural products, generally, and more than half of Marin County's oysters, specifically. The land in the Olema Valley and Point Reyes Historic Ranch Districts constitutes approximately 25% of the land available for agriculture in Marin County today. The ranchers within the project area provide a significant number of jobs as well as affordable housing for their employees. The milk, beef and other farm products flowing into our local region provide more economic opportunities for the region through distribution, retail and restaurants featuring local farm products.

Over the past 50 years, since the creation of PRNS, National Park Service (NPS) managers and staff have continually come and gone. Each time new NPS staff arrive at PRNS to regulate the ranching and farming activities, the seashore ranchers provide the necessary education and background for them to begin to understand the historic operations. Only on very rare occasions have we ranchers seen any NPS staff with any background or education in agriculture – and we have seen hundreds of NPS officials and employees pass through PRNS. For longer than anyone at the NPS, the seashore ranchers have known the seashore's history, and have known and cared for both the natural resources and the local community and the people in the county we serve. The current staff at PRNS, together with the contractors they have hired and the experts with whom the PRNS will consult with during this EA should listen carefully and give special importance to the comments by the most experienced PRNS land managers, the Point Reyes Seashore Ranchers.

PRSRA represents and supports all ranchers and farmers in the project area. This scoping letter has been written by the historic ranchers with collaborative conservation in mind. PRSRA has taken this EA very seriously. PRSRA has had several membership meetings over the past month to work on our scoping comments. This letter reflects hundreds of suggestions and edits from the affected ranchers. Almost every rancher was engaged in the development of these scoping comments and almost every rancher has signed this letter. This letter also incorporates facts and information from PRSRA consultants, including lawyers, historians, NEPA experts, scientists and other resource management agencies. The purpose of PRSRA is to work with PRNS to achieve a relationship that protects both the ranchers' livelihoods as well as the natural resources. PRSRA believes these goals are not mutually exclusive, but, in the case of the project area, both are required to achieve either goal.

Many of the Special Use Permits (SUP) traditionally issued to the historic ranchers and farmers within the seashore have expired and have not been renewed. PRSRA does not concur with NPS that issuing 20-year permits as directed by the Secretary of the Interior would require an EA pursuant to the National Environmental Policy Act (NEPA). Furthermore, PRSRA does not agree that a new EA is required to allow PRNS to employ the tools already authorized in a previous EA and management plan to remove the elk from the ranchlands. Nevertheless, because PRNS decided that an EA would be undertaken, PRSRA will participate in the NEPA process as the most experienced and most affected stakeholder.

PRNS is a unit of the national park system and PRNS is a "National Seashore", not a "National Park." PRSRA asks that all EA documents, publications and communications be corrected.

Currently, there are many references to “park” or “park resources.” These should be changed to “seashore” or “seashore resources.” This error, if not corrected, could cause the public and consultants to apply the wrong standards to this environmental review.

PRSRA is the voice of the ranchers in the seashore. The undersigned members of PRSRA ask that during this Ranch CMP EA and into the future after this process is complete, PRNS and its contractors communicate with the ranchers through PRSRA on any regional issue – any issue that is not absolutely specific to one ranch. PRSRA as a group is conversant in most, if not all issues affecting multiple ranchers whereas individual ranchers may not be.

II. THE PURPOSE AND NEED AND OBJECTIVES SHOULD BE MODIFIED

a. Purpose & Need

A need for action should be limited to new activities, with new federal action required, with the potential for effects on the human environment. The NPS clearly states that this EA is to “Identify collaborative management opportunities that promote protection of Shafter era ranching.” In order to properly state this clearly, one of the needs that should be amended now reads: “To provide clear guidance and streamline processes for park and regulatory review of proposed ranching activities, including best management practices that promote protection of park resources.” PRSRA suggests that this need should be re-stated as: “To provide clear guidance and streamline processes for PRNS and regulatory review of proposed *new* ranching activities consistent with Shafter era ranching and farming activities, including best management practices that promote the addition of culturally appropriate agricultural practices and promote protection of seashore resources.” (See PRSRA legal analysis, attachments A and B)

b. Plan Objectives

The plan objective: “Clarify NPS expectations and rancher commitments to ensure consistency of agricultural lease/permits” should be amended. PRSRA believes a more collaborative approach to ensure consistency would improve this objective. PRSRA suggests changing this objective to: “Clarify NPS and Ranchers’ expectations and commitments to ensure consistency of agricultural lease/permits.”

The plan objective: “Identify and evaluate activities that provide operational flexibility to support long-term dairy and beef cattle operations in a manner consistent with the protection of park resources” should be amended. This narrow view of only providing operational flexibility to a dairy and beef ranching monoculture misses the true objective of supporting, encouraging and celebrating the truly diversified and dynamic Shafter era agriculture. PRSRA suggests that this objective should be re-written as: “Identify and evaluate activities that provide operational flexibility to support the dairy and beef cattle operations as well as the diversified agricultural activities that were present during the Shafter era in a manner consistent with the protection of seashore resources and World Heritage Site management principles that recognize ‘continuing landscapes.’”

NEPA requires an agency to review the effects of its federal action on the whole human environment, not just the effects its action may have on the natural environment. The viability of the ranchers is part of the human environment that this CMP must consider. PRSRA suggests another plan objective: “To create a plan that will allow current practices to continue, allow for long term leases/permits, allow for the addition of new practices consistent with Shafter era agriculture and to ensure ranchers’ financial viability in a manner consistent with the protection of seashore resources.”

Certain seashore ranch lands have recently been taken out of agricultural production, completely changing the land use and its intensity of use, without any environmental review or public process. In some cases, historic families have been displaced. PRSRA asks that one more plan objective be added: “Restore agricultural activities in the Olema Valley and Point Reyes Historic Ranch Districts where they historically existed and are not otherwise prohibited by law or are no longer agriculturally viable in areas where grasslands were replaced by dense brush or forest long ago.” This EA should consider the benefits of having PRSRA members---familiar with these rangelands---involved in the decision-making about which areas are agriculturally viable and which are not.

III. THE APPROPRIATE ENVIRONMENTAL BASELINE

Ranching and farming activities have been present in the subject area for at least 150 years. During the cultural period focused upon in this assessment, the Shafter era, an extremely diversified agricultural network existed. During this period there were thousands of acres in crop production, a myriad of livestock species being raised, oysters being harvested, processing facilities for milk, cheese, butter, meat and crops and spring forages were being harvested and stored for winter livestock feeding.

The current baseline looks very similar to what has existed for 150 years, with a few exceptions. Today most of those activities are permitted by PRNS on some ranches, but not all. If an activity is currently allowed, it should be part of the current environmental baseline. For example, the current baseline includes dairy and beef operations, storage of on-farm harvested forage for livestock feeding, small scale row crops, poultry raising, oyster farming, bed and breakfast operations, on-farm sales of products raised in the seashore, horse boarding and on-farm tours and interpretation. Allowing all ranchers the same authorizations to undertake activities that PRNS already allows for some ranchers should not require an EA. Only new activities, not a part of the current baseline, should be the subject of this EA.

Tule elk were extirpated from the subject area by the 1860s. Tule elk were not present during the Shafter era. Tule elk were not present when Congress entrusted the NPS to protect the seashore, the ranches and farms and the people on the ranches and farms. Only a few years ago, NPS decided to re-introduce tule elk to the 18,000 acre designated elk range located entirely within the Limantour wilderness area. By this time (1998), it was well known that introduced tule elk in an area without predators could become highly invasive. The current elk management plan reassured seashore ranchers at the time that the ranch lands would be protected because the plan stated that the elk would not negatively affect any other permitted use (long-standing ranch SUPs) and the plan included tools to manage elk overpopulation,

including contraception, relocation and culling. For some years, PRNS interpreted the plan just as the ranchers interpret it and kept the elk off of the ranch lands.¹ The Seashore's 2001 "*Year in Review*" (attachment D) acknowledged the need to "carefully monitor" to keep the elk outside the pastoral zone, to prevent their interfering with the cattle ranches and to ensure that the elk "are not shedding the organism that causes Johne's disease." Nevertheless, beginning in about 2002, the park stopped actively managing the elk. Efforts to keep the elk out of the pastoral zone ceased. Under these circumstances, the development of a herd of tule elk in the pastoral zone must be recognized as a temporary condition and not taken into account in establishing the baseline for environmental review of a ranch management plan.

For 150 years there were no tule elk damaging ranchers' rangelands and livelihoods. Assurances were given that there would be no conflicts. The new change in PRNS management of the invasive species PRNS reintroduced has led to the recent elk devastation resulting in the current elk emergency. Elk and cattle cannot coexist as was implicitly recognized in the current plan by its provision of tools and assurances. Elk do not belong in the pastoral zone and their current existence should be temporary. A recent lack of management should not change the true and honest environmental baseline.

The environmental baseline for this EA should include all of the ranching, farming, interpretive, visitor serving and retail activities that exist today, without tule elk.

