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11 The Center for Biological Diversity, Resource Renewal Institute,
12 and Western Watersheds Project

12 **UNITED STATES DISTRICT COURT**

13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 NICOLETTE HAHN NIMAN, WILLIAM
15 NIMAN, DAVID EVANS, and CLAIRE
16 HERMINJARD

17 Plaintiffs,

18 v.

19 UNITED STATES DEPARTMENT OF
20 INTERIOR, DOUG BURGUM, in his capacity
21 as Secretary of the United States Department of
22 the Interior, UNITED STATES NATIONAL
23 PARK SERVICE, and JESSICA BOWRIN, in
24 her capacity as Acting Director of the National
25 Park Service,

26 Defendants.

Case No. 3:25-cv-01976-MMC

**DECLARATION OF CHANCE
CUTRANO IN SUPPORT OF MOTION
TO INTERVENE**

Date: June 20, 2025

Time: 9:00 AM

Courtroom 7 (19th Floor)

Honorable Maxine M. Chesney

1 I, Chance Cutrano, hereby declare as follows:

2 1. The facts set forth in this declaration are based upon my personal knowledge. If
3 called as a witness in this proceeding, I could and would testify competently under oath. As to
4 those matters that reflect an opinion, they reflect my personal and professional opinion on the
5 matter.

6 2. I am over the age of 18. I currently reside in Fairfax, Marin County, California.

7 3. I currently serve as the Director of Programs at Resource Renewal Institute
8 (“RRI”), a 40-year-old conservation organization operating nationally with a headquarters in
9 Fairfax, Marin County, California.

10 4. RRI is on a mission to advance science-driven tools that strengthen climate
11 resilience and safeguard biodiversity. Answering the urgency of today’s environmental
12 challenges, we work with leading-edge methods, build award-winning partnerships with diverse
13 community members, and take risks through innovation. This innovation has always focused on
14 responsible practices and sustainable solutions to natural resource management challenges. RRI
15 has a number of important programs focusing on public education, advocacy, coalition
16 development, sustainability analysis, and applied research. Since 1985, RRI has successfully
17 nurtured and fledged new programs, strategies, and leaders that have become catalysts for
18 change.

19 5. RRI’s founder, Huey Johnson, moved to Marin County in the 1960s to build the
20 Nature Conservancy in the Western United States, and served as its Western Regional Director
21 from 1964 to 1972. In 1972, he formed Trust for Public Land, a non-profit land acquisition
22 organization that works to save open space primarily near urban areas for the benefit of the lower
23 income populations for whom it is more difficult to access public parklands in remote areas in
24 the United States. Throughout Huey’s career, he acquired many open space parcels in Marin
25 County. One of his projects included protecting Marin County’s Bolinas Lagoon, a Ramsar
26 Wetland of International Importance located at the southern end of the Point Reyes peninsula.
27 Another included acquiring Marincello from Gulf Oil for \$12 million in 1972 and selling it at

1 half the value to the National Park Service (“NPS”) to become public land in Golden Gate
2 National Recreation Area. The following year, Huey and the Trust for Public Land acquired
3 2,300 acres of the Point Reyes peninsula from RCA, then offered these three miles of coastline to
4 Department of the Interior (“DOI”) to help complete the Point Reyes National Seashore. As
5 RRI’s founder and President until his passing in 2020, Huey’s dedication to preserving Marin’s
6 diverse and threatened natural ecosystems for public benefit continues to inspire RRI’s work. We
7 honor his conservation legacy through our ongoing efforts to preserve and restore threatened
8 public landscapes and the wildlife within Point Reyes National Seashore and the Golden Gate
9 National Recreation Area.

10 6. Environmental leadership, unique partnerships, and inventive land and water
11 management practices are at the heart of RRI’s work. RRI currently has three flagship programs:
12 a public lands program, a working lands program, and an oceans and rivers program. *Restore*
13 *Point Reyes Seashore* is part of our portfolio of public lands advocacy and research activities,
14 which also include the establishment of new public lands and improvement of wildlife and
15 habitat protections on existing public lands to durably conserve 30 percent of California’s lands
16 and waters by 2030. *Fish in the Fields* is our flagship project in our portfolio of working lands
17 activities. Through this nationwide regenerative agricultural program, RRI works with farmers,
18 trade associations, government agencies, and academic institutions to advance science farm
19 innovation, adapt to climatic changes through food system modifications and crop
20 diversification, improve resource efficiency, restore biodiversity in agroecosystems, and help
21 communities define and achieve rural resilience. RRI’s Clean Water + Free Rivers and our
22 Campaign to Eliminate Avoidable Bycatch programs encompass our portfolio of ocean and river
23 conservation efforts. We work with commercial and sport fishermen, tribal nations, frontline
24 communities and environmental advocates to ensure more responsible use of and equitable
25 access to clean water and marine resources. *Defense of Place*, the *Public Trust Alliance*, and
26 *Californians for Western Wilderness* are fiscally sponsored projects that uphold the inviolability
27 of protected lands through policy analysis and collaboration with citizen activists nationwide.

