

U.S. Department of the interior
National Park Service
Point Reyes National Seashore

Finding of No Significant Impact (FONSI)
Johnson Oyster Company Replacement and Rehabilitation of Facilities
Point Reyes National Seashore

The National Park Service (NPS) has completed the Environmental Assessment (EA) for construction and replacement of facilities at Johnson's Oyster Company (JOC) on Drakes Estero. The EA was prepared to assist the NPS planning and decision making process to determine if an Environmental Impact Statement (EIS) was required for the proposed replacement facilities and the construction of a new processing facility at JOC. The EA describes the NPS proposal and the affected environment, and evaluates the effects of the proposed action and alternatives on the environment. The EA was prepared in consultation with the Marin County Community Development Agency to aid their use of the analysis in fulfilling California Environmental Quality Act requirements.

The EA evaluates and describes the following alternatives: A) a no action alternative; B) rehabilitation of two facilities and construction of a new processing facility; and C) rehabilitation of existing structures at same location.

The preferred Alternative B was selected for implementation to bring the JOC into compliance with federal, state, and Marin County health and safety regulations. In addition, this alternative provides improvements to area's visual quality. The no action was rejected because it would not meet the goals of the park's General Management Plan and would result in failure to perform the necessary improvements which would result in Marin County and the NPS issuing cease and desist orders for the operation of the facility. Alternative C did not provide environmental benefits which would occur under the proposed action.

The NPS/Marin County conducted public review of the EA for 30 days with the comment period ending on June 19, 1998. The park received 11 letters regarding the project. Letters were received from the Marin Conservation League, California Department of Fish and Game (CDFG), Marin Audubon Society, Sierra Club Marin Group, Tomales Bay Association, the Environmental Forum of Marin, Gulf of the Farallones National Marine Sanctuary and two individuals.

Two of the letters endorsed Alternative B: The Proposed Action. Both specifically discussed the positive aspects of moving the main facility away from Drakes Estero.

Three of the letters expressed concern that the new facilities would create additional growth in the overall oyster operation in the Bay. The letters indicated that additional growth may create potential negative impacts. The project is not sized to create additional growth in oyster production in Drakes Bay. The building has been only sized to meet public health and safety codes. In addition, JOC has agreed, as a condition of the NPS permit, to not exceed an annual processing/production limit of 700,000 lbs (oyster weight). This limit is the past peak production level over the last 10 years. This 700,000 lbs limit will ensure that the new facilities will not create additional growth (and any new negative impacts) in overall oyster production in the estuary.

General stewardship of the estuary by JOC was discussed in a number of letters. Several of the letters discussed oyster production related debris--particularly black plastic tubes and deteriorated plastic oyster bag--around the JOC facility and on the shores of the estuary and adjacent beaches. To address this concern, JOC has agreed as a condition of their permit to monthly remove any debris from the shoreline. The NPS and CDFG have agreed to monitor JOC and inspect the shoreline on a regular basis. JOC has also agreed to immediately remove any unused or abandoned oyster racks. In addition, JOC has agreed to pay the Gulf of the Farallones National Marine Sanctuary for quarterly monitoring of the shoreline.

Long-term impacts of oyster production to resources in the estuary was a concern of a number of organizations. As stated above, the NPS has concluded that there will not be any new impacts in the estuary as a result of the alternative chosen. However, as a condition of the permit, NPS, JOC, Gulf of the Farallones National Marine Sanctuary, and CDFG agree to begin a three year research program on long-term impacts of the oyster operations on estuarine species. This information will provide information for future modification of the permit and limits on the oyster operation.

The importation of foreign oyster stock into Drakes Estero and the potential contamination of Drakes Bay with "hitch-hiking" alien species was a concern of several of the organizations. To mitigate any impacts related to this issue, both JOC, and the CDFG have agreed to establish a policy of zero tolerance, develop a risk assessment, and protocols for importing Mexican oysters into Drakes Estero. All foreign oyster stock shipments will be inspected by CDFG and NPS prior to placement in the estuary. If contaminated, the stock will not be placed in Drakes Estero.

At the July 18, 1998 Point Reyes National Seashore/Golden Gate National Recreation Area Citizens Advisory Commission meeting, the project was unanimously approved.

The required mitigation measures necessary to eliminate and minimize environmental impacts are addressed in the mitigation matrix that follow.

Impacts	Prescribed Mitigation	Responsible Party
Vegetation	To mitigate the invasion of non-native vegetation, the main disturbed site will be monitored and non-native plants removed after construction from disturbed areas. Areas will be replanted with natives where needed. At the leach field area, the site will be monitored to ensure rapid regrowth by surrounding native vegetation. All weed species will be removed. If necessary, planting with natives will occur.	Point Reyes National Seashore Resource Management Staff
Water Resources	The site will be monitored during construction and appropriate measures taken to ensure Drakes Estero and adjacent pond are not contaminated with sediments and construction debris. Soil and straw bale berms and plastic fencing will be established, as necessary, to protect the estuary from sediments and construction debris.	Johnson Oyster Company
Air	Some dust will be generated from construction activities. Dust will be mitigated by watering of area and covering truck leaving area with debris.	Johnson Oyster Company
Wildlife	Park staff will monitor species before, during, and after the project to insure disturbance is minimal. Resident bird nesting season will be avoided.	Point Reyes National Seashore Resource Management Staff
Threatened and Endangered Species	NA	
Soils	Some short-term impacts due to heavy equipment on-site will occur. These impacts can be mitigated by JOC by regrading and restoring the site quickly to allow regrowth of vegetation. To minimize any soil loss during construction, the area will be sprayed with water regularly to reduce dust and soil erosion. In addition, ground disturbance will be kept to a minimum (less than three acres on the main construction area and 2.25 acres on the leach field site) to ensure soil erosion is minimal. Any materials stockpiled will be on previously disturbed sites away from the estuary.	Johnson Oyster Company
Topography	To mitigate any potential impact to new structures, a qualified soil engineer will investigate soil conditions	Johnson Oyster Company

	to ensure long-term stability of proposed structures.	
Cultural Resources	Archeological site will be fenced to protect from any potential impacts and monitored throughout the construction period. If any archeological material is located during construction, the project will be stopped and the area evaluated.	NPS Regional Archeologist
Visual Quality	NA	
Health & Safety	NA	
Noise	Short-term impacts only during normal business hours on weekdays as demolition crews remove the structures and debris. Residents will be notified of construction activity and hours of all construction activity will be regulated. No construction can occur before 7:00 am and after 7:00 pm.	Johnson Oyster Company
Public Services	NA	
Economic	NA	

Based on the analysis of the environmental assessment and the alternatives, required mitigation measures, and with consideration of the public comment, the National Park Service will be authorized to undertake the replacement of two facilities and construction of a new processing facility at JOC. The National Park Service has determined that this action will not have a significant impact upon the environment. There are no cumulative impact nor is precedent established by these actions. Therefore, the project will be implemented and an environmental impact statement (EIS) will not be prepared.

Recommended:

Frank Dean
ACTING Superintendent, Point Reyes National Seashore

AUGUST 11, 1998

Date

Approved:

Cynthia J. P.
for Regional Director, Pacific West

8-11-98

Date