

CALIFORNIA COASTAL COMMISSION

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ANNUAL INFORMATIONAL BRIEFING ON THE NATIONAL PARK SERVICE'S IMPLEMENTATION OF THE WATER QUALITY STRATEGY FOR MANAGEMENT OF RANCHING OPERATIONS

CD-0006-20 (NATIONAL PARK SERVICE)

EXHIBITS

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Exhibit 1 – CD-0006-20 Post-hearing Letter

CALIFORNIA COASTAL COMMISSION

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May 10, 2021

Craig Kenkel
Superintendent
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes Station, CA 94956

Re: **CD-0006-20, National Park Service**, Consistency Determination, 2020 General Management Plan Amendment for Point Reyes National Seashore and the north district of Golden Gate National Recreation Area

Dear Mr. Kenkel:

On April 22, 2021, by a vote of five in favor, four opposed, the California Coastal Commission conditionally concurred with the above-referenced consistency determination submitted by the National Park Service (NPS) for the 2020 General Management Plan Amendment (GMPA) for Point Reyes National Seashore and the north district of Golden Gate National Recreation Area. As specifically described in the NPS consistency determination and Coastal Commission staff report, the NPS requested Commission review of the “detailed elements” of the GMPA: the proposed zoning framework, management of ranch operations, and elk management.

The Commission’s adopted conditions for consistency determination CD-0006-20 provide for the following:

First, that the NPS submit a water quality strategy as follows:

The NPS will provide a water quality strategy for review and approval by the Executive Director before new leases with ranchers are finalized. This strategy shall have an overall purpose of assessing the effect of installed ranching best management practices and management measures on water quality throughout the GMPA planning area and prioritizing further measures to be implemented to reduce ranching impacts on water quality. The water quality strategy shall include the following elements:

1. Proposed overall strategy and timeline for assessing and improving water quality through installation of ranching-related infrastructure and management practices in areas of the GMPA outside of the Tomales Bay watershed, including Abbott’s Lagoon and Drake’s Estero and the creeks that drain to these features, but also including watersheds that drain directly to the Pacific Ocean. The strategy should be informed by existing water quality data, and water quality enhancement efforts that have proven successful elsewhere (e.g., the Olema and Lagunitas Creek watersheds) and should prioritize resolution of the most significant water quality-

related issues first, where practicable and as indicated by existing information. The timeline should reflect short- and long-term ranch management priorities related to water quality as expressed by the NPS and identified in ranch-specific ROAs. Both the strategy and timeline should be updated on an annual basis to reflect information and analysis provided under items 2 and 3 below.

2. Proposed sampling methodology for collecting quantitative water quality data in areas of the GMPA outside of the Tomales Bay watershed, consistent with the strategy provided in item 1 above. Data collection should be sufficient to enable comparison to existing water quality standards (e.g., concentrations of indicators of bacterial contamination as described in existing policies and programs of the State Water Control Board and RWQCB) and to inform identification of water quality-related issues and prioritization of management strategies to address those issues, as described in Item 3 below. The sampling methodology should incorporate guidelines and requirements from state and federal agencies (i.e., RWQCB, State Water Control Board, and/or U.S. Environmental Protection Agency) related to sampling coverage and frequency, sample testing procedures, and reporting of results.
3. A provision for annual NPS reporting of water quality monitoring results and measures taken and planned to address identified water quality issues to the Executive Director. These annual reports should include monitoring results from all previous years, comparison of water quality data with relevant state and federal water quality standards, proposed measures to address identified issues including identification of priority areas for additional ranching or grazing related best practices, and plans (including responsible entities, funding, timing and schedule) for incorporating such practices into ROAs or implementation through other measures, as appropriate.
4. The annual report to the Executive Director shall also describe the best management practices and ranching measures implemented in the previous year. For example, this reporting should include miles of fencing installed or repaired, number of stream crossings constructed or improved, installation of dairy-related infrastructure or practices to address manure management, and other ranching-related measures installed, and their locations and efficacy. This information will help provide details regarding actual implementation of the GMPA.
5. Annual reports shall also include results of continuing or proposed implementation of best management practices and water quality monitoring of ranch lands in the PRNS and GGNRA portions of the Tomales Bay watershed, including Olema and Lagunitas Creeks.

The Commission also adopted the following conditions during its deliberations:

1. Condition: The National Park Service will bring its water quality strategy to the Commission within a period of twelve months for public review, as well as Commission review and approval.

Clarification of Intent: Further discussion at the Commission hearing between the Commission and the NPS resulted in the following clarifications. Submission of the first-year version of the strategy will be prior to NPS approval of any leases under the GMPA. The Commission and NPS also agreed that the first year version of the strategy, which would be the subject of a Commission hearing, will include specific water quality monitoring details with general priorities and objectives to improve water quality; future iterations of the strategy and/or annual reporting to the Executive Director will be more specific on implementing actions.

2. Condition: The National Park Service will return to the Commission in five years so that the Commission can hear from them in regard to the progress that has been made on protection of coastal resources, including a report on the status of elk herd management, and make appropriate advisory comments and allow the public to be heard on these issues.
3. Condition: The National Park Service will come back to the Commission with a Climate Action Plan to address ranching activities at the same time that it brings its water quality strategy to the Commission.