IV. IMPACT TOPICS THAT SHOULD BE ADDRESSED BY THIS EA

It is crucial that the EA provide an objective, fair and thorough analysis of the positive effects of the agricultural operations situated within the project area. These ranches and farms not only preserve for the public the cultural heritage of the working landscapes of the project area, they do much more. This EA must evaluate the ecosystem services provided by the grazing livestock as well as the environmental, educational, economic and scientific contributions made by these historic family farms.

1) Ranch Operations / Activities

a) Review of permit structure

- i) Historically and currently, PRNS has issued SUPs to ranch operators for terms from five to twenty years. The November, 2012 memorandum from the Secretary of the Interior directed the NPS to consider offering 20 year leases/permits to all ranchers. As PRNS has already offered 20 year agreements to some ranchers without a formal NEPA process, PRSRA believes PRNS could similarly offer 20 year leases/permits to all ranchers without initiating the current EA. However, because PRNS included the review of permit structure as an issue to cover in this EA, PRSRA will provide some guidance for the process. This EA should fully evaluate the concept of a 20 year "rolling renewal" agreement. In this type of agreement, at the end of each year the lease is automatically renewed for the length of the initial 20 year term, unless either the landowner or the farmer decides that the current term will be last term. In

¹ PRNS 2001 A year in Review

this way, the parties can continuously capture the benefits of a long term lease. The benefits include:

- (1) More commitment by the rancher to invest in infrastructure and repairs;
- (2) Improved public enjoyment of the seashore because ranches would more likely be maintained better;
- (3) More likely that banks will offer loans to the rancher;
- (4) More likely that ranchers will invest in long term rangeland improvements;
- (5) More likely that ranchers will invest in resource conservation projects;
- (6) More rancher eligibility for resource conservation project grants;
- (7) Reduced NPS staff time and paperwork;
- (8) Reduced rancher stress as permits near expiration;
- (9) Facilitated meeting of project objectives into the future;
- (10) Creation of more public trust that NPS actually does support the long term continuation of ranching and farming in the project area; and
- (11) Increased security and incentive for the next generation ranchers within the project area to continue the family farming tradition.

This appears to be a perfect place and opportunity to utilize a rolling renewal agreement because the park has respected the relationship of the families with the land as part of the cultural landscape, and the leases/permits have never been put to public bid and have always been renewed with the historic families that pre-existed the seashore. A process that would allow the parties to meet every five years to review compliance with conditions, amendments and lease/permit payment rates should be evaluated to support the mutual benefit of a rolling renewal agreement. The NPS and the public would be protected from a failure to comply with permit requirements, just as they are protected today. Currently, the PRNS imposes a 30-day cancellation clause for any rancher not complying with lease/permit conditions, a form of landowner protection that could also be included in a new rolling renewal agreement. PRSRA recognizes the fact that the mutual benefits of a rolling renewal agreement far outweigh any imagined negatives.

Rolling renewal agreements have already been recognized by Congress as a valuable concept and tool to preserve agriculture. The Williamson Act is a perfect example of how a commitment to the long-term continuation of agriculture can be accomplished through rolling renewals.

This EA should evaluate the benefits of a creating and contracting with a third party non-profit with a board consisting of local agriculturalists, local range managers who regularly work with seashore ranchers, and agency representatives to manage the day-to-day administration of the range management plan as an NPS partner. Board members would be familiar with agricultural practices in the Marin and Sonoma foodsheds and with the culture, climate, soil and market conditions that impact the ranches in the seashore.

This model is consistent with NPS policies supporting local community involvement and with the UNESCO principles for World Heritage Site cultural landscapes. It is particularly appropriate for “working” or “continuing” landscapes, which are often part of larger communities. The Cuyahoga Valley Rural Initiative serves as

precedent.² In that instance, NPS entered into an agreement with a non-profit to manage all agricultural lands and leases within this unit. PRSRA believes that this model should be analyzed as a solution for the project area. The benefits could include:

- (1) Improved relationship and trust between parties;
 - (2) Day-to-day oversight provided by individuals with experience in dealing with local conditions in an agricultural community recognized nationally and internationally as a leader in sustainable and ecologically sound agricultural practices;
 - (3) More continuity, as members of the non-profit will likely have less turnover than PRNS staff;
 - (4) Community involvement with the future of food production in the project area; and
 - (5) Reinforced public commitment to continue viable agriculture in the project area in perpetuity.
- ii) Specifically, this EA should evaluate the alternative that the new long term leasing regulations could be modeled on Cuyahoga Valley National Park's "Countryside Initiative." Lessees would be supported in the continued adoption of farming practices considered to be ecologically sustainable, including organic and carbon-beneficial practices if requested by the rancher. In order to encourage a sustainable combination of agricultural land uses, a diversity of food and fiber crops could be allowed. With Cuyahoga as precedent, the NPS could lease the land directly to the ranchers and enter into a Cooperation Agreement for day-to-day ranch management by a nonprofit partner, whose board could include farm advisors and other Marin ranchers. In the case of Cuyahoga, the non-profit partner:
- (1) . . . provides technical information and guidance on sustainable agriculture, helps prioritize rehabilitation of farm properties, recruits and evaluates prospective farm lessees, and will evaluate and monitor each farm's annual operation plan.

- b) World Heritage Site Status. The Point Reyes and Olema Valley Historic Ranch Districts, located within Point Reyes National Seashore, are eligible for listing on the National Register of Historic Places. This EA should evaluate the nomination of these historic Ranch Districts for World Heritage Site status. PRSRA believes that NPS can nominate these ranch districts for World Heritage Site Status and that this status would further the plan objective of preserving ranching and farming in the project area in perpetuity. In the meantime, with Cuyahoga as precedent, NPS could and should manage the lands consistent with World Heritage Site principles for managing "continuing" cultural landscapes.

This EA should also consider the effects on the human environment by evaluating compensation, perhaps via rent reduction, for ecosystem services provided by ranchers. If a

² www.nps.gov/cuva/historyculture/the-countryside-initiative.htm

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rancher, with NPS approval, voluntarily goes above and beyond what is required by agreement for resource conservation, a monetary value can be attached to those services. The ranchers can be reimbursed through credits toward rent. This concept has been used by land managers in other situations. PRSRA believes that this concept could be useful to build collaboration between ranchers and PRNS to further the natural resource conservation and greenhouse gas (GHG) reduction goals of PRNS.

c) Operational Flexibility

i) Currently, PRNS has allowed operational flexibility unequally. PRSRA submits that conditions should be similar for all lease/permit holders. PRSRA believes that PRNS could allow for all what it has allowed for some without a NEPA process. However, because PRNS decided to initiate this CMP EA, PRSRA will provide comments to help inform and requests review by the process.

(1) Uniformity – all ranchers should be treated equally

- (a) Same conditions
- (b) Same duration
- (c) Same authorizations

(2) The following operational flexibility has been allowed for some ranchers without any NEPA process and should be allowed for all ranchers without a NEPA process.

(a) Harvest and storage of on-farm planted and volunteer forage for feeding livestock during times of the year when little forage is available on ranch rangelands. This normal farm practice of tilling, planting and fertilizing most likely occurred on every ranch during the Shafter era and still occurs as a permitted use on several seashore ranches. Traditionally and currently, harvested forage is stored on-farm as dry hay, silage and haylage. It is well known that in the project area most native coastal prairie grassland plant species have been replaced by non-native species, due to factors such as 150 years of active ranching, farming, planting of non-native annual and perennial pasture species, and accidental introduction of other non-native species brought in with livestock feed. Continuing the historic practice of storing feed will not likely result in a further loss of native plant species; rather, the opposite more likely could occur. Forage planting, on what has been determined as highly erodible soil, can be limited to no-till practices. There are many resource and economic benefits of allowing this historic practice to continue and it should be allowed on every ranch instead of only a few selective ranches. It is critical that the rancher or farmer be allowed to harvest forages when the plants are at the proper growth stage. Harvesting either too early or too late results in a dramatic loss in feed value. Restricting harvest timing would be a change to the environmental baseline and the adverse effects of such restrictions should be analyzed in this EA.

Harvesting and storage benefits include:

- (i) Represent the true cultural heritage of the Shafter era ranching through the present time;
- (ii) Are already permitted uses within the seashore;

- (iii) Can be used effectively as range management tools to reduce non-native, invasive plants;
- (iv) Have been shown to be effective management tools to control and reduce the highly invasive velvet grass (*hulcus lanadis*);
- (v) Reduce the carbon footprint of the project area by reducing the miles traveled by large trucks that would otherwise deliver purchased forage;
- (vi) Reduce feed costs for PRSRA member ranchers;
- (vii) Allow seashore ranchers and farmers to compete economically with farmers and ranchers outside of the project area;
- (viii) Improve seashore visitor experience by demonstrating an interesting, culturally appropriate and viable working landscape; and
- (ix) Improve seashore visitor experience by reducing large livestock feed truck traffic.

