

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Michelle J Middle Initial: C

Last Name: Levesque

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests: I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

POINT REYES NS  
2011 NOV 28 AM 11:13

cut here

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: ALBERT Middle Initial: C

Last Name: WILKINSON

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*The Oyster Business has been a part of Point*

POINT REYES NATIONAL SEASHORE  
2011 NOV 2:46  
RECEIVED

97063

YOUR LAST CHANCE TO HELP **SAVE** "DRAKES BAY OYSTER FARM"!!!

Reyes for as long as I can remember, the better part of 70 years. I see no reason to put this Business out of Business. The Federal Government talks about creating jobs not eliminating them.

Sincerely,

Albert C. Wilkinson

**Comment Form**

cut here

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Chris Middle Initial: C

Last Name: BEKINS

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests: Please allow them to continue operation  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 20 PM 2:17  
BEKINS

-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Kurt Middle Initial: F

Last Name: Eichstaedt

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests: We feel that the oyster farm is an important member of our community and should be allowed to stay in business.  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

POB 1-13-18  
NOV 28 PM 2:47

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Connor Brandt Middle Initial: \_\_\_\_\_

Last Name: Brandt

Address: \_\_\_\_\_

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. *amb*  
*Allow this small family business to keep operating.*

*No address given*

PM 28 PM 2:17

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: DIANNE Middle Initial: R.

Last Name: MOORE

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

NOV 21 10:25 AM '07  
SUNSET

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Jodi Sanders Middle Initial: \_\_\_\_\_

Last Name: \_\_\_\_\_

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.



**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Lisa Middle Initial: A

Last Name: Holmes

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 MAY 20 PM 2:17  
11-6 NS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Travis ~~Travis~~ Middle Initial: W

Last Name: Graft

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

000000 20 11 2017

000000 20 11 2017

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: EDME Middle Initial: R

Last Name: SETON

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. yes!

-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* \_\_\_\_\_

First Name: MARK Middle Initial: H

Last Name: IVES

Address: [redacted]

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

NOV 20 11 38 AM '07

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: TED Middle Initial: M

Last Name: DUFFY

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

*Ted M Duffy*

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: PETER Middle Initial: M

Last Name: DUFFY

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Peter M Duffy*

7/11/11 11:21:17  
SINS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code [redacted]

First Name: David Middle Initial:

Last Name: Garlasco

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want our contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

FOIA b7C, b7D  
NOV 28 PM 2:17

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Sue + Ken Middle Initial: [redacted]  
Last Name: Kerchenfaut

Address: [redacted]  
Country: [redacted]  
Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. Please allow this historic farm to continue. We support it 100%!

2011 NOV 28 PM 2:17

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Mark Middle Initial: \_\_\_\_\_

Last Name: SUKO

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

FILED  
2011 MAR 28 AM 9:17  
PUNYA, CA 94015

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: SHARON Middle Initial: G.

Last Name: STAMMLER

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

RECEIVED  
NOV 20 PM 2:17

*Our San Juan Islands Graduate for 10th Support Through the Years!*

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**Comment Form**

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* [Redacted] State/Province:\* [Redacted]

Postal Code:\* [Redacted]

First Name: Margaret Middle Initial: H

Last Name: Roda

Address: [Redacted]  
Country: \_\_\_\_\_  
Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

POINT REYES  
2011 NOV 28 PM 2:46

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Paul Middle Initial: \_\_\_\_\_  
Last Name: Murphy

Address: [redacted]  
Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*thank you*

POINT REYES  
2011 APR 29 PM 2:46

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: \_\_\_\_\_ Middle Initial: [redacted]  
Last Name: \_\_\_\_\_

Address: [redacted]  
Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Silvia Middle Initial: H

Last Name: Anson

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

FILED  
FBI - S.F.  
NOV 20 11 24 AM '06

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: VICKY Middle Initial: \_\_\_\_\_  
Last Name: BATES

Address: [redacted]  
Country: \_\_\_\_\_  
Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. !!

Vicky Bates

2011 NOV 20 PM 2:05

**Comment Form**

Park: Point Reyes National Seashore  
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\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: EDWARD Middle Initial: \_\_\_\_\_

Last Name: VAN ECKE Middle Initial: \_\_\_\_\_

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Edward Van Eecke*

NOV 28 PM 2:46

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**Comment Form**

Park: Point Reyes National Seashore  
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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: WARNER Middle Initial: R

Last Name: BACTAD

Address: [redacted]

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

POINT REYES NATIONAL SEASHORE  
001 100 071 04 2:15

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Green Middle Initial: W

Last Name: Mouquet

Address: [redacted]

Country: [redacted]

Email: [redacted]

NOV 11 2011 10:07 AM

9010 00 00 00 00 00

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code: [redacted]  
First Name: Patricia Middle Initial: [redacted]  
Last Name: Roberts  
Address: [redacted]  
Country: [redacted]  
Email: [redacted]

2011 Nov 27 PM 2:46

(Check here if you want your contact information kept private.)

Comments or Requests:

★ I support a renewable Special Use Permit for Drakes Bay Oyster Company. ★ ★ ★ !!!  
★

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Robert Middle Initial: [redacted]  
Last Name: Enaol

Address: [redacted]  
Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 28 PM 2:16  
POLI 13 NS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: STEVE Middle Initial: R

Last Name: SEVERN

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

RECEIVED  
2014 NOV 28 PM 2:15  
45 NS

-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Triston Middle Initial: \_\_\_\_\_  
Last Name: Rogers

Address: [redacted]  
Country: [redacted]  
Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Triston Rogers Please don't close them!!  
Bent out in Ca.

011100000 011 2:15

NS

**Comment Form**

Park: Point Reyes National Seashore  
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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: Kaldo & Alicia Middle Initial: AE  
Last Name: Resil

Address: [redacted]  
Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PT  
2011 NOV 20 PM 2:45  
12  
SN NS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: ALFRED Middle Initial: A.

Last Name: GLOBE

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

RECEIVED  
JUL 11 2009 11:21 AM  
P.O. BOX 2815

-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Janice Middle Initial: L

Last Name: Buckingham

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: JANE Middle Initial: L.

Last Name: JANE

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

POINT REYES NATIONAL SEASHORE

97011 MW 23 PM 31 1/6

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]  
First Name: Darrell Middle Initial: S.  
Last Name: Jung  
Address: [redacted]  
Country: [redacted]  
Email: [redacted]

7/11/2016 2:24:16 PM

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Kernan Middle Initial: \_\_\_\_\_

Last Name: Jana

Address: [redacted]

Country: \_\_\_\_\_

Email: The oysters were there first. Stop meddling with small local businesses and local, fresh, organic, natural food.

(Check here if you want your contact information kept private.) Stop telling people what to do or not do.

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

→ permanent would be better

NOV 26 PM 2:16  
P.M. 1:53 NS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

2015  
RESPONSES

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Rebecca Middle Initial: A.

Last Name: Reinhard

Address: [redacted]

Country: [redacted]

Email: [redacted]

NOV 28 PM 2:15

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
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1 OF 5  
RESPONSES

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: ROBERT Middle Initial: J

Last Name: REINHARD

Address: [redacted]

Country: [redacted]

Email: [redacted]

FOUNDED 1958

NOV 28 PM 2:15

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
THIS SMALL, ENVIRONMENTALLY FRIENDLY BUSINESS IS AN ASSET TO OUR COUNTY AND COMMUNITY. JFR

**Comment Form**

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Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
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3 of 5  
RESPONSES

\* indicates required field

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]  
First Name: PHYLLIS Middle Initial: D.

Last Name: REINHARD

Address: [redacted]

Country: [redacted]

Email: [redacted]

NOV 24 PM 2:45

PNB  
SNS

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
I ALWAYS ENJOY OUR OUTINGS FOR OYSTERS TO POINT REYES  
BECAUSE OF THIS COMPANY.

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4 OF 5  
RESPONSES

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields .

City:\* [redacted]

State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Victoria

Middle Initial: L.

Last Name: Reinhard

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 28 PM 21:15  
SUN

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5 OF 5  
RESPONSES

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: ERIC Middle Initial: J.

Last Name: REINHARD

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 20 011 25 45

PRINTING

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: DONNA Middle Initial: D.

Last Name: GLOBE

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

POINT REYES NATIONAL SEASHORE  
CALIFORNIA DEPARTMENT OF PUBLICATIONS  
MAY 1998 011 2:15

-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Dimitry + Lois Middle Initial: \_\_\_\_\_

Last Name: Holl

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

yes!!

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Wilfredo Middle Initial: \_\_\_\_\_

Last Name: Jaime [redacted]

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_  
Postal Code:\* \_\_\_\_\_  
First Name: Mary Middle Initial: K.  
Last Name: Klaus  
Address: \_\_\_\_\_  
Country: \_\_\_\_\_  
Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 MAR 28 PM 3:15  
PULLMAN, WA  
SUN

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Susan and Michael Middle Initial: M, K

Last Name: Sisano

Address: [redacted]

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

2011 NOV 25 04:15  
SWNS

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code: [redacted]

First Name: ~~Bob~~ Carolyn Middle Initial: [redacted]

Last Name: Rice

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

NOV 24 PM 21 15

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Mike Middle Initial: \_\_\_\_\_

Last Name: Clanton

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 28 PM 2:45  
117  
5

**C. Robert Wells**

26 November 2011

Point Reyes National Seashore  
Attn: Superintendent, DBOC SUP DEIS  
1 Bear Valley Rd.  
Point Reyes Station, CA 94956

Dear Superintendent,

These comments are about your environmental impact statement on the commercial shellfish company operating in Drakes Estero and the proposal to extend the company's permit and postpone wilderness status for the estuary.

I urge you to select Alternative A. It will end the shellfish operation in November 2012 and give Drakes Estero wilderness status. That is what Congress intended in 1976 in Public Law 94-567, which designated 8,003 acres in Drakes Estero to become wilderness when shellfish farming ceased. The owners of the shellfish company knew very well their time was limited. There should be no extension of their permit.

Drakes Estero not only has superior natural values. It is also a remnant of the wild California coast that Sir Francis Drake saw in 1579 during his voyage circumnavigating the earth. He undoubtedly had a close look at Drakes Estero when he careened his ship, the *Golden Hind*, on the shore of Drakes Bay for repairs. That incident gives this place a special historical value. The impacts of the shellfish farm should be removed as soon as possible, and the estuary should be restored under the wilderness designation.

Thank you for considering my comments.

Sincerely,

*C. Robert Wells*

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POINT REYES NS

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2011 DEC -5 PM 12: 29

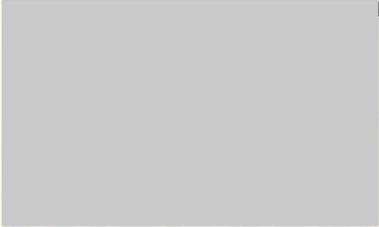
POINT REYES NS

12/3/11

To Whom it May Concern,

I write in support of the continued aquaculture of Drakes Bay Oyster Co. I feel the impact is manageable and that they are good stewards.

Thank you for extending the comment period and considering all points of view.

 Yours, Kim Vogel

RECEIVED

2011 DEC -5 PM 12: 32

POINT REYES NS

Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Sirs

As an oyster and nature lover and a life time resident of the State of California, I wish to communicate my displeasure at how our government has treated a long time oyster operation in Drakes Bay. This operation has co-existed with nature for many decades, affording the citizens of the state an opportunity to purchase locally grown oysters.

The State of California and the US Government have done a generally poor job of lands set aside for public use and benefit. If they had been good stewards of the land, these parks would not be in such a state of disrepair and under significant budget constraints. Adding more land to the park service and putting a decades old oyster farm out of business makes no sense.

I support a renewable Special Use Permit for Drakes Bay Oyster Company. All the special studies and environmental reports generated to date are not supportable by peer reviewed scientists. To further harm our fragile economy by putting US citizens out of work, adding to our foreign dependence on seafood supplies for our consumption and reducing tax roles makes no sense when traded off against the miniscule possible benefit for the National Park Service to adding a small amount of land to their park system.

Please act responsibly and issue a special use permit.

Sincerely,



Peter Struffenegger

Concerned Citizen and Oyster lover

*Sterling*  
CAVIAR



Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

RECEIVED  
2011 DEC -5 PM 12: 29  
POINT REYES NS

To Whom it May Concern,

It is our responsibility to preserve the conservation of wildlife as we grow as a commercial and industrial nation. For us to not support Alternative A in the draft of Environmental Impact Statement would simply be neglectful. As we continue to advance we too have to make sure that we protect the land and wildlife in our surrounding area. Please prevent Drakes Estero from becoming commercial property and help us protect the endangered Leatherback sea turtles that call that land home.

Sincerely,

Donna and Paul Silva

Waltham, MA

[Redacted]

[Redacted]

[Redacted]

3  
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2011 DEC -5 PM 12: 32

POINT REYES NS

*Dear National Park Service,*

*I support Alternative A in the draft Environmental Impact Statement -- full wilderness designation for the entire Drakes Estero within Point Reyes National Seashore.*

*Alternative A is the environmentally preferred alternative that would expand and provide the best habitat protections within the only marine wilderness on the west coast. Drakes Estero is a unique wildlife area that is connected to critically important marine habitat for endangered leatherback sea turtles and protected species of marine mammals. Drakes Bay is part of the Leatherback Conservation Area and is also proposed as critical habitat for the endangered Pacific leatherback sea turtle.*

*Sincerely,*  
Adam Silva

[Redacted]

[Redacted]

[Redacted]

RECEIVED

2011 DEC -5 PM 12: 33

Betsy Shade, M.D.  
[REDACTED]  
[REDACTED]

November 28, 2011

POINT REYES NATIONAL SEASHORE  
Superintendent, Point Reyes National Seashore  
Attn: DBOC SUP DEIS  
1 Bear Valley Rd.  
Point Reyes Station, CA 94956

Dear Superintendent:

These comments are submitted on the draft environmental impact statement (EIS) for a proposed permit for commercial shellfish farming in Drakes Estero. I feel close to this area because my brother-in-law has told us about his visits there over the past 60 years. My six children (ages now 12 to 16) love wild country, and we all hope Drakes Estero will be wild when they grow up and explore our beautiful land for themselves.

