

APPENDIX L: AGENCY CONSULTATION

Letter on PEPC from Presidio Trust Asking to be Cooperator

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| Status: Reviewed | Park Correspondence Log: |
| Date Sent: | Date Received: 07/28/2005 |
| Number of Signatures: 1 | Form Letter: No |
| Contains Request(s): No | Type: Letter |
| Notes: | |

Correspondence Text

Dear Superintendent O'Neill:

By publication in the Federal Register of June 28, 2005, the Department of the Interior (DOI) gave public notice of its intention to establish the Negotiated Rulemaking Advisory Committee for Dog Management at Golden Gate National Recreation Area (the Committee). The purpose of the Committee is to negotiate and develop a special regulation (proposed rule) for dog management at Golden Gate National Recreation Area (GGNRA). Within the public notice, the DOI proposed 25 committee members including a representative from the Presidio Trust (Trust).

The Presidio Trust is a wholly-owned United States government corporation, chartered by Congress in the Presidio Trust Act, 16 U.S.C. Section 460bb appendix (enacted as P.L.104-333). The Trust has administrative jurisdiction over Area B of the Presidio of San Francisco within the GGNRA. While appreciative of the DOI's offer to include the Trust on the Committee, by this letter the Trust respectfully withdraws from consideration as a member. However, the Trust does wish to participate in the concurrent NEPA process for dog management in GGNRA referred to at page 37109 of the public notice. Accordingly, we request to be involved as a cooperating agency under the National Environmental Policy Act and specifically 40 C.F.R. Section 1501.6 for the reasons set forth below.

Area A of the Presidio, which is under the jurisdiction of the National Park Service (NPS), is immediately adjacent to Area B. In light of this fact, the outcome of the NPS dog management rulemaking process has the potential for spillover impacts in Area B and, as noted in the GGNRA Dog Management Plan Draft Internal Scoping Report without citing Area B by name, "the potential to impact or influence policy at other regional parks—municipal, state, and federal." For these reasons the Presidio Trust intends to monitor closely the rulemaking process and will give future consideration to the Trust's regulation regarding pet management once the GGNRA rulemaking process is concluded.

Finally, for the record we note that the DOI public notice proposed the Presidio Trust as a committee member that would represent "the interests of local government." As a United States government agency, the Trust is charged with representing national interests, and any future reference to interests represented by the Trust should clearly so state. The Trust looks forward to working with you in the NEPA process for dog management. If there are further questions, I may be reached at 415 561 5419. Thank you very much.

Letter from the State of California Parks and Recreation



July 31, 2006

Mr. Brian O'Neill, General Superintendent
Golden Gate National Recreation Area
Fort Mason, Building 201
San Francisco, California 94123

Dear Mr. O'Neill:

Your letter of invitation to Director Ruth Coleman regarding the Golden Gate National Recreation Area (GGNRA) Dog Management Plan/Draft Environmental Impact Statement (Draft EIS) has been referred to me for response. Thank you for requesting our participation in the August 1 interagency meeting and planning process for this project. The California Department of Parks and Recreation (California State Parks) welcomes the opportunity to provide comments ahead of the interagency meeting. Our understanding is that this meeting is for the National Park Service (NPS), as lead agency, to solicit input in the planning process for project purpose, need, objectives, the concurrent negotiating rulemaking process, and the schedule for Draft EIS preparation. The main purpose of the Dog Management Plan/Draft EIS is to determine where, and to what extent, leashed dog walking and unleashed walking under voice control will be permitted.

California State Parks is a state agency with jurisdiction and management of the State Park System as defined by California Public Resources Code (PRC) §5001 through 5001.5 and §5019.50. We are, therefore, responsible for the resources that may be affected by the Dog Management Plan/Draft EIS as those resources exist within units of the State Park System.

The mission of California State Parks is to provide for the health, inspiration, and education of the people of California by helping preserve the state's extraordinary biodiversity, protecting its most valued natural and cultural resources, and creating opportunities for high quality outdoor recreation. The 1.4 million-acre California State Park System for which we are responsible is currently made up of 278 classified units and major unclassified properties. Unit classifications, in addition to State Parks, include State Recreation Areas, State Beaches, State Historic Parks, State Vehicular Recreation Areas, State Reserves, Natural Preserves, Cultural Preserves, and State Wilderness. The management approach for any particular unit is based on the unit classification statutes as specified in PRC §5019.50 through 5019.74 and specific direction provided in each unit's general plan. The statutes set forth the primary purpose of each classified unit, identify in general what types of facilities and uses may be permitted, and provide direction on how unit resources shall be managed.

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Mr. Brian O'Neill

-2-

July 31, 2006

By nature of their shared borders or close proximity with GGNRA, we have identified that resources, recreation uses, and park operations have the potential to be impacted in the following units. We request that NPS consider the management approach and operation requirements for these units, their resource values, and their recreational uses in development of the Dog Management Plan/Draft EIS:

- Mount Tamalpais State Park
- Samuel P. Taylor State Park
- Tomales Bay State Park
- Thornton State Beach

The information on the website does not clearly state that Samuel P. Taylor State Park and Tomales Bay State Park are decidedly outside of the project boundary. The map provided on the website simply states that GGNRA northern lands are managed by the Point Reyes National Seashore. We request that the website and Dog Management Plan/Draft EIS clearly show and state whether federal land adjacent to these two park units will be considered for study.

California State Parks recognizes the need of dogs and their owners to recreate together in safe, accessible, and aesthetic locations. Dog walking promotes exercise for both dogs and their owners, as well as pet socialization and owner interaction. Our concerns are that leashed and unleashed dog use should not contribute to natural or cultural resources damage, displace existing recreational activities, become a nuisance, or threaten public safety, especially in the vicinity of State Park System units. Nor should dog use affect units in a manner that conflicts with park classification, general plans, or other land-use planning documents. More detailed information about these concerns is provided in this letter.

UNIT CLASSIFICATIONS AND PLANNING DOCUMENTS

As described above, State Park System (SPS) units and subunits are managed according to their classification. The California PRC determines the general types of uses that may occur within each unit depending on its classification. SPS units are operated according to their individual general planning documents (PCR §5002.2). A general plan is a formal land-use planning document that provides broad policy and programmatic guidance regarding the development and management of an individual unit of the State Park System, including natural, cultural, scenic, aesthetic, and recreation values. The guidance from these planning documents is essential to California State Parks' managers and staff, and is of value to those organizations and individuals who have a substantial interest in the State Park System and its individual units. We request that direct, indirect, and cumulative impacts to SPS unit long-range planning, management, and development be considered by NPS. The Dog Management Plan/Draft EIS should also include analysis of any conflicts and proposed resolutions to impacts related to California State Parks planning documents.

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Mr. Brian O'Neill

-3-

July 31, 2006

PARK OPERATIONS

Direct Control of Dogs

In park areas that California State Parks allows dogs, the dogs must be under direct control of the visitor and cannot pose a threat to the public or park resources. California State Parks considers direct control to mean that a dog must be on a leash no longer than six feet (California Code of Regulations §4312). From an anecdotal point of view, many dog owners believe they have voice control over dogs when, in fact, they do not. A very small percentage of well-trained dog handlers with well-trained dogs are in fact able to maintain control without a leash. Therefore, California State Parks requests that NPS consider alternatives that reduce dog walking adjacent to State Park System units or minimize impacts by requiring dogs to be on-leash.

Potential Conflicts in Recreation

Dogs are known to chase horses and bicyclists particularly if a horseback rider or bicyclist is attempting to escape from a dog. Acting defensively, horses also may injure or kill dogs and put horseback riders and other visitors in danger. For example, panicked horses may throw their riders in an attempt to defend themselves or escape.

California State Parks, along with all other land management agencies that offer recreational sites, must comply with the American Disabilities Act (ADA). The ADA allows persons with disabilities to bring service dogs into areas where dogs may not otherwise be permitted. California State Parks provides guidance to departmental employees regarding ADA access with dogs, which is modeled upon that of NPS.

Dogs as a Nuisance or Threat to Visitors

In certain cases, park visitors have expressed that they are intimidated by large unleashed dogs on trails. This has been a common complaint in urban units like Topanga State Park. Although dogs are not permitted on trails in this and most other State Park System units, dog owners have been known to frequently bring unleashed dogs onto trails. As a result, hikers without dogs often have been surprised and frightened by large dogs running up to them. In parks with beaches, dogs running unleashed across the sand have run up on park visitors. On occasion visitors, particularly small children, have been knocked down. These persons are frequently frightened and/or injured by this type of event. In some cases, dogs may bite persons while playing, or attempting to play, with children or other persons not associated with a specific dog. Dogs will also protect other dogs and persons with whom they have regular interaction and property in a territorial response. On occasion a dog may perceive danger to its human handlers or property in its domain and react aggressively in an inappropriate manner.