Forage produced on a farm or ranch is a farm product – just as are milk, beef, chicken, eggs, pork, oysters, artichokes, peas and beans. Forage is a very traditional crop. Historically, including within the working landscapes of the project area, ranchers and farmers produced feed crops and sold some of those crops to neighbors who needed the extra forage. PRNS has permitted such sales and off-farm use of forage crops in the same way it permits the sale of other farm products. The working landscape of the project area is a traditional food producing region. Allowing the ranchers and farmers to work together to best utilize and protect the resources is vital to the long term survival of the cultural resource PRNS is entrusted to protect. PRSRA suggests that the sale of any farm product, including forage, be allowed by PRNS for every rancher or farmer in the project area. Disallowing a rancher or farmer the ability to sell their farm products would be a burden not faced by agriculturists outside of the project area. An EA should not be required for this management strategy to be immediately implemented project area wide.

- (b) Range management practices known to be effective for improving forage quality and quantity should be allowed for all ranchers and farmers in the project area. For centuries, these coastal prairie grasslands have been carefully managed by humans interested in preserving the productivity of these rangelands. Careful management using tools including fire, mowing, grazing and planting rangeland forages have resulted in preserving the lush, productive and bio-diverse grasslands Congress meant to protect. PRNS contains perfect examples of how vital this rancher stewardship is. Where the NPS has allowed ranchers and farmers in the project area to do their jobs, using the above tools, the resource has been protected and is largely unchanged since the Shafter era and when Congress recognized the good stewardship of the Point Reyes ranchers. In essentially every place where NPS decided to end livestock grazing and evict the ranch families, the land stewardship ended. These locations without the ranchers' rangeland management have lost their historic grassland character. With the loss of livestock grazing, a change in both plant and animal species assemblages occurred. Where the NPS has chosen to end ranching and the rangeland

stewardship provided by the ranchers, the ungulate carrying capacity has largely decreased. The loss of forage due to the lack of land stewardship and lack of range management in these former ranch lands have now contributed to the tule elk crisis. Invasive brush and weeds have invaded these areas to a point that seashore visitors have largely lost access. PRSRA does not believe that the objective of Congress was to allow these fantastic, sweeping, well managed, accessible grasslands to be lost. PRNS allows some ranchers to use appropriate range management tools and is prohibiting others from using these scientifically proven tools. PRSRA suggests that PRNS treat ranchers and farmers equally and allow every rancher or farmer in the project area to do their jobs, preserving these precious landscapes using the best available range management tools - responsible tools used by land managers everywhere. Allowing ranchers to make range management decisions as they have for generations will help meet the objective stated by PRNS. An EA should not be required for this management strategy to be immediately implemented project area wide.

- (c) Farm product diversification is fast becoming a necessity for the survival of small family farms everywhere. PRNS, in recognition of this fact, has already allowed some ranchers to diversify. Currently permitted for some ranches are small scale row crop operations, chicken operations, farm tours and interpretation and farm stays (ranch bed and breakfast operations). Additionally, diversification helps to achieve the NPS objective of preserving the Shafter era ranching and farming. PRSRA believes that PRNS could, and should, without an EA, allow similar diversification opportunities for all interested ranchers and farmers in the project area so that all ranchers and farmers are treated equally.
- (d) Lodging and public education on seashore ranches and farms are already permitted activities on some ranches and farms. This use should be allowed on any seashore ranch or farm if an operator requests permission. PRSRA understands that environmental review was required when PRNS gave approvals to some, so none should be necessary to issue other approvals. The visiting public is extremely interested in learning about the historic farming and ranching operations and activities. Allowing visiting families to experience the farm through organized tours and to actually stay at the farm are important visitor serving activities. Currently, thousands of visitors are provided tours and educational opportunities yearly at the oyster farm buildings located within the pastoral zone in the project area. Here, the public can learn about the history of PRNS, the value of cooperative conservation where both food production and natural resource conservation coexist in harmony. Allowing more seashore ranchers the ability to offer these kinds of services would be a public benefit. It would also add to the viability of the ranch operation if other seashore ranching families were allowed to provide temporary lodging for individuals and families interested in an actual farm experience. PRSRA does not believe that all PRSRA members would be interested in obtaining permission to provide these

services, but does believe the option should be open to all interested, to create equality among lease/permit holders.

- (e) Best Management Practices (BMP) listed in the EA materials should not only be allowed by PRNS, they should be encouraged and perhaps incentivized by PRNS. All of these practices are implemented to improve environmental quality while preserving seashore ranchers' livelihoods. Added to the list of BMPs should be management intensive grazing (MIG) for those ranchers interested. MIG provides a multitude of rangeland, wetland and riparian zone benefits when planned and implemented properly. MIG is allowed on some seashore ranches and should be allowed for all interested ranchers in the project area. Another emerging, yet crucial BMP is managing the rangelands in a fashion proven to sequester carbon. By following standards set by the Marin Carbon Project (MCP), supported by peer-reviewed science, the project area rangelands could offset all GHG production emitted from PRNS. PRNS should encourage the seashore ranchers interested in employing these MCP practices. The results of following the MCP practices are:

- (i) Increased organic matter in the soil;
- (ii) Increased soil carbon as a result of increased photosynthesis;
- (iii) A reduction in atmospheric CO₂;
- (iv) Increased soil water holding capacity;
- (v) Improved water quality in storm water runoff;
- (vi) Reduced storm water runoff; and
- (vii) Improved forage production.

There is some potential for rangeland managers to be monetarily compensated for the carbon they sequester. PRNS should allow all credit and compensation to go to the seashore ranchers that have implemented this important BMP, should the opportunity arise in the future. PRNS should also consider compensating seashore ranchers, through rent reduction, for offsetting the PRNS carbon footprint. This ecosystem service provided by the seashore ranchers could allow PRNS to become the example of how a unit of the NPS can become carbon neutral, even carbon beneficial – an important part of a solution to climate change and ocean acidification. BMPs have recently languished at PRNS during an approval process instead of being quickly authorized. One of the stumbling blocks is the unnecessary requirement imposed by PRNS to repeat a NEPA analysis that had already been accomplished by another federal agency. There is only one NEPA. Most of the BMP proposals brought to the PRNS by a PRSRA member have been designed and analyzed by NRCS. NRCS is a federal agency that has significant, long term experience with the project area. NRCS is authorized and fully capable of completing appropriate and legally sufficient NEPA review. PRSRA suggests the new ranch CMP include a provision that PRNS will accept the NEPA review prepared by NRCS and the recommendations by NRCS on any BMP evaluated by NRCS. This agreement will result in:

- A more streamlined process;
- BMPs being implemented more quickly and more often;

- More natural resources protection;
 - More experienced individuals analyzing BMPs and making decisions;
 - More rancher willingness to initiate a less onerous process to do the right thing for the environment; and
 - Less taxpayer dollars wasted by avoiding unnecessary, duplicative review.
- (3) The following operational flexibility should be fully analyzed in the EA, as this historically and culturally appropriate flexibility will provide the necessary options for the ranching families in the project area to remain viable. Agriculture is a dynamic land use. Changes in markets, feed prices, consumer interest and new opportunities require flexibility in agricultural operations. PRSRA ranchers and farmers should be allowed the same flexibility as family farmers outside the project area so that seashore ranchers can remain competitive in the local agricultural marketplace. The flexibilities required to remain viable will not only meet the needs of the seashore ranchers, it will also contribute to the PRNS' stated objectives of preserving the Shafter era cultural landscape and improving visitor experience. PRSRA requests that the following operational flexibilities be fully analyzed in the EA.
- (a) Farm product diversification that was common during the Shafter era (and throughout time due to the dynamic nature of agriculture) is no longer occurring within the project area.
- (i) Diversified livestock species. During the Shafter era, multiple livestock species existed in the project area. Hogs, sheep, goats, chickens, and turkeys all had their place on the farm. PRSRA asks that this historic use be returned to the project area. Ranchers may choose to companion graze sheep with the cattle, others may choose to add pasture raised poultry – both good range management choices that will demonstrate the pastoral zone's cultural heritage while helping the economics of the ranches or farms. Other ranchers may choose to raise row crops for market and hogs to eat the spoiled vegetables while producing local food and reducing our carbon footprint. PRSRA suggests that PRNS allow seashore ranchers to diversify into additional livestock species. As the grassland resource is best suited for cattle, and a significant population of coyotes exists, it would be expected that the percentage of other livestock used on the ranches would be low, yet important. Ranchers and farmers should be allowed to choose what livestock or poultry species, within the limits of the Shafter era to current, they raise on their farms and ranches. PRNS has allowed ranching operations to change from dairy to beef. PRNS has also recently allowed ranchers to convert their beef operations to dairy operations where a dairy previously existed. PRSRA applauds this flexibility and expects that other ranchers will be allowed the same options and operational flexibility into the future.
- (ii) Diversified crop species. During the Shafter era, the ranches and farms were necessarily diversified to fit into a local food system. Many different crops were grown both for feeding the large staff on these diversified farms and ranches and for sale to the public. Thousands of

acres of the project area were under cultivation growing many different crop species. During the Shafter era and after, Point Reyes became the “artichoke capital” of California. Today, reminiscent of the Shafter era, vast fields that once grew artichokes still have the beds and furrows created by the farmers. Presently, thousands of crop acres in the project area produce only forage for cattle. Only a tiny portion of the project area remains in traditional row crop or traditional crop species field crop production. PRSRA ranchers know the history of their ranches or farms, know their soils, know their water availability, know what crops can be dry farmed and know where to find assistance in recovering small scale crop production within the project area. PRSRA suggests that this EA consider allowing seashore ranchers to diversify their family farms by adding small scale crop production, with a selection of crop species appropriate and within the limits of the Shafter era to current time. It is unlikely that all ranchers will choose to diversify into crop production, yet it is vitally important that the choice is available. To avoid the unlikely event that a rancher would like to plant too many acres, PRSRA suggests that row crop production be limited to no more than 15% of the total farm or ranch acreage. This allowance, with the 15% cap, will not only allow the seashore ranchers to remain competitive economically, it will contribute to the PRNS objective of preserving the Shafter era agriculture. It will also benefit the gateway communities surrounding the project area by allowing seashore ranchers to once again be a lively and important part of the local food system and more directly influence the local economy. Allowing the recovery to the Shafter era crop production will also help to meet the PRNS stated objective to reduce its overall carbon footprint.

