

Marin Voice: Sen. Feinstein's oyster 'rider' should be derailed

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SOME PLACES are so strikingly beautiful and so ecologically important that the best way we can manage them is to protect them for future generations. Point Reyes National Seashore is one of these places.

Fortunately, in 1962, President John F. Kennedy signed legislation passed by the Congress establishing Point Reyes National Seashore.

In 1976 Congress additionally protected the heart of the seashore, Drakes Estero, as "wilderness."

Congress mandated that the seashore shall be managed "without impairment of its natural values, in a manner consistent with, based upon, and supportive of the maximum protection, restoration, and preservation of the natural environment."

This area is a national treasure that belongs to us all. It is not an appropriate site for private industry to expand.

The Wilderness Act's genius is that it prohibits the profit-motive as a non-conforming use in congressionally-designated wilderness. But the Bush administration initiated a land-rush by businesses that allowed them to gain access to wilderness and other protected areas previously off-limits.

This land-rush now poses two threats to the seashore.

The first threat comes from the shellfish business, a non-conforming use in a wilderness area. The business is pushing to continue well beyond the expiration of its rights in 2012.

Contrary to media reports, the Sierra Club has always maintained that, while the 1976 Wilderness Act did not list a specific date for every required

action, the legislation clearly required the shellfish business to close when its rights expire in 2012.

The park service under both Bush and Obama administrations has made clear that current law rights for non-conforming businesses in wilderness cannot be renewed.

The second threat may come from attorney Doug Ferguson's Marin Farm Bureau clients and others in support of amending the seashore's management plan to expand private industry not just into wilderness but throughout the seashore.

The Sierra Club does not support evicting wildlife from wilderness and natural lands that surround the seashore's pastoral zone to expand private businesses there.

Private ranching and dairying operations within the roughly 25,000-acre pastoral zone were part of the bargain that originally created the seashore.

For that reason, the Sierra Club supports only traditional ranching and dairying operations within that pastoral zone. Our part of that bargain has been kept and nothing justifies further expansion.

Over half of the continental United States is agricultural, which is where sustainable and organic practices should be expanded. The seashore is intended for "the maximum protection, restoration, and preservation of the natural environment" ... not for the protection, diversification, and expansion of private businesses beyond the bargain that created the seashore.

The Sierra Club opposes Sen. Dianne Feinstein's ill-advised rider, which Rep. Lynn Woolsey unfortunately supports, to extend business rights in Drakes Estero.

The rider not only threatens wilderness, but also could encourage others to threaten protected lands throughout the seashore.

The rider has nationwide implications because of its unprecedented rollbacks of the Wilderness Act, environmental laws and competitive-bidding rules.

Our two representatives have been right on many issues. They are not right on this one.

Gordon Bennett of Inverness is the Sierra Club's spokesperson on the Drakes Estero Wilderness.