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Mr. Brian O'Neill

-4-

July 31, 2006

In addition, State Park rangers have responded to dogfights that have resulted in injury to dogs. Dogfights have been known to occur when two groups of hikers or beach users with dogs off-leash encounter each other on trails or beaches. Lastly, dogs have also been known to urinate on beach visitors' beach equipment such as towels, toys, chairs, and ice chests and to defecate near persons using a beach area. This and other canine behaviors mentioned above have compromised the recreation experience of park visitors.

California State Parks works to provide safe, clean beaches for its visitors year-round. Another health and safety issue is the potential effect that large amounts of dog feces may have on the bacterial load in runoff and in nearby water sources. While there is no clear evidence that dog feces are the main causative agent for water quality degradation near California beaches, locally high concentrations of dog feces most certainly contributes to water quality issue in certain areas.

NATURAL RESOURCE MANAGEMENT

California State Parks strives to manage natural resources within its park units by, where possible, restoring and maintaining natural ecosystem processes. Domestic dogs are not native, but still exhibit predatory behavior reminiscent of their ancestors including sighting, vocalizing, tracking, and chasing of prey. Just by their very presence, dogs, even when leashed, look and smell like predators due to their similar appearance and behavior to wild canids. In addition, dogs often occur in higher density and frequency in parks than actual wild predators in natural settings. To this regard, the presence of leashed or unleashed dogs in, or adjacent to, units of the State Park System are likely to cause disturbance to wildlife and their habitat (Department Operations Manual §0311.5.7.1).

Specific Impacts to Wildlife and Vegetation

Domestic dogs have been known to pursue wildlife, resulting in their harassment, injury, or death (Department Operations Manual §0311.5.7.4). Dogs pose a threat to any wild species that spends at least some time on the ground, as well as to natural vegetation and wildlife habitat. Some specific ways that domestic dogs may impact wildlife and vegetation are as follows:

- Wild animals even if not being chased, may act threatened and remain vigilant; thus the very presence or scent of a dog, whether leashed or unleashed, has the potential to deter wild animals from their normal day-to-day activities such as foraging, resting, mating, and caring for young.
- When unleashed, dogs pursue, harass, and sometimes capture wild animals, thereby disrupting natural behaviors and processes. Not only will capture likely result in injury or death, but the chase may separate young from their parents and damage habitat, burrows, and nesting areas.

Mr. Brian O'Neill

-5-

July 31, 2006

- Natural, wild predator-prey relationships may be disrupted by the presence of dogs that are in or adjacent to the natural environment.
- Natural vegetation comprises much of the habitat used by wildlife in park units. While chasing wildlife or simply playing together off-leash, dogs have the potential to damage natural vegetation used by wildlife for foraging, cover, burrowing, and nesting. In addition, special-status plant species, wetlands, and other sensitive vegetation may be impacted by these disturbances.

We are particularly concerned about potential impacts to ground-nesting species, such as the federally threatened Western snowy plover. A nesting plover may be chased, or simply frightened to such an extent in the presence of a dog on the beach, that it accidentally damages its eggs or abandons its nest and chicks. In order to protect the Western snowy plover and its habitat on beaches of the State Park System, as well as to fulfill its legal obligation under the Federal Endangered Species Act, California State Parks currently implements an extensive protection, monitoring, and reporting program. We are concerned that overflow use or intrusion of dogs from GGNRA property onto beaches of or adjacent to State Park System units may jeopardize protective measures that we have employed. We request that NPS consider potential overflow use and intrusion in its planning efforts.

Impacts to Natural Resources by Dog Waste and Disease Transmission

Domestic dogs may carry and transmit disease and parasites to native canids, such as coyotes and foxes, during direct contact or contact with dog feces. In turn, domestic dogs may also contract disease and parasites from wild animals and through contact with their feces. In addition, locally concentrated areas of dog use may increase the likelihood or severity of water quality issues in those areas due to fecal run-off into nearby waterways and beaches. California State Parks requests that Dog Management Plan/Draft EIS provide a detailed plan on how NPS will prevent, manage, and mitigate the potential for disease transmission from domestic dogs to wildlife, as well as timely removal of locally concentrated waste in and in the vicinity of GGNRA properties.

CULTURAL RESOURCE MANAGEMENT

Dogs, especially when unleashed, playing, running, or digging have the potential to disturb, degrade, or damage archaeological sites, buried archaeological remains, historic structures or features, or sacred sites of significance to California State Parks and to the history of the State of California. We urge protection of archaeological and historical resources within, adjacent to, and in the vicinity of, State Park System units that may be pertinent to interpretation of cultural resource values. Protections, such as avoidance and minimization measures should be addressed in the Dog Management Plan/Draft EIS. If any new dog facilities will be constructed, we urge NPS to perform research and surveys prior to site-specific studies, and commit that any new facilities will be designed and constructed to avoid archaeological remains to the greatest extent practicable. If unavoidable, an appropriate recovery plan should be considered and if

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Mr. Brian O'Neill

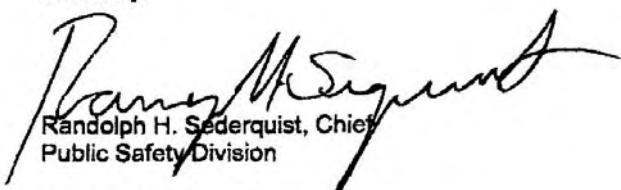
-6-

July 31, 2006

remains are found during construction, work should be stopped for recordation, determinations, and development of a protection plan. In addition, all historical resources should be mapped, recorded, and evaluated to determine eligibility for placement on the National Register of Historic Places. Projects should be designed to avoid significant impacts to potentially eligible historic resources.

As the Dog Management Plan/Draft EIS proceed through the environmental review process, we anticipate that we will be able to further identify issues and possibly bring others to your attention. If any of our current comments need clarification or further explanation, please do not hesitate to contact me at (916) 653-0398 or rsede@parks.ca.gov.

Sincerely,



Randolph H. Sederquist, Chief
Public Safety Division

cc: Resources Agency
Richard Rayburn, Natural Resources Division

HW:RS:lll:GGNRA Dog Mng

Letter from the National Park Service to the U.S. Fish and Wildlife Service



United States Department of the Interior

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

IN REPLY REFER TO:

N16 (GOGA-SUPT)

OCT 20 2006

Ryan Olah
Chief, Coast Bay Delta Branch
Endangered Species Division
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

Dear Mr. Olah:

We appreciate the participation of your biologist, Kim Squires, at our August 1, 2006 agency scoping meeting for the Golden Gate National Recreation Area (GGNRA) Dog Management Plan/Environmental Impact Statement (EIS). It was especially helpful for our planning team to be able to meet with Kim in the afternoon following the scoping meeting to begin the informal consultation process for this project, which is proceeding concurrently with a negotiated rulemaking process for dog management. The negotiated rulemaking committee will work to develop consensus recommendations to the park about where it may be appropriate to allow dogwalking in GGNRA managed lands. The park intends to integrate the recommendations of the committee's efforts into one or more alternatives for analysis in the EIS.

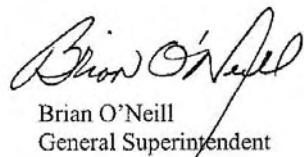
In this letter we are following up on Kim's suggestion that we continue the informal consultation process by enclosing for your review both 1) information on threatened and endangered species occurrence in the project area that we have gathered from the U.S. Fish and Wildlife Service website and from park data (highlighted species are those that would be the focus of our analysis); and 2) the parameters the park has developed to date for which park areas could be considered by the negotiated rulemaking for which types of dog activity. Additional information about the project can also be found by navigating to <http://parkplanning.nps.gov/goga> and selecting the project titled "EIS/Dog Management Plan for GGNRA." Project area maps can be accessed directly at the following website: <http://parkplanning.nps.gov/document.cfm?parkID=303&projectId=12791&documentID=15330>

In addition to those species highlighted in the enclosed county lists, we intend to also evaluate the impacts of dog management alternatives on the federally endangered California seablite (*Suaeda californica*) and Ohlone tiger beetle (*Cicindela ohlone*). The California seablite has been reintroduced to the marsh at Crissy Field that is managed by

GGNRA, and park staff believe that GGNRA sites in San Mateo County may support the Ohlone tiger beetle or suitable habitat.

