



## Categorical Exclusion Approval and Decision to Implement

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### Project Information:

Park Name: Golden Gate National Recreation Area  
Project Title: Ocean Beach Fire Revised Pilot Program  
PEPC Number: 52123  
Project Location:  
County, State: San Francisco County, California  
Administrative  
Record Location: Fort Mason, Bldg. 101; San Francisco, CA 94123

**Introduction:** This memorandum and attachments document and complete National Environmental Policy Act (NEPA) review and requirements for implementing Ocean Beach Fire Revised Pilot Program - Golden Gate National Recreation Area.

**Compliance Determination:** The full administrative record for this project is available in the GGNRA Environmental Compliance Office (San Francisco, CA 94123).

**Project Description:** See Attachment A

**Categorical Exclusion:** On the basis of the potential visitor safety, visitor experience and natural and cultural resource impacts assessed in Attachment A, park interdisciplinary review, public review comments, and the information in the administrative record, this project is Categorically Excluded (CE) from further NEPA analysis in accordance with DO-12, Sections 3.4:

D.3 Minor changes in programs and regulations pertaining to visitor activities.

Additional supporting information for this determination is in the following attachments and administrative record:

Attachment A: Project Description Environmental Screening Form

Attachment B: GGNRA Compendium Amendment

Attachment C: Data Collection Forms

**Decision:** On the basis of my review of the environmental impact analysis and all information in the administrative record, I am categorically excluding the Project from further NEPA analysis. No exceptional circumstances or conditions in Section 3-5 of Director's Order 12 apply. I approve this action to be added to GGNRA's compendium (36 CFR § 1.5, Closures and public use limits) and all actions outlined in Attachment A, Section B to be implemented on May 23, 2014.

Frank Dean, General Superintendent  
Golden Gate National Recreation Area

May 22, 2014  
Date



## ATTACHMENT A

### Project Description, Environmental Screening Form, AND Response to Public Comments

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#### A. PROJECT INFORMATION

Park Name: Golden Gate National Recreation Area  
Project Title: Ocean Beach Fire Revised Pilot Program  
PEPC Number: 52123  
Project Location: Ocean Beach, San Francisco, CA  
County, State: San Francisco County, California  
Administrative  
Record Location: Fort Mason, Bldg 201; San Francisco, CA 94123

#### B. PROJECT DESCRIPTION

The Revised Pilot Program will include some minor changes to the existing program, implement a monitoring and data collection system, include a public outreach and education campaign, and will utilize success indicators to determine whether or not the program was successful. The program will be in place from Memorial Day weekend (May 23, 2014) to Labor Day (September 1, 2014).

The program will consist of the following components:

##### 1. New Fire Rings Installed

There are currently five fire pits on Ocean Beach; two artistic pits and three NPS supplied pits. These five pits would be removed. The artistic fire pits would be returned to Burners without Borders. The three fire pits installed by NPS would be removed and salvaged.

A total of 12 new fire rings will be installed; they will be made of solid pre-cast concrete, and approximately 3.5 ft. wide. They will be placed equidistant from each other between stairwells 15 and 20, and if feasible will be staggered to create more space between them.

##### 2. Revised fire curfew of 9:00 PM

The existing curfew for fires on Ocean Beach is 10:00 PM. NPS has made the decision to change the curfew to 9:00 PM for the following reasons:

- Incidents requiring Law Enforcement attention increase later at night

- The adjacent City and County of San Francisco parking lot closes at 10:00 PM; a 9:00 PM curfew would give people time to properly extinguish and clean up their fires before leaving the parking lot by 10:00 PM.

This change will be reflected in the Superintendent's Compendium and updated signs will be installed that reflect the new curfew time.

### 3. Data Collection and Monitoring Program

Throughout the duration of the Revised Pilot Program NPS staff will collect data and monitor the use of the fire pits on the beach.

- Night time data collection:

NPS staff will count the number of violations observed in a given night, including, but not limited to: fires outside of pits; alcohol violations; glass violations; fires outside of the rings; and fires occurring past curfew.

Data will be collected each time the officers are on site at the beach, and will include weekday as well as weekend nights, so that a range of data is gathered. The amount of data collected will always depend on the officer's availability and work load. This task will not interfere with protecting other visitors and resources throughout the park.

See attachment C for the data collection forms.

- Morning data collection:

NPS staff would collect data in the mornings, documenting the conditions following a night when fires have occurred. This data would include: amount of trash surrounding the fire pits; photos of each pit prior to cleaning; documentation of any hazardous conditions (i.e. hot coals, broken glass, nails).

