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16 The Center for Biological Diversity, Resource Renewal Institute,
17 and Western Watersheds Project

18 **UNITED STATES DISTRICT COURT**
19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

20 NICOLETTE HAHN NIMAN, WILLIAM
21 NIMAN, DAVID EVANS, and CLAIRE
22 HERMINJARD

23 Plaintiffs,
24 v.

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

Defendants.

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

**DECLARATION OF JEFF MILLER IN
SUPPORT OF MOTION TO
INTERVENE**

Date: June 20, 2025

Time: 9:00 AM

Courtroom 7 (19th Floor)

Honorable Maxine M. Chesney

1 I, Jeff Miller, 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 Ashland, OR.

7 3. I grew up in the San Francisco Bay Area and began visiting Point Reyes National
8 Seashore in the late 1960s and early 1970s, for hiking, camping and enjoyment of nature. From
9 2006–2014, I lived in West Marin immediately adjacent to Point Reyes National Seashore and
10 visited the park daily for hiking, kayaking, birdwatching, wildlife observation, and photography.

11 4. I have been a member of the Center for Biological Diversity (the “Center”) since
12 1995 and have been employed on the staff of the Center since 2001. I am currently employed
13 full-time by the Center.

14 5. The Center is a non-profit 501(c)(3) public-interest, conservation organization
15 with more than 1.8 million members and online activists, based in Tucson, Arizona, and
16 dedicated to the protection of endangered species and wild places. The Center acts on the
17 premise that the welfare of human beings is deeply linked to nature — to the existence in our
18 world of a vast diversity of wild animals and plants. We believe that such diversity holds
19 intrinsic value and that its loss also impoverishes society. We work to secure a future for all
20 species, great and small, hovering on the brink of extinction. We do so through science, law and
21 creative media, with a focus on protecting the lands, waters and climate that species need to
22 survive.

23 6. The Center has expertise on endangered species impacted by cattle ranching at
24 Point Reyes, such as the western snowy plover, steelhead trout, coho salmon, California red-
25 legged frog, Myrtle’s silverspot butterfly, and California freshwater shrimp.

1 7. I am also the founder and Director of the Alameda Creek Alliance, a community
2 watershed group dedicated to protecting and restoring the natural ecosystems of the Alameda
3 Creek watershed in the San Francisco Bay Area.

4 8. I have worked professionally to reduce cattle grazing and ranching impacts on
5 public lands in the Bay Area, since 1997 in my capacity as the director of the Alameda Creek
6 Alliance, and since 2001 in my capacity as a conservation advocate for the Center. Through my
7 professional work I have learned how much cattle ranching damages natural ecosystems and
8 habitat for native wildlife.

9 9. As an employee of the Center, I have personally been involved since 2008 in the
10 Center's campaign to protect public lands and native wildlife at Point Reyes National Seashore,
11 including protecting endangered species such as the western snowy plover and California red-
12 legged frog; protecting Drakes Estero wilderness area in Point Reyes; working to eliminate and
13 reduce cattle grazing impacts in Point Reyes; and efforts to protect and recover the Point Reyes
14 tule elk herds.

15 10. I have been the lead staffer for the Center working on Point Reyes conservation
16 initiatives since 2008, including formally commenting on management plans and park policies,
17 speaking at agency hearings, sending action alerts to the public, preparing and distributing press
18 releases and fact sheets, submitting letters to the editor and opinion pieces, meeting with the Park
19 Service and public officials, submitting Freedom of Information Act requests for documents
20 relating to management of public natural resources and endangered species, and participating in
21 litigation against park policies that violate conservation laws.

22 11. Since 2014, I have been formally commenting for the Center on National Park
23 Service (NPS) mismanagement of Point Reyes, particularly regarding cattle ranching impacts,
24 protections for endangered species, and treatment of tule elk.

25 12. In May 2014, the Center submitted formal scoping comments on a proposed
26 Ranch Comprehensive Management Plan that would have extended and expanded commercial
27 cattle grazing leases and other agricultural operations within Point Reyes, while damaging

1 habitat for endangered species and treating native tule elk as a nuisance species. I spent
2 considerable time for the Center informing the public about this disastrous management plan,
3 preparing action alerts and opinion pieces, and talking with Park Service staff, other conservation
4 groups, the media, and the public about the management plan. The formal scoping comments on
5 the plan and requests for information and analysis by the Center, other conservation groups, and
6 the general public were ignored by the Park Service and were not incorporated into the
7 management plan.

8 13. In 2016, the Center joined other conservation groups in a lawsuit challenging the
9 lack of a revision of the 1980 General Management Plan (GMP) for Point Reyes National
10 Seashore and the issuance of long-term ranching leases. We reached a 2017 settlement with NPS
11 requiring an amendment to the GMP, including options for elk management on the ranched
12 portions of the Seashore and consideration of at least one “no ranching” alternative. During the
13 2017 environmental review process for the GMP amendment (GMPA), the Center advocated for
14 the removal of the elk fence to allow tule elk to roam freely throughout Point Reyes National
15 Seashore. I prepared the Center’s scoping and draft EIS comments, and spent considerable time
16 for the Center explaining the management plan process, options and implications of the various
17 alternatives to the media, other conservation groups, and the general public, as well as preparing
18 action alerts and opinion pieces.

19 14. The Center advocated for removal of the Tomales Point fence and tule elk
20 protections and natural habitat restoration through press releases, opinion pieces, action alerts,
21 speaking at rallies and public events, and meetings with NPS personnel. The Center helped
22 organize unprecedented public engagement and comments supporting removal of the Tomales
23 Point elk fence and protection for tule elk.

