

**Fact Sheet:****Draft Environmental Impact Statement for the Drakes Bay Oyster Company Special Use Permit****Background**

- Shellfish are commercially grown and processed in Drakes Estero, within Point Reyes National Seashore under a Reservation of Use and Occupancy (RUO) and a Special Use Permit (SUP) issued to Drakes Bay Oyster Company (DBOC). The RUO and SUP expire on November 30, 2012.
- Drakes Estero was designated as potential wilderness in 1976 by Congress and can be administratively designated as full wilderness by the Secretary of the Interior (Secretary) through publication in the Federal Register confirming cessation of nonconforming uses (Public Law 94-567). The oyster operation is the only nonconforming use in Drakes Estero.
- In 2004, the Department of Interior Field Solicitor issued an opinion that the National Park Service (NPS) did not have the authority to extend the permit beyond 2012. Subsequently, Section 124 of Public Law 111-88 gives the Secretary the discretionary authority to issue a SUP to DBOC for a period of 10 years, until 2022. DBOC has submitted a request for the issuance of a new permit upon expiration of existing authorizations.
- In the fall of 2010, the NPS initiated a National Environmental Policy Act (NEPA) process to inform the Secretary's decision. The initial public scoping and comment period was open for 50 days from October 8, 2010 to November 26, 2010. More than 4,000 pieces of correspondence were submitted to NPS.
- Four agencies have entered into a formal cooperating agency role with NPS in developing the Environmental Impact Statement (EIS): California Department of Fish and Game, National Oceanic and Atmospheric Administration, US Army Corps of Engineers, and US Environmental Protection Agency.

**Current Status**

- The comment period for the Draft EIS closes November 29, 2011.
- Four alternatives are analyzed in the Draft EIS: The no action alternative (alternative A) considers expiration of existing authorizations and subsequent conversion of the area to full wilderness. Three action alternatives consider the issuance of a new SUP to DBOC for a period of 10 years with differing levels of onshore facilities and infrastructure and offshore operations.
- The Draft EIS does not have a preferred alternative. Full and objective input from the public is encouraged on all of the alternatives analyzed in the Draft EIS.
- All public comments received on the Draft EIS will be evaluated and considered in the development of the preferred alternative which will be identified in the Final EIS.
- The no action alternative (alternative A) has been identified as the environmentally preferable alternative.
- The EIS evaluates a number of impact topics, including wetlands, eelgrass, wildlife and wildlife habitat, special-status species, coastal flood zones, water quality, soundscapes, wilderness, visitor experience and recreation, socioeconomic resources, and NPS operations.

**EIS Schedule**

- Draft EIS released September 2011
- Final EIS completed June 2012
- Record of Decision executed July 2012
- Current RUO and SUP expire November 30, 2012

## How to Participate

### Getting a Copy of the Draft EIS

- You can visit the National Park Service "Planning, Environment, and Public Comment" (PEPC) website at <http://parkplanning.nps.gov/pore> to download a copy of the Draft EIS. Once there, click the "Drakes Bay Oyster Company Special Use Permit EIS" link.
- A limited number of printed paper copies and CDs of the Draft EIS are available at Park Headquarters.
- You may also request a hard copy or CD by contacting Melanie Gunn, Outreach Coordinator at (415) 464-5162.
- Alternatively, reference copies of the Draft EIS are available at all Marin County Branch Libraries, as well as the Petaluma Main, San Francisco Main, Oakland Main and Berkeley Central Libraries.

### Submitting Comments

You may provide comments using any one of the following methods:

- Comment online at <http://parkplanning.nps.gov/pore>. Click on "*Open For Comment*," then click on "*Drakes Bay Oyster Company Special Use Permit EIS*" and finally, click on "*Comment on Document*."
- You may also mail or hand deliver comments to: Draft EIS DBOC SUP c/o Superintendent, Point Reyes National Seashore, 1 Bear Valley Road, Point Reyes Station, CA 94956.
- Written comments will also be accepted at the public meetings (see dates below).

**Please note** that comments will not be accepted by FAX, e-mail, or in any other way than those specified above. Bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

### Public Meetings

During the comment period the National Park Service will hold three open house public meetings to gather your comments on the Draft EIS. The meetings are scheduled as follows:

**Tuesday October 18, 2011, 6-8 pm**

Dance Palace Community Center  
503 B St  
Point Reyes Station, CA 94965

**Wednesday October 19, 2011, 6-8 pm**

Ft. Mason Center, Building D  
Marina Boulevard at Buchanan  
San Francisco, CA 94123

**Thursday October 20, 2011, 6-8 pm**

Tamalpais High School Student Center  
700 Miller Ave  
Mill Valley, CA 94941

A Spanish language interpreter will be present at each of the public meetings.