1 Historically, RRI has been an incubator for ideas to improve our environment and well-being. In
2 the past the establishment of the *Grand Canyon Trust* and our *Green Plans* program are among
3 RRI’s notable contributions to national and international natural resource conservation efforts.
4 Our environmental education program *The Forces of Nature: Environmental Elders Speak* is an
5 incredible library of oral histories and wisdom from pioneers in the environmental field.

6 7. I support the organization’s mission because, as a young person, I recognize the
7 need to help others, to develop creative solutions to the myriad complex environmental
8 challenges we face, and to repair our relationship with our environment.

9 8. I am also a former Mayor and town councilmember in Fairfax, California. I
10 recently completed a four-year term in office (December 2020 – December 2024). As an elected
11 officeholder in Marin County, I had the opportunity to develop, revise, fund, and implement
12 policies related to affordable housing production and preservation, anti-displacement, multi-
13 modal transportation, emergency preparedness and environmental conservation. These efforts
14 included managing complex multi-agency land acquisition projects to conserve and improve
15 wildlife corridors and public trails that connect to the broader Marin County trails network,
16 including the Golden Gate National Recreation Area and Point Reyes National Seashore.

17 9. I have studied and written about wildlife management conflicts between ranching
18 and public agencies—and the NPS in particular—since 2011, during which time I completed my
19 capstone thesis on state and federal (NPS) management of bison and elk in the Greater
20 Yellowstone ecosystem while attending Saint Xavier University.

21 10. I have worked professionally to reduce the impacts of cattle grazing and ranching
22 on public lands in the Bay Area since 2015 in my capacity as a research fellow, the Director of
23 Special Projects and Strategic Initiatives, and now the Director of Programs for RRI. Through
24 my professional work, I have learned how much cattle ranching can harm natural ecosystems and
25 habitat for native wildlife. I’ve also seen firsthand how commercial ranching operations can
26 impede public access on public lands.

1 11. I have been the lead staffer for RRI working on Point Reyes conservation
2 initiatives since 2015, including formally commenting on management plans and NPS policies,
3 commenting on related California Coastal Commission policies, commenting on related
4 California Natural Resource Agency policies, commenting on related San Francisco Regional
5 Water Quality Board policies, speaking at agency hearings, sending action alerts to the public,
6 preparing and distributing press releases and fact sheets, submitting letters to the editor and
7 opinion pieces, presenting information and updates at various public events, meeting with the
8 Park Service and public officials, submitting Freedom of Information Act requests and Public
9 Records Act requests for documents relating to management of public natural resources and
10 endangered species, and participating in litigation against national park planning efforts that
11 violate conservation laws.

12 12. Since 2015, I have been formally commenting for RRI on NPS mismanagement
13 of Point Reyes, particularly regarding cattle ranching impacts, substandard housing conditions
14 for ranch workers and subtenants, protections for threatened and endangered species and their
15 associated habitats, the treatment of tule elk, opportunities for expanded public access, use, and
16 enjoyment of this national park unit.

17 13. In August of 2015, I began to formally engage with NPS regarding their ongoing
18 development of their Ranch Comprehensive Management Plan (RCMP) and associated
19 Environmental Assessment that would have extended and expanded commercial cattle grazing
20 leases and other agricultural operations within Point Reyes, perpetuating mismanagement and
21 damage of public trust resources in violation of the legislative purpose of the National Seashore
22 and the mission of the National Park Service more broadly. I spent considerable time for RRI
23 informing the public about the RCMP, preparing action alerts and opinion pieces, and talking
24 with Park Service staff, other conservation groups, the media, and the public about the
25 management plan. Following the RCMP scoping process, the development of alternatives, and
26 the proposed RCMP and associated environmental assessment, RRI and our partners had
27

1 exhausted our administrative remedies to achieve more responsible management of Point Reyes
2 National Seashore and the Northern District of the Golden Gate National Recreation Area.