- (iii) Grazing strategies need to be flexible. Much of the project area has been continuously grazed since livestock were introduced in the 1850s. Rangeland ecologists and scientists have discovered that other grazing systems can be more effective in preserving native plant species, preserving and sequestering carbon, reducing non-native invasive plant species, reducing impacts to wetlands and riparian areas, reducing internal parasite infestation and increasing forage production. PRSRA members have many resources available, including the Marin County Ag Commissioner, the NRCS, and the University of California Cooperative Extension office (UCCE) to help them choose and implement new grazing techniques that further the dual goals of resource conservation and increased ranch profitability. To implement grazing practices that would result in improved rangeland conservation often requires additional fencing and water sources so that livestock can be managed and rotated in a system that meets these resource and economic goals. PRNS has allowed some ranchers to improve water distribution systems and add fencing to achieve these goals. PRSRA suggests that PRNS allow all ranchers to use these appropriate tools and techniques to improve rangeland conservation and productivity. PRSRA believes that

the temporary impacts of placing pipelines, water troughs or fence posts are far outweighed by the improvements to the grassland and wetland ecology. Ranchers should be required to provide evidence that they have consulted with a certified rangeland ecologist to create a grazing plan with improvements to minimize impacts to special status species and special habitat. Ranchers should also be required to provide public access through any new fences that cross PRNS established trails. PRSRA believes that allowing all ranchers to implement these conservation practices when requested would further the PRNS objectives.

- (iv) Remove maximum stocking rates and stocking densities currently imposed on some, but not all, ranchers and farmers within the project area and use Residual Dry Matter (RDM) and other resource monitoring tools to ensure that ranchers are managing responsibly. There is no known basis for, or value in, limiting livestock numbers or animal unit months (AUM)³ on some of the ranches. There is also no justification given for the vastly different livestock and AUM restrictions between similar ranches or for the fact that some ranches have no maximum AUM use limits. Rangelands can be more properly managed by understanding the resource and setting resource management goals, including RDM. Stocking rates must be adjusted to compensate for annual weather variations, grazing regime adjustments, pasture improvements through good rangeland stewardship and climate change effects to achieve the targeted RDM. Stocking rate and stocking density restrictions are antithetical to collaborative, resource based rangeland management. Simply counting cows and alleging violations by any rancher exceeding an arbitrary number, even when excess forages exist, serves no purpose. Arbitrary cow limits fundamentally discourage good rangeland stewardship. If a rancher is restricted to a low number of AUMs that is easily achievable without exotic weed management, or soil carbon consideration, that rancher would have no incentive to improve the resource or help to sequester carbon. By removing limits on AUMs or actual maximum livestock headcounts, a rancher is incentivized to improve land stewardship because of the resultant increase in carrying capacity. Lifting these unequal, arbitrary and unnecessary conditions and shifting to a focus on resource condition and RDM will help to achieve the PRNS objectives. PRNS should allow the rancher with the experience on the land to decide how to manage the livestock density on the rangelands while meeting PRNS RDM and other resource goals. Larger carrying capacity is usually related to good pasture management. Ranchers should not be penalized for increasing carrying capacity by increasing the soil and forage health by charging more rent due to increased AUM usage. This, again, could discourage good stewardship. This EA should consider charging seashore ranchers, into the future, the

³ Animal Unit (AU) = 1 cow with calf. Animal Unit Month (AUM) = the amount of feed consumed by one animal unit in a one month period.

same total price for forage consumption that they are currently paying. This could serve two purposes: 1) all ranchers would be incentivized to improve the health of the rangeland resource because it will increase carry capacity for no extra fee to PRNS; and, 2) ranchers will more likely help PRNS to meet resource conservation objectives. This would also be a small way to reward good land stewards for the ecosystem services they and their grazing livestock provide the PRNS and the public.

(v) On farm borrow sites should be allowed for PRNS rancher rock needs.

Historically, seashore ranchers have utilized small on-farm rock resources to serve the needs of the rancher, including road maintenance and armoring high traffic livestock areas including gateways, water troughs and holding pens. The native Monterey shale present on some of the ranches is softer and less angular than typical purchased crushed rock, making it the perfect choice for livestock. A few years ago, PRNS decided to close these important local resources. This taking has caused ranchers to spend significant amounts of money to purchase rock and to have the rock trucked long distances to the seashore ranches. The purchased rock is generally hard, crushed rock with angles and sharp points risking injury to livestock hooves. PRSRA suggests that the EA consider allowing seashore ranchers to resume the historic use of at least one, two or three of the many sites that have recently been disallowed by PRNS. This NEPA process should consider the benefits of using on-farm resources in lieu of long distance trucking. PRSRA is willing to assure PRNS that the required reclamation plan is in place with the California Department of Conservation. This will give the guarantee to PRNS and the public that the small quarries will eventually be properly reclaimed with soil cover and appropriate vegetation. PRSRA suggests that the rock can be used only within the project area and could not be sold for any other purpose. This is an opportunity for PRNS to collaborate with the seashore ranchers to improve ranch conditions and profitability while furthering the PRNS' stated plan objectives. Restoring this historic activity would result in:

1. Improved ranch road maintenance resulting in less erosion and resource damage;
2. Reduced large truck traffic on the narrow PRNS roads;
3. Gateway communities appreciation of the elimination that the new rock truck traffic has caused by the ranch resource closure;
4. Increased visitor enjoyment by limiting truck traffic;
5. Demonstrated PRNS / PRSRA member collaborative management;
6. Reduced injury to, and thus more humane treatment of, livestock;
7. Reduced potential for introduction of exotic invasive weed seeds with rock delivered from outside the project area;
8. Better access for PRNS staff that continuously use ranch roads maintained by ranchers;
9. Improved rancher ability to meet the requirement in their current SUPs to maintain the ranch roads;

10. Reduced PRNS carbon footprint; and,
11. Increased viability of the seashore ranchers.
- (vi) Family succession plans should be included in PRNS' leases/permits. In recent years, PRNS evicted the Horick family, a multi-generational seashore ranching family, after the permit/leaseholder (Vivian Horick) was unexpectedly killed in an auto accident. Even though the ranch in question, the D Ranch, is located within the pastoral zone (a zone set aside by Congress to continue the traditional ranching at Point Reyes) PRNS has disallowed much of the ranch, and most of its buildings, to continue in agriculture. After evicting the Horicks, PRNS unilaterally decided to completely change the use---and the intensity of use---of a significant portion of this agricultural land without initiating a public process pursuant to NEPA. Instead of allowing ranching to continue on all of the D Ranch as decreed by Congress, and thus expected by the public, PRNS---without the agreement or participation of the public---allowed tule elk to proliferate on this ranch located within the pastoral zone. This significant federal action clearly had the potential for adverse impacts to the human environment and those impacts should have been studied before the action was taken. This federal action has resulted in a temporary loss of agricultural production on this historic ranch. PRSRA believes that if a succession plan was in place at the time of Vivian Horick's death, the same historic family would still be ranching on their historic family ranch that they built with their own hands in the late 1800s and the tule elk would not have invaded the D ranch and the surrounding ranches. The long term viability of the small family farms located in the project area depends on good succession planning. PRNS should require that every seashore farmer or rancher has a plan that describes who will succeed the current lease/permit holder. This would avoid problems that will invariably arise if a permit/leaseholder unexpectedly dies or if a current permit/leaseholder is evicted by PRNS. The required planning process should also include provisions for who may assume the agricultural permit/lease if a current ranching family decides it does not want to continue its family farming tradition. It is of critical importance to PRSRA that former ranches be returned to production and that no other ranches be arbitrarily or otherwise removed from agricultural production. A clear planning process can help to avoid future conflicts.

This is example of where a non-profit made up of local experts, managers and community members, as in Cuyahoga Valley, could recognize the value of the existing multi-generational families' experience and connection to the land in choosing who will be selected to operate the ranches within the working landscapes.