We sometimes visit Assateague Island National Seashore, near my sister's vacation house at Ocean City. Assateague is closed to shellfish farming, although mariculture is practiced in other bays nearby. That is appropriate, because national parks and seashores are not the place for commercial operations, except those necessary to serve park visitors. The shellfish farm at Drakes Estero is not primarily for visitors. The EIS tells us that most of the 600,000 pounds of shellfish produced there annually is sold to restaurants and wholesalers. That would not be allowed in Assateague National Seashore.

Please adopt Alternative A, which will close down the mariculture business in Drakes Estero. The owners have known this was coming since 1976, when the wilderness law was enacted designating Drakes Estero to become wilderness when the shellfish farming permit expires in November 2012. Alternatives B, C and D would only postpone the day of reckoning by letting the shellfish business continue operating.

The EIS in Chapter 4 analyzes the impacts the shellfish business has imposed on estuarine habitat on which 60 species of birds depend. Motorboats tending mariculture sites have left 8 miles of propeller cuts through eelgrass habitat. Some 95 mariculture racks and many mariculture bags spread around the tidal zone interfere with wildlife habitat. It is time to remove those facilities and rededicate Drakes Estero to public use as a marine wilderness, restored from the impacts of shellfish farming.

I thank you for all the good work that went into the EIS, and for considering these thoughts.

Sincerely yours,

*Betsy Shade MW*

George &amp; Laurie Riley

RECEIVED

2011 DEC -5 PM 12:33

POINT REYES NS

November 27, 2011

Point Reyes National Seashore  
Atten: Superintendent, DBOC SUP DEIS  
1 Bear Valley Rd.  
Point Reyes Station, CA 94956

Dear Superintendent:

This is a comment on the draft environmental impact statement for the proposal to extend the permit for commercial shellfish farming in Drakes Estero. We have traveled in the Bay Area several times during our careers in the United States Air Force. A friend who lived there told us about this proposal and about your request for comments.

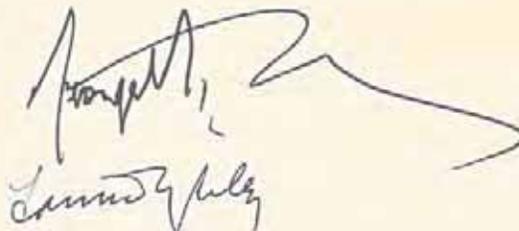
We extend hearty congratulations to those who wrote this EIS. It discloses the impacts of shellfish farming and outlines four alternatives. Clearly the time has come to close out shellfish farming and devote the area to wildlife habitat, historical values, and the other natural features for which Point Reyes National Seashore was established.

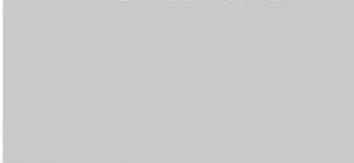
We prefer Alternative A because it gives the best protection to the natural and historical values of Drakes Estero. It ends the operation of the Drakes Bay Oyster Company (DBOC) when the permit expires in November 2012. At that point 8,000 acres on Drakes Estero will be elevated to the permanent protection of wilderness status, as Congress directed in 1976.

The other three alternatives only kick the can down the road. Even if they provide an extension of only 10 years for the DBOC permit, the owner undoubtedly expects further extensions. Drakes Estero would not be restored to its natural state, and wilderness would most likely be deferred again and again. We believe it's time to end the grandfathered shellfish farm at the end of the existing permit in November 2012. The owners have had 50 years to prepare for the end. The current owner knew the permit had only 7 years left when he acquired the business in 2005.

A private business should not be allowed to thwart restoration of the wildlife habitat and wild character of Drakes Estero. Please close the shellfish operation and put this area under wilderness status, as outlined in Alternative A. Thank you for considering our thoughts.

Sincerely,



Douglas G. Moore  


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2011 DEC -5 PM 12:30

POINT REYES NS

November 29, 2011

Point Reys National Seashore  
Re Drayes Bay Oyster Company Lease*Draft EIS*

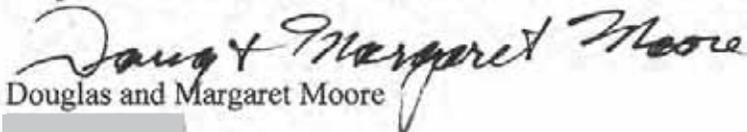
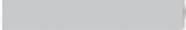
Dear Sirs,

We live in Inverness Park and conduct a family Summer Camp each summer in July. This year I contacted Drakes Bay Oyster Company to see if our 9 grandchildren and their parents (19 of us in total) could tour the Drakes Bay Oyster Company. The person answering the phone asked when would we like to come. I told then a date and time and was told "Great. Ginny will give you a tour". It was that easy. I followed up a month before the appointed time and date and was told. that we were expected.

We arrived and Ginny gave us a most through and enthusiastic tour. She told us about the oyster shells used to receive the oyster seeds, showed us the tank where the seeds were placed and attached to the shells. She showed us how the shells were put on ropes put on racks in Drakes Estero. She showed us how they looked when they were brought in after a year or more in the Bay. We then had a lesson in shucking Oysters and eat some samples.

We were so glad that this wonderful educational resource was available in our national park and we were grateful that it was available to us. My grandchildren ages 4 to 14 talk about the tour and understand that there is a lot of knowledge and work that must go on before one enjoys an oyster.

I hope that this educational resource will remain for others to enjoy and learn from.

  
Douglas and Margaret Moore  




RECEIVED

2011 DEC -5 PM 12:32

POINT REYES NS

Nov. 29, 2011

Draft EIS DBOC SUP  
c/o Supt. Cicely A. Muldoon  
Point Reyes National Seashore  
1 Bear Valley Rd.  
Point Reyes Station, CA 94956

Dear Supt. Muldoon:

I would like to add my name to those supporting the Collaborative Management Alternative for DBOC described below. Key to this approach is its proposal for collaborative and adaptive resource management, which may become increasingly important as climate change alters the ecosystem of this region.

The Collaborative Management Alternative was developed by numerous people and drafted by Jeff Creque, who signed the document.

Best wishes,



David V. Mitchell



**COLLABORATIVE MANAGEMENT ALTERNATIVE: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities**

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay “fair market value” for use of the onshore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture.

This alternative is consistent with the “national interest” expressed in President Clinton’s May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the “Nation’s system of marine protected areas.” It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC’s operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero.

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, “....on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and

parasites, and other factors . . .” This alternative supports DBOC’s efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area’s sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches.

Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project.

This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Jeff Creque  
Alliance for Local Sustainable Agriculture

**Drakes Bay Oyster Farm Ginny, EIS survey**

---

To: Drakes Bay Oyster Farm Ginny  
From: Hope Meek [REDACTED]  
Subject: EIS survey  
Cc:  
Bcc:  
Attached:

RECEIVED  
2011 DEC -5 PM 12:32  
POINT REYES NS

Draft EIS DBOC Sup c/o Superintendent  
Point Reyes National Seashore  
I Bear Valley Road  
Point Reyes Station, CA 94956

Dear Bureaucrats:

I support renewable use permit for Drakes Bay Oyster farm. They employ people in these hard times and do no wrong to the environment. The bureaucracy in the attempt to close a business which has been in operations for generations is outrageous! Particularly in the existing lousy economy!

I would like to add that I suspect the department of dishonest handling of the on-line survey and would be happy to fly up and testify to this comment. I have just spent three hours filling out the survey and after seven attempts, got down as far as the submit line, only to have the page go blank! It leaves me to believe there is a skunk in the wood pile.

Ms. M. Hope Meek  
[REDACTED]

RECEIVED  
2011 DEC -5 PM 12:32  
POINT REYES NS

Rick W. Johnson

5 December 2011

Draft EIS DBOC SUP  
c/o Superintendent,  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

RE: DEIS DBOC SUP, Comments on Invasive Species Impacts to Benthic Fauna and Eelgrass

Dear Cicely:

I support Alternative A to implement wilderness in 2012 and ask that Alternative A be selected as the Preferred Alternative.

I believe the DEIS does not adequately emphasize time urgency to prevent introduction and to stop promoting the spread of invasive species. Perhaps, because of this shortcoming the DEIS incorrectly categorizes the effects as "moderate adverse" when the impacts should be categorized as "major adverse". Some effects are already noticeable; some natural processes are altered. NPS policy requires prompt action when possible for prevention and control. The risk of major adverse impacts of invasive species with Alternatives B, C, and D is significantly greater than the risks with Alternative A. No alternative can eliminate all risks, but Alternative A does the best job. Attached are detail comments on the subject.

Because a DBOC SUP in Drakes Estero will introduce invasive species and promote the spread of invasive species in the Estero, approval of Alternatives B, C, or D violates Executive Order 13112 which requires prevention and control to the extent practicable. Alternative A is available and practicable.

The time for action is now. The Secretary of Interior should implement Alternative A.

Thank you for the opportunity to comment.

Best regards,



Rick W. Johnson

**Comment for Executive Summary pages xl - lxi**

Please include these comments under Benthic Fauna, and Eelgrass:

Invasive Species Impacts to Benthic Fauna and Eelgrass are probably long term major adverse for Alternatives B, C, and D. The impacts are already "highly noticeable" in one case, *Didemnum*, and "clearly detectable" in another case, Manila clams. In the ten year period of a new SUP and the time thereafter while these and other potentially invasive species persist, there is a high risk that the action alternatives (B,C,D) will substantially influence natural processes. The risk of major adverse impacts with Alternatives B, C, and D is significantly greater than the risks with Alternative A.

Alternatives B, C, and D violate Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species. Alternative A which complies with these policies, is available and practicable.

**Policy summary page 45**

Modify this by adding rapid response:

**Executive Order 13112: Invasive Species**

This executive order directs federal agencies to avoid, to the extent possible, authorizing, funding, or carrying out actions that it believes are likely to cause or promote the introduction or spread of invasive species, and to respond rapidly to control populations detected.

**Past, Present, and Reasonably Foreseeable Actions**

**Monitoring/Managing Invasive Species - page 240**

The DEIS offers this action "NPS would evaluate treatment methods to control *Didemnum* and nonnative Manila clam (no actions currently occur)." and then later claims a cumulative benefit from this "Reasonably Foreseeable" action after approving a DBOC SUP which promotes introduction and spread of these and other invasive species. If NPS is unable to take the most important action possible for control of these invasive species now, that is Alternative A, how can NPS foresee that any significant action will be taken in the future, or that such action will be more effective, after the problem is worse? NPS has provided no evidence or plan that there is a reasonably foreseeable total offset to the invasive species effects of the DBOC SUP.

For example, the DEIS states for Alternative B, page 280 (and similar wording for Alternative C and D): "Past, present, and reasonably foreseeable future actions ... the new SUP include monitoring and management of invasive species ... would result in long-term beneficial impacts to native benthic fauna."

"monitoring and management of invasive species" should be deleted as a long-term beneficial impact for Alternatives B, C and D since the predominant effect of those alternatives is to increase the spread of invasive species.

Suggested wording for Page 240:

"In Alternative A, NPS would evaluate treatment methods to control *Didemnum* and nonnative Manila clam (no actions currently occur). In Alternative B, C and D, NPS will continue monitoring for invasive species but there is no foreseeable treatment that will offset the invasive species impacts resulting from these Alternatives."

**Policy comments - benthic fauna (272-2730 and eelgrass (p. 260-261)**

Insert this at beginning of these policy sections:

NPS Management Policies 2006 states NPS responsibility to maintain the integrity of native species and their ecosystems. "4.1 General Management Concepts: "Preserving park resources and values unimpaired is the core or primary responsibility of NPS managers." "Natural resources will be managed to preserve fundamental physical and biological processes, as well as individual species, features, and plant and animal communities. The Service will not attempt to solely preserve individual species (except threatened or endangered species) or individual natural processes; rather, it will try to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems."

Add emphasis to the phrase on page 273: "**Threats to these resources, such as invasive aquatic species, are aggressively managed**"

"Section 4.4.4 of NPS Management Policies 2006 dictates the management of nonnative species. This section states that, in general, "new exotic species will not be introduced into parks. In rare situations, an exotic species may be introduced or maintained to meet specific, identified management needs" (NPS 2006d). NPS Management Policies 2006 places a high value on and apply a high standard of protection to native species and natural processes in NPS units. **Threats to these resources, such as invasive aquatic species, are aggressively managed**, and the use of nonnative species as a management tool is an acceptable option only when "all feasible and prudent measures to minimize the risk of harm have been taken" and at least one of a number of criteria listed in section 4.4.4.1 have been met. Otherwise, Management Policies 2006 states that all nonnative species that are not maintained to meet a park purpose will "be managed—up to and including eradication—if (1) control is prudent and reasonable," and (2) the nonnative species "interferes with natural processes and the perpetuation of natural features, native species or natural habitats," or meets any of the other criteria listed in this section (NPS 2006d)."