24 15. From 2020 through 2022, the California Coastal Commission conducted a public
25 review of the National Park Service’s 2020 General Management Plan Amendment for Point
26 Reyes to determine whether it was consistent with state’s Coastal Act. Because the actions
27 proposed by NPS in the park management plan (further agricultural expansion, flawed water

1 quality plan, weak climate action plan, and mismanagement of elk) were not consistent with the
2 Coastal Act, the Center and our allied conservation groups organized considerable public
3 opposition to the NPS plan. We generated more than 20,000 public comments during the Coastal
4 Commission review of the GMPA opposing the NPS plan and a consistency determination for
5 ranching at Point Reyes and its spillover impacts to wildlife and other public resources in the
6 coastal zone. We organized more than 120 conservation groups, environmental justice
7 organizations, and local businesses in opposition to the NPS proposal and submitted formal
8 comments in December 2020. I personally spoke at Coastal Commission hearings, wrote opinion
9 pieces and letters to the editor and spoke with reporters on behalf of the Center.

10 16. The Center and other conservation groups again filed suit in 2022 when the 2021
11 GMPA failed to adequately address the impacts of cattle ranching and elk-livestock conflicts and
12 to follow park policies and environmental laws in reducing the environmental damage from
13 cattle ranching. When NPS initiated a management plan process for the Tomales Point area and
14 tule elk management, the Center once again submitted formal comments and generated
15 significant public support for the elk fence to be removed. I was the lead Center staffer for all of
16 these efforts. I have personally invested hundreds, if not thousands of hours of effort on research,
17 documentation, publicity, education, advocacy, and community organizing regarding the
18 management of Point Reyes National Seashore, the protection and restoration of tule elk and
19 endangered wildlife, and the damaging impacts of commercial cattle ranching.

20 17. The Center's 2022 lawsuit directly led to the 2025 settlement agreement that was
21 based on agreements between the Nature Conservancy and ranchers to end most commercial
22 ranching at Point Reyes, which prompted the Park Service to amend their management plan and
23 the ROD. The settlement agreement and revised ROD for the Point Reyes management plan
24 prioritizes ecological protection, wildlife conservation and recreational access. The Center and I
25 personally will benefit immensely from the revised plan due to the cessation of most commercial
26 agricultural activities and an end to water pollution, erosion, habitat damage, and spread of
27 invasive species caused by excessive livestock grazing, and an improved management approach

1 that ends decades of conflict over competing interests of private dairying and cattle ranching
2 with wildlife management. We will further benefit from tule elk being allowed to generally roam
3 freely within the national seashore and expand their numbers, restoration of coastal prairie
4 habitats, and protection of endangered species under the revised plan.

5 18. Personally, I am an avid naturalist and birdwatcher and frequently visit habitat for
6 rare and endangered birds and native wildlife throughout California. In the last decade, I have
7 seen 541 different species of birds in California alone. I often visit Point Reyes National
8 Seashore to look for, observe, and photograph wildlife. I lead annual birdwatching trips for the
9 public at the Point Reyes Birding and Nature Festival and also participate annually in the Point
10 Reyes Peninsula Christmas Bird Count. I enjoy searching for and documenting wildlife species
11 such as tule elk, snowy plovers, salmon, red-legged frogs, badgers, coyotes, bobcats, burrowing
12 owls, and foxes at Point Reyes. I took up wildlife and bird photography in order to be able to
13 better share the beauty and importance of California's native and imperiled bird and wildlife
14 species with others. I recently published a wildlife guide for the San Francisco Bay Area that
15 features many native animals and birds at Point Reyes National Seashore.

16 19. I last visited Point Reyes in January, February, and April 2025, and plan to return
17 for birdwatching and wildlife photography, as well as to monitor the status of the commercial
18 ranching wind-down process and the status of the Tomales Point tule elk. In May and June of
19 2025, I will be in Point Reyes leading wildlife and bird watching trips.

20 20. Conservation is not only my job, but my life's calling, intertwined with my deep
21 personal enjoyment of the wildlife and natural habitats that I seek to protect. I have professional,
22 recreational, aesthetic, spiritual, and moral interests in the conservation and preservation of the
23 natural ecosystems and native wildlife of Point Reyes National Seashore, particularly tule elk. It
24 is important to me that tule elk and other wildlife species survive and thrive in their natural
25 habitats. I believe that biodiversity has inherent value and it would be a moral and spiritual
26 failure of our society to not protect our most vulnerable wildlife. As a conservationist, I have a
27 professional interest in protecting and recovering these wildlife species, which is essential to my

1 work to promote funding, take regulatory action, advocate, and organize citizen involvement in
2 efforts to protect endangered species.

3 21. The NPS revised management plan ROD shifting the management of Point Reyes
4 from commercial ranching to ecological restoration and the NPS decision to allow elk to roam
5 freely is greatly at risk due to this lawsuit. The interests of the Center have frequently diverged
6 from those of the National Park Service at Point Reyes National Seashore, and the Center and
7 our allied plaintiffs in the Point Reyes lawsuit are the only parties that are focused on defending
8 the interests of tule elk, endangered wildlife, and native ecosystems at Point Reyes.

9 22. If the revised ROD and GMPA were overturned, my interests in the natural
10 ecosystems and native wildlife of Point Reyes would be harmed. The imperiled wildlife species
11 that I care about and work hard to protect and recover could decline or become extinct, and their
12 loss or diminishment would deprive me of all the benefits I currently enjoy from their existence
13 and recovery.

14
15 I declare under penalty of perjury under the laws of the United States that the foregoing is
16 true and correct.

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18 Executed on May 15, 2025, in Ashland, Oregon.

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