

Note: This succession policy is designed to assist NPS with implementing the Preferred Alternative identified in the General Management Plan Amendment (GMPA) final Environmental Impact Statement if that alternative is selected in the Record of Decision.

Succession Policy for Ranch Operations within the Ranchland Zone for Point Reyes National Seashore and the North District of Golden Gate National Recreation Area

This succession policy has been informed by the provisions of the Point Reyes National Seashore and Golden Gate National Recreation Area enabling legislation, relevant legislative history, and the Preferred Alternative from the General Management Plan Amendment (GMPA). It is intended to support multi-generational ranching in the Ranchland Zone while ensuring that ranch operations support park natural and cultural resource objectives and are consistent with the GMPA. It is also intended to provide more clarity and transparency to the lease succession process.

The enabling legislation for both Point Reyes (16 USC 459c-5) and Golden Gate (16 USC 460bb-2(j)) includes specific leasing authority related to ranching. The language, which is identical for both park units, provides that,

Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or was a leaseholder thereon immediately before its acquisition by the United States.

A report accompanying the legislation explained that it was being added as a tool to protect the pastoral character of park lands and that therefore, the “use of agricultural lease-backs is encouraged to the fullest extent in ensuring perpetuation of this use.” H. Rep. 95-1165, at 71 (1978).

Congress most recently addressed the continuation of ranching in a conference report published in 2019, which states:

The Conferees note that multi-generational ranching and dairying is important both ecologically and economically for the Point Reyes National Seashore and the surrounding community. These historic activities are also fully consistent with Congress's intent for the management of Point Reyes National Seashore. The Conferees are aware that the Service is conducting a public process to comply with a multi-party settlement agreement that includes the preparation of an environmental impact statement to study the effects of dairying and ranching on the park. The Conferees strongly support the inclusion of alternatives that continue ranching and dairying, including the Service's Initial Proposal to allow existing ranch families to continue ranching and dairying operations under agricultural lease/permits with 20-year terms,

and expect the Service to make every effort to finalize a General Management Plan Amendment that continues these historic activities. H. Rep. 116-9 at 720-21 (2019).

Consistent with these authorities, the GMPA Preferred Alternative recognizes multi-generational ranching as an appropriate use of the Ranchland Zone. The history of ranching at Point Reyes and the north district of Golden Gate includes the families that settled and ranched in the park since the mid-1800s. In many cases, the NPS is working with the grandchildren of families who sold their land for inclusion in the park. Ongoing commitment and investment in these operations includes the presence of the family on the ranch.

In total, 24 families hold interim leases, lease/permits or Letters of Authorization, or Reservations of Use and Occupancy for beef and dairy operations within the Ranchland zone. Seventeen hold interim leases which expire in 2022. The interim leases were issued pursuant to the 2017 Settlement Agreement. The Settlement Agreement allowed current ranch operators to add immediate family members to their interim lease, including those from subsequent generations. Many ranchers did so, thus bringing another generation into the ranching tradition at Point Reyes.

Upon completion of the GMPA process, the NPS would use the following process to authorize continued multi-generational ranch operations within the Ranchland Zone in a manner that supports park natural and cultural resource objectives and is consistent with the GMPA:

1. All signatories of Interim Leases, lease/permits and Letters of Authorization would be eligible for inclusion on a new lease/permit for the subject ranch. Named Lessees on an individual permit, with the agreement of all other current Lessees, may request to add or remove immediate family members to the new lease/permit.
2. There are two remaining reservations of use and occupancy (RUO). Both are life-estates. As such, the NPS would work with the named individuals on the RUO to identify immediate family members that would be offered a new lease/permit to continue multi-generational ranching on premises. Upon cessation of the life estate, the NPS would proceed with issuance of a new lease/permit to identified immediate family for the subject ranch or follow #3 below.
3. In the event that the Lessees of a particular ranch or the immediate family identified by RUO holders of a particular ranch: (i) do not wish to enter into a new lease/permit; (ii) cannot timely agree upon an arrangement among named lessees or immediate family identified by RUO holders for continued operations under a new lease/permit; (iii) have not consistently met performance standards for the agricultural operation and they or other named Lessees are not willing to take on responsibility for improved operations; the NPS would consider proposals from other leaseholders or Park ranch workers operating in the Ranchland Zone to enter into a lease for the subject ranch and continue ranch operations. The NPS would issue a request for proposals and evaluate proposals for consistency with the GMPA Preferred Alternative. Criteria for evaluations would also consider past performance, and ability to meet performance standards for resource management and maintenance of ranch infrastructure.

4. In the event that no other park leaseholders or ranch workers meeting NPS evaluation criteria are interested in entering into a lease for a subject ranch to continue ranch operations, the NPS would pursue a public process to identify an appropriate future use of the land.