3 14. In 2016, RRI spearheaded a lawsuit challenging NPS's failure to revise its 1980
4 General Management Plan (GMP) for Point Reyes National Seashore and NPS's failure to ever
5 conduct an Environmental Impact Statement (EIS) before issuance of ranching leases. We
6 reached a 2017 settlement requiring NPS to revise the GMP and prepare the first ever EIS to
7 assess impacts of continued beef and dairy ranching in Point Reyes National Seashore and to
8 compare specific alternatives for future management of these public lands that would reduce
9 ranching, eliminate dairy ranching, and phase out all commercial ranching operations. During the
10 2017 environmental review process for the GMP, RRI advocated for NPS to conduct a more
11 comprehensive analysis of impacts stemming from each alternative, including emissions, water
12 quality and quantity. RRI also urged NPS to improve wildlife corridors for tule elk and other
13 wildlife; to reduce the proposed 340 miles of barbed wire fencing for ranches; to expand day use,
14 trail networks, and overnight activities for the public within the planning area; to sustain the
15 integrity of cultural resources; and to expand cultural resource preservation to prioritize not only
16 ranching artifacts, but indigenous Coast Miwok cultural resources as well. I prepared RRI's
17 scoping and draft EIS comments, and spent considerable time for RRI explaining the
18 management plan process and the various alternatives to the media, other conservation groups,
19 and the general public, as well as preparing action alerts and opinion pieces.

20 15. RRI led efforts to analyze the public comments submitted on the GMPA and
21 found that NPS received thousands of comments from a wide range of stakeholders, more than
22 90% of which supported alternatives that eliminated ranching. RRI also garnered support from
23 more than 100 organizations representing millions of members to call on NPS to prioritize
24 natural resource protection and ultimately phase out ranching at the Seashore.

25 16. RRI led efforts to inform California residents, Point Reyes National Seashore
26 visitors, public interest non-profit organizations and scientists of the California Coastal
27 Commissions process to review the proposed GMPA to determine its consistency with the

1 California Coastal Act. I spent considerable time for RRI informing the public about the Coastal
2 Commission process, preparing action alerts and opinion pieces, and talking with Coastal
3 Commission staff, Coastal Commissioners, the media, and the public about the GMPA and its
4 impact on California's coastal resources and coastal access. This public education effort resulted
5 in nearly 45,000 public comments to the Coastal Commission—the largest response to a single
6 issue in the Commission's history—encouraging the Commission to rigorously assess water
7 quality and quantity impacts, air quality impacts, public access impacts, impacts to tule elk and
8 other wildlife, and spillover impacts to special status avian and aquatic species as a direct result
9 of the proposed GMPA.

10 17. Once again, RRI led efforts to review, code, and analyze all Coastal Commission
11 published comments as of 3/26/21. Comments were separated by the Commission into those
12 from "Individual Members of the Public" (44,936) and those from "Organized Groups"
13 (27). There were 44,962 individual correspondences. 44,940 (99.95%) opposed the NPS GMPA
14 as proposed. Omitting "form letters" (as identified by the CCC), 94.92 (or 412/434 unique pieces
15 of correspondence) opposed the NPS GMPA as proposed. And, on a 5-4 vote, the Coastal
16 Commission narrowly approved a "conditional concurrence" predicated on improvements to
17 water quality monitoring, a more robust climate action plan, and annual reports on NPS's
18 progress to improve water quality, drought conditions, and the status of tule elk herds.

19 18. RRI and other conservation groups again filed suit in 2022 when the 2021 GMP
20 failed to adequately address the impacts of commercial cattle ranching and elk-livestock conflicts
21 and to follow park policies and environmental laws in reducing the environmental damage from
22 commercial cattle ranching within Point Reyes National Seashore and the Golden Gate National
23 Recreation Area. When NPS initiated a management plan process for the Tomales Point area and
24 tule elk management, RRI once again submitted formal comments and generated significant
25 public support for the elk fence to be removed. I was the lead RRI staffer for all of these efforts. I
26 have personally invested thousands of hours of effort on research, documentation, publicity,
27 education, advocacy, and community organizing regarding the management of Point Reyes

1 National Seashore, the protection and restoration of tule elk and endangered wildlife, and the
2 damaging impacts of commercial cattle ranching operations within the national park.