Maintenance staff will clean out the fire rings at least once per week, more often if time and work load permits it. When staff is cleaning the fire rings they will take a photo of the state of each ring and document the condition of the stretch of beach where the rings are located.

See attachment C for the data collection forms.

### 4. Success Indicators

The information collected during the data collection and monitoring period will be evaluated holistically to determine the level of success of the program. Generally, NPS is looking for a noticeable improvement with the elements described below.

- Compliance with beach fire regulations:
  - 9:00 PM curfew
  - No alcohol
  - No glass
  - No fires outside of fire rings
  - Only appropriate materials being burned
  - Crowd sizes over 25 possess a permit
- Illegal / Unsafe Material in and around Fire Rings (inspection of 20 ft. radius around fire ring to ensure area is devoid of the following):

- Hot coals
- Sharp objects (nails, screws, etc.)
- Glass; broken or not
- Large debris (pallets, furniture, trees, etc.)
- Trash piles
- Workload/Required Level of Staff Time
  - Maintenance, Protection and other staff hours required to manage the program.

## 5. Public Outreach Campaign

Informing visitors of the beach fire regulations prior to their arrival is a key element to increasing compliance with the regulations. Some of the elements below were implemented when the proposal was announced. The remainder of the elements will be implemented early on during the pilot program as well as throughout the duration of the program:

- A Press Release sent to NPS media contacts
- Social media: Existing Park Facebook and Twitter accounts will be used to notify the public about the Ocean Beach Fire program; posts would include items such as reminders of beach fire regulations, photos of post-burn conditions; links to the public website for comment submittal, etc.
- Development of an informational flyer to be distributed to local businesses and schools, and made available at various NPS locations in San Francisco and Marin
- Improved signage; larger, more visible
- Updated information on the park website
- Email notification of public review period and implementation of program to entire park mailing list including over 1,400 email addresses
- Staff on site at various times throughout the duration of the program to directly engage with visitors, provide information, and answer questions

## 6. Evaluation of the Program

Data collection and monitoring will end on September 1, 2014, at that time NPS staff will evaluate the information that was collected and review the program in a holistic manner, assessing the overall successes and/or failures of the program. Staff will also examine specific aspects of the program, such as curfew, and number and design of the fire rings. While this information is being reviewed the program will continue unchanged. Once the evaluation has concluded NPS will come to a decision on next steps for the Ocean Beach fire program. The decision could include the following:

- Continuing the revised pilot program as developed in this document;
- Making further program modifications; or
- Banning fires completely.

## 7. Prohibition of Fires on Summer Spare the Air Days

*Winter Spare the Air Days* - Thru the park compendium, the park prohibits beach fires on winter Spare the Air Days (November – February) in order to be consistent with the enforceable California State Regulation through the Bay Area Air Quality Management District (BAAQMD) Regulation 6, Rule 3: Wood-Burning Devices.

*Summer Spare the Air Days:* Currently GGNRA does not prohibit beach fires on summer Spare the Air Days (March – October), consistent with BAAQMD regulations. During the public review and comment period the park received requests from the public to prohibit fires during Summer Spare the Air Days.

Due to adverse air quality impacts and concern regarding public health that result from fires occurring on these days, GGNRA has proposed to eliminate these impacts during Summer Spare the Air Days consistent with NPS Management Policies 2006, Section 4.7.1, Air Quality which states:

“The National Park Service has a responsibility to protect air quality under both the 1916 Organic Act and the Clean Air Act (CAA). Accordingly, the Service will seek to perpetuate the best possible air quality in parks to (1) preserve natural resources and systems; (2) preserve cultural resources; and (3) sustain visitor enjoyment, human health, and scenic vistas.”

Therefore, GGNRA proposes to prohibit recreational fires from occurring within the park whenever a Spare the Air day has been declared by the BAAQMD during the summer season. Special Use Permits issued for fires will include language stating that the permit will not be valid if a Spare the Air Day is declared. Additionally, if time allows, park staff would notify permit holders that they would no longer be allowed to have a fire.

Burning fires on Ocean Beach on Summer Spare the Air Days is proposed to be prohibited through the park’s Compendium and would be enforced by NPS Law Enforcement Rangers and United State Park Police Officers.