Policies in the Invasive Species Executive Order 13112

Add to pages 273 and 261:

Excerpts from Sec. 2. Federal Agency Duties. (a) Each Federal agency whose actions may affect the status of invasive species shall

(1) identify such actions

(2) (i) **prevent the introduction of invasive species;**

(2) (ii) detect and **respond rapidly** to and control populations of such species in a cost-effective and environmentally sound manner;

(3) **not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species**

The point of these policies is to act soon, not allow ten years to go by while promoting the spread of invasive species in a designated wilderness area of a National Park.

Add to the Policy Section for faunal impacts ( page 273):

Current policy of Point Reyes National Seashore prohibits the cultivation of Manila clams within Lease M-438-01. This action has not been approved by the NPS as required by section 4(b)(vi) of the 2008 SUP (NPS 2008b). Specifically, NPS was concerned about the size of the expansion and lack of environmental review or analysis of risk, the potential for establishment of a nonnative species, and the potential to add substrate for the highly invasive nonnative tunicate, *Didemnum vexillum* (NPS 2009dxvi).

### Impact Analysis

Applicable to Alternatives B, C, D ( Benthic fauna Section pages 277-285) and *Didemnum* comments also Applicable to Alternatives B, C, D ( Eelgrass section pages 262-272)

#### Pacific oyster impact

Please add these sections:

The Pacific oyster presents a risk of going feral. A feral population will displace native organisms, alter habitat, and thereby alter natural processes - a major adverse impact.

The cultivated Pacific oyster, *C. gigas*, has gone feral establishing self-sustaining populations in 17 countries (Ruesink et al, 2005). NAS (2009, p. 52) discusses the topic: "Exclusive use of triploid stock could reduce but would not eliminate successful reproduction and the production of viable, dispersing larvae (NRC, 2004)." NAS (2009) states "The Pacific oyster has been cultured in Drakes Estero since the 1930s... **The failure of *C. gigas* to naturalize in Drakes Estero in the past might be considered an unreliable indicator of future naturalization [invasion] potential** given that *C. gigas* only recently has become established in the Wadden Sea, potentially in response to a warming climate, even though the species had been used in mariculture there since the 1960s (Diederich, *et al.*, 2005)." An analogous situation was reported by Robinson *et al.* (2005) in which *C. gigas* naturalized in 3 estuaries in South Africa in 2001, for the first time since introduction in 1930s. More recently there are reports of *C. gigas* reproducing in Scandinavia, and occurrence of *C. gigas* in Los Angeles Harbor. (Wrange *et al.*, 2010, Carrasco and Barón, 2010)

The multiple sources of seed larvae suggests that DBOC does not restrict its setting to triploid larvae, and raises the question whether triploid larvae are used at all by DBOC. The best practices recommendations of the National Academy of Sciences states "mariculture operators should use sterile triploids as much as possible when they grow nonnative bivalves in areas where the cultured species either has not been introduced or has not established a reproductive population." (NAS 2010) Even with this precaution the risk of naturalization "could be minimized but not entirely eliminated by culturing triploids." (NAS 2009). There may be another risk because setting tank water is dumped into the Estero and remaining live larvae, if any, are available to settle in the Estero. This process may facilitate selection for adaptation to the water of Drakes Estero.

*Crassostrea gigas* listed as invasive in Europe, Australia, Global risk

[http://www.nobanis.org/files/factsheets/Crassostrea\\_gigas.pdf](http://www.nobanis.org/files/factsheets/Crassostrea_gigas.pdf)

"The Pacific oyster has been introduced from Asia across the globe. In North America and the Australasia-Pacific regions the oyster is known to settle into dense aggregations, resulting in the limitation of food and space available for other intertidal benthic species. It has been documented destroying habitat and causing eutrophication of the water bodies it invades

(NIMPIS 2002)."

<http://www.issg.org/database/species/ecology.asp?fr=1&si=797>

### **Impacts of European Flat Oyster**

This species presents a risk of going feral. A feral population will displace native organisms, alter habitat, and thereby alter natural processes - a major adverse impact.

NAS (2009) does not consider the possibility and risks associated with introducing European Flat Oyster. The DEIS does not consider the risks.

European Flat Oyster is listed as an invasive species by the National Park Service:  
[http://www.nature.nps.gov/water/marineinvasives/assets/PDFs/Ostrea\\_edulis.pdf](http://www.nature.nps.gov/water/marineinvasives/assets/PDFs/Ostrea_edulis.pdf)

European Flat Oyster has established populations in Washington State, Vancouver Island, Maine, Massachusetts, and Rhode Island  
<http://nas2.er.usgs.gov/viewer/omap.aspx?SpeciesID=118>

### **Impacts of Manila Clam**

Manila Clam has already established a population. The DBOC experiment in cultivating Manila Clams has failed and should be stopped at the earliest possible time. Expansion of the naturalized population will displace native organisms, and thereby alter natural processes - a major adverse impact.

NAS (2009, p52) discusses this issue; "culture of clams in bags reduces some of the risk of naturalization compared to the method of culturing clams in beds because bags of clams can be readily recovered whereas some of the loose clams in beds could persist for years in a reproductively mature status." Even with bags, however, there is risk of release because bags may break, fall open, or be lost, and clams may spawn within the bags. Empty bags do show up along the shores of the Estero, but the fate of the contents is unknown.

Allowing Manila clams and the expansion in Alternatives B, C, and D rewards violations of the existing SUP. PRNS was wise to be concerned about the size of the expansion and lack of environmental review or analysis of risk, and the potential for establishment of a nonnative species.

*Ruditapes philippinarum* (Adams & Reeve, 1850) – Manila clam - Europe, US West coast  
<http://www.nobanis.org/MarineIdkey/Bivalvia/RuditapesPhilippinarum.htm#Impacts>  
(Boersma and van Buren, 2006), (Cohen and Carlton, 1995)

### ***Didemnum vexillum* impacts**

This tunicate grows extensively on mariculture gear and shellfish and is spreading to eelgrass. In ten years, this population will most likely displace native organisms, alter habitat, and thereby alter natural processes - a major adverse impact.

Mariculture in Drakes Estero facilitates the spread of *Didemnum vexillum*. NAS (2009) states:

"Drakes Estero has also been modified by introductions of nonnative species. The most evident and aggressively invasive of these is the clonal tunicate, *Didemnum vexillum*, which forms yellow blankets over many subtidal hard substrates, especially shells of cultured oysters and oyster racks."

"Oyster culturing increases the existing amount of hard substrate in Drakes Estero, thereby sustaining high cover (up to about half of subtidal hard surface) of an introduced tunicate, *Didemnum vexillum*, and smaller populations of at least three other nonnative epifaunal invertebrates."

"The high coverage of tunicates increases the potential for spread of this invasive species within Drakes Estero and Estero de Limantour and possibly beyond through transport of the short-lived larvae and body fragments capable of regeneration."

"*D. vexillum* can reattach if fragmented (Bullard *et al.* 2007), thereby expanding dispersal potential of the species. Commercial cleaning of fouled oysters and associated materials used to grow the shellfish, as now practiced by Drakes Bay Oyster Company (DBOC), could promote asexual spread of the species."

"Sustaining high cover of *Didemnum vexillum* elevates risk of its spread to other habitats, especially to eelgrass, and locations within Drakes Estero and Estero de Limantour."

"*D. vexillum* has recently been reported colonizing eelgrass blades at presently low levels in Tomales Bay. **Its rapid growth and competitive overtopping abilities make it an ecological threat to many native and nonnative invertebrate taxa.**"

Since the NAS (2009) report, the risk identified by NAS has now happened. The tunicate is found on eelgrass in Drakes Estero. Human-introduced hard substrate in bays is a known risk factor to promote the spread of *Didemnum vexillum* to seagrasses. (Carman and Grunden 2010)

(Carman and Grunden 2010) state "The ecological effects of invasive tunicates introduced to seagrass beds remain unassessed, but in general, the majority of introduced epibionts have negative effects on marine flora. Invasive tunicates can smother bivalves and other sessile invertebrates and can likely smother plants. The heavy weight of tunicates coupled with their rapid asexual and sexual reproduction may make them more harmful to marine plant communities than encrusting bryozoans. There are no known predators of healthy *D. vexillum* (Carman *et al.* 2009c). In the absence of predators in eelgrass habitats, epifauna can grow unimpeded... The surface of *D. vexillum* has an average pH value of 3 to 4. Perhaps this explains why we observed no organisms attached to *D. vexillum*." Colarusso (2010) reported that the geographic distribution of tunicates on eelgrass in Lake Tashmoo had increased, and *D. vexillum* spread to eelgrass throughout Stonewall Pond. "Colonies commonly occurred as small patches on outer eelgrass blades and, in some cases, *D. vexillum* encapsulated the plants to such an extent that they could no longer naturally defoliate or release seed. Tunicates likely block sunlight from reaching the blade, inhibiting photosynthesis." (Colarusso, 2010)

### **Eelgrass Impact, Cumulative Impact and Conclusion Statements**

To reflect invasive species impacts, please modify these impact statements.

Alternative A - Modify Page 264 as follows:

"Overall, alternative A would result in long-term beneficial impacts on eelgrass habitat due to the termination of DBOC operations within Drakes Estero, as well as the removal of structures that currently inhibit eelgrass abundance and serve as potential points of introduction and added substrate for expansion of invasive species (e.g., tunicates) and epiphytic algae. Because DBOC structures also

support and promote the spread of the invasive tunicate, *Didemnum vexillum*, Alternative A removes a source of a major adverse impact to eelgrass."

Alternative B - Modify Page 267 as follows:

"Because mariculture hard substrates promote spread of non-native fouling organisms, especially *Didemnum*, as well as other effects described above, alternative B would result in long-term major adverse impacts on eelgrass in Drakes Estero for another 10 years. Impacts would be clearly noticeable and could substantially affect individual plants, eelgrass beds, and natural processes (such as eelgrass reproduction, colonization and/or regeneration)."

Modify Page 268 as follows:

"...when combined with the long-term major adverse impacts of alternative B, would result in a long-term major adverse cumulative impact on eelgrass. Alternative B would contribute an appreciable adverse increment to the overall cumulative impact."

Modify Alternative B conclusions on Page 268-9 as follows:

"Overall, alternative B would result in long-term major adverse impacts on eelgrass in Drakes Estero due the operation of DBOC boats for another 10 years, the continued presence of commercial shellfish infrastructure within Drakes Estero, and the propagation of *Didemnum vexillum* on those structures and through disposal of tunicate fragments removed from oyster shells."

"... and "that eelgrass productivity can be locally enhanced by the cultured oysters through a reduction in turbidity and fertilization via nutrient regeneration" (NAS 2009). Although NAS (2009 and 2010) point out that modest numbers of native clams can accomplish the same task (see Carroll *et. al.* 2008), and Dumbauld *et. al.* (2009) indicate little need for mariculture nutrient regeneration in an open coast bay like Drakes Estero. Because mariculture hard substrates promote spread of non-native fouling organisms, especially *Didemnum*, as well as other effects described above, the overall impact of alternative B on eelgrass would be major and adverse. The cumulative impact would be long-term major adverse, and alternative B would contribute an appreciable adverse increment to the overall cumulative impact."

Add to end of conclusions on page 269:

"Alternatives B violates Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species when practicable alternatives exist (e.g. Alternative A).

Alternative C - Modify Page 269 as follows:

"Because mariculture hard substrates promote spread of non-native fouling organisms, especially *Didemnum*, as well as other effects described above, alternative C would result in long-term major adverse impacts on eelgrass in Drakes Estero for another 10 years. Impacts would be clearly noticeable and could substantially affect individual plants, eelgrass beds, and natural processes (such as eelgrass reproduction, colonization and/or regeneration)."

Modify Page 270 as follows:

"... when combined with the long-term major adverse impacts of alternative C, would result in a long-term major adverse cumulative impact on eelgrass. Alternative C would contribute an appreciable adverse increment to the overall cumulative impact."

Modify Alternative C conclusions on Page 270 as follows:

"Overall, alternative C would result in long-term major adverse impacts on eelgrass in Drakes Estero due the operation of DBOC boats for another 10 years, the continued presence of commercial shellfish infrastructure within Drakes Estero, and the propagation of *Didemnum vexillum* on those structures and through disposal of tunicate fragments removed from oyster shells."

"... and "that eelgrass productivity can be locally enhanced by the cultured oysters through a reduction in turbidity and fertilization via nutrient regeneration" (NAS 2009). Although NAS (2009 and 2010) point out that modest numbers of native clams can accomplish the same task (see Carroll *et. al.* 2008), and Dumbauld *et. al.* (2009) indicate little need for mariculture nutrient regeneration in an open coast bay like Drakes Estero. Because mariculture hard substrates promote spread of non-native fouling organisms, especially *Didemnum*, as well as other effects described above, the overall impact of alternative C on eelgrass would be major and adverse. The cumulative impact would be long-term major adverse, and alternative C would contribute an appreciable adverse increment to the overall cumulative impact."

Add to end of conclusions on page 270:

"Alternatives C violates Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species when practicable alternatives exist (e.g. Alternative A).

Alternative D - Modify Page 271 as follows:

"Because mariculture hard substrates promote spread of non-native fouling organisms, especially *Didemnum*, as well as other effects described above, alternative D would result in long-term major adverse impacts on eelgrass in Drakes Estero for another 10 years. These adverse impacts would be of greater magnitude than those associated with alternatives B and C due to the likely increase in boat traffic in Drakes Estero, and the increased use of bags and racks in shellfish operations for another 10 years. Impacts would be clearly noticeable and could substantially affect individual plants, eelgrass beds, and natural processes (such as eelgrass reproduction, colonization and/or regeneration)."

Modify Page 272 as follows:

"... when combined with the long-term major adverse impacts of alternative D, would result in a long-term major adverse cumulative impact on eelgrass. Alternative D would contribute an appreciable adverse increment to the overall cumulative impact."