As the NEPA and the negotiated rulemaking processes develop preliminary alternatives for dog management in different areas of the park we hope through informal consultation to work with the FWS to determine if adverse effects to listed species are present and to work together to avoid or minimize those effects. Please let us know who on your staff will be our contact for consultation on the dog management plan. The primary park contact for consultation will be Bill Merkle (415) 331-2894. However, in his absence during the month of October, please contact Daphne Hatch (415) 331-0744..

Sincerely,



Brian O'Neill
General Superintendent

Enclosures

Federal Endangered and Threatened Species that Occur in
or may be Affected by Projects in the Counties and/or
U.S.G.S. 7 1/2 Minute Quads you requested

Document Number: 061012050111
Database Last Updated: October 3, 2006

Species of Concern - The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. See www.fws.gov/sacramento/es/spp_concern.htm for more information and links to these sensitive species lists.

Red-Legged Frog Critical Habitat - The Service has designated final critical habitat for the California red-legged frog. The designation became final on May 15, 2006. See our [map index](#).

No quad species lists requested.

County Lists

Marin County

Listed Species

Invertebrates

Haliotis sorenseni

white abalone (E) (NMFS)

Icaricia icarioides missionensis

mission blue butterfly (E)

Incisalia mossii bayensis

San Bruno elfin butterfly (E)

Speyeria zerene myrtleae

Myrtle's silverspot butterfly (E)

Syncaris pacifica

California freshwater shrimp (E)

Fish

Eucyclogobius newberryi

tidewater goby (E)

Oncorhynchus kisutch

coho salmon - central CA coast (E) (NMFS)

Critical habitat, coho salmon - central CA coast (X) (NMFS)

Oncorhynchus mykiss

Central California Coastal steelhead (T) (NMFS)

Critical habitat, Central California coastal steelhead (X) (NMFS)

Critical habitat, Central Valley steelhead (X) (NMFS)

http://www.fws.gov/sacramento/es/spp_lists/auto_list.cfm

Oncorhynchus tshawytscha
Central Valley spring-run chinook salmon (T) (NMFS)
Critical habitat, winter-run chinook salmon (X) (NMFS)
winter-run chinook salmon, Sacramento River (E) (NMFS)

Amphibians

Ambystoma californiense
California tiger salamander, central population (T)

Rana aurora draytonii
California red-legged frog (T)
Critical habitat, California red-legged frog (X)

Reptiles

Caretta caretta
loggerhead turtle (T) (NMFS)

Chelonia mydas (incl. *agassizii*)
green turtle (T) (NMFS)

Dermochelys coriacea
leatherback turtle (E) (NMFS)

Lepidochelys olivacea
olive (=Pacific) ridley sea turtle (T) (NMFS)

Birds

Brachyramphus marmoratus
Critical habitat, marbled murrelet (X) marbled murrelet (T)

Charadrius alexandrinus nivosus
Critical habitat, western snowy plover (X)
western snowy plover (T)

Diomedea albatrus
short-tailed albatross (E)

Haliaeetus leucocephalus
bald eagle (T)

Pelecanus occidentalis californicus
California brown pelican (E)

Rallus longirostris obsoletus
California clapper rail (E)

Sternula antillarum (=*Sterna*, =*albifrons*) *browni*
California least tern (E)

Strix occidentalis caurina
northern spotted owl (T)

http://www.fws.gov/sacramento/es/spp_lists/auto_list.cfm

Appendices

Mammals

Arctocephalus townsendi
Guadalupe fur seal (T) (NMFS)

Balaenoptera borealis
sei whale (E) (NMFS)

Balaenoptera musculus
blue whale (E) (NMFS)

Balaenoptera physalus
finback (=fin) whale (E) (NMFS)

Eubalaena glacialis
right whale (E) (NMFS)

Eumetopias jubatus
Critical Habitat, Steller (=northern) sea-lion (X) (NMFS)
Steller (=northern) sea-lion (T) (NMFS)

Megaptera novaeangliae
humpback whale (E) (NMFS)

Physeter catodon (=macrocephalus)
sperm whale (E) (NMFS)

Reithrodontomys raviventris
salt marsh harvest mouse (E)

Plants

Alopecurus aequalis var. *sonomensis*
Sonoma alopecurus (E)

Calochortus tiburonensis
Tiburon mariposa lily (T)

Castilleja affinis ssp. *neglecta*
Tiburon paintbrush (E)

Chorizanthe robusta var. *robusta*
robust spineflower (E)

Chorizanthe valida
Sonoma spineflower (E)

Delphinium bakeri
Baker's larkspur (E)
Critical habitat, Baker's larkspur (X)

Delphinium luteum
Critical habitat, yellow larkspur (X) yellow larkspur (E)

Hesperolinon congestum
Marin dwarf-flax (=western flax) (T)

Layia carnosa
beach layia (E)

Lupinus tidestromii
clover lupine [Tidestrom's lupine] (E)

Streptanthus niger
Tiburon jewelflower (E)

Trifolium amoenum
showy Indian clover (E)

Candidate Species

Invertebrates

Haliotis cracherodii
black abalone (C) (NMFS)

Fish

Oncorhynchus tshawytscha
Central Valley fall/late fall-run chinook salmon (C) (NMFS)
Critical habitat, Central Valley fall/late fall-run chinook (C) (NMFS)

San Francisco County

Listed Species

Invertebrates

Haliotis sorenseni
white abalone (E) (NMFS)

Icaricia icarioides missionensis
mission blue butterfly (E)

Incisalia mossii bayensis
San Bruno elfin butterfly (E)

Fish

Eucyclogobius newberryi
tidewater goby (E)

Oncorhynchus kisutch
coho salmon - central CA coast (E) (NMFS)

Oncorhynchus mykiss
Central California Coastal steelhead (T) (NMFS)
Critical habitat, Central California coastal steelhead (X) (NMFS)
Critical habitat, Central Valley steelhead (X) (NMFS)

Oncorhynchus tshawytscha
Critical habitat, winter-run chinook salmon (X) (NMFS)
winter-run chinook salmon, Sacramento River (E) (NMFS)

Amphibians

Rana aurora draytonii
California red-legged frog (T)

Appendices

Reptiles

Caretta caretta
loggerhead turtle (T) (NMFS)

Chelonia mydas (*incl. agassizi*)
green turtle (T) (NMFS)

Dermochelys coriacea
leatherback turtle (E) (NMFS)

Lepidochelys olivacea
olive (=Pacific) ridley sea turtle (T) (NMFS)

Birds

Charadrius alexandrinus nivosus
western snowy plover (T)

Diomedea albatrus
short-tailed albatross (E)

Haliaeetus leucocephalus
bald eagle (T)

Pelecanus occidentalis californicus
California brown pelican (E)

Rallus longirostris obsoletus
California clapper rail (E)

Mammals

Arctocephalus townsendi
Guadalupe fur seal (T) (NMFS)

Balaenoptera borealis
sei whale (E) (NMFS)

Balaenoptera musculus
blue whale (E) (NMFS)

Balaenoptera physalus
finback (=fin) whale (E) (NMFS)

Eubalaena glacialis
right whale (E) (NMFS)

Eumetopias jubatus
Critical Habitat, Steller (=northern) sea-lion (X) (NMFS) Steller (=northern) sea-lion (T) (NMFS)

Megaptera novaeangliae
humpback whale (E) (NMFS)

Physeter catodon (=macrocephalus)
sperm whale (E) (NMFS)

Reithrodontomys raviventris
salt marsh harvest mouse (E)

Plants

Arctostaphylos hookeri ssp. ravenii
Presidio (=Raven's) manzanita (E)

Clarkia franciscana
Presidio clarkia (E)

Hesperolinon congestum
Marin dwarf-flax (=western flax) (T)

Lessingia germanorum
San Francisco lessingia (E)

Candidate Species

Invertebrates

Haliotis cracherodii
black abalone (C) (NMFS)

San Mateo County

Listed Species

Invertebrates

Euphydryas editha bayensis
bay checkerspot butterfly (T)
Critical habitat, bay checkerspot butterfly (X)

Haliotis sorenseni
white abalone (E) (NMFS)

Icaricia icarioides missionensis
mission blue butterfly (E)

