

# COMMENTS

- How will this decision impact future policies and precedence in other parks?
- Why does the NPS only show ~~only~~ Feinstein legislation providing a special exception for a commercial business yet not show the park's enabling legislation <sup>that</sup> provides for maximum protection of natural resources?
- It's not fair to break the deal for a protected marine wilderness.
- What would prevent the oyster company from getting another 10 year permit in 2022?
- The park should analyze new information from the Coastal Commission that shows illegal motorized oyster boat use in the lateral channel during the harbor seal closure period.



# Comments

DB 2  
10/19

- Senator Feinstein's rider went outside the process which is one reason why people are dissatisfied with elected leadership. and this is an example of political leaders representing special interests instead of the interests of the public.
- Section 124 provides that the SUP authorized by the Secretary <sup>15th</sup> can be with the same conditions as the RUO. The RUO specifically says that an SUP can be granted so long as the oyster farm has a lease from CDFG.
- The CDFG lease states explicitly that the oyster lease expires when the RUO expires, which is Nov. 30, 2012.



# COMMENTS

DB 3

10/19

THE PUBLIC HAS SUBSIDIZED  
THE OYSTER FARM FOR YEARS.  
THE DBOC SHOULD SAY THANK YOU  
BEFORE MOVING ON.

- Presuming DBOC leaves, it would be good for the EIS to document other locations where oysters could be grown in California such as Humboldt Bay.

~~D~~. DBOC is an example of sustainable aquaculture and stewardship that should be duplicated, not eradicated.

- There are too many adverse impacts to the ecology and wildlife within Drakes Estero ~~from~~ from DBOC's operations including cuts to eelgrass, the invasive tunicate that is now attaching itself to eelgrass and spreading throughout the Estero as well as significant noise impacts, and flushing birds from over 3700 motorboat trips per year for this operation to be considered sustainable.



# Comments

DB3  
10/19

• Who cares about the demand for oysters? No one person will suffer for lack of eating oysters if DBOC leaves the Estero.

• 1960: World population = 3 billion  
Today: " " = 7 billion

Locally produced, sustainable, renewable, ecologically beneficial sources of food are imperative. Keep DBOC.

• Keep DBOC. Preserve the history of Johnson's Oyster trading company. Support public-private partnerships, while preserving the environment. I support Alternative D. Besides, DBOC's oysters are among the finest in the world.

• Keep DBOC for the reasons above in blue. Our family as well as many others we've introduced over the decades truly appreciate the quality of the oysters, and support the small business that has been operated there.



# COMMENTS

DB 4  
10/19

- Public law 111-88 states DBOC's SUP cannot be used as precedent in other NPS proceedings. ~~Therefore~~
- The oyster operation is facilitating invasive species in the Estero. The Executive Order on Invasive Species states that the federal government should take no action that could promote invasive species which in this case include the tunicate, viruses, algae, and the Manila clam and Pacific oyster-themselves non-native species.
- The Estero trail in winter with wintering birds and beautiful light is one of the most spectacular wilderness experiences near the Bay Area. The value of preserving this experience is far greater than the valid but limited benefits of allowing DBOC to operate in the Park.



10/19/11  
SAH ①

## COMMENTS:

• As a tax-paying citizen, how do I know that the DBOC will fulfill the required removal of property (specifically racks + nets) from the Estero after their lease expires?

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• As a beach-walking citizen I have observed DBOC doesn't now pick up their litter, how <sup>will</sup> I know they will pick up their litter after their lease expires?

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• The NPS needs to attract people to the parks, the last election (when we tried to support state parks) shows we do not support the parks. The changing demographics of California do not use the parks. Everyone I know that goes to Point Reyes goes to get oysters. ~~the~~ The NPS should welcome the oyster farm to get people into the park.



10/19/2011  
SAH ②

## Comments:

It is deeply disturbing that this event has no representation from objective scientists who have argued

① there is no evidence of adverse effects of DBOC on Drake Estero

② NPS scientists have repeatedly misrepresented

Thank you



SAH  
10/19/2011  
③

the scientific evidence  
regarding the impacts  
of DBDC on Drakes  
Estero

The propaganda here on  
this issue has no place in a  
public policy discussion of  
this magnitude.



