

Pt. Reyes National Seashore --

Oral Testimony before the Marin County Board of Supervisors

July 14, 2009

(Regarding letter in support of Sen. Feinstein's proposed rider to federal budget bill that would permit Drakes Bay Oyster Company to continue its lease for 10 years after the lease is up in 2012—offered by Supervisor Steve Kinsey)

Marin Conservation League has a long standing interest in Pt. Reyes National Seashore that dates back more than 70 years:

- On November 17, 1938, MCL secured the purchase of the first public land to become part what is today the Seashore – the 54-acre former Chipman Ranch at Drakes Beach.
- MCL gave active support in obtaining the 1962 authorization that created the Seashore. As everyone knows, the Seashore languished in the years following the untimely death of Clem Miller.
- Throughout the 1960s there were numerous assaults on the Seashore – the West Marin Plan, the Bolinas Lagoon Plan; we finally had to unseat a supervisor who tipped the development majority of the Board at that time and who had almost gutted the Seashore concept.
- Finally in 1969, 29,000 acres – roughly half the total authorized acreage of the Park – still remained unpurchased, with funds frozen in Washington.
- At the urging of Clem Miller's widow, Harold Gregg, then Executive director of MCL, wrote the Marin County Board of Supervisors to encourage them to take action locally and nationally to gain financial commitments and especially to protect unpurchased lands from development.
- With Peter Behr as leader, MCL and others spent most of 1969 mounting a campaign that yielded 500,000 petition signatures sent to Congress, demanding that President Nixon free-up funds to complete acquisition.( Note: The Seashore belongs to all Americans; this is not just a Marin issue!)
- MCL even made an emergency purchase of 1.68 acres in 1969, contributing \$2,500 of the \$15,000 needed – such was the urgency of protecting every possible private in-holding!
- In the years between the SOS campaign and 1975, MCL participated in the process of studying and recommending appropriate areas of wilderness within the Park boundaries.
- In 1975, we wrote to Senator Bennett Johnston, Chair of the subcommittee on parks and Recreation, in support of the Wilderness Area proposal encompassed in John Burton's S 2472: "this beautiful, fragile turf, vegetation, and shore should be preserved for today's citizens and tomorrow's in its natural state." Specifically:
  - o MCL strongly urges inclusion in Wilderness of the quarter-mile strip of tidelands and Drakes' Estero. . .

- Jerry Friedman represented MCL as well as other organizations before the Subcommittee, and acknowledged that S 2472 would allow the continued use and operation of Johnson's Oyster company in Drake's Estero -- assumed to be 37 more years, based on an action that had occurred three years earlier:

In 1972 – the National Park Service purchased five acres of land along the banks of Drakes Estero from the then-owner Johnson's Oyster Company, which provided:

A terminable right to use and occupy (RUO) the above-described property . . . for a period of 40 years . . . Upon expiration of the reserved term, a special use permit may be issued for the continued occupancy of the property . . . provided, however that such permit for continued use will be issued *in accordance with National Park Service regulations in effect at the time the reservation expires.*

H.R. 8002 (1976) designated portions of PRNS as a wilderness and designated the land and waters upon which Johnson's Oyster Company operated as "potential wilderness" – "potential" only because of the nonconforming use in the Estero. The House Report accompanying H.R. 8002 stated, with regard to areas designated as potential wilderness: "it was the intent of the legislation that there be efforts to steadily continue to remove all obstacles to the eventual conversion of these lands and water to wilderness status."

It has been the objective and direction of the Seashore management to convert these lands and water to wilderness status within the specified timeframe of 2012. MCL has consistently supported this management objective.

Senator Feinstein's bill sidesteps the fundamental question: the area that supports the Drakes Bay Oyster Company is intended to revert to wilderness. When will that happen, if not as scheduled in 2012?

Nona Dennis

(The vote was 3 in favor of Kinsey's letter, 2 opposed)