Modify Alternative D conclusions on Page 272 as follows:

"Overall, alternative D would result in long-term moderate adverse impacts on eelgrass in Drakes Estero due to an additional 10 years of DBOC operations."

"Further, the expansion of DBOC activities would increase the potential for shellfish mariculture-related introductions of nonnative species (e.g., colonial tunicates) and epiphytic algae including the expanded presence of commercial shellfish infrastructure within Drakes Estero, and the propagation of *Didemnum vexillum* on those structures and through disposal of tunicate fragments removed from oyster shells."

"Beneficial ecosystem effects typically attributed to bivalves, such as nutrient cycling and water clarity, would continue, but these beneficial impacts would be expected to be relatively minor in a west coast estuary like Drakes Estero (i.e., with high sediment-nutrient content, extensive tidal flushing, and proximity to nutrient-rich upwelling zones along the Pacific coast). And, NAS (2009 and 2010) point out that modest numbers of native clams can accomplish the same task (see Carroll *et. al.* 2008), and Dumbauld *et. al.* (2009) indicate little need for mariculture nutrient regeneration in an open coast bay like Drakes Estero."

" ... and are still expected to be of a major intensity. Because mariculture hard substrates promote spread of non-native fouling organisms, especially *Didemnum*, as well as other effects described above, the overall impact of alternative D on eelgrass would be major and adverse. Impacts would be highly noticeable and could substantially affect individual plants, eelgrass meadows, and natural processes (such as eelgrass colonization and/or regeneration). The cumulative impact would be long-term moderate adverse, and alternative D would contribute an appreciable adverse increment to the overall cumulative impact."

Add to end of conclusions on page 272:

"Alternatives C violates Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species when practicable alternatives exist (e.g. Alternative A).

Deletion on pages 268, 270, 271

"monitoring and management of invasive species" should be deleted as a long-term beneficial impact for Alternatives B, C and D since the predominant effect of those alternatives is to increase the spread of invasive species.

### **Benthic Fauna Impact, Cumulative Impact and Conclusion Statements**

To reflect invasive species impacts, please modify these impact statements.

Deletion on pages 280, 282, 285

"monitoring and management of invasive species" should be deleted as a long-term beneficial impact for Alternatives B, C and D since the predominant effect of those alternatives is to increase the spread of invasive species.

Alternative B - Modify Page 280 as follows:

"As described above, issuance of a 10-year SUP under alternative B would result in long-term major adverse impacts on benthic fauna for another 10 years because DBOC operations and associated human activities within Drakes Estero have the potential to serve as vectors for introduction of nonnative invasive species and disease and to cause physical disturbance to native benthic fauna and their habitat. The main concerns are: Pacific oyster - potential breeding at some point in time, European Flat oyster - potential breeding at some point in time, Manila clam - likely breeding at some point in time, and *Didemnum* - highly likely to promote spread. Within ten years and as long as introduced shellfish persist, these impacts are likely to be highly noticeable and could substantially affect individuals or groups of species, communities, or natural processes."

Modify Page 280 as follows:

"Prolonging the presence of these nonnative shellfish under alternative B could hinder and prevent NPS efforts at invasive species management in Drakes Estero and could lengthen the period of time before a natural benthic faunal community could be re-established with higher risk of permanent harm, as compared to alternative A. This risk would result in adverse impacts extending beyond 2022 despite cessation of the shellfish operation."

Modify Page 280 as follows:

"...when combined with the long-term major adverse impacts of alternative B, would result in a long-term major adverse cumulative impact on benthic fauna. Alternative B would contribute an appreciable adverse increment to the cumulative impact."

Modify Alternative B conclusions on Page 281 as follows:

"Overall, alternative B would result in long-term major adverse impacts on native benthic fauna due to an additional 10 years of DBOC operations and associated human activities within Drakes Estero, the potential for such activities to serve as vectors for introduction of nonnative invasive species, and the continued presence of commercial shellfish infrastructure within Drakes Estero, and the propagation of *Didemnum vexillum* on those structures and through disposal of tunicate fragments removed from oyster shells."

"... the chance of naturally breeding populations of this species becoming established in Drakes Estero (NAS 2004, 2009). The new introduction of European Flat Oyster adds an invasive species. In addition, the failure of *C. gigas* to naturalize in Drakes Estero in the past might be considered an unreliable indicator of future invasion potential . (NAS 2009). Invasive species impacts would be highly noticeable and could substantially affect individual species, communities, or natural processes. The cumulative impact would be long-term major adverse, and alternative B would contribute an appreciable adverse increment to the overall cumulative impact."

Add to end of conclusions on page 281:

"Alternatives B violates Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species when practicable alternatives exist (e.g. Alternative A).

Alternative C - Modify Page 282 as follows:

"As described above, issuance of a 10-year SUP under alternative B would result in long-term major adverse impacts on benthic fauna for another 10 years because DBOC operations and associated human activities within Drakes Estero have the potential to serve as vectors for introduction of nonnative invasive species and disease and to cause physical disturbance to native benthic fauna and their habitat. The main concerns are: Pacific oyster - potential breeding at some point in time, European Flat oyster - potential breeding at some point in time, and *Didemnum* - highly likely to promote spread. Within ten years and as long as introduced shellfish persist, these impacts are likely to be highly noticeable and could substantially affect individuals or groups of species, communities, or natural processes."

Modify Page 282 as follows:

"Prolonging the presence of these nonnative shellfish under alternative C could hinder and prevent NPS efforts at invasive species management in Drakes Estero and could lengthen the period of time before a natural benthic faunal community could be re-established with higher risk of permanent harm, as compared to alternative A. This risk would result in adverse impacts extending beyond 2022 despite cessation of the shellfish operation."

Modify Page 282-3 as follows:

"...when combined with the long-term major adverse impacts of alternative C, would result in a long-term major adverse cumulative impact on benthic fauna. Alternative C would contribute an appreciable adverse increment to the cumulative impact."

Modify Alternative C conclusions on Page 283 as follows:

"Overall, alternative C would result in long-term major adverse impacts on native benthic fauna due to an additional 10 years of DBOC operations and associated human activities within Drakes Estero, the potential for such activities to serve as vectors for introduction of nonnative invasive species, the continued presence of commercial shellfish infrastructure within Drakes Estero, and the propagation of

*Didemnum vexillum* on those structures and through disposal of tunicate fragments removed from oyster shells."

"... the level of impact on benthic fauna resulting from alternative C would be slightly less than that from alternative B. The new introduction of European Flat Oyster adds an invasive species. In addition, the failure of *C. gigas* to naturalize in Drakes Estero in the past might be considered an unreliable indicator of future invasion potential . (NAS 2009). Invasive species impacts would be highly noticeable and could substantially affect individual species, communities, or natural processes. The cumulative impact would be long-term major adverse, and alternative C would contribute an appreciable adverse increment to the overall cumulative impact."

Add to end of conclusions on page 283:

"Alternatives C violates Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species when practicable alternatives exist (e.g. Alternative A).

Alternative D - Modify Page 284 as follows:

"As described above, issuance of a 10-year SUP under alternative D would result in long-term major adverse impacts on benthic fauna for another 10 years because DBOC operations and associated human activities within Drakes Estero have the potential to serve as vectors for introduction of nonnative invasive species and disease and to cause physical disturbance to native benthic fauna and their habitat. The main concerns are: Pacific oyster - potential breeding at some point in time, European Flat oyster - potential breeding at some point in time, Manila clam - likely breeding at some point in time, and *Didemnum* - highly likely to promote spread. Within ten years and as long as introduced shellfish persist, these impacts are likely to be highly noticeable and could substantially affect individuals or groups of species, communities, or natural processes."

Modify Page 284 as follows:

"Prolonging the presence of these nonnative shellfish under alternative D could hinder and prevent NPS efforts at invasive species management in Drakes Estero and could lengthen the period of time before a natural benthic faunal community could be re-established with higher risk of permanent harm, as compared to alternative A. This risk would result in adverse impacts extending beyond 2022 despite cessation of the shellfish operation."

Modify Page 285 as follows:

"...when combined with the long-term major adverse impacts of alternative D, would result in a long-term major adverse cumulative impact on benthic fauna. Alternative D would contribute an appreciable adverse increment to the cumulative impact."

Modify Alternative D conclusions on Page 285 as follows:

"Overall, alternative D would result in long-term major adverse impacts on native benthic fauna due to an additional 10 years of DBOC operations and associated human activities within Drakes Estero, the potential for such activities to serve as vectors for introduction of nonnative invasive species, the continued presence of commercial shellfish infrastructure within Drakes Estero, and the propagation of *Didemnum vexillum* on those structures and through disposal of tunicate fragments removed from oyster shells."

"The use of both bottom bags and racks has been implicated in detectable changes in benthic communities. The new introduction of European Flat Oyster adds an invasive species. In addition, the failure of *C. gigas* to naturalize in Drakes Estero in the past might be considered an unreliable indicator

of future invasion potential . (NAS 2009). Invasive species impacts would be highly noticeable and could substantially affect individual species, communities, or natural processes. The cumulative impact would be long-term major adverse, and alternative D would contribute an appreciable adverse increment to the overall cumulative impact."

Add to end of conclusions on page 285:

"Alternatives D violates Executive Order 13112 and NPS policies calling for prevention and rapid response to invasive species when practicable alternatives exist (e.g. Alternative A).

#### **Additional references - not in the DEIS**

Carrasco , M.F. and P.J. Barón. 2010. Analysis of the potential geographic range of the Pacific oyster *Crassostrea gigas* (Thunberg, 1793) based on surface seawater temperature satellite data and climate charts: the coast of South America as a study case. *Biol Invasions* 12(8):2597–2607.

Carroll, J., C.J. Gobler, and B.J. Peterson. 2008. Resource-restricted growth of eelgrass in New York estuaries: Light limitation, and alleviation of nutrient stress by hard clams. *Marine Ecology Progress Series* 369: 51-62.

Colarusso, P, Carman, M.R, Grunden, D.W., Chintala, M.M., and Blackwood, D.S. First occurrence of the invasive tunicates *Ascidella aspersa* and *Didemnum vexillum* in eelgrass habitat. Abstract for presentation planned for International Invasive Sea Squirt Conference-III - Woods Hole April 26-28, 2010 Woods Hole, Massachusetts.

Robinson, T.B., C.L. Griffiths, A. Tonin, P. Bloomer, and M. P. Hare. 2005. Naturalized Populations of Oysters, *Crassostrea Gigas* Along The South African Coast: Distribution, Abundance And Population Structure. *Journal of Shellfish Research* 24(2):443-450.

Wrange, A.-L., Valero, J., Harkestad, L.S., Strand, Ø., Lindegarth, S., Christensen, H.T., Dolmer, P., Kristensen, P.S., Mortensen, S., 2009. Massive settlements of the Pacific oyster, *Crassostrea gigas*, in Scandinavia. *Biological Invasions*. 12(5):1145-1152

NPS. (undated, after 2008). Marine Invasive Species, *Ostrea edulis* National Park Service.

[http://www.nature.nps.gov/water/marineinvasives/assets/PDFs/Ostrea\\_edulis.pdf](http://www.nature.nps.gov/water/marineinvasives/assets/PDFs/Ostrea_edulis.pdf)

other sources used:

European Flat Oyster has established populations in Washington State, Vancouver Island, Maine, Massachusetts, and Rhode Island

<http://nas2.er.usgs.gov/viewer/omap.aspx?SpeciesID=118>

*Crassostrea gigas* listed as invasive in Europe, Australia, Global risk

[http://www.nobanis.org/files/factsheets/Crassostrea\\_gigas.pdf](http://www.nobanis.org/files/factsheets/Crassostrea_gigas.pdf)

<http://www.issg.org/database/species/ecology.asp?fr=1&si=797>

*Ruditapes philippinarum* (Adams & Reeve, 1850) – Manila clam - Europe, US West coast

<http://www.nobanis.org/MarineIdkey/Bivalvia/RuditapesPhilippinarum.htm#Impacts>

(Boersma and van Buren, 2006), (Cohen and Carlton, 1995)

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2011 DEC -5 PM 12: 32

POINT REYES NS

Rick W. Johnson

December 5, 2011

Draft EIS DBOC SUP  
c/o Superintendent,  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

RE: DEIS DBOC SUP, Comments on Impacts to Native Olympia Oysters

Dear Cicely:

I believe the DEIS does not adequately discuss impacts of the DBOC SUP on native oysters. Alternatives B, C, and D continue major adverse threats to a small wild, native Olympia oyster population in Drakes Estero. The most important step that can be taken to help native Olympia oyster populations in Drakes Estero is to remove the Pacific oysters, and to remove mariculture's introduced hard structure in the Estero. That is accomplished only in Alternative A.

Because Alternative B, C and D likely suppresses the wild native oyster population in Drakes Estero (Trimble et al. 2009), these alternatives violate NPS Management Policies 2006 to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems, including the eradication of exotic species where these species interfere with natural processes and habitat (NPS 2006d).

I support Alternative A to implement wilderness in 2012 and ask that Alternative A be selected as the Preferred Alternative.

Detail comments are attached. Thank you for the opportunity to comment.

Best regards,



Rick W. Johnson

## **Comments on Impact on Native Olympia Oysters**

### **Comments to add to the Executive Summary pages xliv - xlv**

Alternatives B, C, and D continue major adverse threats to a small wild, native Olympia oyster population in Drakes Estero. Non-native, cultivated Pacific oyster shells are shown conclusively to be a recruitment sink for native Olympia oyster larvae (NAS 2010). Mariculture gear and shellfish promote the spread of *Didemnum* which is a threat to native Olympia oysters (NAS 2009 and 2010).