Incisalia mossii bayensis
San Bruno elfin butterfly (E)

Speyeria callippe callippe
callippe silverspot butterfly (E)

Speyeria zerene myrtleae
Myrtle's silverspot butterfly (E)

Fish

Eucyclogobius newberryi
tidewater goby (E)

Oncorhynchus kisutch
coho salmon - central CA coast (E) (NMFS)
Critical habitat, coho salmon - central CA coast (X) (NMFS)

http://www.fws.gov/sacramento/es/spp_lists/auto_list.cfm

Appendices

Oncorhynchus mykiss

Central California Coastal steelhead (T) (NMFS)
Critical habitat, Central California coastal steelhead (X) (NMFS)

Oncorhynchus tshawytscha

Central Valley spring-run chinook salmon (T) (NMFS)
winter-run chinook salmon, Sacramento River (E) (NMFS)

Amphibians

Ambystoma californiense

California tiger salamander, central population (T)

Rana aurora draytonii

California red-legged frog (T)
Critical habitat, California red-legged frog (X)

Reptiles

Caretta caretta

loggerhead turtle (T) (NMFS)

Chelonia mydas (incl. agassizi)

green turtle (T) (NMFS)

Dermochelys coriacea

leatherback turtle (E) (NMFS)

Lepidochelys olivacea

olive (=Pacific) ridley sea turtle (T) (NMFS)

Thamnophis sirtalis tetrataenia

San Francisco garter snake (E)

Birds

Brachyramphus marmoratus

Critical habitat, marbled murrelet (X) marbled murrelet (T)

Charadrius alexandrinus nivosus

Critical habitat, western snowy plover (X)
western snowy plover (T)

Diomedea albatrus

short-tailed albatross (E)

Haliaeetus leucocephalus

bald eagle (T)

Pelecanus occidentalis californicus

California brown pelican (E)

Rallus longirostris obsoletus

California clapper rail (E)

Sternula antillarum (=Sterna, =albifrons) browni

California least tern (E)

http://www.fws.gov/sacramento/es/spp_lists/auto_list.cfm

Mammals

Arctocephalus townsendi
Guadalupe fur seal (T) (NMFS)

Balaenoptera borealis
sei whale (E) (NMFS)

Balaenoptera musculus
blue whale (E) (NMFS)

Balaenoptera physalus
finback (=fin) whale (E) (NMFS)

Enhydra lutris nereis
southern sea otter (T)

Eubalaena glacialis
right whale (E) (NMFS)

Eumetopias jubatus
Steller (=northern) sea-lion (T) (NMFS)

Megaptera novaeangliae
humpback whale (E) (NMFS)

Physeter catodon (=macrocephalus)
sperm whale (E) (NMFS)

Reithrodontomys raviventris
salt marsh harvest mouse (E)

Plants

Acanthomintha duttonii
San Mateo thornmint (E)

Cirsium fontinale var. fontinale
fountain thistle (E)

Cupressus abramsiana
Santa Cruz cypress (E)

Eriophyllum latilobum
San Mateo woolly sunflower (E)

Hesperolinon congestum
Marin dwarf-flax (=western flax) (T)

Lessingia germanorum
San Francisco lessingia (E)

Pentachaeta bellidiflora
white-rayed pentachaeta (E)

Potentilla hickmanii
Hickman's potentilla (=cinquefoil) (E)

Candidate Species

Invertebrates

Haliotis cracherodii
black abalone (C) (NMFS)

Fish

Oncorhynchus tshawytscha
Central Valley fall/late fall-run chinook salmon (C) (NMFS)
Critical habitat, Central Valley fall/late fall-run chinook (C) (NMFS)

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service. Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected**

by projects within, the quads covered by the list. z Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.

z Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.

z Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the nine surrounding quads through the California Native Plant Society's online Inventory of Rare and Endangered Plants.

Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys includ any proposed and candidate species on your list.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepa for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, tra capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by on of two procedures:

- z If a Federal agency is involved with the permitting, funding, or carrying out of a project that m result in take, then that agency must engage in a formal consultation with the Service.

During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would resu in a biological opinion by the Service addressing the anticipated effect of the project on listed proposed species. The opinion may authorize a limited level of incidental take.

- z If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and a likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct a indirect impacts to listed species and compensates for project-related loss of habitat. You shou include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, wat air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are n restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See o critical habitat page for maps.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end o your project.

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield this office at (916) 414-6580.

Updates

Appendices

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be January 10, 2007.

Marin Municipal Water District Agency Scoping Response

Marin Municipal Water District Agency Scoping response

From: Shirwin_Smith@nps.gov
Sent: Friday, October 03, 2008 2:11 PM
To: Boltz, Suzanne; Layfield, Tracy
Subject: Marin Municipal Water District Agency Scoping response

----- Forwarded by Shirwin Smith/GOGA/NPS on 10/03/2008 11:10 AM -----

"Casey May"
<cmay@marinwater.org> To:
org cc:
Subject: Re: Agency Scoping
Mtg 8/1 08/07/2006 11:20
AM MST

Shirwin:

As we discussed last week, I would like to have the text revised in the Deliberative Draft regarding Adjacent Land Use specifically related to MMWD land, that was distributed at the meeting on 8/1/06. On page 3, in reference to MMWD land use, the text beginning with the first sentence should read: This district owns and manages about 20,000 acres of watershed land open sunrise to sunset for passive recreation, including access to seven reservoirs and 134 miles of roads and designated hiking trails. At this time the district has no plans to acquire additional lands to enlarge its system...

As I mentioned to you last week, it was a pleasure getting together with you and all the other agency representatives attending the scoping meeting. Brian's presentation regarding the historical perspective of the Negotiated Rule Making process and how it applies to GGNRA's Dog Management Plan was very informative. The effort you, Chris Powell and the consultants put into preparing for the meeting was quite evident.

Good luck with the entire process.

Regards
Casey

Casey May
Superintendent of Watershed Resources
Marin Municipal Water District
Sky Oaks Watershed Headquarters
P.O. Box 865
Fairfax, CA 94978
(415) 945-1179
cmay@marinwater.org

Letter from Marin County Parks and Open Space Commission to Golden Gate National Recreation Area

August 10, 2006

Superintendent Brian O'Neill
Golden Gate National Recreation Area
Fort Mason, Building 201
San Francisco, Ca 94123

Attn: Dog Management Plan/EIS

Dear Superintendent O'Neill:

I have two suggestions regarding the possible decision to allow dogs within the boundary of the GGNRA: DON'T DO IT.

If the final decision does allow dogs within the GGNRA, I strongly advise you to restrict the dogs to LEASH ONLY – NO EXCEPTIONS.

I have been a member of the Marin County Parks and Open Space Commission for almost ten years. Approximately five years ago, due to the out off control situation with dogs off leash in the County's open space lands, the commission was forced to review and write new policy in order confront the growing problem.

During the commission's public hearings several dog owners and professional dog walkers demonstrated a complete lack of objectivity and were shockingly rude and insulting to anyone who dared express opposition to allowing dogs to run free in our "protected" open space. The entitled attitude of the dog owner/guardian was a real eye opener for many of us who were seeking a fair resolution to the dog problem.

You will discover that there is no middle ground with many dog owners. They will simply ignore any rules that may be imposed on the dog's ability to demonstrate its "dogness."

There are dozens of dog parks located throughout the Bay Area. More are being constructed. These parks fill the obvious need for dogs to exercise and interact with other dogs. Our national parks and recreation areas are no place for free roaming dogs. The impacts to the natural ecosystems are obvious and well documented.

Please do not be intimidated or dissuaded from resolutely protecting the natural resources found within the GGNRA. In other words: Hang Tough.