## **B. PURPOSE AND NEED**

The purpose of the Revised Pilot Program is to substantially reduce the unsafe conditions caused by fires on Ocean Beach; improve compliance with existing regulations; reduce the burden on NPS staff caused by the large amount of time and resources expended to maintain the beach surrounding the fire rings; decrease law enforcement incidents related to beach fires; reduce negative ecological impacts to the beach; monitor and collect data to document the level of success of the program; educate and inform as many visitors as possible about the beach fire program through various forms of outreach; and ultimately determine if a long term beach fire program is feasible.

The Revised Pilot Program would address the existing impacts described below:

### Public Safety

The debris left behind from beach fires poses a great safety hazard to visitors of the beach. The abundant amount of small, sharp objects that are left on the sand (such as splintered wood, rusty nails, glass fragments, etc.) can, and have injured visitors. The harmful chemicals that can be released when certain inappropriate materials are burned can also be a hazard to those who are present when such materials are being burned. In addition, the individuals who participate in criminal activities on the beach endanger other visitors.

### Visitor Experience

The safety hazards described above also contribute to a negative experience for those attempting to enjoy Ocean Beach. The piles of debris and scattered garbage are extremely unsightly, and may even deter some visitors from going to the beach at all. The National Park Service strives to ensure that visitors have a positive experience at the park so that they would like to share their experience with others, and visit GGNRA and Ocean Beach again.

### NPS Staff Safety

Many of the fires that occur on Ocean Beach include the burning of inappropriate materials such as wooden pallets, furniture, Christmas trees, glass, toxic materials, etc. Often times these materials do not burn completely and a significant amount of debris is left for NPS Maintenance staff to pick up. This debris poses a safety hazard for the people who must clean it up due to the potential toxins in the material, the large size of some of the items, and the broken glass and nails/spikes left over. It is also common for staff to discover that fires have not been extinguished properly and therefore have to properly remove still-burning embers from the beach.

NPS Law Enforcement Rangers and United States Park Police (USPP) officers are responsible for patrolling the beach regularly and responding to the numerous amounts of calls they receive regarding incidents at Ocean Beach. Most significantly they cite beachgoers for underage drinking, illegal drugs, disorderly conduct, fires outside of a designated fire pit, and groups of 25 or more without a permit.

### Park Operations

NPS Maintenance staff must dedicate a large amount of time and resources to cleaning up after the fires at Ocean Beach. Some of this work must be contracted out due to the large quantities of debris that need to be removed, and special equipment is required at times. This equipment has occasionally been damaged due to the types of waste it has encountered, which adds to the clean-up costs. The resources spent on cleaning up after fires are an especially difficult burden given the lack of staff and available funding for ongoing park maintenance.

NPS Law Enforcement and USPP officers are frequently strained to enforce laws and regulations on Ocean Beach when fires are happening. They are often called to the area to respond to reports of individuals drinking alcohol, consuming drugs, disturbing nearby residents and other visitors, vandalizing property, and/or burning hazardous materials. They have a large area to protect in GGNRA and must prioritize the calls they receive. These divisions are also strapped due to lack of staff and funding.

### Air Quality

When visitors burn inappropriate fuels such as wet wood, plastics, rubber, or treated wood, the open fires on the beach can produce odors that are unpleasant and/or emissions that are unhealthy to other visitors and nearby residents. NPS has received complaints from nearby residents, as well as from the City and County of San Francisco, regarding plumes of dark smoke coming from the beach.

The Bay Area Air Quality Management District (BAAQMD) sent the park a letter in March 2014 requesting GGNRA to prohibit beach fires during Winter Spare the Air season (November – February) in order to improve both regional and local air quality. If the Revised Pilot Program is successful and a long term program is developed GGNRA would consider their request at that time.

## **C. BACKGROUND**

Ocean Beach is a 3.5-mile long oceanfront that, despite oftentimes being cloaked in fog, chilly and damp, is extremely popular with local residents as well as tourists visiting from a wide variety of places. Visitors enjoy the beach for walking, running, picnicking, surfing or just appreciating the expansive views of the ocean landscape. The beach also has natural occurring sand dunes and is a resting site for the federally threatened Western Snowy Plover.

When GGNRA was established in 1972, the park inherited a long-standing San Francisco tradition of open beach fires along the 3.5-mile Ocean Beach corridor. Code of Federal Regulations Section 2.13(a)(1) promulgated on June 30, 1983 empowered individual Park Superintendents to designate or restrict open fires within National Parks. From 1983 through January 2002 open fires were permitted at Ocean Beach.

