January 10, 2017

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903


Dear Supervisors:

RECOMMENDATION: Approve partial reimbursement of legal expenses up to $200,000 in total.

SUMMARY: Last May three (3) groups sued the National Park Service (NPS), alleging that NPS had failed to adequately update various of their planning documents including the Ranch Management Plan, (RMP) at the Point Reyes National Seashore, (PRNS). The lawsuit constituted a frontal assault on the continued viability of agricultural operations in the historical pastoral zone of what is now the PRNS, as well as Marin County’s Local Coastal Plan and CWP policies supporting continued and diversified agricultural operations in this area. Therefore your Board directed our office to become actively involved in protecting the County’s interests in the lawsuit.

Two groups of ranchers also obtained counsel to represent their interests, and the case has actively proceeded with significant legal expense to the ranchers, especially those represented by the private law firm of Arnold and Porter. Due to the compelling public interest we believe the ranchers counsel have added to the defense of this lawsuit largely congruent with the County’s own interests, our office in conjunction with the CAO’s office is now proposing that the County partially reimburse the ranchers for their legal fees. The proposed reimbursement would be for twenty (20) per cent of the fees up to a cap of $200,000 for the fees of both sets of ranchers combined.

FISCAL/STAFFING IMPACT: Staff will work with the County Administrator’s Office to include a monthly budget adjustment to fund the reimbursements with funds available in the FY 2016-17 Non-Departmental budget.
REVIEWED BY:

☐ Auditor-Controller

☐ County Counsel

☐ Human Resources

☑ N/A

Respectfully submitted,

DAVID L. ZALTSMAN
Deputy County Counsel

STEVEN M. WOODSIDE
County Counsel

cc: County Administrator

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