3 19. RRI's 2022 lawsuit directly led to the 2025 settlement agreement that ended most
4 commercial agricultural activities at Point Reyes through private agreements between ranchers
5 and the Nature Conservancy, which prompted the Park Service to amend the GMP and issue a
6 revised Record of Decision (ROD). The settlement agreement and revised Record of Decision
7 for the GMP strikes a more appropriate balance for the national park and the public—ensuring
8 natural resource conservation and recreational access are achieved to the maximum extent
9 practicable. RRI and I personally will benefit immensely from the revised plan due to the
10 cessation of most commercial agricultural activities and an end to water pollution, erosion,
11 habitat damage, and spread of invasive species caused by excessive livestock grazing, and an
12 improved management approach that ends decades of conflict over competing interests of private
13 dairying and cattle ranching with wildlife management. We will benefit from the Revised ROD's
14 allowance for tule elk being able to generally roam freely within the national seashore and
15 expand their numbers in accordance with California Department of Fish and Wildlife Elk
16 Management planning documents; and its requirements for restoration of coastal prairie and
17 wetland habitats and protection of endangered species. We will further benefit for the expansion
18 of day use and overnight recreation opportunities for hikers, cyclists, equestrians, and other
19 members of the public who seek to recreate, enjoy, and find inspiration along this rare piece of
20 undeveloped California coastline, as RRI's founder, Huey Johnson, intended.

21 20. I live in Fairfax, the gateway to West Marin's incredible public open spaces, and I
22 use and enjoy Point Reyes National Seashore and the Golden Gate National Recreation Area
23 several times a week. For me, like many, Point Reyes is my respite. It is where I pray, it is where
24 I reconnect with myself, it is where I celebrate life and the changing of the seasons.

25 21. Personally, I am an avid hiker, cyclist, kayaker, camper, naturalist, photographer
26 and writer. I often visit Point Reyes National Seashore to look for, observe, and photograph and
27 write about wildlife, natural habitats, and our connection to the natural world. I enjoy searching

1 for and documenting wildlife species such as tule elk, river otters, elephant seals, badgers,
2 coyotes, bobcats, snowy plover, peregrine falcons, salmon, red-legged frogs at Point Reyes
3 National Seashore. I enjoy kayaking to picnic or camp along the sandy beaches of Tomales Bay
4 in the National Seashore, listening to the bugling of tule elk on the hill as the fog rolls in. I enjoy
5 bikepacking or hiking in to Coast Camp, Sky Camp, or Wildcat Camp and experiencing
6 California's wild coastal ecosystems. I enjoy a bonfire with friends at Limantour Beach, singing
7 alongside the crashing waves and cacophony of shorebirds as the sunsets over the Farallon
8 Islands or Chimney Rock. I enjoy foraging for mushrooms among the lichen-laden Bishop Pine,
9 Douglas-fir, California Bay, and Coast Live Oak along the Estero Trail.

10 22. Conservation and restoration of the natural world, ensuring the general public has
11 access to these miraculous places, and developing models of how to live in right relationship
12 with our shared lands and waters are foundational to my being. I have professional, recreational,
13 aesthetic, spiritual, and moral interests in the conservation and preservation of the natural
14 ecosystems and native wildlife of Point Reyes National Seashore and the Golden Gate National
15 Recreation Area, particularly tule elk. It is important to me that tule elk and other wildlife species
16 thrive in their natural habitats. I believe that biodiversity has inherent value and it would be a
17 moral and spiritual failure of our society to not protect our most vulnerable wildlife.

18 Furthermore, I believe we have an obligation to investigate how to minimize our impact on our
19 environment, and to pursue natural resource management practices that regenerate natural
20 systems and leave them better than we find them. As a conservationist, I have a professional
21 interest in protecting and recovering these wildlife species and restoring the structure and
22 function of their habitats, which is essential to my work to promote funding, take regulatory
23 action, advocate, and organize citizen involvement in efforts to protect wildlife and public lands.

24 23. This lawsuit threatens key benefits of the Revised ROD, which shifts the
25 management priority of Point Reyes National Seashore from commercial beef and dairy ranching
26 to ecological restoration and allows elk to roam freely. If the revised ROD and GMPA were
27 overturned, my interests in the natural ecosystems and native wildlife of Point Reyes would be

1 harmed. The imperiled wildlife species, remnant native habitats, and public recreation and access
2 opportunities that I care about and work hard to protect would deprive me of all the benefits I
3 currently enjoy as a member of the public and beneficiary of this natural heritage.

4 24. The interests of RRI have frequently diverged from those of NPS at Point Reyes
5 National Seashore. RRI and our allied plaintiffs in the Point Reyes lawsuit are the only parties
6 that would defend the revised ROD with a narrow focus on the interests of tule elk, endangered
7 wildlife, natural resources, water, and other public values. RRI seeks to protect the general
8 public's ability to use this undeveloped publicly-owned portion of the California coastline for
9 physical and spiritual rejuvenation, inspiration, and enjoyment.

10
11 I declare under penalty of perjury under the laws of the United States that the foregoing is
12 true and correct.

13
14 Executed on May 15, 2025, in Fairfax, California.

15
16 Signature,

17
18 

19 Chance Cutrano