Sincerely

Rick Fraites, Chair
Marin County Parks and Open Space Commission*
50 Forrest Road
Novato, Ca 94947
415-717-4350
ricfraites@aol.com

*identification purposes only

RECEIVED
AUG 14 2006
SHERIFF'S OFFICE

B. O'Neill
Cc: M. Bartling
C. Powell
L. Smith



United States Department of the Interior

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

IN REPLY REFER TO:
L76 (GOGA-NRM)

DEC 15 2010

Jan Knight, Section 7 Coordinator
United States Fish and Wildlife Service
Sacramento Office,
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

Re: Section 7 Consultation for the Draft Dog Management Plan and Environmental Impact Statement, Golden Gate National Recreation Area

Dear Ms. Knight:

The National Park Service (NPS) has developed a dog management plan/Environmental Impact Statement (plan/EIS) for Golden Gate National Recreation Area (GGNRA). The purpose of this letter is to acquaint you with the proposed plan/EIS and to request concurrence with our analysis of potential impacts on rare, threatened and endangered species that may be affected by the proposed action. The dog management alternatives addressed in this plan/EIS include 21 locations within GGNRA (see attached Figure 1). The selection of sites addressed in this plan/EIS was determined by NPS managers, and was based on information from historical and current dog management in GGNRA, including the 1979 Pet Policy; NPS law, policy, and regulations; park resources; and the Federal Panel Recommendations to the General Superintendent. GGNRA encompasses approximately 80,500 acres in San Francisco, Marin, and San Mateo counties. This plan/EIS will only address lands directly managed by GGNRA and certain additional lands that will be directly managed by the park in the near future. The plan/EIS also provides a framework and criteria for the treatment of future new lands as they are acquired.

The purpose of the plan/EIS is to provide a clear, enforceable policy to determine the manner and extent of dog use in appropriate areas of the park. This plan/EIS would promote the following objectives:

- Preserve and protect natural and cultural resources and natural processes
- Provide a variety of visitor experiences
- Improve visitor and employee safety
- Reduce user conflicts
- Maintain park resources and values for future generations

A plan/EIS is needed because GGNRA resources and values, as defined by the park's enabling legislation and the NPS Organic Act, could be compromised to the extent that, without action, those resources and values in some areas of the park might not be available for enjoyment by future generations. Additionally, a dog management policy inconsistent with NPS regulations and increased public expectations for use of the park for dog recreation have resulted in controversy, litigation, and compromised visitor and employee safety, affecting visitor experience.

and resulting in resource degradation. The conflicts will likely escalate if not addressed in a comprehensive plan/EIS.

The internal scoping process yielded the following specific natural resource objectives for this planning process:

- Protect native wildlife and their habitat (including sensitive species and their habitat, and federally or state listed, unique, or rare species) from detrimental effects of dog use, including harassment or disturbance by dogs.
- Minimize degradation of soil and water resources by dog use.
- Preserve opportunities for future natural resource restoration and enhancement.

The Code of Federal Regulations, Title 36, Volume 1 provides “for the proper use, management, government, and protection of persons, property, and natural and cultural resources within areas under the jurisdiction of the NPS.” Several components of this regulation are relevant to the protection of natural resources and are listed in the table below.

| Protected Natural Resources | Regulation |
|--------------------------------------------------------------|------------------------------------|
| Vegetation Damage | 36 CFR 2.1 (a) (1) (ii) |
| Wildlife Disturbance | 36 CFR 2.2(a)(2) |
| Disturbance to T&E Species | 36 CFR 2.2 (a) (2), 50 CFR Part 17 |
| Violation of Areas Closed to All (T/E and Sensitive Habitat) | 36 CFR 1.5 (f) |
| Pet Excrement | 36 CFR 2.15 (a) (5) |

Habitat used by federally threatened or endangered species may be vulnerable to impacts from intensive use of public areas by humans and dogs. GGNRA contains more federally protected endangered and threatened species than any other unit of the national park system in continental North America. There are over 80 rare or special-status wildlife species currently identified as permanent or seasonal residents of the park or dependent on park lands and waters for migration. Although habitats at GGNRA support many species with special status, only those species potentially affected by this plan/EIS are discussed in this document. Of the 80 listed wildlife species, 12 are state and/or federally listed and have a detailed impacts analysis in this plan/EIS. A list of the twelve species is attached to this letter.

In our preparation of the plan/EIS, we have analyzed the potential impacts of six alternatives including a No Action and a Preferred Alternative on listed aquatic and marine species occurring and potentially present within the 21 sites and new lands of GGNRA selected for dog management. Because the draft plan/EIS is a very large document we have attached excerpted applicable sections of the draft plan/EIS to assist with your review. These sections provide a

description of the preferred alternative and impact analysis for rare, threatened and endangered species and any designated critical habitat that are present or may potentially be present.

NPS recognizes that the public may not comply with the preferred alternative as described. To ensure resources, visitors and park staff are protected and that compliance with the CFR applicable to dog management is high, NPS has included a compliance-based management plan. If non-compliance occurs at a site, compliance-based management plan would be implemented to increase compliance with the new dog management regulations. Noncompliance would include dog walking within restricted areas, dog walking under voice and sight control in designated on-leash dog walking areas, and dog walking under voice and sight control outside of established ROLAs. When noncompliance is observed in an area, park staff would focus on enforcing the regulations, educating dog walkers, and establishing buffer zones, time and use restrictions, and SUP restrictions. If noncompliance continues and falls below 75 percent compliance in a management zone (measured as the percentage of total dogs / dog walkers observed during the previous 12 months not in compliance with the regulations), the area's management would be changed to the next more restrictive level of dog management. Impacts from noncompliance could reach short-term adverse, but the compliance-based strategy is designed to return impacts to a level that assumes compliance, as described in the overall impacts analysis, or provide beneficial impacts where dog walking is reduced or eliminated.

We have concluded that the preferred alternative for the selected 21 sites of GGNRA is "not likely to adversely affect" the species listed on the accompanying table. Therefore, we do not believe that formal consultation is required. Please tell us in writing within 60 days from the date of receipt, or no later than February 21, 2011, if you do or do not concur with our assessment.

If, based on comments received during public review of the DEIS, NPS determines that the preferred alternative should be altered or amended in any way, NPS will submit a revised analysis with a new recommendation based on the new preferred alternative and associated impacts.

Should you need to informally discuss concerns before making your determination, please contact Daphne Hatch, Chief of Natural Resources and Management, at 415 331-0744.

Sincerely,



Frank Dean
General Superintendent

Enclosures

Appendices



FEDERALLY AND STATE-LISTED SPECIES CONSIDERED IN THIS PLAN/EIS

| Group | Scientific Name | Common Name | Federal Status^a | State Status^a | GGNRA Location |
|--------------|-----------------------------------------------------|---------------------------------------------|-----------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Invertebrate | <i>Callophrys mossii bayensis</i> | San Bruno elfin butterfly | FE | — | Milagra Ridge |
| Invertebrate | <i>Icaricia icarioides</i> ssp. <i>missionensis</i> | Mission blue butterfly | FE | — | Marin Headlands Trails, Oakwood Valley, Milagra Ridge, Sweeney Ridge, Fort Baker |
| Fish | <i>Eucyclogobius newberryi</i> | Tidewater goby | FE, CH | — | Marin Headlands (Rodeo Lagoon) |
| Fish | <i>Oncorhynchus kisutch</i> | Coho salmon—central California coast | FE, CH | SE | Muir Beach (Redwood Creek) |
| Fish | <i>Oncorhynchus mykiss</i> | Steelhead—central California coast | FT, CH | — | Muir Beach (Redwood Creek) |
| Amphibian | <i>Rana aurora draytonii</i> | California red-legged frog | FT, CH | — | Marin Headlands (Tennessee Valley Pond), Muir Beach (lagoon), Rodeo Beach (lagoon and lake), Mori Point, Milagra Ridge, Sweeney Ridge |
| Reptile | <i>Thamnophis sirtalis tetrataenia</i> | San Francisco garter snake | FE | SE | Mori Point, Milagra Ridge, Sweeney Ridge, Pedro Point |
| Bird | <i>Charadrius alexandrinus nivosus</i> | Western snowy plover | FT, CH ^b | — | Crissy Field, Ocean Beach |
| Bird | <i>Riparia riparia</i> | Bank swallow | — | ST | Fort Funston |
| Bird | <i>Strix occidentalis caurina</i> | Northern spotted owl | FT | — | Homestead Valley, Oakwood Valley |
| Mammal | <i>Arctocephalus townsendi</i> | Guadalupe fur seal | FT | ST | All beach areas |
| Mammal | <i>Eumetopias jubatus</i> | Steller sea lion | FT, CH ^b | — | All beach areas |
| Plant | <i>Arctostaphylos hookeri</i> ssp. <i>ravenii</i> | Presidio (Raven's) Manzanita | FE | SE | Baker Beach |
| Plant | <i>Hesperolinon congestum</i> | Marin dwarf-flax (Marin western flax) | FT | ST | Baker Beach |
| Plant | <i>Lessingia germanorum</i> | San Francisco lessingia | FE | SE | Fort Funston, Baker Beach |
| Plant | <i>Suaeda californica</i> | California seablite | FE | — | Crissy Field |
| Plant | <i>Potentilla hickmanii</i> | Hickman's potentilla (Hickman's cinquefoil) | FE | SE | Mori Point, Pedro Point |

^aFE = federally endangered, FT = federally threatened, CH = critical habitat, SE = state endangered, ST = state threatened, SR = state rare.

