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Re: Gescheidt, et al. v. Haaland, et al.
Civ. No. 21-04734 (N.D. Ca.)
**Request for Immediate Action to Preserve the Tule Elk
at Issue in this Case**

Dear Mr. Rand and Mr. DeVito:

We write to alert you and Defendants of drastic changes to and continued deterioration of the conditions at Tomales Point at Point Reyes National Seashore and the need to provide the Tule elk with immediate forage and supplemental water. North Pond 2—the only remaining water source available to the Tule elk in the Northern part of the Reserve—has decreased substantially since July 8, 2021, when Park Service personnel apparently visited the site, and animals are continuing to suffer and die due to a lack of access to food and water.

The attached video was taken on August 8, 2021. It shows an elk chest-deep in mud at North Pond 2 in order to access a few sips of water. The elk then struggles to escape the mud, sliding

back into the mud several times. This is treacherous terrain for the animals, made more so by their weakened body condition due to lack of adequate food and water. Also attached is a photo taken on August 8, 2021, showing two emaciated Tule elk at Tomales Point in the Northern part of the Reserve.

The additional attached photos of North Pond 2 (with no elk present) were taken on August 13, 2021. They show that the bed of the pond is mostly cracked mud, with only a small portion of the area containing only several inches of water. As drought conditions continue to worsen , *it is likely that this last remaining water source will be entirely gone by the end of this month, if not sooner.*

In your filing with the Court on July 14, 2021 you informed the Court that the Park Service “stands ready to act if needed to safeguard the viability of the Tomales Point elk population,” Dkt. 15, and David Press stated in his Declaration that providing water to the elk in the Northern part of the Reserve “will be considered as we continue to monitor the elk and available water sources over the next months,” Dkt. 16 ¶ 46. The Court cited these assurances in its denial of Plaintiffs’ request for emergency relief, stressing that the Park Service has stated it will “do more” if necessary to preserve the animals at Tomales Point. Dkt. 26.

As this additional new evidence demonstrates, conditions at Tomales Point have worsened severely in only a short time since the issuance of the Court’s decision, and they will only continue to do so as the last remaining water source available to the elk in the Northern part of Tomales Point dries up in the coming days. **Therefore, we request that the Park Service take immediate measures to provide the Tule elk at Tomales Point with supplemental food and water, as you assured the Court you would do should the situation become even more dire.**

Please let us know if you need any additional information about the evidence we have provided you, and let us know as soon as possible—and by no later than the end of the day tomorrow, August 17, 2021—what additional measures the Park Service will take to preserve this wildlife.

Sincerely,



Katherine Barnekow



Katherine A. Meyer

Attachments: accessible via dropbox;
<https://www.dropbox.com/sh/x2cboix0fqbpqf/AADP2xZofNouTJwX5o96ADtOa?dl=0>