In early 2002, the City and County of San Francisco Commission on the Environment passed resolution 001-02, which recognized, "...there are safety hazards and a large amount of trash and debris that result

from bonfires, residual burning logs and nails,” and subsequently requested GGNRA to reduce the negative effects the fires were having on the beach by encouraging the park to “...create an effective system that reduces those impacts”. In 2004, as a result of this request as well as from information received at several public meetings, GGNRA limited fires to the area between stairwells 15 and 28. Despite the reduction in space where beach fires were allowed, NPS continued to experience a large amount of trash and debris as a result of the fires.

After consideration of various proposed alternatives and recommendations made by several community groups and at public meetings in 2005, GGNRA proposed banning fires on Ocean Beach as the only realistic alternative for reducing hazardous conditions associated with open beach fires. From February 28 - May 31, 2006 the park accepted public comments on this proposal. More than 3,000 individual comments were received, largely in opposition of the ban, although there were also a number of individuals who agreed with the ban and urged NPS to implement it; citing safety, air quality, natural resource and aesthetic concerns.

In 2007 GGNRA decided to institute a one-year Pilot that included the following elements:

- Limiting fires to the area of stairwells 15-20.
- Requiring groups of 25 or more people to obtain a permit.
- Providing fire pits.
- Initiating a fire curfew.
- Hosting regular beach cleanups.
- Collaboration with Burners without Borders and Surfrider Foundation in the creation of artistic fire pits and in post-fire cleanup.

Following conclusion of the one-year pilot program in 2008, NPS continued the program for one additional year. The intent was to evaluate the program in 2009 and make a long term decision for fires on the beach. However, due to staffing shortages the 2009 review did not occur until 2013. Since 2009, the program continued as it had been originally developed in 2007. Maintenance staff continued to clean the pits and the beach, removing pits that became hazardous or non-functional, and Park Rangers continued to educate visitors engaging in beach fires and to enforce the existing regulations.

Since the 2007 Pilot Program, the park has continued to experience a high volume of law enforcement calls, criminal activity, daily accumulation of abandoned refuse, and environmental damage along the beach. These activities most notably occur in the section between stairwells 15 to 20, in the designated beach fire area.

The most prevalent issues include:

- Inappropriate and toxic materials being burned
- Trash being left on the beach
- Users consuming alcohol and illegal substances
- Glass on the beach
- Dangerous materials such as metal and glass fragments, and nails left scattered in the sand surrounding the fire rings
- Fires not being extinguished properly, leaving hot coals on the beach the morning after
- Disorderly conduct, underage intoxication, and other law enforcement incidents
- Fires being burned outside of designated fire pits and designated stairwells

These issues create an unsafe and aesthetically unpleasing site, negatively impact a visitor's experience of the beach, and create hazards for park staff. In addition, NPS must expend a large amount of resources to clean the beach and make it safe for visitors.

Review of the administrative record and past efforts to manage fires on Ocean Beach lead the NPS to develop a proposal for a Revised Pilot Program that is based on the initial 2007 Pilot Program.

#### **D. APPLICABLE LAW AND POLICY**

The NPS regulations allow superintendents to implement public use limits to protect park resources, equitably allocate use of areas, protect public health and safety, and avoid conflicts among user groups. Public use limits may be adopted following a written determination and publication of the use limitation in the park's Compendium. Under 36 CFR § 2.13, Fires, lighting or maintaining a fire is prohibited, except in designated areas or receptacles and under conditions established by the superintendent. Each year fires are allowed to occur on Ocean Beach it is through the conditions outlined and approved by the Superintendent in the Compendium. Because this public use/activity has been allowed within the park for many years through the compendium, GGNRA is subject to 36 CFR § 1.5, Closures and public use limits, which allows the Superintendent to create public use limits "...based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities..."

NPS Management Policies allow NPS to encourage visitor activities that:

- are appropriate to the purpose for which the park was established; and
- are inspirational, educational, or healthful, and otherwise appropriate to the park environment; and
- will foster an understanding of and appreciation for park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
- can be sustained without causing unacceptable impacts to park resources or values.

Currently the recreational fire program at Ocean Beach does not meet these criteria, due to the numerous adverse impacts the park experiences, which are outlined in section B, Purpose and Need, of this document. The implementation of this pilot program will help GGNRA determine whether or not the activity of having recreational fires on Ocean Beach can be improved to better meet these criteria.