^b =Critical habitat has been designated for this species, but it does not occur in GGNRA.



United States Department of the Interior

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

IN REPLY REFER TO:
L76 (GOGA-NRM)

DEC 15 2010

Mr. Dan Butler
NOAA - Fisheries
Southwest Region,
501 W. Ocean Blvd., Suite 4200
Long Beach, California 90802

Re: Section 7 Consultation for the Draft Dog Management Plan and Environmental Impact Statement, Golden Gate National Recreation Area

Dear Mr. Butler:

The National Park Service (NPS) has developed a dog management plan/Environmental Impact Statement (plan/EIS) for Golden Gate National Recreation Area (GGNRA). The purpose of this letter is to acquaint you with the proposed plan/EIS and to request concurrence with our analysis of potential impacts on rare, threatened and endangered species that may be affected by the proposed action. The dog management alternatives addressed in this plan/EIS include 21 locations within GGNRA (see attached Figure 1). The selection of sites addressed in this plan/EIS was determined by NPS managers, and was based on information from historical and current dog management in GGNRA, including the 1979 Pet Policy; NPS law, policy, and regulations; park resources; and the Federal Panel Recommendations to the General Superintendent. GGNRA encompasses approximately 80,500 acres in San Francisco, Marin, and San Mateo counties. This plan/EIS will only address lands directly managed by GGNRA and certain additional lands that will be directly managed by the park in the near future. The plan/EIS also provides a framework and criteria for the treatment of future new lands as they are acquired.

The purpose of the plan/EIS is to provide a clear, enforceable policy to determine the manner and extent of dog use in appropriate areas of the park. This plan/EIS would promote the following objectives:

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and resulting in resource degradation. The conflicts will likely escalate if not addressed in a comprehensive plan/EIS.

The internal scoping process yielded the following specific natural resource objectives for this planning process:

- Protect native wildlife and their habitat (including sensitive species and their habitat, and federally or state listed, unique, or rare species) from detrimental effects of dog use, including harassment or disturbance by dogs.
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The Code of Federal Regulations, Title 36, Volume 1 provides “for the proper use, management, government, and protection of persons, property, and natural and cultural resources within areas under the jurisdiction of the NPS.” Several components of this regulation are relevant to the protection of natural resources and are listed in the table below.

| Protected Natural Resources | Regulation |
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| Vegetation Damage | 36 CFR 2.1 (a) (1) (ii) |
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Habitat used by federally threatened or endangered species may be vulnerable to impacts from intensive use of public areas by humans and dogs. GGNRA contains more federally protected endangered and threatened species than any other unit of the national park system in continental North America. There are over 80 rare or special-status wildlife species currently identified as permanent or seasonal residents of the park or dependent on park lands and waters for migration. Although habitats at GGNRA support many species with special status, only those species potentially affected by this plan/EIS are discussed in this document. Of the 80 listed wildlife species, 12 are state and/or federally listed and have a detailed impacts analysis in this plan/EIS.

Freshwater, brackish-water, and marine environments in GGNRA are habitat for the two listed salmonids, coho salmon (federally endangered and state endangered) and steelhead trout (federally threatened). As previously noted, salmonids are visual feeders, and extended periods of high turbidity following dog play in tidal areas or creeks can result in reduced foraging time or success for these species. No areas designated as essential fish habitat will be affected.

Appendices

In our preparation of the plan/EIS, we have analyzed the potential impacts of six alternatives including a No Action and a Preferred Alternative on listed aquatic and marine species occurring and potentially present within the 21 sites and new lands of GGNRA selected for dog management. Because the draft plan/EIS is a very large document we have attached excerpted applicable sections of the draft plan/EIS to assist with your review. These sections provide a description of the preferred alternative and the impact analysis for rare, threatened and endangered species and any designated critical habitat that are present or may potentially be present.

NPS recognizes that the public may not comply with the preferred alternative as described. To ensure resources, visitors and park staff are protected and that compliance with the CFR applicable to dog management is high, NPS has included a compliance-based management plan. If non-compliance occurs at a site, compliance-based management plan would be implemented to increase compliance with the new dog management regulations. Noncompliance would include dog walking within restricted areas, dog walking under voice and sight control in designated on-leash dog walking areas, and dog walking under voice and sight control outside of established ROLAs. When noncompliance is observed in an area, park staff would focus on enforcing the regulations, educating dog walkers, and establishing buffer zones, time and use restrictions, and SUP restrictions. If noncompliance continues and falls below 75 percent compliance in a management zone (measured as the percentage of total dogs / dog walkers observed during the previous 12 months not in compliance with the regulations), the area's management would be changed to the next more restrictive level of dog management. Impacts from noncompliance could reach short-term adverse, but the compliance-based strategy is designed to return impacts to a level that assumes compliance, as described in the overall impacts analysis, or provide beneficial impacts where dog walking is reduced or eliminated.

We have concluded that the preferred alternative for the selected 21 sites of GGNRA is "not likely to adversely affect" the coho salmon or steelhead trout. Therefore, we do not believe that formal consultation is required. Please tell us in writing within 60 days from the date of receipt, or no later than February 21, 2011, if you do or do not concur with our assessment.

If, based on comments received during public review of the DEIS, NPS determines that the preferred alternative should be altered or amended in any way, NPS will submit a revised analysis with a new recommendation based on the new preferred alternative and associated impacts.

Should you need to informally discuss concerns before making your determination, please contact Daphne Hatch, Chief of Natural Resources and Management, at 415 331-0744.

Sincerely,



Frank Dean
General Superintendent

Enclosures





United States Department of the Interior

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

IN REPLY REFER TO:
L76 (GOGA-NRM)

DEC 15 2010

Ms. Nan Reck
NOAA - Fisheries
777 Sonoma Ave., Suite 325,
Santa Rosa, California 95404

Re: Section 7 Consultation for the Draft Dog Management Plan and Environmental Impact Statement, Golden Gate National Recreation Area

Dear Ms. Reck:

The National Park Service (NPS) has developed a dog management plan/Environmental Impact Statement (plan/EIS) for Golden Gate National Recreation Area (GGNRA). The purpose of this letter is to acquaint you with the proposed plan/EIS and to request concurrence with our analysis of potential impacts on rare, threatened and endangered species that may be affected by the proposed action. The dog management alternatives addressed in this plan/EIS include 21 locations within GGNRA (see attached Figure 1). The selection of sites addressed in this plan/EIS was determined by NPS managers, and was based on information from historical and current dog management in GGNRA, including the 1979 Pet Policy; NPS law, policy, and regulations; park resources; and the Federal Panel Recommendations to the General Superintendent. GGNRA encompasses approximately 80,500 acres in San Francisco, Marin, and San Mateo counties. This plan/EIS will only address lands directly managed by GGNRA and certain additional lands that will be directly managed by the park in the near future. The plan/EIS also provides a framework and criteria for the treatment of future new lands as they are acquired.

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The internal scoping process yielded the following specific natural resource objectives for this planning process:

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In our preparation of the plan/EIS, we have analyzed the potential impacts of six alternatives including a No Action and a Preferred Alternative on listed aquatic and marine species occurring and potentially present within the 21 sites and new lands of GGNRA selected for dog management. Because the draft plan/EIS is a very large document we have attached excerpted applicable sections of the draft plan/EIS to assist with your review. These sections provide a

Appendices

description of the preferred alternative and impact analysis for rare, threatened and endangered species and any designated critical habitat that are present or may potentially be present.

NPS recognizes that the public may not comply with the preferred alternative as described. To ensure resources, visitors and park staff are protected and that compliance with the CFR applicable to dog management is high, NPS has included a compliance-based management plan. If non-compliance occurs at a site, compliance-based management plan would be implemented to increase compliance with the new dog management regulations. Noncompliance would include dog walking within restricted areas, dog walking under voice and sight control in designated on-leash dog walking areas, and dog walking under voice and sight control outside of established ROLAs. When noncompliance is observed in an area, park staff would focus on enforcing the regulations, educating dog walkers, and establishing buffer zones, time and use restrictions, and SUP restrictions. If noncompliance continues and falls below 75 percent compliance in a management zone (measured as the percentage of total dogs / dog walkers observed during the previous 12 months not in compliance with the regulations), the area's management would be changed to the next more restrictive level of dog management. Impacts from noncompliance could reach short-term adverse, but the compliance-based strategy is designed to return impacts to a level that assumes compliance, as described in the overall impacts analysis, or provide beneficial impacts where dog walking is reduced or eliminated.

