

January 30, 2023

blm_ca_cotoni_coast_dairies@blm.gov

Zachary Ormsby, Field Manager zormsby@blm.gov,

Shekeetah Allen-Genoway, Assistant Field Manager sallengenoway@blm.gov

Sky Murphy, Planning & Environmental Coordinator smurphy@blm.gov

BLM has proposed a set of rules to govern public use of the Cotoni-Coast Dairies Unit of the California Coastal National Monument. The three organizations signing this letter offer these comments. We include suggested language in an attachment.

1. Specific Comments on the Draft Rules

Rule 3 should be clarified with respect to mobility devices needed by people with disabilities. Along with Class I and Class II electric bicycles, the faster Class III bicycles should be prohibited as well. See suggested language in the attachment.

Rule 7 should clarify that lands includes parking lots.

Rule 17 should simply state that the taking of wildlife and possessing of unlawfully taken wildlife or portions thereof is prohibited. Since hunting is not a permitted activity during Phase I of monument opening, this change will help avoid confusion. In addition, the rule should be expanded to explicitly prohibit the taking of plants or plant communities or portions thereof.

Rule 18 should be made more inclusive by including language that mirrors that in the Endangered Species Act and it should be expanded to include plants and plant communities.

Rule 19 prohibits possession of drones on monument lands in light of drones being included within the definition of unmanned aerial vehicles. For clarity, we suggest specifically mentioning drones as shown in the attachment.

Even though the definition of “weapon” under the definition of “recreational target shooting” includes air and CO2 pistols and rifles, we suggest that Rule 21 also include specific reference to air and CO2 pistols and rifles.

In addition, we urge the development of a separate rule focused exclusively on fireworks, broadly defined, because exhibition- and commercial-grade fireworks are very popular with visitors to the North Coast and they pose a severe fire risk. A typical reader of the rules is unlikely to notice, and may consider it counter-intuitive, that fireworks are included within the definition of “weapon.”

We also suggest separate rules (1) to preclude unauthorized release of translocated animals, plants or organisms and (2) to preclude interference with authorized livestock and grazing operations.

2. Additionally, an explicit list of “objects and values” specified in Presidential Proclamation 9563 is needed to provide context for the proposed rules.

In addition to the above suggestions, we have an overriding major concern. The Federal Register Notice for these rules notes that “Presidential Proclamation 9563 added the Cotoni-Coast Dairies unit to the California Coastal National Monument and identified resource objects and values to be protected. A supplementary Rule is needed to ensure protection of these resources, particularly biological and cultural resources.”

The Proclamation enumerated the objects and values to be protected and maintained as including a wide array of habitats and the diversity of wildlife that they support, including forests, shrublands, grasslands, riparian/wetlands, and aquatic systems (RMPA §1.1, p.2), as well as the natural faunal habitats (RMPA §3.7.1 Goal 3, p.13). It also called out specific plant and animal species.

Those objects and values identified by the Proclamation should be included in the Rule. BLM’s Decision Record for the adoption of the RMPA acknowledged that BLM is mandated to conserve the “objects and values” of the Monument. To fulfill this mandate the Rule should list those objects and values so that the public and law enforcement staff are informed as to which wildlife, plants, and habitats it must not harm. The attachment includes the list which should be incorporated into the Rule.

Sincerely,

Jonathan Wittwer

Jonathan Wittwer, Friends of the North Coast

David Rubin

David Rubin, Rural Bonny Doon Association

Michael R Eaton

Mike Eaton, Davenport North Coast Association

Cc: Noel Bock, DNCA

Attachment: Draft suggested language for Rule