This EA should also analyze all the adverse effects that would result from a loss of even one ranch or farm within the project area, including:

1. Loss of public trust in NPS and PRNS;
 2. Damage to the regional agricultural infrastructure by reducing critical mass to support:
 - a. Processors of farm products
 - b. Distributors of farm products
 - c. Vendors of farm equipment and machinery
 - d. Consultants, and
 - e. Veterinarians; and
 3. A precedent for anti-agriculture groups and individuals to use to continue to attempt to remove agriculture from the project area.
- (vii) On-farm value added opportunities should be considered in this EA. In its printed materials PRNS has suggested for review, under Ranch Operations/Activities, “Diversification (small scale row crop, value added operations within existing structures, etc.”) PRSRA believes that this language is unnecessarily restrictive and should be broadened and rewritten. PRNS has recently authorized and permitted tens of thousands of square feet of new building space on seashore dairies. PRSRA applauds PRNS for allowing these important buildings to be constructed in the coastal zone as it has allowed those dairies to milk more cows, to reduce the water quality impacts caused by the dairy livestock, and to increase the profitability of the dairy. PRSRA questions why PRNS would want to limit value added facilities to only existing structures. In the region surrounding the project area, both the Marin Countywide plan and the local coastal plan allow for new structures to house value added facilities, because those jurisdictions understand the need to allow these sorts of activities to keep agriculture in Marin viable. The project area is in Marin and the seashore ranchers have the same needs as those outside the project area. The Shafter era agriculture within the project area was replete with almost every kind of on-farm processing. On the ranches and farms, there were vegetable packing facilities, butter churning facilities, cheese making facilities, slaughterhouses, butchering and packing facilities---all a part of a thriving, local food system---the kind of local food system that our nation is recognizing we ought to return to and embrace going forward (and a system that the European nations, and much of the world, have never lost sight of). The infrastructure to accommodate these kinds of activities no longer exists on many of the seashore ranches. This EA should not only consider allowing these sorts of uses within existing ranch structures, but also contemplate the effects of replacing buildings and infrastructure lost over time, or that have not previously existed. PRSRA does not expect all seashore ranchers will be interested in using an existing structure, or in building a new structure, to commence on-farm processing. However, for those ranchers that are interested, PRNS should give permission to do so. Allowing value added on-farm processing would:
1. Help to achieve the objective of preserving Shafter era agriculture;
 2. Improve the economics and profitability of seashore ranchers;

3. Allow interested seashore ranchers to become an important part of the local food system by moving away from a monoculture commodity based agricultural system and back a locally focused system;
4. Promote opportunities for young ranching family members to become excited about the farm and allow for a viable future;
5. Be consistent with PRNS policy to allow on-farm processing as it has always allowed the oyster farm to process, pack and ship oysters from its buildings located in the pastoral zone within the project area;
6. Allow all ranchers and farmers interested in on-farm processing to grow, process, pack and ship farm products (simply treating each permit/lease holder equally);
7. Improve the gateway community's access to wholesome, locally produced food;
8. Reduce the trend of small family farms ceasing operations due to the inability to compete with large operations on commodity priced products.

Additionally, seashore ranchers should be allowed to process local farm products from outside the project area. The seashore ranchers are part of a larger, local food system. The seashore boundary should not separate the seashore ranchers from the larger local agricultural community.

This EA must also evaluate the benefits of allowing not only the products grown on a particular ranch unit for on-farm processing but also for products produced on ranches and farms in the region. The benefits of allowing seashore farm product processing include;

1. Opportunities for collaboration between seashore ranchers;
2. More accurate representation of the Shafter era agriculture and agricultural product processing;
3. Reduction of the overall number of on-farm processing facilities; and,
4. Allowance for more expensive processing to be accomplished than a single seashore rancher could not justify on a one ranch basis.

(viii) On-farm retail sales should be allowed on all ranches and farms within the project area. PRNS has consistently, since the formation of PRNS, allowed on-farm sales at the oyster farm, located within the pastoral zone within the project area. To create uniformity and equality, other interested seashore ranchers should also be allowed to sell their products at the farm. This EA should assess the benefits of on-farm sales, including:

1. New visiting public opportunities to taste and take home the products of the PRNS regional, historic working landscapes;
2. New marketing opportunities for vegetables and value added products;
3. New educational opportunities for the visiting public and seashore ranching families to connect;
4. Improved economic opportunities for seashore ranchers; and,

5. Renewed opportunities for seashore ranching family members to become/stay involved in the family farm.

This authorization would be consistent with what is sold at the on-farm retail shop at the oyster farm. The oyster farm currently sells, and has recently sold, shellfish it grows on-farm as well as flowers grown at the M Ranch, salmon, halibut and crab landed at the historic fish dock near Chimney Rock, and certified organic beef, artichokes and other row crop vegetables grown on the G Ranch. Allowing retail outlets, or “farm stands” on ranches within the project area to sell more than what is simply grown on that specific farm or ranch will result in the following benefits:

1. Allow for collaboration between PRSRA members;
2. Reduce the number of on-farm sales locations;
3. Add variety to the farm stands, thereby improving visitor experience;
- and, 4. Provide consistency, uniformity and fairness to all seashore ranching and farming families with permits/leases.

Additionally, seashore ranchers should be allowed to sell local farm products from outside the project area. The seashore ranchers are part of a larger, local food system. The seashore boundary should not separate the seashore ranchers from the larger local agricultural community and local food system.

PRSRA fully supports equal treatment and expects that opportunities given to one permit/lease holder will be offered to all other lease/permit holders. PRSRA does not expect all seashore ranchers will be interested in initiating on-farm sales, but those interested should be given the permission. This EA must consider on-farm sales locations sited in temporary structures, permanent existing structures and new structures. Given the extreme weather conditions in most of the project area, a safe, indoor facility is most likely the most appropriate location.

- (ix) D Ranch conflict solution. PRNS evicted the Horick family in late 1999. The D Ranch remains an historic piece of the agricultural land located within the pastoral zone. PRSRA is unaware of a NEPA process undertaken at the time to consider the effects of changing its use - to remove agriculture from a significant portion of the D Ranch located within the congressionally designated pastoral zone specifically authorized for its continued agricultural use. Resuming the historic agricultural activities on the entire D Ranch is an important step in preserving this historic working landscape as a complete unit. Since PRNS ended the historic use of agriculture in the pastoral zone, apparently without the required public process or environmental review under NEPA, PRSRA presumes that resuming the designated, historic land use will also not trigger a NEPA review. PRSRA requests that PRNS issue permits for the building complex and the entirety of the

rangeland at the D Ranch. This would go a long way to reassure the public that PRNS is truly committed to preserving agriculture in the project area, rather than dismantling it.

(x) New worker housing and upgrading existing worker housing where necessary should be allowed and encouraged by PRNS. As agriculture changes, staffing levels need to change as well. For example, a rancher currently producing only beef may be interested in restoring some of the agricultural diversity that one occurred on the ranch – perhaps 15 acres of row crops. This recovery of the Shafter era agriculture would most certainly require that additional farm workers also return to the landscape. Over the decades, PRNS has allowed ranchers to add housing on the ranches and farms without initiating a NEPA process. Given this fact, an EA is probably not necessary to allow other interested ranchers and farmers to add housing. Nevertheless, PRSRA would like the new CMP to expressly authorize additional worker housing on the ranches if the rancher can demonstrate the need. All new housing could be limited to housing necessary for rancher family members and required farm workers. Benefits of new housing to meet the needs of the ranchers include:

1. Reduced traffic on seashore access roads;
2. Reduced GHG production from commute traffic;
3. Reduced danger to employees expected to commute during odd hours:
 - a. For example, an employee may need to arrive at 2:00AM to be at the ranch in time for milking. This condition could lead to more hazards, including hazards caused by, and injury to nocturnal wildlife on roadways;
4. Continued Shafter-era agriculture where ranch workers live and work on the ranch;
5. Increases affordable housing in West Marin county, rather than exacerbating the affordable-housing shortage;
6. Improved seashore ranchers and farmers competition with ranchers and farmers outside the seashore for skilled employees;
7. Reduced adverse effects to the rancher, the livestock and or the employee if an employee meets difficulty during commute and is late, or misses work; and
8. Improved living conditions and lifestyle of the ranch workers if they do not have to commute from long distances.

2) Management of Tule Elk on Ranchlands

PRSRA objects to the section entitled “Management of Tule Elk on Ranchlands” found in the materials describing the current ranch CMP EA. These materials were prepared by PRNS with the intent to educate the public of the elk “issue” and to encourage public comment. This PRNS description of the issue implies that PRNS has a plan objective of keeping tule elk on the ranchlands and managing them there. It appears as if PRNS is

soliciting public comments about managing elk *on* the ranchlands. PRSRA opposes this language and suggests that this sentence be changed to the more accurate and legally correct requirement to which PRNS must comply: “Update the 1998 Environmental Assessment and Elk Management Plan.” Unfortunately, damage has already been done by suggesting to the public, during this important comment period, that the new existence of the invasive tule elk on to the pastoral zone is a done deal. The PRNS, its contractors and its experts must consider the fact that the public was given this misleading statement prior to commenting.

In 1998, an environmental assessment, pursuant to NEPA, was undertaken by PRNS to consider alternatives about how to manage the overpopulated elk on Tomales Point that were known carriers of the dreaded Johne’s disease, a serious disease transmittable to cattle. One plan alternative that would have allowed the tule elk to roam on the ranchlands in the pastoral zone was rejected by the public.