This action is not expected to adversely affect the natural, aesthetic or cultural values of park lands in San Francisco County. The intent of this program is to largely reduce the existing adverse impacts that occur as a result of recreational fires on Ocean Beach.

#### **E. ENVIRONMENTAL SCREENING FORM (Informed Decision-Making)**

##### **1) Summary of Proposed Changes from Baseline (Existing) Condition**

Recreational fires are currently occurring on Ocean Beach within GGNRA. The table below summarizes the program elements that would change with this proposal.

| <b>Program Element</b> | <b>Existing</b> | <b>Proposed Change</b> |
|------------------------|-----------------|------------------------|
| Fire Rings             | 5               | 12                     |



|               |  |  |
|---------------|--|--|
| Curfew        | 10:00 PM                                   | 9:00 PM                                |
| Spare the Air | Prohibited Winter<br>Not Prohibited Summer | Prohibited Winter<br>Prohibited Summer |
| Monitoring    | No Monitoring                              | Monitoring                             |

The increase in fire rings would have a beneficial, minor impact to visitor use and experience and public and staff safety as it would provide more locations for visitors to have a compliant, safe fire and would better contain fire remnants.

The reduction in the curfew time is anticipated to have an adverse, minor impact to visitor use and experience due to the fact that it will not be completely dark by this time. However, it is also anticipated that this curfew change would have a beneficial, minor impact to visitor and staff safety by reducing night time activity on the beach.

The additional prohibition of fires on Summer Spare the Air Days would have a beneficial, minor impact on public health and air quality by not allowing wood burning pollution into the air on these days.

Implementation of a monitoring program would have a beneficial, minor impact on visitor and staff safety, as it is anticipated to improve compliance with beach fire regulations by holding visitors accountable for their actions and educating the public about the ongoing problems around the fires.

Overall, implementation of the program is anticipated to have a minor, beneficial environmental effect from the baseline (existing) condition. Specific effects analysis is described below.

## 2) NPS Screening Form

| Identify potential effects to the following physical, natural, or cultural resources | No Effect | Negligible Effects | Minor Effects | Exceeds Minor Effects | Notes  |
|--|-----------|--------------------|---------------|-----------------------|--|
| <b>1. Geologic resources – soils, bedrock, streambeds, etc.</b>                      | No        |                    |               |                       |  |
| <b>2. From geohazards</b>  | No        |                    |               |                       |  |
| <b>3. Air quality</b>  |           |                    | Minor         |                       | Beneficial: One goal of this program is to educate the public on what types of wood are appropriate to burn and what is not appropriate to burn, thereby reducing the amount of inappropriate and toxic materials burned on the beach. Fires would also be prohibited on summer Spare the Air days, further protecting Bay Area air quality by reducing air pollution. |

|   |    |            |       |  |   |
|---|----|------------|-------|--|---|
| <b>4. Soundscapes</b>   | No |            |       |  |   |
| <b>5. Water quality or quantity</b>   | No |            |       |  |   |
| <b>6. Streamflow characteristics</b>  | No |            |       |  |   |
| <b>7. Marine or estuarine resources</b>   |    |            | Minor |  | Beneficial: One goal of this program is to reduce the amount of trash and hazardous materials left on the beach from fire activity. This would also reduce the amount of materials carried into the ocean and causing adverse impacts to that ecosystem.  |
| <b>8. Floodplains or wetlands</b>   | No |            |       |  |   |
| <b>9. Land use, including occupancy, income, values, ownership, type of use</b>   | No |            |       |  |   |
| <b>10. Rare or unusual vegetation – old growth timber, riparian, alpine</b>   | No |            |       |  |   |
| <b>11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat</b> |    | Negligible |       |  | Beneficial: The federally threatened Western Snowy Plover is known to rest on Ocean Beach. The fire rings are not located in the Wildlife Protection Area that has been established to protect them. By further enforcing that fires are only allowed in the rings, between Stairwells 15-20, and providing more fire rings, people will be less likely to wander closer to the WPA to start fires outside of the fire rings. |
| <b>12. Unique ecosystems, biosphere reserves, World Heritage Sites</b>  | No |            |       |  |   |
| <b>13. Unique or important wildlife</b>   |    | Negligible |       |  | Beneficial: The federally threatened Western Snowy Plover   |