By introducing DBOC cultivation of Olympia oysters, Alternative D extends and probably adds to these threats through genetic stock selection and through disease transmission. Since the threats to the native wild population will continue and the cultivated native oysters will be harvested, Alternative D offers no demonstrated benefit to wild native oysters in Drakes Estero. The most important step that can be taken to help native Olympia oyster populations in Drakes Estero is to remove the Pacific oysters, and to remove mariculture's introduced hard structure in the Estero. That is accomplished only in Alternative A.

Because Alternative B, C and D likely suppresses the wild native oyster population in Drakes Estero (Trimble et al. 2009), these alternatives violate NPS Management Policies 2006 to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems, including the eradication of exotic species where these species interfere with natural processes and habitat (NPS 2006d).

### **Policy - Benthic fauna impacts - page 272-3**

Insert this at beginning of this policy section:

NPS Management Policies 2006 states NPS responsibility to maintain genetic and ecological integrity of native species and their ecosystems. "4.1 General Management Concepts: "Preserving park resources and values unimpaired is the core or primary responsibility of NPS managers." "Natural resources will be managed to preserve fundamental physical and biological processes, as well as individual species, features, and plant and animal communities. The Service will not attempt to solely preserve individual species (except threatened or endangered species) or individual natural processes; rather, it will try to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems."

Add new sections at the end of the policy section page :

As will be discussed below under Alternative D Impacts, cultivation of native oysters might be categorized as an experimental research activity, and additional standards apply to research projects. NPS Management Policies 2006 Section 4.2 Studies and Collections states "Although studies involving physical impacts to park resources or the removal of objects or specimens may be permitted, studies and collecting activities that will lead to the impairment of park resources and values are prohibited."

NPS regulations (36 CFR 2.1 and 2.3) and NPS Management Policies 2006 prohibit collection of native Olympia oyster and purple-hinged rock scallop larvae within Drakes Estero for private commercial purposes.

### Impacts - Alternative A - DEIS page 274

Add after first paragraph on page 274:

NAS (2010) recognizes threats to native Olympia oysters due to cultivation of Pacific oysters. In the report on shellfish mariculture best practices, NAS (2010, p.69) states "The presence of nonnative molluscs may suppress the recovery of native species. For example, Trimble *et al.* (2009) show conclusively that competent larvae of the native oyster *O. lurida* are lured into settling in unfavorable environments by the presence of shells of the nonnative *C. gigas*. This contributes to the lack of recovery of *O. lurida* populations even though remnant populations in some estuaries and lagoons reproduce annually. There are also risks associated with nonnative molluscs as vectors of invasion for hitchhiking species and disease agents that may affect economically important resident species, as well as having potential impacts on population-, community-, and ecosystem-level structure and function." Cultivation of non-native species is a potential impairment to natural population-, community-, and ecosystem-level structure and function. (See further discussion on pages 175-6 of the DEIS) Alternative A removes these impairments.

Alternative A benefits native Olympia oysters which exist in the Estero in small populations such as off Bull Point. Although the population size is small, the benefit may be significant to this species which will be able to establish whatever population level is suitable through natural process with local genetic stock, unaltered by inadvertent DBOC selection processes. Such a natural population change may take considerable generations and time. "Many prior evaluations of oyster introductions suggest that introduced species had little impact on native populations in part because the native species was already at such low densities (Gouletquer & Heral 1991, NRC 2004). This suggestion begs the question of whether the new species has any impact on the ability of the native species to recover - certainly, competition can occur even when one species is rare." (Ruesink *et al.* 2005).

### Impacts - Alternative B page 278

Add these sections after the third paragraph on page 278:

Archeological investigations suggest that native Olympia oysters had limited distribution in Drakes Estero (Konzak and Praetzellis 2011) and (Babalís, 2011), consistent with the fact that there is little hard substrate in the Estero. Barrett (1963) states:

"Native oysters also have been found in some protected waters along the California coast. While surveying California bays and lagoons for possible oyster growing areas, Bonnot (1935, pp. 68-75) found native oysters in Humboldt Bay, Tomales Bay, San Francisco Bay, Elkhorn Slough, Alamitos Bay, Anaheim Creek, Newport Bay, Mission Bay, and San Diego Bay, the largest beds being in Humboldt Bay. The oysters were often growing in small clusters in sloughs, clinging to whatever firm objects were available. Referring to their occurrence in Tomales Bay, Bonnot (1935, p. 71) states, "They occur in a zone having a vertical depth of about three feet, from about two feet above mean low tide to one foot below. They are able to maintain themselves only on the rocky shores where the stones to which they cling offer protection from the sting rays."

NAS (2009) states there is little scientific evidence supporting their idea about restoring an "historic baseline" ecosystem in Drakes Estero. Numeric equivalency is unknown regarding historic native populations and current cultivated non-native populations: "Insufficient information is available to

know how many oysters and how much biomass existed under historical baseline conditions" (NAS 2009, p 3). Functional equivalency is unlikely: "There is a dearth of research on the extent to which the cultured Pacific oyster restores the ecological contribution of the native Olympia oyster in Drakes Estero." (NAS 2009, p 79). "The substrate habitat provided by [cultivated] oysters, elevated wooden racks, and plastic mesh bags on the bottom does not replicate the exact nature of structural habitat once offered by beds of native oysters on the bottom." (NAS 2009, p 79).

Alternative B will continue oyster operations with negative effects on the population of native oysters in Drakes Estero. Trimble *et al.* (2009) results suggest that oyster operations over the past 75 years in Drakes Estero may have prevented the establishment of the native oyster population to whatever level existed historically. NAS (2010) states that Trimble *et al.* (2009) shows conclusively that the non-native Pacific oyster is a recruitment sink for native Olympia oyster, and mariculture shellfish and structures promote invasive species that are a risk to the native oysters. (See further discussion on pages 175-6 of the DEIS)

Donation of Pacific oyster shells to a native oyster restoration project in San Francisco Bay does not justify issuing the DBOC SUP. Since Alternative B causes impairment of natural resources and processes in Drakes Estero, NPS Policies would prohibit using Drakes Estero to raise shells for use in worthy projects outside the National Seashore. Furthermore, these projects have alternate sources of substrate. (discussed more fully in Alternative D)

#### **Impacts - Alternative C page 282**

Add this sentence after the third paragraph on page 282:

Alternative C will have similar adverse effects as Alternative B on the population of native Olympia oysters in Drakes Estero.

#### **Impacts - Alternative D - changes starting at DEIS page 284**

Modify this section in the first paragraph on Page 284 to read "The historic presence of Olympia oysters in Drakes Estero has also been the subject of recent archeological work (Konzak and Praetzellis 2011) which found that Olympia oysters were of limited distribution in Drakes Estero even prior to the advent of large-scale commercial fishing on the California coast. Therefore, although the species is native to the region, it is most likely to occur naturally in Drakes Estero in larval form. There is a small adult population, for example on boulders off Bull Point." (last sentence added)

On page 284 after the second paragraph, add these sections:

With increased shellfish production, Alternative D will have greater adverse effects than discussed for Alternative B on the population of native oysters in Drakes Estero. NAS (2010) indicated that cultivation of non-native shellfish is a potential impairment to "natural population-, community-, and ecosystem-level structure and function", especially suppressing native oyster populations. (See further discussion on pages 175-6 of the DEIS and in Alternative A Impacts)

Alternative D adds cultivation of native Olympia oysters and Purple Hinged Rock Scallop. Both will add unnatural placement of hard structure in Drakes Estero, and human introduced hard structures have known adverse invasive species impacts (Heiman 2006).

DBOC describes cultivation of both species as a research project. The Purple Hinged Rock Scallop is not cultured anywhere in California. DBOC (2011c) states, "DBOC has been studying this species and recognizes the challenges in producing scallop seed and rearing scallops. Hatchery techniques are less established for scallops than they are for oysters... This is a long term project that will require significant research, training and investment." Regarding native Olympia oysters, "DBOC also plans to use its diverse culturing methods to determine the most successful culture methods for the native oyster." (DBOC 2011c) "DBOC is anticipating working with other agencies, including NPS, to develop with, and partner in, new research projects and best practices for culturing these native species."(DBOC 2011c) DBOC justifies this research in part due to ocean acidification. While ocean acidification may be an important issue in mariculture research, there is no reason why research on cultivation of native oysters cannot be done in any of the many other locations where oysters are cultivated along the California coast. NPS Policies prohibit doing research projects which impair natural resources in the process.

In Alternative D, cultivation of native Olympia oysters adds risks of impacts related to modifying local genetic stock through artificial selection and through potential disease propagation due to the disseminated neoplasia present in native Olympia oysters near the land operation and water intake for the settlement tanks. In addition, any structures associated with cultivation of native oysters will also promote the spread of non-native invasive species.

"DBOC's plan [is] to use brood stock from Drakes Estero."(DBOC 2011c) Some insight on this topic can be learned from a technical report on research on native oyster restoration in San Francisco Bay. (Zabin, *et al.* (2010).

"Seeding has not been tried on a large scale in San Francisco Bay due to concern about maintaining genetic structure within the Bay. The latest research indicates some population structure, which could be preserved by using adults from a region to generate spat to be planted in the same region. Further research is needed to better understand connectivity among locations within the bay."

"Seeding can be done in a laboratory or aquaculture facility or by deploying substrate in a location with high natural recruitment and then transferring the seeded substrate to the restoration area. One of the concerns with seeding is the potential loss of genetic diversity if the number of individuals being used for brood stock is too low or has low genetic diversity for other reasons. In most locations, including San Francisco Bay, little is known about the population structure of existing populations. Within a bay and certainly between bays it is possible that oysters are adapted to local conditions."

"Disease incidence can be highly localized; thus the movement of spat within a bay could potentially transport pathogens to disease-free locations."

James Moore of the CDFG Shellfish Health Laboratory at Bodega Marine Laboratory has sampled native Olympia Oysters that live on discarded Pacific oyster shells in the water next to the DBOC land operations. His team has found disseminated neoplasia in 43% of a sample of 60 native oysters from Drakes Estero. He presented his findings at a 2006 Workshop on Native Oyster Restoration:

"Disseminated neoplasia is a disease of numerous species of bivalve mollusks. It consists

of the uncontrolled proliferation of large, undifferentiated cells throughout the circulatory system, resulting in emaciation and ultimately death in most instances. Many features of the disease are very similar to those of leukemia in mammals, with one exception: it is readily transmissible between individuals by injection of the cells or even by simple cohabitation; it is an infectious disease. The etiology of the disease remains unclear, although there is some evidence for the role of a retrovirus in one species. Prevalence in bivalve populations has been reported as high as 90% and mortality due to the disease can be significant."

"As part of a statewide oyster health survey, from 2004-2006, we surveyed eight populations of *O. conchaphila* ranging from Humboldt Bay to Elkhorn Slough (Table 1). Disseminated neoplasia was found in (portions of) Tomales Bay, Drakes Estero, and San Francisco Bay."

Additional information from his accompanying slides:

Bivalve Disseminated Neoplasia: Large, undifferentiated cells with large nuclei proliferate throughout the open circulatory system; Rare and best example of 'cancer' in a marine invertebrate; Remarkably similar in 20 + species; Emaciation, diminished reproduction, usually fatal; Epidemics and steady states

What is the Cause of this Disease? - Spontaneous transformation; Virus; Chemical carcinogenesis; Harmful algae (PSP toxins)

Table 1. Prevalence (# positive/# examined) of *Ostrea conchaphila* with disseminated neoplasia.

Site	Shell Height Range, mm	Collection Date	Substrate	Disseminated Neoplasia
Humboldt Bay- Mad River Estuary	46-65	Feb 2004	Oyster Raft	0/60
Tomales Bay- North End	37-55	Aug 2004	Cobble/Rocks	2/60
Tomales Bay- South End	36-64	April 2004	Oyster Racks	0/60
Drake's Estero	10-58	July 2004	<i>C. gigas</i> shell	27/63
Fort Mason Marina, SF Bay	22-35	June 2006	Rip-rap	1/60
Candlestick Park, SF Bay	9-40	Jan 2005	Cobble/Rocks	13/48
Sailing Lake, Mountain View	17-86	Jan-Feb 2005	Rock	0/72
Elkhorn Slough	38-71	May 2004	Cobble/Rocks	0/60

There is a risk that drawing water from the land base area and selecting brood stock from the Estero may spread the disease to other currently uninfected populations. Also, the disease infects European Flat Oyster which DBOC proposes to start cultivating (da Silva 2011).

DBOC proposes benefits of donations of Pacific oyster shells to native Oyster restoration projects in San Francisco Bay. Some supporters of DBOC claim that alternative A will shut down those restoration projects. Zabin et al. (2010) report that there are alternatives. Restoration efforts in San Francisco Bay started before DBOC formed in 2005 and these projects can continue afterwards based

on alternative sources of substrate. Zabin et al. (2010) report:

"Restoration efforts in San Francisco Bay to date have been carried out on a relatively small scale. Annual recruitment to deployed substrate has been variable, with high recruitment in 2008. Restoration projects have relied almost exclusively on the provision of hard substrate (mainly Pacific oyster shell) to areas where substrate is lacking. Settlement on the substrate by both native and non-native fouling organisms, burial by sediments and predation by non-native oyster drills have been the major difficulties encountered by these projects."

"Restoration of the Olympia oyster elsewhere along the West Coast is still relatively new and methodology is still in the experimental stage."

"Cleaned and dried Pacific oyster shell has been the main material used in oyster restoration and in oyster recruitment research in San Francisco Bay. Most of the shell used in the Bay has come from Washington State, purchased by the NOAA Restoration Center. More recently, shell from Drakes Estero has been donated by oyster grower Kevin Lunny."