The 1998 Elk Management includes a map that clearly describes, with a distinct line around the perimeter, the 18,000 acre designated elk range. The 1998 plan states that the PRNS would establish the free ranging elk herd “*within*” those 18,000 acres. This range intended for the elk does not include any ranch land and is fully located within the Limantour wilderness area. The current CMP EA materials include a similar map showing where the elk currently exist, but now excludes the designated elk range. This is misleading. The public may not know that the elk have been allowed to proliferate outside the limits of the designated elk range found in the current elk management plan. By failing to include the designated elk range in the map, the public has not been properly informed to provide meaningful comments on the EA. The PRNS, its contractors and its experts must consider the fact that the public was given this misleading map prior to commenting.

The 1998 Elk Management Plan recognizes the fact that introduced tule elk can become invasive and have the potential to adversely affect seashore resources, including cattle. The plan is clear that PRNS is to manage the elk so that they do not harm any other permitted use within the seashore. To manage the expected elk proliferation and to avoid harm to other permitted uses, the plan allows the PRNS and CDFW to use capture and relocation of wayward elk, contraception of elk, and even lethal culling. For the first several years following the 1998 public process and plan approval, PRNS utilized *all* of these approved tools to manage the elk and kept them off the pastoral zone. During these years there was no controversy because everyone interpreted the plan the same way. The contraception program appeared to be hugely successful (see Science & Conservation Center letter, Attachment C). When a rogue elk appeared on a ranch, the rancher called the seashore staff and the animal was tranquilized and brought back to the designated elk range. In at least one case, a repeat intruder was shot and killed by PRNS. The PRNS was quite clear, and understood their responsibility when they looked back at 2001 in the PRNS publication “*Point Reyes National Seashore 2001 Year in Review*” (attachment D) where PRNS stated “*Since their release, the new herd has been carefully monitored to ensure animals remain within Seashore boundaries, do not interfere with cattle ranches within the park and are not shedding the organism that causes Johne’s disease.*” (emphasis added) Unfortunately, and still without explanation, sometime around 2002, PRNS ceased management of the tule elk. Contraception ceased. Relocation ceased. Culling ceased. At the time tule elk management

ended, PRNS began to allow tule elk to proliferate in the pastoral zone and harm the ranchers---the very permitted use the plan set out to protect.

Since PRNS reversed its management of tule elk and allowed the elk to invade the pastoral zone, PRSRA members---as well as PRSRA itself---have made dozens of attempts to inform the seashore staff and management of the devastation caused by the tule elk. Additionally, both individual ranchers and the association have made repeated requests to have the elk managed per the elk management plan as PRNS did for the first few years following the public NEPA process and plan approval in 1998. The unauthorized elk herd on the pastoral zone is growing at a rate of 12% per year, a full doubling of population every 6 years. The damage caused by the elk invasion to the ranchers is now catastrophic. PRSRA considers this invasion now an emergency---a crisis that must be addressed immediately.

PRSRA strongly opposes the new PRNS efforts to enhance tule elk habitat within the pastoral zone. These PRNS efforts, including the creation of new water sources, are changing the use of an area within the pastoral zone, without the required public process necessary to make such dramatic changes. The PRNS has chosen to create an elk attractant within the pastoral zone meant to be used by the ranchers in the working landscapes, rather than improving the habitat in the designated elk range where the elk belong. This EA must not be used to validate improper management practices just because PRNS has unilaterally initiated those practices outside of, and in conflict with, the current elk management plan. This EA must fully evaluate the benefits of habitat enhancement within the elk range and the adverse effects to the project area if elk habitat enhancements continue within the ranch lands.

PRSRA strongly opposes the current elk hazing by PRNS. This EA should evaluate the adverse effects to the elk, the ranchers' fences, the ranchers' water systems, the ranchers' livestock and the continuous cost to the taxpayer to run elk in circles.

This EA must evaluate whether the PRNS has the authority to immediately resume the management of the tule elk, using the tools already authorized in a previous EA and current operative elk management plan. These are the same tools PRNS previously used pursuant to the current plan to ensure the elk "do not interfere with cattle ranches within the park and are not shedding the organism that causes Johne's disease" that can be transmitted from elk to cattle. If PRNS believes that it does not currently have the authority to remove the tule elk from the pastoral zone, the seashore superintendent can sign the proposed amendment⁴ and the problem could be immediately solved.

PRSRA believes that the only solution that will meet the objectives of this plan is to build a fence on the boundary between the subject area ranch land and the wilderness area that contains, in its entirety, the designated tule elk range. The free ranging elk could continue to thrive in the area where they were intended to be and the ranchers could get back to providing stewardship for the resources and food for the community. This EA should fully

⁴ Attachment B - addendum to management plan

consider the adverse effects of allowing the violation of the 1998 elk management plan to be validated by allowing any elk to remain on the pastoral zone, including:

- a) Ongoing harm to ranchers and their livelihoods;
- b) Ongoing risk of injury, disease or death to cattle;
- c) Ongoing risk of disease to tule elk from cattle;
- d) Increased taxpayer expense to manage elk within a ranching zone; and,
- e) Ongoing conflict with congressionally established permitted ranchers.

This EA must also recognize that the seashore ranchers are more endangered than the tule elk. The dairies within the project area represent some of the last remaining dairies in the ocean side dairy region of the north coast of California. In contrast, tule elk population in California is rapidly expanding, with over 4000 elk on 22 different sites.

3) Floodplains, Wetlands, Riparian Areas

PRsRA is unaware of any new ranching or farming activities requested within floodplains, wetlands or riparian areas. The ranching and farming activities that may be occurring within these areas have been part of the environmental baseline for around 150 years. PRsRA ranchers, in collaboration with NPS, NRCS, RCD and others have made many modifications over the years to reduce impacts to these important areas. PRsRA commits to continuing its partnership with agencies and organizations with the goal of reducing negative environmental impacts to floodplains, wetlands and riparian areas. Any existing (current environmental baseline) effects should be excluded from this process. NEPA requires a federal agency to evaluate only new effects that have the potential of altering the status quo.

4) Species of Special Concern

NEPA requires a federal agency to analyze the effects of new activities on the human environment. Ranching and farming activities are a part of the environmental baseline. The status quo of continuing ranching should not be evaluated within this environmental assessment process; it should be categorically excluded, pursuant to NEPA. Special status species or species of special concern analysis should be limited to new activities with a potential to have effects on the environmental baseline. This CMP EA should be limited in scope to the effects of new effects anticipated from new development and changes from the status quo only. During analysis of potential impacts to species of special concern by new activities, the plan objectives should be kept in mind. Using potential adverse impacts to special status species to block requested changes to the status quo, especially for activities allowed elsewhere in Marin County, would create further unfair disadvantage to seashore ranchers and undermine the plan objective.

5) Health and Safety

- Standards for operator and worker housing.

PRSRA is puzzled by this section that PRNS has identified as an issue to be included in the Ranch CMP EA.

The worker housing on the ranches and farms have health and safety standards that must be followed. PRNS and the United States Public Health Department (USPH), on an annual basis, inspect all worker housing on every historic ranch or farm located within the working landscapes of GGNRA and PRNS. PRNS and USPH then provide inspection reports to the ranchers and farmers that provide and maintain the housing. If the agencies find any health or safety non-compliance, they require the rancher or farmer to correct the deficiency. This regulatory oversight seems to be appropriate in assuring health and safety standards are met for worker housing.

PRSRA is concerned that because PRNS listed worker housing health and safety as an “*issue*”, the public perception may be that there is a problem with health and safety of the workers’ housing on the ranches or that the changes contemplated by this EA may result in adverse effects to worker housing health and safety.

PRSRA does not believe a public process is necessary to ensure that the existing health and safety standards be applied to new housing. It seems self-evident that the existing standards and inspection protocols would apply.

6) Vegetation

a) Restoration of native prairie. It is widely recognized that most of the native plant species once found in the coastal prairie grasslands within the subject area have been replaced by non-native species, either intentionally or accidentally, over the past 150 years of European-American land use. PRSRA believes that true restoration of native coastal prairie is only possible in rare locations within the ranch lands in the subject area. Generations of livestock grazing, exotic seed planting, tilling, crop production, imported feed with exotic plant seeds have all contributed to this shift. These practices, which have changed the landscape and the plant communities beginning 150 years ago, have continued shaping the landscape through the Shafter era and into the present.

This EA should study negative effects to the ranchers and their livelihoods if restoration of native plant species takes priority over the continuation of the normal ranch practices that have been part of the working landscapes from the Shafter era through the present time. PRSRA is willing to work with rangeland ecologists and certified rangeland managers to locate areas best suited for row crop production, forage crop production, rangeland planting, rangeland mowing to control invasives, waterline placement, water trough placement, fence installations and other BMP implementation. PRSRA recognizes that there are a few rare locations where native vegetation dominates and areas where special status species exist. PRSRA commits to working with NPS, NRCS and others to carefully and appropriately manage these sensitive areas. These rare areas have been identified over the years and ranchers and farmers already cooperate with agencies to help preserve these resources.