|   |    |  |       |  |   |
|---|----|--|-------|--|---|
| or wildlife habitat   |    |  |       |  | is known to rest on Ocean Beach. The fire rings are not located in the Wildlife Protection Area that has been established to protect them. By further enforcing that fires are only allowed in the rings, between Stairwells 15-20, and providing more fire rings, people will be less likely to wander closer to the WPA to start fires outside of the fire rings.   |
| <b>14. Unique or important fish or fish habitat</b>                                     | No |  |       |  |   |
| <b>15. Introduce or promote non-native species (plant or animal)</b>                    | No |  |       |  |   |
| <b>16. Recreation resources, including supply, demand, visitation, activities, etc.</b> |    |  | Minor |  | <p>Beneficial: The supply of fire rings will be increased, providing more opportunities for visitors to have compliant fires. Signage will be updated and locations improved.</p> <p>Adverse: The earlier curfew of 9:00 PM and prohibiting fires on summer Spare the Air days will place an extra limitation on this recreational activity.</p>  |
| <b>17. Visitor experience, aesthetic resources</b>                                      |    |  | Minor |  | <p>Beneficial: The additional fire rings are intended to better contain fires on the beach, thereby reducing the amount of fire remains that are left directly on the beach. More fire rings would also allow visitor groups more opportunities to have compliant fires.</p> <p>Adverse: The earlier curfew of 9:00 PM is expected to adversely affect the experience of those visitors who wish to have a fire when the sky is dark.</p> |
| <b>18. Archeological resources</b>  | No |  |       |  | Some minor grading will occur when the fire rings are installed, only to level the area. No digging   |

|   |    |            |  |  |   |
|---|----|------------|--|--|---|
|   |    |            |  |  | of any significant depth would occur.   |
| <b>19. Prehistoric/historic structure</b>   |    | Negligible |  |  | Beneficial: The existing signs located at the top of stairwells 15-20 would be removed, thereby reducing the impact they previously had on the structure.   |
| <b>20. Cultural landscapes</b>  | No |            |  |  |   |
| <b>21. Ethnographic resources</b>   | No |            |  |  |   |
| <b>22. Museum collections (objects, specimens, and archival and manuscript collections)</b>           | No |            |  |  |   |
| <b>23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure</b> | No |            |  |  |   |
| <b>24. Minority and low income populations, ethnography, size, migration patterns, etc.</b>           |    | Negligible |  |  | Beneficial: Implementation of this pilot program would allow this recreational use to be retained for the duration of the pilot. It will remain available as an experience open to a wide variety of park users, including minority and low income populations. |
| <b>25. Energy resources</b>   | No |            |  |  |   |
| <b>26. Other agency or tribal land use plans or policies</b>  | No |            |  |  |   |
| <b>27. Resource, including energy, conservation potential, sustainability</b>                         | No |            |  |  |   |
| <b>28. Urban quality,</b>   |    | Negligible |  |  | Beneficial: Experiencing a  |

|   |    |  |  |  |  |
|---|----|--|--|--|--|
| gateway communities, etc.   |    |  |  |  | recreational fire in an urban environment is a unique experience that is not available in many other locations. For the duration of this pilot program NPS will retain this unique experience which can be considered beneficial to the urban quality of the surrounding area. |
| 29. Long-term management of resources or land/resource productivity                     | No |  |  |  |  |
| 30. Other important environment resources (e.g. geothermal, paleontological resources)? | No |  |  |  |  |

#### D. MANDATORY CRITERIA

| Mandatory Criteria: If implemented, would the proposal:  | Yes | No | N/A | Comment or Data Needed to Determine |
|--|-----|----|-----|-------------------------------------|
| A. Have significant impacts on public health or safety?  |     | X  |     |                                     |
| B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas? |     | X  |     |                                     |
| C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?  |     | X  |     |                                     |
| D. Have highly uncertain and potentially significant environmental effects or  |     | X  |     |                                     |

|  |  |   |  |  |
|--|--|---|--|--|
| involve unique or unknown environmental risks?   |  |   |  |  |
| E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?   |  | X |  |  |
| F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?   |  | X |  |  |
| G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?  |  | X |  |  |
| H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?  |  | X |  |  |
| I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?   |  | X |  |  |
| J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?  |  | X |  |  |
| K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?   |  | X |  |  |
| L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)? |  | X |  |  |

#### F. RESPONSE TO PUBLIC COMMENT

The NPS publicly noticed the *Ocean Beach Fire Revised Pilot Program* on April 21 for public review and feedback for 24 days, ending on May 16, 2014. A total of 546 correspondences were received. Nearly half of these were in the format of a form letter created by Surfrider and Burners without Borders.