We have concluded that the preferred alternative for the selected 21 sites of GGNRA is "not likely to adversely affect" the coho salmon or steelhead trout. Therefore, we do not believe that formal consultation is required. Please tell us in writing within 60 days from the date of receipt, or no later than February 21, 2011 of this letter, if you do or do not concur with our assessment.

If, based on comments received during public review of the DEIS, NPS determines that the preferred alternative should be altered or amended in any way, NPS will submit a revised analysis with a new recommendation based on the new preferred alternative and associated impacts.

Should you need to informally discuss concerns before making your determination, please contact Daphne Hatch, Chief of Natural Resources and Management, at 415 331-0744.

Sincerely,



Frank Dean
General Superintendent

Enclosures





United States Department of the Interior

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

IN REPLY REFER TO:

H4217 (GOGA-CRMM)

NOV 10 2010

Milford Wayne Donaldson
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento CA 95816

Dear Mr. Donaldson:

The Golden Gate National Recreation Area (Golden Gate) is hereby initiating National Historic Preservation Act (NHPA) Section 106 consultation under 36 CFR 800 for its Dog Management Plan/Environmental Impact Statement (EIS).

As Paul Scolari (Historian and American Indian Liaison, Golden Gate) and Mark Beason of your office discussed and arranged, the park is carrying out this review according to the provisions at 36 CFR 800.3(g), Expediting Consultation. Use of this provision, where multiple steps in the Section 106 review process are addressed at once, is believed to be appropriate because the historic properties within the area of potential effect are well understood by the park and due to the minimal effects to cultural resources under the plan's proposals.

As Scolari and Beason also discussed and arranged, it is the park's intent to use the National Environmental Policy Act (NEPA) EIS for the dog management plan as fulfillment of compliance requirements related to Section 106 of NHPA, as allowed under 36 CFR 800.8.

The Draft EIS describes the plan's six alternatives, including the preferred alternative (chapter 2); the description of the project's area of potential effects and historic properties which will potentially be affected by plan implementation (chapter 3), and the effects to these resources--in compliance with both NHPA and NEPA--as a result of the implementation of the alternatives (chapter 4).

As the park completes its public review/comment period for the Draft Dog Management Plan/EIS, the alternative for implementation will be selected and the park will update the SHPO on the selection of this alternative, as well as on the associated effects to historic resources that will be caused by this selected alternative. At that point in time, NPS will seek your concurrence with a final finding of effect.

Description of Undertaking

Golden Gate is preparing a Dog Management Plan and EIS for the purpose of providing clear and enforceable guidelines for dog-walking activities in the park. Stated plan objectives include, among other things, the protection and preservation of the park's cultural resources. The analysis involving cultural resources covers portions of the park which fall within Marin and San Francisco Counties. Plan alternatives include a variety of on-leash and off-leash options which have the potential to affect properties listed or eligible for listing in the National Register of Historic Places (NRHP). The preferred alternative emphasizes recreational opportunities and experiences for multiple user groups, including dog walkers. The alternative would provide a no-dog experience in some areas and protection for significant cultural and natural resources. It would also include some areas for voice and sight control in Regulated Off-Leash Areas (ROLA).

Description of Area of Potential Effects (APE) and Historic Properties

Prior to analysis, and in accordance with 36 CFR 800.4(a)(1), the area of potential effects (APE) was established by the park. Seven non-contiguous areas within San Francisco and Marin Counties were defined as part of the overall APE (please refer to chapter 3—Affected Environment—of the EIS for detailed APE description and mapping).

As dog activity in an area can negatively affect sensitive cultural resources (i.e., trampling, digging, etc.) the APE boundaries were delineated by using the presence of dogs in plan areas where historic properties exist. In other words, where dogs are allowed in proximity to the locations of historic properties, or allowances for dogs are proposed for the future, these areas are included within the APE. The locations of historic properties were identified through review of Golden Gate records by its cultural resource staff.

Much of the area included in the APE is encompassed within large historic district boundaries including the Fort Miley Military Reservation; the Presidio National Historic Landmark (NHL); the Fort Mason Historic District; and the Forts Baker, Barry and Cronkhite Historic District. In addition, specific historic structures located within these larger districts, as well as at Fort Funston, were analyzed including permanent seacoast fortifications and their integral earthworks and Crissy Airfield. Three pre-contact archeological sites were also included in the analysis (Appendix I of the EIS contains a list of historic properties analyzed for the plan/EIS). All resources are either listed in or eligible for listing in the NRHP and are briefly described below.

Archeological Resources

Three archeological resources which could be affected by the plan are indigenous in nature. One is located in Marin County; two are located in San Francisco County. They are characterized in general as representing subsistence activities in the area--food procurement and preparation, tool production, etc. Golden Gate anticipates that implementation of this plan would result in no effects to these resources. Nonetheless, the park has informed potentially interested Coast Miwok and Ohlone representatives about the Dog Management Plan/EIS by means of its

quarterly communication tool, the *Native Update*, and has solicited input from these representatives.

Historic Structures

Historic structures which have the potential to be affected by the plan include:

- Several permanent seacoast fortifications and their integral earthworks (sometimes referred to as batteries)—these earthworks are described as earth placed over and around fortifications of brick, stone, and concrete (batteries) that were used as defensive structures and typically included a variety of artillery. Affected resources range in age from the late 19th Century to World War II. Earthwork portions of these permanent seacoast fortifications are inherently fragile in nature and are considered contributing resources to the larger historic districts in which most are located (see Historic Districts below).
- Crissy Airfield, established in 1919, functioned as the center of West Coast military aviation operations from 1921 to 1936. It is the only Air Coast Defense Station airfield in the country that retains the majority of its original buildings—hangars, barracks, guardhouse, etc.

Historic Districts included in analysis are related to the military history of the park which dates from Spanish settlement in 1776 through the 20th century.

- The Presidio National Historic Landmark was designated as such in 1962 and is the oldest Army installation operating in the American West and one of the longest-garrisoned posts in the country. Its size and longevity have resulted in a complex landscape with many overlapping historic layers. Its NRHP eligibility is related to its numerous historical, architectural, and archeological resources associated with important events in American history. Its period of significance is from 1776 to 1945 and the year 1951. The boundaries of the Presidio NHL encompass numerous cultural resources that could be affected by the plan, including Crissy Airfield, the U.S. Coast Guard Station Historic District, numerous seacoast fortifications and their integral earthworks, and field fortifications associated with Fort Winfield Scott and Fort Point. These resources are associated with the Presidio's Political and Military Affairs period (1865–1939) and the World War II period (1941–1945) and are considered as contributing to the significance of the Presidio NHL. Descriptions of the earthwork portions of seacoast fortifications and Crissy Airfield are found in "Historic Structures" (above).
- The Fort Mason Historic District is characterized by a collection of military structures with a period of significance ranging from 1855 to 1953. Earthwork portions of seacoast fortifications located within this historic district have the potential to be affected by the plan (see "Historic Structures", above).
- The Fort Miley Military Reservation was acquired by the U.S. Army in 1893 with the intent of constructing gun and mortar batteries for the defense of San Francisco Bay. It consists of three distinct complexes of structures. Earthwork portions of seacoast

fortifications at Fort Miley are considered contributing to the district's NRHP eligibility and have the potential to be affected under this plan (see "Historic Structures", above).

- The Forts Baker, Barry, and Cronkhite Historic District is associated with the history of coastal defense in the San Francisco Bay Area and was designed to enhance those at the Presidio, south of the Golden Gate, in guarding against the entry of enemy ships into San Francisco Bay. Its period of significance ranges from 1866 to 1974. Resources that could be affected by the plan include earthwork portions of seacoast fortifications at Fort Baker (see "Historic Structures", above), as well as numerous field fortifications primarily associated with Fort Cronkhite.

Finding of Effect

NEPA analysis and Section 106 findings have been completed for all cultural resources (three archeological resources; multiple historic structures; four historic districts) that could be potentially affected as a result of implementation of the dog management plan (see chapter 4 of EIS). Application of the Criteria of Adverse Effect (36 CFR 800.5) has resulted in the preliminary determination that the project will have an effect on historic properties within the APE, but the effect is "not adverse".

