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January 6, 2017

Craig Kenkel
Acting Superintendent
Golden Gate National Recreation Area
Building 201, Ft. Mason
San Francisco, CA 94123

Dear Mr. Kenkel,

Crissy Field Dog Group (“CFDG”) has identified major concerns and substantive issues in the Golden Gate National Recreation Area’s (“GGNRA”) Final Environmental Impact Statement (“FEIS”) for the Dog Management Plan (“DMP”). These concerns are identified in summary form below.

CFDG also has expressed -- and reiterates here -- serious concerns with the GGNRA’s current proposed plan to proceed with issuance of a Record of Decision (“ROD”) on the existing administrative record, given the major issues that remain unresolved. Furthermore, CFDG has requested 30 additional days of no-action review time to allow the public to adequately examine, digest, and respond to the FEIS. This request is made in accordance with National Park Service policy, which states that the post-FEIS no-action period may be utilized by the public to submit comment on the FEIS. (NPS NEPA Handbook, at 67, 2015). In particular in the current circumstances, because the GGNRA has failed to provide a complete response to comments on the draft Supplemental EIS, and has failed to provide a comparison document or redline formatted material illustrating the substantive differences between the DSEIS and FEIS, the public is not afforded a reasonable opportunity to meaningfully review and comment on the contents of the FEIS.

CFDG’s substantive and procedural concerns with the FEIS and the preferred alternative, based on the review that has been possible during the 30-day no action period, and without waiver of any prior comments submitted in the rulemaking or environmental review process, are as follows:

- The FEIS and current preferred alternative DMP fails to incorporate commonsense, workable solutions put forth by CFDG over the past several years, including a fair enforcement solution, the Green TAG program (based on a similar program in Boulder, CO), to target problematic actors, mitigation measures such as clear signage, post and cable fences around sensitive habitat areas, etc., and a recreational roundtable to give interested community stakeholders an ongoing voice in addressing and resolving visitor use and resource concerns in the GGNRA.
- The FEIS continues to contain deficient analyses of core issues that may cause significant adverse impacts, including the dispersion of recreational uses into other, non-GGNRA recreational areas that will be caused by the DMP (including accompanying traffic, air quality, and similar impacts). There is nothing in the FEIS, which identifies that the GGNRA has established working partnerships with local municipalities within the three counties on which GGNRA land resides on to address the impact of dispersion in these counties and neighborhoods.
- Another example of deficient analyses includes how the FEIS superficially addresses sea level rise that has already had a substantial effect on beaches at Crissy Field and Baker Beach, especially during King tides and storm surges. The FEIS bases the lack of concern since “the term of the final plan/EIS is only 20 years and changes to sea level along the coast of California is predicted by 2100 because...sea changes would not be expected during the life of the FEIS”. The FEIS language about sea level rise in the GGNRA is only addressed for Crissy Field when, in fact, it should be addressed for all beach areas within GGNRA lands and more accurate and realistic data is needed to quantify sea level rise impacts to these beaches and subsequent dispersion concerns that will affect these beach areas.
- The FEIS does not contain a comprehensive, standalone analysis of potential significant adverse impacts relating to urban quality. As an urban recreation area situated in the heart of a metropolitan region, GGNRA is unique among units of the NPS, and requires particularized attention on this important topic. The various use areas of the GGNRA function as core pieces of the neighborhoods and sub regions in which they are located, and the impacts to the urban quality of each of these localities is a critical component of the NEPA analysis.
- The FEIS has failed to provide workable definitions of key regulatory terms that are necessary for purposes of defining the scope of the DMP, including “dog walking”, “unaccompanied dog” and “unauthorized persons.” The vagueness of these terms require workable definitions to be drafted, because these terms are

fundamental to the regulated activity and new definitions will require additional public comment.

- The FEIS and current draft DMP fail to contain a monitoring and enforcement plan that is fair, flexible, and in accordance with basic principles of scientific integrity outlined Department of Interior guidance on adaptive management. The current framework, which has only been described in conceptual terms, appears to only allow for further shutdowns of dog walking areas, and does not provide for the possibility that impacts or visitor use patterns may merit additional, or different, dog walking areas in the future. This would unnecessarily tie the agency's hands, to the detriment of dog recreation.
- Finally, the FEIS has been issued in the context of an ongoing lawsuit, wherein the NPS has yet to produce documents required under FOIA. Moreover, the documents produced to date suggest that there may have been serious mismanagement of information relating to the DMP within GGNRA, including a directive in one email to delete relevant information. The NPS should not proceed with a ROD or any further rulemaking activity until these serious questions are resolved to the satisfaction of the community that will be impacted by a DMP.
- The NPS continues to misread and misapply one of the core purpose of the GGNRA: urban recreation. Recreation must be protected as a resource and value of this unit of the NPS, because Congress, in GGNRA enabling legislation, defined the area for this particular use. Without recasting its plan in terms of protection of urban recreation, and adequately protecting recreational uses including dog walking, NPS would fail to meet the requirements of its own Organic Act that a unit's resources and values be unimpaired for use and enjoyment of future generations.

As you are aware, the Congressional delegation from these three counties on which GGNRA lands reside, have sent letters to you requesting the 30 days of additional of no action review time for this FEIS, to allow the public to examine, digest, and respond to the FEIS.

CFDG recognizes that for this Dog Management Plan to be successfully implemented in the real world that the GGNRA and all of the interested community stakeholders need to commit in working together in a collaborative and constructive manner. We believe that a Recreational Roundtable would provide an avenue for this path forward and believe that FACA does not apply here. CFDG believes that the enjoyment of recreational uses, including dog walking, and protecting natural resources are not mutually exclusive and they can and do co-exist within the GGNRA boundaries.

For the foregoing reasons, CFDG respectfully reiterates its request that 30 additional days of “no action” period be allowed to give the public adequate time to fully comment on the contents of the FEIS in comparison to the DSEIS. Moreover, CFDG requests that the GGNRA make significant modifications to its current proposed preferred alternative, to allow for more fair and scientific management and enforcement going forward, and to further protect recreational and natural resources within the GGNRA for future generations.

Thank you for your consideration.

Sincerely,

Martha Walters

Martha Walters, CFDG

CC; House Minority Leader Nancy Pelosi, D-CA

Senator Diane Feinstein, D-CA

Senator Kamala Harris, D-CA

Rep. Jackie Speier, D-San Mateo

Rep. Jared Huffman, D-Marin

Sally Jewell, Secretary of the Interior

Michael Reynolds, Acting National Park Service Director

Edward Bolling, Council on Environmental Quality

Alexis Strauss, US EPA, Region 9

Kathy Goforth, US EPA, Region 9

Scott Weiner, California State Senator

San Francisco Mayor Ed Lee

San Francisco Board of Supervisors President London Breed

Marin Board of Supervisors President Judy Arnold

San Mateo Board of Supervisor President Don Horsley

Supervisor Katy Tang, City of San Francisco

Supervisor Kate Sears, Marin County

Dr. Jennifer Scarlett, President, San Francisco SPCA

Nancy McKenny, Executive Director, Marin Humane Society