**Public comments received addressed the following broad themes:**

- **Theme 1 – Curfew change to 9:00 PM**

A large majority of the comments received specifically addressed the proposed curfew change and requested that it not be implemented. The concerns outlined included: it is hardly dark out by 9:00 PM in the summer; there is no aesthetic value in having a fire when it is light out; it does not take one hour to extinguish a fire; a 9:00 PM curfew would adversely affect special community groups that regularly meet on Ocean Beach for religious and non-religious purposes. A majority of comments requested that the curfew remain at 10:00 PM, although a few also requested a curfew later than 10:00 PM.

**Responses:**

- See Section B, above, for a description of GGNRA's rationale behind changing the curfew to 9:00 PM.
- The park believes, based on experiences of Law Enforcement staff that by limiting the time fires are allowed to occur this will result in a decrease in illegal activity occurring in the area where fires are allowed.

- **Theme 2 – Number of fire rings**

In general, commenters were in support of the installation of additional fire rings. However, many comments requested that more than 10 be installed. There were concerns that if not enough fire rings are provided to meet existing demand that the issues that have been outlined will continue to occur. Form letters received from Surfrider and Burners without Borders specifically requested that NPS install at least 16 fire rings, a number which they state NPS committed to installing back in 2007.

**Responses:**

- After the public comment period concluded NPS decided to install a total of 12 new fire rings (still removing the existing five).
- The reference to the previous commitment by NPS to install up to 16 fire rings came from a draft Memorandum of Understanding between NPS, Surfrider, and Burners without Borders. Unfortunately, a signed copy of this MOU cannot be located so it cannot be verified that all of the terms outlined in the draft MOU were agreed to. At this time NPS felt that 16 fire rings would be difficult to maintain to desired standards.
- Based on availability of funding and staff availability, NPS felt it could only comfortably commit to maintaining 10 fire rings. After the public comment period concluded it was determined that an increase of two additional rings would likely not pose a significant burden on staff.

- **Theme 3 – NEPA compliance**

The form letters received as well as additional, more in depth comment letters, requested that a complete NEPA review and analysis be completed.

**Responses:**

- This document, in addition to the signed cover memo, assesses the impacts of the changes to existing conditions of fires on Ocean Beach and completes the NEPA requirements for this three month long pilot program. Any long term decisions made after the completion of this program will require a separate NEPA review and analysis, which would occur at that time.

- **Theme 4 – Ideas and suggestions**

Many commenters provided ideas and suggestions for improving the conditions of the beach fire area. The most common suggestions included:

- Implementing a permit system, which would require all fires to have a permit and would be free, require a refundable deposit, and/or cost a nominal fee to acquire
  - o NPS has considered implementing a system such as this and was unable to do so in time for this pilot program; setting up a permit system for fires would take some time to complete and comes with some challenges, however, NPS is open to the idea and will review this option in more depth at the time a long term decision is being evaluated.
- Installing more trash cans/installing trash cans on the beach
  - o Trash cans are frequently vandalized at Ocean Beach, and commonly catch on fire (Maintenance staff estimate this happens at least one time per week), so installing additional trash cans can be an added burden to NPS Maintenance staff
  - o NPS would like to encourage visitors to take their trash with them when they leave the beach and will improve visitor outreach to include this type of messaging
  - o Illegal dumping is an ongoing problem at Ocean Beach, which contributes largely to the reason why the trash cans fill up so quickly; due to staff shortages the cans are only emptied once a day at the minimum, and more often if time/staff allows.
- More/improved signage
  - o Recently NPS installed new signs at the top of each stairwell where fire rings are located, 15-20. They are larger and placed higher than the old signs which were located directly on the stairwells, low to the ground, and commonly covered up by sand.
  - o It was suggested that NPS install signs directly on the beach. This beach is a particularly rough environment and it is difficult to install signs that will last any amount of time in the sand. NPS continues to consider this option and explore different ways to install long term signage in the sand. Some ways that have already been explored have been too costly to implement.
  - o It is very common for signs to be quickly vandalized, broken, stolen, or even burned at Ocean Beach. NPS staff has to take this into consideration with each investment made in this area.

## **G. DECISION / IMPLEMENTATION PROCESS**

Implementing the decision will require amending GGNRA's Compendium and public notification through community outreach including:

- A press release
- Informational flyers
- Temporary onsite signage
- Email to park's mailing list
- Update to the Park's website
- Mobile trailhead (Roving Ranger) on site on May 23, 2014

The pilot program will begin on May 23, 2014 and end on September 1, 2014.