Clarification of Intent: Further discussion at the Commission hearing between the Commission and the Park Service clarified the scope and content of the plan as follows. First, the plan should be more properly characterized as a climate action strategy in that it would identify actions that could be conducted in response to local (Marin County) and/or state (CA Air Resources Board) climate-related requirements, delineate current conditions, and put forth a strategy about how to move forward toward reducing greenhouse gas emissions from ranching operations in the GMPA area. Second, the NPS further described that this strategy would consider how climate change initiatives from the Administration and Department of the Interior, to the extent that such initiatives are developed and pertinent, distill down to the level of Point Reyes National Seashore and the north district of Golden Gate National Recreation Area, and then discuss with leaseholders opportunities to innovate or adapt ranch operations. Third, the NPS will make a presentation on the climate action strategy at the same time (i.e., one year after initial Commission concurrence) as the hearing on the water quality strategy. Finally, the NPS and the Commission recognized that there are fewer climate-related metrics than there are for water quality.

Also, not formally adopted as a condition, there was NPS agreement to provide the Executive Director with an annual report describing the status of free-ranging elk herds in the GMPA planning area, the effects of drought, and the results of elk management in the GMPA planning area.


The Commission determined that, only as conditioned, could the GMPA be found consistent to the maximum extent practicable with the enforceable policies of the California Coastal Management Program.

The Commission notes that as provided in 15 CFR § 930.4(b), should the NPS not agree with the Commission's condition of concurrence, then all parties shall treat this conditional concurrence as an objection.

The link to the CCC staff recommendation and related documents, which we have sent you previously and are posted on our website, can be found at:
<https://www.coastal.ca.gov/meetings/agenda/#/2021/4>.

If you have any questions, please feel free to call me at (415) 396-9708.

Sincerely,

DocuSigned by:

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Kate Huckelbridge
Deputy Director
Energy, Ocean Resources, and Federal Consistency Division

cc: Coastal Commission, North Central District Office
Office for Coastal Management (OCM) (David Kaiser, Kerry Kehoe)

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November 3, 2022

Anne Dubinsky Altman
Acting Superintendent
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes Station, CA 94956

Re: **CD-0006-20, National Park Service**, Summary of Coastal Commission Action on Condition Compliance Review

Dear Acting Superintendent Altman:

On September 8, 2022, by a vote of six in favor, five opposed, the California Coastal Commission (Commission) approved First Year Version of the Water Quality Strategy for Management of Ranching Operations under the General Management Plan Amendment for Point Reyes National Seashore and the North District of Golden Gate National Recreation Area (Strategy), as modified to include the additional commitments made by National Park Service (NPS) staff. Some of these additional commitments were made by NPS staff prior to the September 8, 2022, Commission meeting and are described in both the September 2, 2022, letter from NPS to Commission staff and the September 7, 2022, staff report addendum. The remainder were established as part of the Commission's discussion and deliberation during its September 8, 2022, meeting. The purpose of this letter is to memorialize these additional commitments and clarify next steps.

NPS Letter and Staff Report Addendum

In its letter to Commission staff dated September 2, 2022, NPS made three primary commitments. These are also reflected in the September 7, 2022, staff report addendum prepared by Commission staff and include the following:

1. NPS will update the Strategy and timeline on an annual basis.
2. NPS will include all previous year monitoring results in its annual reports.
3. NPS is committed to maintaining the Recreational Beach Monitoring Program in partnership with the Environmental Action Committee of West Marin (EAC). Should EAC discontinue this partnership, NPS will maintain the program independently.

Coastal Commission Meeting

The commitments made by NPS staff during the September 8, 2022, Commission meeting include the following:

That NPS coordinate with Commission staff to bring to the Commission on an annual basis, during a Commission meeting, an informational briefing on the progress that has been made on implementation of the Strategy and improvement of water quality within Point Reyes National Seashore and the North District of Golden Gate National Recreation Area.

At this annual public hearing, the following will be provided to the Commission:

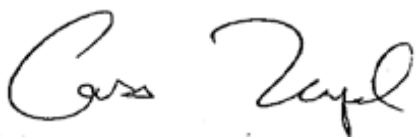
1. Progress on implementation of the Strategy and specific actions taken and planned to address water quality issues.
2. A discussion of the funding approach being used by NPS and update on how effectively NPS is funding implementation of the Strategy.
3. A report that includes information on enforcement efforts by the Commission, NPS, San Francisco Bay Regional Water Quality Control Board, and Marin County Environmental Health Services, and that, for each, enumerates all alleged violations, actions taken by the agencies, and the responses and current statuses of those violations. In addition, NPS will report on the status of its leases and any violations, actions taken by NPS, any response, as well as the result (withdrawal, non-renewal, or revocation of leases) and current status of each lease.
4. Description of the best management practices and ranching measures implemented in the previous year. For example, this reporting should include miles of fencing installed or repaired, number of stream crossings constructed or improved, installation of dairy-related infrastructure or practices to address manure management, reduction in herd sizes and other ranching-related measures installed, and their locations and efficacy.
5. Updated report on progress of the Climate Action Plan prepared by NPS to address ranching activities.

The Commission determined that, only as modified to include these additional commitments, could the Water Quality Strategy be found to satisfy the relevant conditions of the Commission's conditional concurrence with Consistency Determination No. CD-0006-20.

The Commission also noted that if, after the annual informational briefing, the Commission determines that the information provided or actions taken to implement the Strategy are insufficient or not responsive to the water quality data presented, then the Commission can choose to proceed with the re-opener process for Consistency Determination No. CD-0006-20.

Commission staff will be reaching out to NPS in early 2023 to coordinate regarding the timing and specific content of the annual informational briefing described above. If you have any questions or would like to discuss further the content of this letter and implementation of the Strategy, please feel free to email me at Cassidy.Teufel@coastal.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassidy Teufel". The signature is written in a cursive, flowing style.

Cassidy Teufel
Manager
Energy, Ocean Resources, and Federal Consistency Division