Zabin, *et al.* (2010) also describe alternate substrates including Reef balls, dome-shaped cement structures, and cement bricks - 5"x5"x2" gray garden pavers.

"Bricks were significantly more successful at recruiting oyster spat than shells (Mann-Whitney U Test  $p < 0.0005$ ). The sides of the bricks and surface area of one shell was approximately the same area, 160 cm<sup>2</sup>." (Zabin, *et al.* 2010)

Not only are there alternatives, there may be better alternatives.

DBOC also refers to a Bren School student project to develop a business proposal to cultivate native oysters. According to the project's website, this project did not consider environmental effects of mariculture in Drakes Estero and did not address the research of Trimble et al. (2009) nor issues about altering genetic stock and disease. The student's plan focuses on marketing and the business plan. A key element of the plan is that native Olympia oysters raised in Drakes Estero will be harvested for sale.

### **Cumulative Impact Analysis**

Modify Page 280 as follows:

"Alternative B, would result in long-term major adverse cumulative impact on native Olympia oysters."

Modify Page 283 as follows:

"Alternative C, would result in long-term major adverse cumulative impact on native Olympia oysters."

Modify Page 285 as follows:

"Alternative D, would result in long-term major adverse cumulative impact on native Olympia oysters."

### **Conclusions**

Modify Page 281 as follows:

"Alternative B would result in long-term major adverse cumulative impact on native Olympia oysters"

Add to end of conclusion section on Page 281:

"Because Alternative B likely suppresses the wild native oyster population (Trimble et al. 2009), Alternative B violates NPS Management Policies 2006 to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems, including the eradication of exotic species where these species interfere with natural processes and habitat (NPS 2006d)."

Modify Page 283 as follows:

"Alternative C would result long-term major adverse cumulative impact on native Olympia oysters."

Add to end of conclusion section on Page 283:

"Because Alternative C likely suppresses the wild native oyster population (Trimble et al. 2009), Alternative C violates NPS Management Policies 2006 to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems, including the eradication of exotic species where these species interfere with natural processes and habitat (NPS 2006d)."

Modify Page 285 as follows:

"Alternative D would result in long-term major adverse cumulative impact on native Olympia oysters."

Modify Page 285 as follows:

"While certain species introduced under alternative D are native to the region (e.g., purple-hinged rock scallops and Olympia oysters), they are not readily present in Drakes Estero in adult form. Because Alternative D continues and may expand the cultivation of Pacific oysters and use of hard substrate structures, with known adverse impacts on Olympia oysters and introduces risks of genetic stock selection and disease propagation, Alternative D is probably the worst alternative in terms of adverse impacts on the small wild populations of Olympia oysters in Drakes Estero. Alternative D offers no demonstrated benefit to wild native oysters in Drakes Estero. "

Add to end of conclusion section on Page 285:

"Because Alternative D likely suppresses the wild native oyster population (Trimble et al. 2009), Alternative D violates NPS Management Policies 2006 to maintain all the components and processes of naturally evolving park ecosystems, including the natural abundance, diversity, and genetic and ecological integrity of the plant and animal species native to those ecosystems, including the eradication of exotic species where these species interfere with natural processes and habitat (NPS 2006d). Regarding cultivation of Olympia oysters, cultivation conflicts with maintenance and protection of the wild population and its natural processes in Drakes Estero. Alternative D would also be inconsistent with NPS Management Policies 2006 to deny research activities that will lead to the impairment of park resources and values."

**Impacts on Wilderness DEIS page 378**

Remove this sentence regarding Alternative D:

"The increased potential for cultivation of species that are native to the California coast may represent a slightly more natural ecosystem despite the fact that these species (Olympia oyster and purple-hinged rock scallops) are not known to naturally occur in Drakes Estero in large numbers."

The DEIS contradicts that statement so the best suggestion is to remove that sentence. The DEIS and these comments point out many adverse impacts on the natural ecosystem from the ongoing shellfish cultivation. Alternative D adds further risk because of the high volume and risk of transmission of disease and modification of genetic stock resulting in a less natural ecosystem than the other alternatives.

### **Impacts On Socioeconomic Resources - DEIS page 402**

Modify this section for Alternative D:

"Additionally, the increased production limits proposed under this alternative would allow DBOC to cultivate more diverse and larger quantities of shellfish, including the purple hinged rock scallop and the Olympia oyster, which are not currently produced at DBOC, and are regarded as a mariculture research project. These increased production limits could result in DBOC increasing their contribution to the California shellfish market, perhaps to the detriment of other California and US West Coast producers. Alternatively, cultivation of these native species could be done in other California growing locations and provide equal long term benefit to the California shellfish market without the adverse environmental impacts of mariculture in Drakes Estero."

### **Additional EIS references**

Babalis, T. 2011. Restoring the Past: Environmental History and Oysters at Point Reyes National Seashore. The George Wright Forum, vol. 28, no. 2, pp. 199–215.

Barrett, E.M. 1963. "Fish Bulletin 123. The California Oyster Industry" (March 1, 1963). Scripps Institution of Oceanography Library. Fish Bulletin: 123.

da Silva PM, Fuentes J, Villalba A. 2011. Disseminated neoplasia in flat oysters *Ostrea edulis* from Galicia (NW Spain): occurrence, ultrastructural aspects and relationship with bonamiosis. *J Invertebr Pathol.* 107(1):50-9. Epub 2011 Jan 12.

Moore, J., C. Juhasz, and T. Robbins. 2006. Disseminated Neoplasia in *Ostrea conchaphila*. Presentation at the West Coast Native Oyster Restoration 2006 Workshop. CDFG Shellfish Health Laboratory, Bodega Marine Laboratory, Bodega Bay CA.  
[http://www.habitat.noaa.gov/pdf/2006oysterproceedings\\_web\\_regular.pdf](http://www.habitat.noaa.gov/pdf/2006oysterproceedings_web_regular.pdf)

Zabin, C.J., S. Attoe, E. D. Grosholz, and C. Coleman-Hulbert. 2010. *Shellfish Conservation and Restoration in San Francisco Bay: Opportunities and Constraints Final Report for the Subtidal Habitat Goals Committee*. University of California, Davis, April 29, 2010

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: LINDA Middle Initial: [redacted]

Last Name: CHIU, MD

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests: SAVE DRAKES BAY OYSTER COMPANY!

I support a renewable Special Use Permit for Drakes Bay Oyster Company. DRAKES BAY OYSTER COMPANY HAS BEEN A TREMENDOUS EDUCATIONAL ASSET TO THE BAY AREA FOR YEARS. THEY HAVE CHAMPIONED RESPONSIBLE USE OF ENVIRONMENTAL RESOURCES LOCALLY AND RECYCLE EACH BATCH OF OYSTER SHELS. SCHOOLS, STUDENTS, AND TEACHERS HAVE BENEFITTED!

2011 NOV 30 PM 1:36

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Cynthia Middle Initial: P

Last Name: Anderson

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Please preserve this treasure for its history and wonderful product. We need to support our businesses!*

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Robert Middle Initial: J

Last Name: Edwards

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Jessica Middle Initial: \_\_\_\_\_

Last Name: Kwok

Address: \_\_\_\_\_ **Jessica Kwok**

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

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Postal Code:\* [redacted]

First Name: ANICK Middle Initial: \_\_\_\_\_

Last Name: LABONVILLE

Address: [redacted]

Country: \_\_\_\_\_

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

port a renewable Special Use Permit for Drakes Bay Oyster Company.

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: DAVE Middle Initial: \_\_\_\_\_

Last Name: SHADE

Address: [redacted]

Country: \_\_\_\_\_

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: VICTOR Middle Initial: I

Last Name: SILVESTRE

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Irma Todd Middle Initial: E

Last Name: Todd

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

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City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Deborah Middle Initial: S

Last Name: Zant

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
*a beautiful & pristine place we love to visit.*

2011 NOV 20 PM 1:35  
POLICE  
SUNSHINE

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\* indicates required

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: William Middle Initial: H

Last Name: Zant

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 30 PM 1:05

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

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City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_  
Postal Code:\* \_\_\_\_\_

First Name: MARY Middle Initial: M DLCA HX  
Last Name: GOMEZ

Address: \_\_\_\_\_  
Country: \_\_\_\_\_  
Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Dear Drakes Bay Oyster Farm Supporter,**

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

"I support a renewable Special Use Permit for Drakes Bay Oyster Company" is the single most important comment you can make. To this end, we have included it in the "Comment Form" (below). We respectfully ask for your help in saving the farm by simply:

1. filling out the "Comment Form",
2. cutting along the dotted line and,
3. mailing your comments by **November 29<sup>th</sup>** to: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Alternatively, you may submit your comments online by going to:  
<http://parkplanning.nps.gov/commentForm.cfm?documentID=43390>.

If you wish to attach additional comments, please feel free to do so. You may visit ALSA's website for other suggested topics to comment on ([www.alsamarin.org](http://www.alsamarin.org)). For more up-to-date news and info, visit [www.oysterzone.wordpress.com](http://www.oysterzone.wordpress.com).

*With Our Heartfelt Gratitude for Your Support Through the Years!*

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\*  State/Province:\*   
Postal Code:\*   
First Name: Mahama Middle Initial: Tueil  
Last Name: Williams  
Address:   
Country:   
Email:

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*I support a renewable special use permit. .. M Williams 11/27/11*

POINT REYES NS  
NOV 30 PM 1:37  
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Dear Drakes Bay Oyster Farm Supporter,

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_  
 Postal Code:\* \_\_\_\_\_

First Name: Barbara Middle Initial: \_\_\_\_\_

Last Name: Hamrick \_\_\_\_\_

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Barbara Hamrick 11.29.11*

Dear Drakes Bay Oyster Farm Supporter,

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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Park: Point Reyes National Seashore  
 Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
 Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: FRANK Middle Initial: J

Last Name: ALONSO

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*I support a renewable Special Use Permit.*  
*Frank Alonso 11/29/11*

RECEIVED  
POINT REYES NS  
NOV 30 PM 1:37

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* [Redacted] State/Province:\* [Redacted]  
Postal Code: [Redacted]  
First Name: Ben + Donna Middle Initial: \_\_\_\_\_  
Last Name: Nunes  
Address: [Redacted]  
Country: [Redacted]  
Email: \_\_\_\_\_

RECEIVED  
2011 NOV 30 PM 1:37  
POINT REYES NS

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

CORRESPONDENCE ID: 50146

A NOTE FROM

Ms. Donna Nunes

It is unbelievable  
the power that such  
Environmental Groups  
have to threaten an  
important industry.  
We are only occasional  
visitors but so ap-  
preciate the operation-  
the system and pump here  
and do see it all seems  
to be a natural work-  
ing arrangement.  
Help up your fight for  
the right of Citizens  
to have the natural  
course of the area  
D. Nunes



-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]

First Name: BOBBE Middle Initial: O

Last Name: BESOLD

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

RECEIVED  
2011 DEC - 1 PM 3: 21  
POINT REYES NS

West's Melons  
Santa Fe Farmers Market  
from the food series/farmers hands

Dear Point REYES



Drakes Bay Oyster Company is a special place that augments the area,

please grant them a renewable permit. [redacted]  
THANKS! [signature]

RECEIVED  
2011 DEC - 1  
POINT REYES NS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: DARREL Middle Initial: E

Last Name: SULLAWAY

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

9/11/2011 11:28:50 AM  
9/11/2011 11:28:50 AM

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: ANN

Middle Initial: \_\_\_\_\_

Last Name: TELT HORST

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. Bay Oyster Co.



*I have been going to Pt. Reyes for 31 yrs & Drakes Bay Oyster Co. has always been one of my favorite places to visit. ~~like~~ just like the farms that demonstrate small business.*

FILED  
FEB 11 2011  
FBI 3:20

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Orin Middle Initial: J-BH

Last Name: LIEBERMAN

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

 I support a renewable Special Use Permit for Drakes Bay Oyster Company. 

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [Redacted] State/Province:\* [Redacted]

Postal Code:\* [Redacted]

First Name: Steve Middle Initial: C

Last Name: Dickey

Address: [Redacted]

Country: \_\_\_\_\_

Email: [Redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

RECEIVED  
2011 DEC -1 PM 7:20  
PACIFIC NORTHWEST  
NS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code: [redacted]

First Name: Daniel Middle Initial: R

Last Name: Dickey

Address: [redacted]

Country:

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 OCT -1 PM 3:20

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code: [redacted]  
First Name: Dave Middle Initial: C  
Last Name: Dickey  
Address: [redacted]  
Country: [redacted]  
Email: [redacted]

11-1 PM 2:20  
CIVICUS

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore

Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement

Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

---

\* indicates required fields

City:\*  State/Province:\*

Postal Code:

First Name: KARLA Middle Initial: M

Last Name: DICKEY

Address:

Country:

Email:

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Nancy Middle Initial: L

Last Name: Craig

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PAUL J. SENS

7/11/19 10:59 AM



**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Douglas Middle Initial: M

Last Name: McFarland

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Douglas M. McFarland*

FOR THE NATIONAL SYSTEM

2011/09/05 PM 12: 21

cut here

**Comment Form**

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Patricia Middle Initial: E.

Last Name: McFarland

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

✓ I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Patricia E. McFarland*

MAIL ROOM - 5: PM 12-11  
MONTGOMERY

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province: [redacted]

Postal Code:\* [redacted]

First Name: EUGENE Middle Initial: [redacted]

Last Name: FINLEY

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

STRONGLY

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: CHARLES Middle Initial: \_\_\_\_\_

Last Name: ALRIGHT

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests: Hey. PRNS, Please allow Johnsons to continue being at Drakes Bay. Quit screwing with private property.  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code: [redacted]

First Name: Nancy Middle Initial: J

Last Name: Klim

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011-07-25 PM 12: 31

USNS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Cindy Chandler Middle Initial: E

Last Name: Chandler

Address: [redacted]

Country: [redacted]

Email: [redacted]

2011 DEC -5 PM 12: 31

POINT REYES NP

11/23/2011

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

-----cut here-----  
**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Maile Middle Initial: J. A.