10/19/2011  
SA# ④

3d3 The only objective scientific evidence on the long-run consequences of DDOC on Drake's Estere comes from the National Academy of Sciences report. Please read it before believing what you read here and in the dEIS.



10/19/2011  
SAH ⑤

# COMMENTS:

I endorse "Alt A" and would like to compliment the NPS on the thorough research and comprehensive public input.

The Law on designated wilderness is clear and should be upheld.

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- How will the Bay Area deal w/the demand of oysters if DBOC were to shut down?
    - They produce 40% of California Oysters
    - The only cannery in California
    - The Demand for shellfish is steadily increasing
  - Families of the Bay Area have come out for decades to buy oysters
- Strong Preference for Alternative D!



10/19/2011  
SAH ⑦

## COMMENTS:

• Why wasn't the DBOC penalized when they did things not permitted in their lease with the NPS? It's not too late ~~the~~ to do it now.

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• IF Alt B, C, or D is selected, DBOC needs to be penalized for things that are not permitted by their lease with the NPS, that they do.

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• Why is it that people who lobby for dogs everywhere in the park are the same people lobbying for commercial businesses in wilderness and for killing native elk to support non-native cows?

SAH  
10/19

• Where is the alternative of no change because it's not A, B, C or D and my understanding is that's supposed to be one of the alternatives.

• The D-EIS should analyze oyster impacts by the level of ~~planted~~ planting activity, as well as production numbers.



10/19/2011  
SAH ⑦

## COMMENTS

When decisions about nature and its preservation are being made or protecting the life on this planet for the generations to come, we should be looking at the big picture and the future and divert from the private profit mindset.

Humanity's economic activity has been a major factor for the environmental degradation, climate disruption, deforestation, (toxic) pollution, loss of biodiversity, etc.

There are too few areas left in the world that have wilderness status. A IUCN/WWF report published in 2003, FOUND THAT ONLY 10.9% of the world's land mass is currently a Category I Protected Area, that is either a strict nature reserve (5.5%) or protected wilderness - 5.4% only. In the U.S it is 4.71% of the total land of the country, out which 54% is in Alaska and ONLY 2.58% is in the continental U.S.

Wilderness protects native ecosystems from habitat loss and commercial development, while providing priceless clean air and water and opportunity for humans to connect with nature.

Please do not interfere with congressionally mandated designation of Drakes Estero as wilderness in 2012.

The NPS should prioritize the long-standing wilderness designation over commercial private use. Drakes Estero is the only estero along the entire West Coast designed as a wilderness area. It is home to many endangered species. It should be further protected and enhanced as a WILDERNESS area.



10/19/2011  
SAH (8)

# Comments:

Allowing the DBOC to continue operation would set a dangerous precedent for allowing commercial businesses to continue operating in wilderness areas. Point Reyes should be allowed to become a FULL Wilderness area, which protects and preserves native species.

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Public Law 111-88 states that DBOC's SUP can not be used by NPS or any other agent as ~~precedent~~ precedent in future decisions or proceedings. Allowing DBOC operations will NOT set a precedent for other National Parks.

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Pls. have EIS evaluate <sup>freshwater</sup> water supply (use in oyster operation)

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Strong support for alternative D. The oyster ~~company~~ company attracts many to the area to enjoy the park land and support the local economy.



# COMMENTS

TAW 10/19/11 ①

- The EIS assessment of NPS operations for all action alternatives is seriously inadequate. Current oversight by NPS and CDFG is ineffectual, ~~and~~ understaffed and under resourced. With CDFG essentially out of the picture in the action alternatives all oversight responsibility will rest with NPS. Please consider re-evaluating staff and resource needs for this section of the EIS.
- If ~~the~~ oyster operations are allowed to continue, non-native species (cultivation of) should be eliminated.



# COMMENTS

TAW 10/19/11  
(2)

- I would like to support Alternative B. Bivalves keep the estuary waters clean. ~~at~~ I would like to see an EIS of the dairies whose runoff impact the estuary.

## Bivalves vs Bovine

- There are no dairies in the Drakes Estero watershed. and the great abundance of native Clams does a great job of cleaning the waters.



