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Point Reyes: Lawsuit challenges historic ranching operations at iconic park

By **PAUL ROGERS** | progers@bayareanewsgroup.com | Bay Area News Group

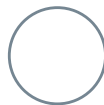
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SAN FRANCISCO — A year after an oyster farm was forced to shut down at Point Reyes National Seashore, sparking a bitter controversy over the role of farming in national parks, a coalition of environmentalists on Wednesday filed a lawsuit over a bigger and more explosive target: thousands of dairy and beef cattle in the park.

Many of the cattle ranches in the iconic park have been operated by the same families since the 1860s. And park service officials say they have no plans to remove them.

But the suit, filed in U.S. District Court in San Francisco against the National Park Service by three groups, claims that the cattle are causing erosion, polluting waterways with manure, harming endangered salmon and other species, and blocking public access.

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The groups say that park service officials are violating federal law because they are moving forward with a plan to renew 20-year leases to the ranchers without conducting adequate environmental studies on how the thousands of cows are affecting the seashore's scenic resources, including its tule elk. Nor have officials updated their 36-year-old park management plan to consider other options, like reducing the number of ranches in the park or the size of the cattle herds, the lawsuit contends.

"There are pastures out there that don't have any green thing on them, just mud and manure," said Huey Johnson, who served as state resources secretary under Gov. Jerry Brown from 1978 to 1982. "The cows have eaten up a lot of the wildflowers. We the public bought those lands."

Johnson is president of the Resource Renewal Institute, a Mill Valley group that filed the lawsuit with the Center for Biological Diversity and the Western Watersheds Project, based in Idaho.

Johnson said the number of cattle in Point Reyes National Seashore, now about 6,000, should be reduced by at least half. If the lawsuit is successful, he added, the coalition plans to try to reduce or remove livestock from some of the roughly 30 other national parks that allow grazing, a list that includes Death Valley, Pinnacles in San Benito County and Mojave National Preserve.

“You’ve got welfare ranching going on public lands all over the West,” he said.

Ranchers at the national seashore say their operations are a beloved part of Northern California’s coastal history. They note that when developers were threatening to build subdivisions on the Point Reyes Peninsula in the 1950s, ranchers formed an alliance with the Sierra Club and other environmental groups to convince Congress and President John F. Kennedy to establish the park in 1962.

“When Congress made a deal to buy the park, the ranchers said we will commit to going into the park as long as you guys write into law that we can stay here,” said Ted McIsaac, who grazes black Angus cattle on 2,800 acres inside the national seashore. “It’s 50 years later, and the generation today has no idea how this all got started. That’s been lost over time.”

There are currently 15 families grazing on about 18,000 acres in the 71,000-acre national seashore, an area famous for its towering cliffs, windswept coastal prairies and rich history dating back to Sir Francis Drake’s visit in 1579.

“Ranching is here to stay at Point Reyes National Seashore,” said Melanie Gunn, a spokeswoman for the park. “It’s an important part of our history and an active part of the seashore. The seashore wouldn’t be here if it wasn’t for the ranchers.”

The suit comes at a time that many local residents are still recovering from the recent battle over Drakes Bay Oyster Company. And in some ways, that debate, which gained national attention, is linked to the new showdown.

In 2012, then-U.S. Interior Secretary Ken Salazar refused to renew a 40-year lease that the park service had with the oyster company at Drakes Estero in the park. Salazar noted that Congress in 1976 intended for that section of Point Reyes to become wilderness.

The oyster farm’s owner, Kevin Lunny, launched an unsuccessful two-year legal battle. His critics said that Lunny, who also owns a ranching operation in the park, had purchased the oyster farm in 2004 knowing that its lease was expiring. They also argued that if he were allowed to stay it would set a precedent for other national parks, making it easier for commercial interests to operate in wilderness areas.

But some environmental groups, local leaders, U.S. Sen. Dianne Feinstein and famous chefs like Alice Waters of Chez Panisse in Berkeley came to his defense. The heated debate pitted friends against friends in West Marin and other liberal Bay Area communities. The oyster farm closed Dec. 31, 2014, and park service crews have since removed the buildings.

Salazar, himself a former Colorado cattle rancher, met with Lunny in 2012 and, after hearing ranchers’ concerns, ordered the park service as part of the oyster decision to begin a process to grant 20-year leases to the ranching families at Point Reyes, giving them more security.

The park service spent \$50 million from 1962 to 1972 buying out all of the ranchers’ property. It allowed them to stay until the death of the original owner and their spouse. But now nearly all those agreements have lapsed, and park officials have continued to renew leases with family heirs for 5- and 10-year periods.

Lunny says the oyster farm battle alarmed many of the ranchers.

“After what we went through, we’re really worried about what could come out of this,” he said of the latest debate. “There is a lot of sadness and disbelief. People have said since that happened we realize we have no voice. And what chance do the ranchers have?”

Ranchers also are upset that tule elk, a native species that was killed off in the 1800s and which the park service re-introduced in 1978, have spread to some of their farms, knocking down fences, wrecking irrigation equipment and putting cows at risk of disease. They want fences built. And they want park officials to remove problem animals.

Ranchers also want to be allowed to grow row crops, bring in chickens, sheep, goats and other animals, and set up bed and breakfasts on the park property.

But environmentalists supporting the lawsuit say ranching was never mandated forever under the 1962 law, and that ranchers drive ATVs, spread manure on pastures, and have brought in no-trespassing signs, trailers and waste disposal pits.

“A lot of people love the idea of ranching. It’s John Wayne. It’s the old West. Ranchers are hard workers. It’s a tough life,” said Ken Brower, son of the late David Brower, the former Sierra Club national executive director who lobbied for the park’s creation. “But they really shouldn’t be in a national park.”

Some local residents say they are wary of more conflict.

“The battle with the oyster farm left a lot of bruised feelings and everybody reeling,” said Peggy Day, a retired nurse in Point Reyes Station who sympathizes with the ranchers. “I think they are still in the corners licking their wounds. Nobody’s ready for another battle.”

Paul Rogers covers resources and environmental issues. Contact him at 408-920-5045. Follow him at [Twitter.com/PaulRogersSJMN](https://twitter.com/PaulRogersSJMN)



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