Last Name: de Neeve

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 MAR 05 PM 12:51

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Chris R Middle Initial: R

Last Name: Chandler

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PLM /ES/NS  
2011 07-25 PM 12:21

\* indicates required fields

City:\* [REDACTED]

State/Province:\* [REDACTED]

Postal Code:\* [REDACTED]

First Name: LINDA

Middle Initial: \_\_\_\_\_

Last Name: GLENNON

Address: [REDACTED]

Country: [REDACTED]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*IT NATURAL, NON POLLUTING, AND OF INTEREST TO VISITORS.  
- L.G.*

POINT Reyes NS

2011 NOV 28 PM 2:46

RECEIVED

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province: [redacted]

Postal Code:\* [redacted]

First Name: Susan Middle Initial: h.

Last Name: Weingarten

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2013 MAR 19 10:41:11 AM  
PACIFIC COAST

**Dear Drakes Bay Oyster Farm Supporter,**

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

"I support a renewable Special Use Permit for Drakes Bay Oyster Company" is the single most important comment you can make. To this end, we have included it in the "Comment Form" (below). We respectfully ask for your help in saving the farm by simply:

1. filling out the "Comment Form",
2. cutting along the dotted line and,
3. mailing your comments by **November 29<sup>th</sup>** to: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Alternatively, you may submit your comments online by going to:  
<http://parkplanning.nps.gov/commentForm.cfm?documentID=43390>.

If you wish to attach additional comments, please feel free to do so. You may visit ALSA's website for other suggested topics to comment on ([www.alsamarin.org](http://www.alsamarin.org)). For more up-to-date news and info, visit [www.oysterzone.wordpress.com](http://www.oysterzone.wordpress.com).

*With Our Heartfelt Gratitude for Your Support Through the Years!*

-----cut here-----

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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: John Middle Initial: ✓

Last Name: Williams

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Yes, I support sustainable low impact oyster farming.*  
*John Williams 11-26/2011*

Dear Drakes Bay Oyster Farm Supporter,

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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**Comment Form**

Park: Point Reyes National Seashore  
 Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
 Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: SUSAN Middle Initial: K

Last Name: Sibbring

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Yes, I support renewing. Susan K Sibbring 11-25-11*

RECEIVED  
2011 NOV 28 PM 2:48  
POINT REYES NPS

**Dear Drakes Bay Oyster Farm Supporter,**

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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Point Reyes Station, CA 94956

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: Russell Middle Initial: A

Last Name: SIBBRING

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Yes, I support RENEWING. Russell A. Sibbring 11/25/11

Dear Drakes Bay Oyster Farm Supporter,

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

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 Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: John Middle Initial: G.

Last Name: Holbrook

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
*They have the best oysters on the west coast!*

RECEIVED  
NOV 28 PM 2: 48  
POINT REYES

Dear Drakes Bay Oyster Farm Supporter,

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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-----cut here-----

**Comment Form**

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 Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
 Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: Adam Middle Initial: M

Last Name: Hollbrook

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. !!!

**Dear Drakes Bay Oyster Farm Supporter,**

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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Point Reyes Station, CA 94956

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required field

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: Derek Sibbring Middle Initial: Z

Last Name: Sibbring

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Hell YA!



Dear Drakes Bay Oyster Farm Supporter,

Thank you for your continued patronage and support of Drakes Bay Oyster Farm. The grassroots support group for the farm, the Alliance for Local Sustainable Agriculture (ALSA), [www.alsamarin.org](http://www.alsamarin.org), has announced that the National Park Service has published the draft Environmental Impact Statement to inform the Secretary of the Interior whether or not to allow the oyster farm to continue after 2012. The **only** time the public has a say in this important issue is during this last "public comment period", going on right now! **Comments must be received by NPS prior to midnight Mountain Time, November 29, 2011!** The NPS "Comment Form" is provided below, for your convenience.

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1. filling out the "Comment Form",
2. cutting along the dotted line and,
3. mailing your comments by **November 29<sup>th</sup>** to: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

RECEIVED  
NOV 28 PM 2:48  
POINT REYES NS

Alternatively, you may submit your comments online by going to:  
<http://parkplanning.nps.gov/commentForm.cfm?documentID=43390>.

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*With Our Heartfelt Gratitude for Your Support Through the Years!*

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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: JAMES Middle Initial: M.

Last Name: ROMINGER

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

F-4/A  
1/2

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Postal Code:\* [redacted]

First Name: Caren Middle Initial: A

Last Name: Sibbrin

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

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\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: AUDREY Middle Initial: \_\_\_\_\_

Last Name: SIBBRING

Address: [redacted]

Country: \_\_\_\_\_

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

← I Support This !!

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Postal Code:\* \_\_\_\_\_

First Name: Molly Middle Initial: B

Last Name: Mullikin

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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City:\* [REDACTED] State/Province:\* [REDACTED]

Postal Code [REDACTED]

First Name: RONALD Middle Initial: L

Last Name: TECK

Address: [REDACTED]

Country: [REDACTED]

Email: [REDACTED]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*YES RENEW!*

**Dear Drakes Bay Oyster Farm Supporter,**

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Postal Code \_\_\_\_\_

First Name: Al \_\_\_\_\_ Middle Initial: \_\_\_\_\_

Last Name: Siddonia

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*Please renew Permit !!!*

84-18  
201102  
PUEBLOS



NOSSAMAN LLP

Memorandum

TO: EIS-DBOC SUP  
 FROM: William T. Bagley  
 DATE: December 5, 2011  
 RE: New Legal Issue

Please see my legal declaration re the State granting Estero tidelands to the NPS but reserving the "right to fish" to the State. See two letters, 1965-66 attached to the declaration. It is thus clear that from 1965 forward, no one can assert claims contrary to the State's control over Estero fishing rights, including the right to lease and control oyster retrieval rights from the Estero.

Please note the following:

Section 6.4.6 of the NPS 2006 Management Policies, which are available online, provides that "**wilderness designation**" does:

**". . . not extinguish valid existing private rights (for example, fee-simple interest, less-than-fee simple interest . . . right-of-way, grazing permits** [which would be for commercial purposes]. The validity of private rights within [potential] wilderness must be determined on a case-by-case basis. Valid private rights in [potential] wilderness must be administered in keeping with the specific conditions and requirements of the valid right." [Emphasis added.]

The State of California has a "valid existing right" reserved to the State.

A Declaratory Relief action should be filed to have this right confirmed, a right now leased to DBOC until 2029. Rather than have extended litigation, it is most reasonable to approve an SUP for 10 more years. This is a most credible alternative for the EIS, and will provide a long-term solution to the controversy.

See attached Declaration.

Bill Bagley

WTB/jw

Attachment

264759\_1.DOC

10/11/11 10:59 AM  
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 10/11/11 10:59 AM

Declaration of William T. Bagley as follows:

For the purpose of some credibility, my educational and professional background includes: 1949 graduate of the University of California – Phi Beta Kappa and Class Valedictorian; UC Boalt Hall Law School – Board of Editors, California Law Review, 1952; law practice 59 years, admitted to practice before the United States Supreme Court. Public offices, among others: Assemblyman, Marin and Sonoma counties, 1961-1974; First Chairman, Commodity Futures Trading Commission, Washington, DC, 1975-79; Member, California Public Utilities Commission, 1983-1986; Member and then Chairman, California Transportation Commission, 1983-1989; Member, UC Board of Regents, 1989-2002.

Recently my daughter Lynn Bagley, who started the Farmers Market movement in Marin County, reminded me of the fact that I authored Assembly Bill 1024 in 1965. Thus I called the UC Berkeley Bancroft Library, where approximately 500 of my 14 years of authored statutes and related files are stored, and received a packet of AB 1024 materials.

As the local Assemblyman, I received a request, dated January 4, 1965, from the Point Reyes National Seashore asking that I introduce legislation granting State-owned tidelands surrounding Seashore properties to the National Park Service. The request made no mention of fishing rights.

Since I was raised in West Marin (Woodacre) and had hunted brant (a small goose) in Limantour Bay, fought rural fires for the Marin County Fire Department as summer employment to pay for college (1945-1952), I knew of the existing oyster propagation and fishery in Drake's estuary. I was acquainted with oysterman Charlie

Johnson and his wife who he had brought back from Japan after the war. He was my constituent and ran an important local enterprise. I certainly would not have done anything to jeopardize his oyster fishing operations as his Assemblyman and as his friend and constituent representative.

In 1965, the legislature met in General Session every other year – sessions limited to 180 legislative days, members had no individual professional staff, just one secretary during the session. (There were no caucus staffs telling members “how to vote” and no partisan aisles.) Without personal staff, it was my practice to personally visit Legislative Counsel’s office to deliver bill requests and discuss drafting. I have no present recollection of those discussions, but when the draft bill was delivered to me for introduction (across the Assembly desk), it reserved the “absolute right to fish.” When I noted this provision (constitutionally required), I believed that the oyster operation was thus included and preserved, especially since I had earlier authored and passed AB 767 as requested by the Department of Fish and Game. AB 767 made many administrative changes regarding planting and propagation, but one major provision was to specify that “shellfish” included “oysters” and to expand “fish” to include all shellfish, not just oysters. To me and to the entire legislature, AB 767 included oyster propagation and stated that allotments must be “in the public interest”, a finding to be made only by the Commission. AB 767 was signed by the Governor on July 12, 1965, three days after the signing of AB 1024. Further, and most relevantly in 1965, there existed on-going allotments and a lease or license, all having been granted by the Commission to Charlie Johnson.

All of the above was confirmed by the Department of Fish and Game Director's letter of October 22 – two weeks after these bills became effective. The Department wrote to the Seashore, to me and to Johnson: "[t]hat all State laws and regulations pertaining to shellfish cultivation (including planting requirements, land rentals, etc.) remain in effect since the conveyance by the Legislature reserves fishing rights to the State." This memorandum followed a September 30, 1965 Attorney General's Opinion (26 Cal. Atty.Gen.Ops. 68) addressed to the Director of the Department, advising that "oysters and shellfish are 'fish'", within the meaning of Fish and Game Code Section 45 . . . and "as such are subject to the prerogative of the sovereign [the State] to protect and preserve them in such a manner and upon such terms as the Legislature deems best . . .". Had these authoritative statements not been issued, I certainly would have taken corrective action to prevent possible damage to the oyster operations in my District. All of this was re-confirmed by the National Park Service in a 1974 environmental review of possible "wilderness" status which described the oyster operation: "This the only oyster farm in the Seashore, control of the lease [called a license at times] from the California Department of Fish and Game, with presumed renewal indefinitely, is within the rights reserved by the State on these submerged lands." <sup>1</sup>

Almost 40 years later, from about 2004 forward, other memoranda and opinion pieces began to be issued making claims that the reservation in my AB 1024 only applied to "wild fish" and further that "oysters were not fish." None of those writings, repeated by others within State agencies, makes any reference to any of the above

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<sup>1</sup> I did not see this item at the time as there was then no controversy and I was not following this process.

related facts and of the evidence of legislative intent. Interestingly, and in the face of some of those contentions, the Fish and Game Commission continued oyster allotments and issued a new lease/license – in the public interest – in 2004 for a term of 25 years until 2029.

As the relevant National Park Service ostensible deadline year 2012 approaches re the reissuance of its own version of an oyster permit, interest in this matter accelerates. (The “Wilderness Act” is technically not controlling since Senator Dianne Feinstein, by a 2009 amendment, allowed a renewal for 10 to 15 years.) Former Congressman Pete McCloskey (1967-83) became immersed in efforts to determine whether the continuation of the oyster farm in Drake’s Estero would endanger the seal population as claimed by the Park Service as the basis for terminating the oyster permit. He had been asked by a neighboring rancher to check into the question. He was acting *pro bono* in this inquiry. It was then I was reminded that it was my AB 1024 that effected the reservation of the “absolute right to fish” which prompted my own *pro bono* research and involvement.

Those who attempt to revise history perhaps did not know of the contemporaneous background facts recited here, and at times have avoided comment on the open public record available. They also avoid any discussion of the State’s long-held public policy of fostering oyster culture and retrieval commencing with Fish and Game statutes first enacted in 1851. (See material developed by retired public law attorney Judith Teichman reciting this history and referencing multiple constitutional and statutory materials – also all *pro bono*).

The true meaning of the 1965 reservation of "absolute right to fish" is derived from 1965 legislative action and contemporaneous execution by authorized agencies and not by a much later interpretation by those never involved in and not aware of the 1965 process. What was reserved in 1965 was and is the extant of rights as they existed in 1965 – related in detail above. Subsequent references to "aquaculture" and other such descriptions by some State authorities in the late 2000 decade may be true today but are irrelevant to what was in fact and law reserved in 1965. Most recently one of those State commentators stated in a media interview that, "You have to look at the ink on the page. It is difficult to come to any other conclusion than this Tideland belongs to the United States." This, however, was uttered before any review of this declaration and all of the contemporaneous ink cited above.