# COMMENTS

TAW ③  
10/19/11

- #1 A wilderness area means wild not sort ~~sort~~ of wild.
- #2 This estuary is wild the only one south of Alaska, <sup>1</sup>/<sub>2</sub> worth saving.
- #3 This park is to be for 500 years — we are only on year 30. It needs defending.
- #4 There will always be business ventures that profit from being in wild-designated parks. Business ventures have no place here.



# COMMENTS

TAW 10/19/19  
(4)

- What can be done to prevent the current oyster operator from selling the new permit to a different operator if one was issued. Also consider what would happen if they sold the company to another company (a big consortium, etc.)
- The NPS EIS has inaccurate information on how big the DBOC oyster operation is.
- If Alternative D is selected as the preferred Alternative, the oyster operator will invest money in developing the area which may cause the oyster operator to seek an extended permit - in perpetuity - to maximize the investment.



## COMMENTS

10/19/11 TAW

(5)

- The Alternatives B<sup>through</sup>-D have drastically misrepresented DBOC's intentions. The figures of production give the impression that DBOC wants to expand rather than maintain current Production. In particular it is the Actual language as presented in bullet points 4 of the posters.
- Secondary references = evidentiary support not directly traceable ~~to a source that~~ to a source that complies with recognized standards or in accordance with a standard protocol. Therefore the 281,000 photographic proof of zero disturbance to harbor seals by DBOC must be included in the EIS.



# COMMENTS

10/19/11 TAW  
⑥

- A deal is a deal. DBOC knowingly purchased the remaining 7 years of the permit with full knowledge that NPS intended wilderness conversion in 2012. Is this a lack of bad faith to drag the taxpayers and public servants through a multi-million dollar process for private profit that is fundamentally contradictory to our wilderness laws.
- Oysters are a luxury food and have very little protein - ~~9~~ 9 grams / 3.5 ounces - compared to quinoa at 18 grams, seaweed at 35-40 grams, and other sources even higher.
- The EIS does not consider how the shellfish ~~that~~ industry has attacked science to ~~commercialize~~ commercialize public lands.



## COMMENTS

10/19/11 TAW (7)

— The DEIS does not acknowledge that in 2004-2005 there was essentially no oyster production in Drakes Estero, yet that commercial absence went completely unnoticed \* and none of the agricultural support organizations lobbied the NPS to force Johnson Oyster Company to fill that void.

\* by consumers

— The DEIS should discount the scientific comments of the oyster company scientist by the amount of his scientific misconduct.

— I think that DBOC should reimburse the NPS for the cost of preparing and distributing the EIS if a new permit is issued.



10/19/11  
TH ①

## Comments

- EXISTING AUTHORIZATIONS SHOULD BE ALLOWED TO EXPIRE AND DRAKES ESTERO SHOULD BE CONVERTED TO WILDERNESS AS ORIGINALLY INTENDED
- The intent of Section 124 ~~is~~ <sup>says</sup> ~~appears~~ ~~to be~~ that the SUP is to issued with the same terms & conditions as the existing authorization. The EIS does not honor this By not allowing for a renewable option intent. The EIS should be changed to account for this disparity.
- The PRNS was established to save and preserve for the purposes of public benefit the conditions and livelihoods from commercial land development. PRNS defined ranching and dairying primarily for the production of food. Therefore DBOC should remain.



10/19/11  
TH ②

# COMMENTS

- NPS SCIENTISTS' RESEARCH HAS SHOWN QUESTIONABLE INTEGRITY AND BIAS.
- ALL ACTION ALTERNATIVES REMOVE CDFG JURISDICTION FROM MARICULTURE OPS. THIS CAN ONLY HELP THE EFFECTIVE AND ACCURATE EVALUATION OF THE SIZE, THE LOCALE, AND THE POTENTIAL PROBLEMS ASSOC. W/ OYSTERS IN THE ESTERO.
- DBOC CONTRIBUTES TO THE LOCAL COMMUNITIES ECONOMICALLY, EDUCATIONALLY AS AN EXAMPLE OF AQUACULTURE, WHICH IS INCREASINGLY IMPORTANT.
- POINT REYES NS WAS ESTABLISHED AS A PARK THAT PRESERVES AG. ACTIVITIES. CHANGING THAT NOW WOULD GO AGAINST THE ORIGINAL INTENT.