# **ATTACHMENT B**

## **Compendium Amendment**



# United States Department of the Interior

## NATIONAL PARK SERVICE

Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:  
W34 (GOGA-VRPCR)

### Compendium Amendment

#### Golden Gate National Recreation Area Visitor and Resource Protection Measures

#### TITLE 36 CFR § 1.5 (a)

Compendium of designations closures, permit requirements, and other restrictions imposed under discretionary authority by the General Superintendent, Golden Gate National Recreation Area.

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by United States Code, Title 16, Section 3, the following regulatory provisions are established for the proper management, protection, government and public use within Golden Gate National Recreation Area, under the jurisdiction of the National Park Service.

#### 36 CFR 2.13 – FIRES

**(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:**

#### SPARE THE AIR DAYS

- Mandatory curtailment for all fires: No person shall ignite, cause to be ignited, permit to be ignited, or maintain any recreational fires, including campfires, beach fires, and outdoor grills during summer and winter Spare the Air Days designated by the Bay Area Air Quality Management District when negative impact upon public health is anticipated.
- **OCEAN BEACH: (Exhibit #12)**
  - Effective May 23<sup>rd</sup>, 2014 fires permitted from 6:00am-9:00pm only
  - Only in fire rings provided by the park between stairwell # 15-20

  
\_\_\_\_\_  
Frank Dean  
General Superintendent, Golden Gate NRA

5/22/14  
Date

## **ATTACHMENT C**

### **Data Collection Forms**

# **Ocean Beach Fire Program**

Law Enforcement Data Collection Sheet

**Name of Reporting Officer:\***

---

**Date Data was Collected:\***

**Spare the air day?**

Yes

No

---

**Time Data was Collected:\***

☐☐

---

**Weather Condition:\***

---

**How many fires did you observe?:**

In fire rings

Outside of fire rings

Unattended

---

**How many individuals were noted with alcohol present?\***

---

**How many individuals were noted with drugs present?\***

---

**How many individuals were noted with glass present?\***

---

**How many fire rings had inappropriate/illegal materials being burned or assembled to burn?\***

---

**How many of the following occurred/were written/were given?\***

Violations

Warnings

Tickets

Arrests

Incidents

---

**How many fires did you observe occurring after the curfew?\***

---

**Other observations worth noting:**

# Ocean Beach Fire Program

## Morning Data Collection Sheet

Name:\*

Date:\*

Time:\*

### What types of hazardous materials are present? Check all that apply.\*

Check boxes where materials are present at each fire ring. Start at Stairwell 15 and walk down to the last fire ring at Stairwell 20. Indicate amount by the following symbols: **0 = Negligible** **+** = Moderate **++** = Significant

|                          | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|--------------------------|---|---|---|---|---|---|---|---|---|----|----|----|
| Broken Glass             |   |   |   |   |   |   |   |   |   |    |    |    |
| Nails/Screws             |   |   |   |   |   |   |   |   |   |    |    |    |
| Hot coals                |   |   |   |   |   |   |   |   |   |    |    |    |
| Syringes/Sharps          |   |   |   |   |   |   |   |   |   |    |    |    |
| Lighter fluid containers |   |   |   |   |   |   |   |   |   |    |    |    |
| Gasoline containers      |   |   |   |   |   |   |   |   |   |    |    |    |
| Batteries                |   |   |   |   |   |   |   |   |   |    |    |    |

Other:

### What types of debris are present? Check all that apply.\*

Check boxes where materials are present at each fire ring. Start at Stairwell 15 and walk down to the last fire ring at Stairwell 20. Indicate amount by the following symbols: **0 = Negligible** **+** = Moderate **++** = Significant

|                        | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|------------------------|---|---|---|---|---|---|---|---|---|----|----|----|
| Furniture              |   |   |   |   |   |   |   |   |   |    |    |    |
| Wooden Pallets         |   |   |   |   |   |   |   |   |   |    |    |    |
| Unbroken glass bottles |   |   |   |   |   |   |   |   |   |    |    |    |
| Large vegetation       |   |   |   |   |   |   |   |   |   |    |    |    |
| Drink cups             |   |   |   |   |   |   |   |   |   |    |    |    |

Other:

Any noticeable beach fires that occurred outside of the designated fire rings? \*If yes, how many?

Yes + amount

No

\*Use back side to document any additional notes and attach photos