As stated above, as the park completes its public review/comment period for the Draft Dog Management Plan/EIS, the alternative for implementation will be selected and the park will update the SHPO on the selection of this alternative, as well as on the associated effects to historic resources that will be caused by this selected alternative. At that point in time, NPS will seek your concurrence with a final finding of effect.

In the mean time, if you have any questions about this information or the Draft EIS, please contact Paul Scolari at paul_scolari@nps.gov, or 415-561-4963.

Sincerely,



Frank Dean
General Superintendent

cc:

Advisory Council on Historic Preservation
Federated Indians of Graton Rancheria
Ohlone Representatives

Appendices





United States Department of the Interior

NATIONAL PARK SERVICE

Golden Gate National Recreation Area

Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

L76 (GOGA-PLAN)

DEC 15 2010

Larry Simon
Federal Consistency Coordinator
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105

Subject: Assessment of Coastal Consistency Determination for the Dog Management Plan
Environmental Impact Statement, Golden Gate National Recreation Area

Dear Mr. Simon:

Attached please find the Dog Management Plan Draft Environmental Impact Statement (Plan/DEIS). The Plan/DEIS purpose is to provide a clear, enforceable policy to determine the manner and extent of dog use in appropriate areas of the Golden Gate National Recreation Area (GGNRA). The National Park Service (NPS) will be seeking concurrence from your agency the Plan to be implemented is consistent with the Federal Coastal Zone Management Act of 1972, as amended.

The Alternatives in this Plan/DEIS address 21 locations within GGNRA. The selection of sites addressed was determined by NPS managers, and was based on information from historical and current dog management practices within GGNRA, including the 1979 Pet Policy; NPS law, policy, and regulations; park resources; and the Federal Panel Recommendations to the General Superintendent. GGNRA encompasses approximately 80,500 acres in San Francisco, Marin, and San Mateo counties. The plan/EIS only addresses lands that are directly managed by GGNRA and certain additional lands that will be directly managed by the park in the near future. The 21 sites under consideration for this plan/EIS and the project area are shown in the attached Figure 1.

The objectives of the Plan/DEIS include:

- Preserve and protect natural and cultural resources and natural processes
- Provide a variety of visitor experiences
- Improve visitor and NPS employee safety
- Reduce user conflicts
- Maintain park resources and values for future generations

Appendices

- Protect native wildlife and their habitat (including sensitive species and their habitat, and federally or state listed, unique, or rare species) from detrimental effects of dog use, including harassment or disturbance by dogs.
- Minimize degradation of soil and water resources by dog use.
- Preserve opportunities for future natural resource restoration and enhancement.

This Plan/EIS is needed because GGNRA resources and values, as defined by the park's enabling legislation and the NPS Organic Act, could be compromised to the extent that, without action, those resources and values in some areas of the park might not be available for enjoyment by future generations. Additionally, a dog management policy inconsistent with NPS regulations and increased public expectations for use of the park for dog recreation have resulted in controversy, litigation, and compromised visitor and NPS employee safety, affecting visitor experience and resulting in resource degradation. The conflicts will likely escalate if not addressed in a comprehensive Plan/EIS.

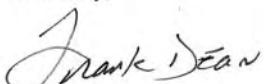
Based on analysis within the Draft EIS, the Preferred Alternative should, over the long term, provide beneficial effects to coastal resources by: 1) minimizing access to the surface waters of San Francisco Bay and the Pacific Ocean adjacent to the applicable GGNRA sites; 2) reducing opportunities for soil disturbance and erosion that could impact water quality and aquatic habitats; 3) protect and conserve sensitive species and habitats by prohibiting access to sensitive areas; 4) require control of dogs by owners at all times; and 5) increase compliance with waste removal.

The lands under consideration in this Plan/DEIS are excluded from the coastal zone, as they are wholly owned (or will be by the time the compliance effort is concluded) federal land, operated by the National Park Service - Department of the Interior.

Based on the anticipated benefits to coastal resources the NPS is confident the Plan is consistent with the CZMA and therefore does not require a Consistency Determination. The NPS will be submitting for your concurrence a "Negative Determination" (15 CFR Sec. 930.35(d)) for this Plan. After your review of the Plan/DEIS, and consideration of NPS's intention of submitting a "Negative Determination", the NPS requests confirmation this approach will gain concurrence from your agency.

If you have any questions regarding this request please contact Steve Ortega, at (415) 561-2841, or email at steve_ortega@nps.gov. Thank you for your consideration.

Sincerely,



Frank Dean
General Superintendent,
Golden Gate National Recreation Area

Attachment:

Figure 1 – Vicinity Map





United States Department of the Interior

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

IN REPLY REFER TO:

L76 (GOGA-PLAN)

DEC 15 2010

Mr. Bob Batha
San Francisco Bay Conservation
and Development Commission
50 California Street
San Francisco, CA 94111

Re: Assessment of Coastal Consistency Determination for the Dog Management Plan
Environmental Impact Statement, Golden Gate National Recreation Area

Dear Mr. Batha:

Attached please find the Dog Management Plan Draft Environmental Impact Statement (Plan/DEIS). The Plan/DEIS purpose is to provide a clear, enforceable policy to determine the manner and extent of dog use in appropriate areas of the Golden Gate National Recreation Area (GGNRA). The National Park Service (NPS) will be seeking concurrence from your agency the Plan to be implemented is consistent with the Federal Coastal Zone Management Act of 1972, as amended, and the San Francisco Bay Plan.

The Alternatives in this Plan/DEIS address 21 locations within GGNRA. Some of the sites are within the San Francisco Bay (i.e. Crissy Field) and likely fall under the 'park priority use areas' of the San Francisco Bay Plan. The selection of sites addressed was determined by NPS managers, and was based on information from historical and current dog management practices within GGNRA, including the 1979 Pet Policy; NPS law, policy, and regulations; park resources; and the Federal Panel Recommendations to the General Superintendent. GGNRA encompasses approximately 80,500 acres in San Francisco, Marin, and San Mateo counties. The plan/EIS only addresses lands that are directly managed by GGNRA and certain additional lands that will be directly managed by the park in the near future. The 21 sites under consideration for this Plan/EIS and the project area are shown in the attached Figure 1.

The objectives of the Plan/DEIS include:

- Preserve and protect natural and cultural resources and natural processes
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- Reduce user conflicts
- Maintain park resources and values for future generations

- Protect native wildlife and their habitat (including sensitive species and their habitat, and federally or state listed, unique, or rare species) from detrimental effects of dog use, including harassment or disturbance by dogs.
- Minimize degradation of soil and water resources by dog use.
- Preserve opportunities for future natural resource restoration and enhancement.

This Plan/EIS is needed because GGNRA resources and values, as defined by the park's enabling legislation and the NPS Organic Act, could be compromised to the extent that, without action, those resources and values in some areas of the park might not be available for enjoyment by future generations. Additionally, a dog management policy inconsistent with NPS regulations and increased public expectations for use of the park for dog recreation have resulted in controversy, litigation, and compromised visitor and NPS employee safety, affecting visitor experience and resulting in resource degradation. The conflicts will likely escalate if not addressed in a comprehensive Plan/EIS.

Based on analysis within the Draft EIS, the Preferred Alternative should, over the long term, provide beneficial effects to coastal resources by: 1) minimizing access to the surface waters of San Francisco Bay and the Pacific Ocean adjacent to the applicable GGNRA sites; 2) reducing opportunities for soil disturbance and erosion that could impact water quality and aquatic habitats; 3) protect and conserve sensitive species and habitats by prohibiting access to sensitive areas; 4) require control of dogs by owners at all times; and 5) increase compliance with waste removal.

The lands under consideration in this Plan/DEIS are excluded from the coastal zone, as they are wholly owned (or will be by the time the compliance effort is concluded) federal land, operated by the National Park Service - Department of the Interior.

Based on the anticipated benefits to coastal resources the NPS is confident the Plan is consistent with the CZMA and the San Francisco Bay Plan. After your review of the Plan/DEIS, please advise us of any concerns you may have regarding this draft Plan/DEIS, and suggestions for completing compliance with your agency.

If you have any questions regarding this request please contact Steve Ortega at (415) 561-2841, or email at steve_ortega@nps.gov. Thank you for your consideration.

Sincerely,



Frank Dean
General Superintendent

Enclosure:
Figure 1 – Vicinity Map

Appendices