PRSRA observes that the most serious threat to the native coastal prairie *grassland* (a system that has been managed by humans for centuries, perhaps millennia) is the NPS' removal of ranches and farms that formerly provided the necessary stewardship. In areas that have been renamed "wilderness," a tragic shift has occurred or is occurring. Instead of the traditional, native grassland, these areas have become a brush covered landscape. A landscape (Limantour wilderness) that has facilitated catastrophic fires resulting in private property devastation at the wildland-urban interface. A landscape that no longer supports the same assemblage of wildlife species that the native coastal prairie grasslands once supported. A landscape that does not resemble what the NPS is asking ranchers to accomplish within the project area. This unmanaged grassland likely contributed to the 24% loss of tule elk in the Limantour elk range during last year's drought. PRSRA suggests that NPS allows the historic ranchers to continue the same rangeland stewardship practices, working with the agencies and experts, as they have for generations. PRSRA also recommends that NPS focus their rangeland restoration efforts on the most critical areas – the Limantour and Tomales Point elk ranges.

This EA should also consider the benefits that could be provided to coastal prairie grassland by properly managed livestock grazing on ranches within the project area where grazing has recently ceased. Returning rancher stewardship to these coastal prairie livestock pastures at no cost to PRNS (actually PRNS would collect SUP fees) are likely to further the NPS goal to preserve the coastal prairie grasslands. PRSRA supports the applications by the historic families in the project area to resume historic grazing operations on these ranch lands in desperate need of rangeland management.

- b) Dunes. The sand dunes located within the pastoral zone have long played a role in the cultural working landscapes of the Shafter era agriculture through to the present. Thankfully, PRNS has included the dune management in this NEPA process. This process may now work to improve the earlier NEPA process undertaken by PRNS. The working landscapes – ranch CMP EA is the proper context to evaluate the effects of the dune management. The sand dunes have always been a threat due to the highly erosive nature of the sand. High winds can easily result in significant sand movement, potentially covering valuable pastureland.

The sand dunes have been managed by European-Americans for a long time. To reduce the shifting sand, people have planted vegetation to hold the sand in place. After establishment of PRNS, NPS also planted beach grasses and ice plant to hold back the blowing sand.

Recently, PRNS, at the objection of PRSRA, has initiated projects to remove the vegetation that was planted to hold the sand in place. Erosion control measures implemented by PRNS have failed. The result was exactly what PRSRA was concerned about. The moving sand covered valuable pasture land, fences and endangered plant species, including the endangered grass species Sonoma Alopecurus as well as the rare habitat for the Myrtle's Silverspot Butterfly. PRSRA asks that this EA properly consider the dunes as part of the cultural working landscape with non-native plant species. This

EA should consider the adverse effects of removing the non-native vegetation from the dunes.

- c) Non-native species management. PRSRA members are committed to work with rangeland managers, NPS, NRCS, UCCE, Marin County Ag Commissioner and others to employ best management practices to help manage non-native plant species. PRSRA requests that this EA study the well-established benefits of using livestock grazing, multi-species grazing, MIG grazing, tilling, mowing, mechanical harvesting, fencing and other agricultural practices on control and management of non-native invasive plants.

PRNS currently uses herbicides for the control of non-native invasive plants within the project area. PRSRA request that the EA study the benefits of allowing ranchers, in certain circumstances, to use herbicides to control invasive weeds. On occasion, invasive weeds may begin to invade areas inaccessible to mechanical control. Sometimes the invasive is not palatable to cattle. In these circumstances, PRSRA members believe that the use of an herbicide may have less adverse environmental impact than the rampant proliferation a non-native invasive weed may have. Although it may be only on rare occasions, PRSRA asks that PRNS authorize the use of herbicides when necessary.

- d) Brush management. Both native and non-native brush species require management in coastal prairie grasslands. Without brush control, the grasslands will likely become lost to brush invasion. This loss of native habitat due to brush invasion has already been demonstrated at PRNS in areas where NPS has removed ranching. Coastal prairie grasslands require management. For hundreds of years, or perhaps millennia, humans have facilitated the persistence of this important ecosystem, through fire, grazing and mowing. PRSRA requests that this EA fully evaluate the fact that brush management has occurred on coastal prairies for all recorded history, a fact that has also been identified through anthropological review. This EA should also consider the ecosystem benefit of preserving the grassland habitat by allowing ranchers to control invasive brush from their pasture lands. PRSRA is committed to work with the agencies to identify the best timing for brush removal to reduce adverse effects to other species.

Rangeland ecologists and watershed managers understand that nutrients and sediments are better controlled and better treated by grass covered soil than brush covered soil. The bare soils often found in the shade of the invasive brush allow water to travel more quickly and with less absorption and less plant nutrient uptake. PRSRA requests that the EA study the water quality benefits of allowing ranchers to continue the tradition of brush control as well as the degraded water quality that would result in any prohibition of brush control.

- e) Fire regime. Coastal prairie grasslands require disturbance and invasive species control. Native Americans used fire as a tool to manage the project area before European-Americans arrived. The record tells us that the Point Reyes peninsula and surrounding rangelands were covered with lush grasses and full of wildlife – largely due to the regular burning. European-Americans continued to employ fire as a rangeland tool.

Most current PRSRA members used fire extensively for brush control on these ranches until the NPS stopped the use of fire. PRSRA believes that fire is an appropriate tool to control brush in certain circumstances and, because of the risk of wildfires, not in others.

The cessation of use of fire and grazing has led to an increase in fire fuel loads, especially in the Olema Valley. Grazing can reduce fire fuel loads in these areas. PRSRA requests that the EA study the benefits of re-introducing grazing to these areas and how this could reduce the risk of catastrophic fires causing harm to the resource, personal property and the potential personal injury or death resulting from avoidable wildfires.

PRSRA suggests that in wilderness areas, where almost all native grassland and the species assemblages it supports have been largely lost (especially due to unmanaged brush invasion), fire be considered as a restoration tool. PRSRA asks that this EA also consider the benefits to the human environment resulting from fire fuel reduction and minimizing the risk of more PRNS catastrophic wildfires that prescribed burning could provide. This EA should also analyze the increased wildlife carrying capacity, including that of the tule elk, that would result if PRNS began to manage the now threatened coastal prairie grasslands in the wilderness areas.

7) Visitor Use / Recreation

- a) Interpretive / educational programs regarding historic and contemporary ranching operations. Historically and currently, interpretive and visitor serving programs within the project area are provided by Drakes Bay Oyster Farm. Approximately 50,000 visitors per year are invited to farm tours as well as other interpretive and educational services at the oyster farm. The oyster farm educational services are part of the curriculum of many elementary schools, high schools and colleges. At the oyster farm, the visiting public is able to learn about the history of the working landscapes and the responsibility NPS and the ranchers have to preserve and protect the working landscapes as an important part of our cultural heritage. PRSRA recognizes that a NEPA process previously began to evaluate the interpretive services at the oyster farm. One of the provisions of NEPA is that this EA can re-evaluate what was done in a previous document (just as with the previous elk EA). The interpretive services currently provided by the oyster farm on a daily basis are most certainly an important part of the current ranch CMP EA baseline.

Public education has always been a central interest to PRSRA and is prominently featured in PRSRA's mission statement. PRSRA believes that PRNS does not currently provide any meaningful interpretation of the ranching and farming within PRNS or GGNRA. PRSRA worked for years to arrive at one temporary poster that would be periodically displayed at the PRNS headquarters visitor center. PRSRA believes that the visiting public deserves the interpretation and educational programs now provided by the historic oyster farm and that those programs should be allowed to continue. Because the oyster farm buildings, where the visitor serving activities are provided, are located within the pastoral zone fully surrounded by the other farm and ranch land project area

and is easily accessible to the public, this EA must include this vital public education resource. PRSRA not only supports the continuation of the oyster farm interpretation within the working landscapes, it believes that ranch land interpretive and educational programs should be expanded.

PRSRA requests that this EA fully evaluate the benefits of the existing interpretive and educational services provided by a PRSRA member at no cost to the visiting public or the taxpayer. This EA should fully consider what it would cost the taxpayer if NPS were to replicate the oyster farm interpretive center to celebrate the working landscapes of the project area. The costs include rent, electricity, a public water system, a waste water treatment system, building maintenance, restroom maintenance, staff time and materials to host over 50,000 visitors per year, 7 days a week. The EA should evaluate the benefit of having the public interpretive center in the middle of the working landscapes. It should consider the educational value of having the center on a working farm where children can see and learn about where their food comes from. It should also evaluate the benefits of having a traditional multi-generational ranching family leading the educational programs.

The EA should also consider the fact that people passionate about agriculture may not choose NPS for their career. This EA should evaluate the adverse effects of NPS employees, generally more interested in natural resources, providing agricultural interpretive services.

- b) Access. PRSRA members are always willing to cooperate with preserving existing public access through the ranch and farm lands in the subject area. Any contemplated changes to the current access baseline should be evaluated in this EA. New public access through ranch land usually results in more work for the rancher. These challenges could include new gates, gates being left open, prohibition on new important fencing or other BMP, parking challenges, disturbance to livestock, wildlife disturbance, and loss of privacy.