10/19/11  
TH (3)

# COMMENTS

- ~~THE~~ NAT'L PARKS ARE PRIMARILY FOR THE ENHANCEMENT OF NATURAL RESOURCE VALUES, WILDLIFE, + THE PUBLIC'S ENJOYMENT FOR GENERATIONS. PUBLIC RESOURCES SHOULD NOT BE USED FOR PRIVATE GAIN.
- WILDERNESS IS OF INCREASING VALUE AS POPULATION SKYROCKETS, CLIMATE CHANGE IMPACTS INCREASE, AND THERE ARE NO LIMITS TO CAMPAIGN FINANCE, WHICH HAS FINGERPRINTS IN THIS ISSUE.
- PEOPLE DO VISIT POINT REYES NS TO EXPERIENCE THE NATURAL ENVIRON. JUST LIKE THEY DO IN OTHER NAT'L PARKS. JUST B/C PEOPLE VISIT THE OYSTER CO. DOES NOT JUSTIFY ITS CONTINUANCE PAST 2012. WHEN POINT REYES WILL JOIN OTHER NAT'L PARKS IN EXCLUDING PRIVATE FOR PROFIT CO. THAT IS NOT A CONCESSION.



There is no TH#4 comment sheet. Photographs, original comment sheets, and the scribe have all been consulted. The numbering of TH comment sheets goes from TH#3 to TH#5, inadvertently skipping TH#4. We apologize for any confusion.



10/19/11  
TH (5)

## COMMENTS

- BECKER 2011 IS TITLED "EVIDENCE FOR LONG-TERM SPATIAL DISPLACEMENT OF HARBOR SEALS...." THE DATA PROVE HARBOR SEALS DRIVEN INTO THE ESTERO NOT OUT OF. AFTER MANY YEARS OF NPS CLAIMS OF OVERWHELMING HARM TO SEALS BY DBOC, THE EIS OFFERS NO DATA WHATSOEVER TO SUPPORT THOSE CLAIMS, ONLY HYPOTHETICAL FUTURE IMPACTS. OFFER OPTION E "PERPETUALLY RENEWABLE LEASE" OR THROW OUT THE DEIS AND START AGAIN.

- Becker 2011 is peer-reviewed, best available science which has not been refuted <sup>(wisely)</sup> by other best available science, only <sup>↑</sup> by personal attacks and the desires of oyster supporters.



10/19/11  
TH 6

# Comments

## - SPECIAL STATUS SPECIES

- MYRTLE SILVERSPOT BUTTERFLY. EIS DOES NOT STATE HOW THE PROJ WILL SPECIFICALLY AND BY WHAT METHOD THEY ARE IMPACTED.
- RED LEGGED FROG. HABITAT IS FRESH WATER NOT SALT WATER. PROJECT DOES NOT IMPACT.
- COHO SALMON. IMPACT NOT STATED.
- STEELHEAD. PROJECT IS LISTED OUTSIDE AREA OF CONCERN.
- LEATHERBACK SEATURTLE. EIS SPECIFICALLY STATES NOT ~~HAB~~ EXHIBIT TYPICAL NESTING OR FORAGE HABITAT ~~R~~ FOR THEM.
- SNOWY PLOVER. PROJECT OPERATIONS ARE WELL AWAY FROM THEIR HABITAT.
- LEAST TERN. CLOSEST POP. IS SF BAY.

ALL SPECIES<sup>above</sup> SHOULD BE DISMISSED IN THE EIS.



10/19/11  
TH ③

# COMMENTS

- WHY DOESN'T THE EIS FOLLOW THE NAS CONCLUSION OF NO MAJOR ADVERSE IMPACT? AND FINDS THE OPPOSITE?
- THE NAS CONCLUDES THAT OYSER OPS. HAVE NEGATIVE IMPACTS ON THE NATURAL SYSTEMS THAT THE PARK SERVICE IS SUPPOSED TO PROTECT.
- THE EIS + the NAS REPORT ARE NOT EXCLUSIVE OF EACH OTHER AND BOTH PROPERLY EXPLAIN WHY THE NPS CAN AND SHOULD ~~DESIGNATE~~ ~~DESIGNATE~~ DESIGNATE WILDERNESS IN 2012.