This EA should also analyze the fact that new access could also lead to potential risk to the visiting public. New public access through historic livestock pastures could disrupt normal animal behavior. Changes in stimuli and disturbance can lead to increased anxiety and, in some instances, aggression in domestic livestock.

This EA should also evaluate the benefits of NPS providing indemnification to the ranchers in case of injury to members of the public caused by livestock. PRSRA believes that this would be fair because it is NPS that is encouraging public access through ranchers' livestock, not the ranchers.

- c) Recreational opportunities. PRSRA is fully aware of the public's support of continued agriculture in the subject area and public's desire to know more, and to experience more about the historic working landscapes. The following are two examples of recreational opportunities already allowed in the seashore within the project area. An EA was not initiated to allow these activities to be conducted in the past, therefore it should not be

required now. PRSRA believes that simple fairness would suggest that if others are interested in similar activities, PRNS should permit those as well.

Today, the oyster farm is the only member of PRSRA organized and permitted to offer regular farm tours. The oyster farm does not currently charge any fee for the tours. This EA should consider the effects on the human environment of allowing other ranches and farms to provide farm tours if requested. If NPS would allow other ranchers and farmers to offer tours at a fee, the public would benefit from the recreational value and the rancher would benefit from the income generated.

Today, the Mendoza family (B Ranch) is the only member of PRSRA allowed to have farmstays. Overnight stays on other working ranches within the project area would offer more recreational opportunities for visiting families interested in experiencing the working landscape culture with the families that have been a part of the landscape and history for generations. This EA should evaluate the public benefit of the ranchers offering daytime farm work experiences and overnight on-farm accommodations as well as the benefit to the ranching family by allowing additional farm income.

Today, the oyster farm is the only PRSRA member permitted to sell its products to the visiting public in its on-farm store. This is a valuable recreational opportunity for the visiting public. It is truly exciting for families and children to experience a visit to the working landscape, see the farm and have the opportunity to purchase the farm product at its source. This EA should evaluate the benefits of on-farm product purchasing opportunities for the visiting public. These opportunities provide the following to the visiting public: education, recreation and a connection to a historic, yet fully active food producing region. All the while, these opportunities also help the ranchers and farmers connect with the public that appreciates their work and provides additional farm income.

8) Planning & Protection of Ranch Complexes

- a) Define areas for ranch infrastructure improvements. PRNS has recently allowed large expansions of ranch infrastructure well outside of the general cluster of buildings or previously improved area. On one ranch in the pastoral zone, PRNS facilitated the permitting and authorization, including permit from the California Coastal Commission, for the construction of two large barns for animal housing and a new manure pit for additional waste storage. This new development outside of the building complex was necessary to improve water quality and to allow the dairy to increase herd size and increase profitability of the dairy. Even though this project expanded the previous boundaries of the ranch complex, the expansion area represents only a small fraction of the ranch area. This EA should recognize the dynamic nature of agriculture within the project area and recognize the benefit of remaining flexible to add ranch infrastructure outside of an existing building complex or an imaginary future complex limit. This EA should consider the adverse effects that could result if new ranch complex limits are established without the full understanding of what the future may bring. PRSRA supports the notion that new building and development be situated within the existing ranch complex as possible. As in the above example, it is unlikely that any ranch or

farm within the subject area could fit this extensive development within its current building complex. Therefore, the same flexibility that was offered to that rancher should be offered to other ranches and farms as necessary.

- b) Define roles and responsibilities for maintenance of existing infrastructure. The roles and responsibilities for maintenance and repairs of existing infrastructure are clearly defined in the SUPs issued to ranchers and farmers within the subject area. PRNS applies the rules unequally between the permit holders. Over the years, PRSRA members have asked PRNS to adhere to the conditions in the permit for each and every permit holder. PRSRA does not believe that a NEPA process is necessary to compel PRNS to uphold the agreements in the SUPs equally among all permit holders. Similar to other “issues”, PRSRA is unaware of any changes in roles or responsibilities regarding infrastructure maintenance or repairs contemplated by this ranch CMP EA. If NPS is proposing changes to the roles and responsibilities, it should identify those proposed changes in the purpose and need or in the plan objectives. Once the NPS has established a defined project that can be evaluated, PRSRA and the commenting public can provide meaningful comments.

Generally, PRSRA accepts the roles and responsibilities for maintenance and repair of existing infrastructure as agreed upon in the current SUPs and opposes the unequal performance of PRNS responsibilities under those permits. The permits require the ranchers and farmers to be fully responsible for cyclic maintenance including fencing, painting, water system maintenance, road maintenance and other items. The permits also state that the NPS is responsible for capital improvements. PRNS should be paying for major, long term infrastructure repairs. The common practice is that PRNS refuses to pay for capital improvements as set forth in the permits. Occasionally, however, PRNS has agreed to pay for capital improvements. One example is that requests for roof replacements with 30-year life expectancies are regularly denied, yet PRNS has recently paid for new roofs for one rancher. There are other examples of such unequal performance of PRNS responsibilities.

PRSRA is concerned that when rural land appraisals are completed by PRNS contractors, the appraisers are unaware that it is the rancher or farmer that has usually paid for capital improvements, not the NPS as the permits suggest. The resulting appraisal may be higher than if the appraiser knew the rancher actually has to pay for capital improvements.

If this EA actually does contemplate a change to the roles and responsibilities for maintenance and repairs of existing infrastructure, PRSRA asks that it be informed of the desired changes. PRSRA commits to working collaboratively with PRNS on any appropriate changes to the current agreements. With or without changes that may or may not trigger NEPA, PRSRA expects that full, fair and even implementation will be established throughout the project area.

9) Floodplains, Wetlands, Riparian Areas

- a) Buffers for water quality protection. PRSRA members have been working and will continue to work with NRCS, RCD and NPS to establish appropriate buffers for sensitive riparian areas. PRSRA is not aware of any PRNS plan to change the existing protections. If NPS has a proposal to change the existing baseline with new restrictions it should make that proposal available to the public so that meaningful comments can be given. If NPS does not have a proposal to change the status quo, PRSRA will continue to collaborate with the agencies to protect sensitive habitats and no evaluation is necessary in this EA.
- b) Habitat enhancement. PRSRA members have been working and will continue to work with NRCS, RCD and NPS to enhance habitat in sensitive riparian and wetland areas. PRSRA is not aware of any PRNS plan to change the existing PRNS/PRSRA collaborations. If NPS has a proposal to change the existing baseline with new requirements or restrictions it should make that proposal available to the public so that meaningful comments can be given. If NPS does not have a proposal to change the status quo, PRSRA will continue to collaborate with the agencies to enhance sensitive habitats and no evaluation is necessary in this EA.

V. CONCLUSION

Attached to this scoping letter is a PRSRA letter identifying the process anomalies of this current ranch CMP EA. Although PRSRA has pledged to cooperate in an honest process that can result in positive change, PRSRA is still unclear about what triggered this current NEPA process and why it has been initiated by NPS.

Many serious social, cultural, economic and environmental issues have been identified to be reviewed in this process. Some of these issues have already been analyzed by previous NEPA processes. From these processes, management plans have been approved. PRSRA recognizes that PRNS chooses to follow a plan in some cases, and chooses not to follow a plan in other cases. These PRNS decisions can be catastrophic to the ranchers and/or the ranch lands that NPS is entrusted to protect. One example is the PRNS decision to ignore the established purpose of the pastoral zone, a zone set aside by Congress to continue commercial agriculture due to its local importance and cultural value. PRNS, without a public process, removed the Horick family from the pastoral zone and changed the use and the intensity of use of the historic D Ranch from the authorized agricultural use to an unauthorized elk range in the middle of the pastoral zone. Another example is the PRNS decision to follow the 1998 elk management plan that was approved through a NEPA process for several years, only to stop following the plan without another NEPA process.

PRSRA requests that this EA analyze how the agency, NPS and PRNS, will inform PRSRA and the public about any changes to the ranch management plan that results from this process. It should detail a roll-out process with target dates to accomplish any changes. Furthermore, this EA should analyze and share with the public a process for PRSRA and/or the public to initiate if they have reason to believe that the plan that comes out of this process is not being followed by PRNS. A commitment to delegate day-to-day oversight

and management decisions to a nonprofit partner with a board of local farm advisors and ranchers would reassure PRSRA that the park service will follow through on the plan approved as a result of this process, a necessity if agriculture in the Historic Ranch Districts is to survive and thrive into the future.

PRNS staff has repeatedly reassured PRSRA that ranchers and farmers will have a meaningful seat at the “NEPA table.” We have been told that our voices are important, that we will be invited to special meetings to discuss plan alternatives and to have an active role in the process. PRSRA will participate in an honest and open process in good faith.

Sincerely Yours,

Point Reyes Seashore Ranchers Association

cc: US Senator, Dianne Feinstein
US Senator, Barbara Boxer
US Congressman, Jared Huffman
State Assembly Member, Marc Levine
Marin County Supervisor, Steve Kinsey

Signature Page

Attachment A

Attachment B

Attachment C

Attachment D

Attachment E