As set forth in *Martin v. Szeto*, 32 Cal.4<sup>th</sup> 445 (2004) – headnote:

"When statutory text is ambiguous, or it otherwise fails to resolve the question of its intended meaning, the Court looks to the statutes legislative history and the historical circumstances behind its enactment. Finally, the Court may consider the likely effects of a proposed interpretation because, where uncertainty exists, consideration should be given to the consequences that will flow from a particular interpretation." [emphasis added]

That consequence would be the complete obliteration of the rights reserved by the Legislature meant to encompass existing rights then extant and then described when the Legislature acted. I will leave it to others to fully brief this subject if necessary, but here add words to describe California's rules when interpreting legislative tideland grants. These seem to be broader and more result-oriented than those applied to ordinary statutes. *National Audubon Society v. Superior Court*, 33 Cal.3d 419 (1983) at

437-438 quotes favorably from *People v. California Fish Co.*, 166 Cal. 576, a case involving the grant of tidelands, stating:

"The court first set out principles to govern the interpretation of statutes conveying that property: '[S]tatutes purporting to authorize an abandonment of ... public use will be carefully scanned to ascertain whether or not such was the legislative intention, and that intent must be clearly expressed or necessarily implied. It will not be implied if any other inference is reasonably possible. And if any interpretation of the statute is reasonably possible which would not involve a destruction of the public use or an intention to terminate it in violation of the trust, the courts will give the statute such interpretation.'"

While an absolutist would argue that the Drake's oyster operation's "absolute right" exists independent of any Seashore restraints, I am not such an absolutist. A both legal and practical conclusion would and should be a State accommodation to effect the 2009 Congressional action sponsored by Senator Dianne Feinstein – to allow renewal of National Park Services processes leading at least to a continuation of the contested use pursuant to that enactment. To reconfirm again, all of the above, I enclose and attach this letter of March 14, 1966 from the Department of Fish and Game to the Seashore and the Seashore's reply of March 25 totally agreeing with the Department.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Prepared this 1<sup>st</sup> day of August, 2011 – to be signed later.

Signed this 2<sup>nd</sup> day of August, 2011 in San Rafael, California.



William T. Bagley

March 14, 1966

Mr. Leslie P. Arnberger, Superintendent  
Point Reyes National Seashore  
Point Reyes, California 94956

Dear Mr. Arnberger:

Thank you for your recent letter requesting advice on regulation of the Johnson Oyster Company now within the bounds of Point Reyes National Seashore.

Upon reviewing this matter it becomes apparent that the legislation transferring the submerged lands at Point Reyes to the Federal Government specifically reserved the fishing rights to the State. (AB 1024 (Bagley) Ch. 983, Stats. of 1965). ✓

It thus appears that all State laws and regulations pertaining to shellfish cultivation remain in effect and are applicable to the operations of Johnson Oyster Company. This would include annual rental, privilege taxes, planting requirements, etc. - in short all current sections of the Fish and Game Code, and of Title 14, California Administrative Code, which relate to shellfish cultivation. ✓

We will appreciate your interpretation of this legislation and suggest that, if differences in opinion do exist, you so advise us and that a discussion be arranged between representatives of our agencies.

As you request, we are including copies of the maps and complete descriptions of shellfish allotments numbers 2 and 72 which are now held by the Johnson Oyster Company.

Sincerely,

COPY

Director

cc Mr. Johnson  
Assemblyman Bagley  
Mr. Edgerton  
Mr. Savage  
Mr. Ralph Scott  
Region 3  
mm

← Robert L. Jones  
Dep. Dir.  
Dept Fish & Game



IN REPLY REFER TO:

11425

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
POINT REYES NATIONAL SEASHORE  
Point Reyes, California 94956

March 25, 1966



MAR 29 1966

*lin*  
Mr. Robert L. Jones, Deputy Director  
Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

Dear Mr. Jones:

Thank you for your letter of March 14, in regard to the Johnson Oyster Company. This office is quite agreeable with the interpretation your department has placed upon the legislation transferring the submerged lands at Point Reyes to the Federal Government. I have discussed the matter with Mr. Charles Johnson, and this is in accord with his understanding also. Accordingly the Johnson Oyster Company will continue operation under appropriate sections of California Fish and Game Code as in the past.

Copies of this exchange of correspondence are being provided to our Regional Office for their review. Should their conclusion be different from that stated above, I will notify you promptly.

Your cooperation in this matter is greatly appreciated.

Sincerely,

*Leslie P. Arnberger*  
Leslie P. Arnberger  
Superintendent

MAR 29 1966



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POINT REYES NS

Sherry Baty  
[REDACTED]  
[REDACTED]

November 30, 2011

Superintendent  
Point Reyes National Seashore  
1 Bear Valley Rd.  
Point Reyes, Ca. 94956

Dear Cicely,

I've reviewed the Draft EIS for DBOC SUP. Considered in light of the NPS mission statement and the 1976 Point Reyes Wilderness Protection Act, the NPS clearly has the responsibility to choose Alternative A; no action. To choose any other alternative would conflict with the stated purpose of the NPS and would be a blatant betrayal of the trust that Americans have put in the NPS to protect and preserve our national park lands.

Alternative A would result in beneficial impacts on all of the natural systems that the NPS was created to protect and preserve, while Alternatives B, C, and D would result in negative impacts on these systems. The only category that Alternative A would negatively impact is Socioeconomic; specifically oyster production and the jobs of 31 DBOC workers. As indicated by the Draft EIS, it is not the responsibility of the NPS to be a source of food production, and most certainly not a luxury food like oysters. It is also not the responsibility of the NPS to ensure employment for the workers of a privately owned company. Supporting these concerns at the cost of protecting the natural systems in Drakes Estero would be unconscionable.

As I mentioned in my comments in 2010, it's distressing that the NPS and a huge number of conservation groups and individuals have been forced by DBOC to expend so many of their resources re-fighting this issue that had previously been settled in 1976. All of the time, energy and money that the NPS and others have had to spend battling the continuance of DBOC's operation after 2012 could have been used far more productively for so many positive and worthwhile projects.

Given DBOC's desire to operate in Drakes Estero much longer than their permit allows, there is no guarantee that if they're granted the new 10 year use permit they won't lobby for another permit when that one expires. Since an act of congress did not stem DBOC's ambition, what will? Why would a rider slipped into an appropriations bill carry more weight than the Point Reyes Wilderness Protection Act of 1976 passed by Congress? Can the NPS afford 10 more years of throwing time and money at the issue and having the credibility and reputations of their employees and volunteers attacked? Why would the NPS consider allowing DBOC to continue operating past 2012, further compromising the natural systems, becoming more entrenched in the Estero, and thus delaying and increasing the necessary restorations?

The DBOC has claimed to be an "environmental steward" of Drakes Estero, having zero tolerance for escaped oyster debris. I personally have found that this is not the case. Since DBOC has had the oyster operation I've seen (and picked up) hundreds of new black oyster spacers that have washed up from the operation on to the near-by beaches - primarily Limantour and Drakes, but also Kehoe, North Beach and South Beach. It's sad to see these on any of the beaches, but it's particularly disturbing on Limantour beach. An area with full Wilderness designation should not be littered with trash from its neighboring commercial operation. The unwillingness or inability of DBOC to control this out flowing of plastic debris should be reason enough to allow their lease to expire in 2012.

The times I've spent in various parts of Drakes Estero have been magical. Because of the oyster operation it's not as pristine or untrammled as it could be. When the oyster operation is removed, no more motor boats, oyster racks, debris, man made noise, or retail store, and the ecosystems that have been impaired by mariculture practices are repaired, Drakes Estero will truly be a spectacular haven for all kinds of wildlife; birds, marine mammals, fish, and aquatic and wetland plants.

I urge you to choose Alternative A and allow DBOC's lease to expire in 2012 as stated in the Point Reyes Wilderness Protection Act. Like those who framed the Wilderness legislation in 1976, I feel that it's essential to protect this natural system. It's a treasure that belongs to all Americans and should not be claimed and exploited by a commercial operation. I hope that instead of facilitating the financial gain of DBOC, you will see the value of restoring this exquisite piece of our California coastline beginning in 2012, and start to preserve its unique beauty as a Wilderness area for those of us who are here now, and for generations in the future to enjoy.

Sincerely,

A handwritten signature in black ink, appearing to read "Sherry Baty". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sherry Baty



2011 DEC -6 PM 2: 54

December 4, 2011

POINT REYES NS

Superintendent  
Point Reyes National Seashore  
1 Bear Valley Rd  
Point Reyes Station Ca. 94956

To whom it may concern,

I am writing to emphatically support the Collaborative Management Alternative to the Draft EIS regarding the Drakes Bay Oyster Farm. I was extremely dismayed to see, prior to the addition of this alternative, that there was no provision that would permit the oyster farm to continue operation after 2012. Before the Collaborative Management Alternative became an option, I saw no aspect of the Draft EIS that I could support. I felt that the science was faulty, the economic, socioeconomic, environmental impacts, and the impact of kayakers in the Estero had been seriously under-estimated, and that the entire process was agenda driven, and against the predominant will of the local community.

It is unfortunate that the relationship between the PRNS and the West Marin community have been seriously undermined by various events in the last few years. The implementation of the Collaborative Management Alternative would do a lot to improve this relationship, both personally and on the community level. I urge you to implement the Collaborative Management Alternative.

Sincerely  
Milly Biller

12-1-11

Sup . Pt. Reyes Natl. Seashore  
1 Bear Valley Road  
Pt. Reyes, CA 94956



DEC -6 PM 2:57

YES NS

Concerning the DEIS Drakes Bay Oyster Farm

The positive social and educational contributions of the DBOF need to be presented in the DEIS. The story of oyster cultivation has educated thousands of visitors to the Farm for many years. These visitors represent travelers to the park and all levels of educational institutions. How will the loss be mitigated by the NPS?

The draft EIS (DEIS) for the continued use of the Drakes Bay Oyster Farm is inadequate and must be revised.

The document is deficient for the reasons: The positive economic impacts of the Farm are ignored. The DEIS should consider community benefits of employing its many workers, the asset value of the payroll and income to West Marin and the real economic losses to the area and California if the Farm is put out of business by the NPS.

Don't take this away! I support a renewable special use permit for the Drakes Bay Oyster Farm. .

Hugh Coppen



2011 DEC -6 PM 2:58

Dec. 2, 2011

POINT REYES NS

Supt. Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes, CA 94956

RE: DEIS Drakes Bay Oyster Farm (DBOF)

The positive social and educational contributions of the DBOF need to be presented in the DEIS. The story of oyster cultivation has educated thousands of visitors to the Farm for many years. These visitors represent travelers to the park and all levels of educational institutions. How will the loss be mitigated by the NPS?

The DEIS disregards the very beneficial environmental and ecological impacts of the Farm's oyster cultivation: water purification, eel grass proliferation, habitat restoration and the positive carbon "footprint" of a locally grown, sustainable food source. The negative impact of this ecological loss should be properly documented by the NPS.

The Farm's historic contribution to the region must be explained. For over century oyster cultivation has contributed to the cultural and historic fabric of the area along with the adjoining ranches. This must be publicly stated by the NPS.

I support a renewable special use permit for the Drakes Bay Oyster Farm. Please let families like ours continue to enjoy oysters that our parents and grandparents did.

*Charlene Fay*

Charlene Fay



**Jan and Gayla Kobialka**  
[REDACTED]

November 26, 2011

2011 DEC -6 PM 2:56  
POINT REYES NS  
Superintendent, Point Reyes National Seashore  
Attn: DBOC SUP DEIS  
1 Bear Valley Rd.  
Point Reyes Station, CA 94956

Dear Superintendent,

Please consider our comments on the proposal to postpone wilderness designation and extend the permit for the shellfish business in Drakes Estero. My brother has lived in the Bay Area for more than 40 years. I had temporary duty in the area many times during my career in the military.

We congratulate all National Park Service staff who contributed to this environmental impact statement. Chapter 4 clearly explains the environmental impacts of the shellfish farming operation on the wildlife habitat of Drakes Estero. Ninety-five shellfish culture racks, many "bottom bags," motorboat traffic to service the shellfish sites, onshore buildings and wastewater leach fields have compromised the natural values of the estuary.

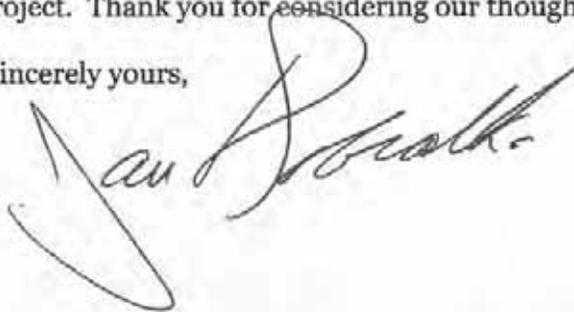
We favor Alternative A. It is the only alternative that would stop the habitat damage and begin the restoration of natural conditions. It ends the shellfish farming when the permit expires in November 2012, and it promotes 8,000 acres of Drakes Estero to wilderness status, as Congress directed in the 1976 law designating wilderness in Point Reyes National Seashore. Future visitors will enjoy a more natural landscape as a result. They will be able to see this estuary as Sir Francis Drake saw it when he landed there in 1579.

Alternatives B, C and D would undo the wilderness designation of Drakes Estero. Those alternatives allow shellfish farming to continue – ostensibly for 10 years, but that would not be the end of it. The shellfish company has already proposed expansion, with new buildings onshore and more racks and culture bags in the estuary, as outlined in Alternative D.

We ask you to honor the commitment to wilderness made by the United States Congress 35 years ago. A commercial enterprise that damages natural values is unacceptable in a unit of the National Park System.

We wish you well in completing this project. Thank you for considering our thoughts.

Sincerely yours,





RECEIVED

2011 DEC -6 PM 2:54

November 25, 2011

Point Reyes National Seashore  
Attn: Superintendent, DBOC SUP DEIS  
1 Bear Valley Rd.  
Point Reyes Station, CA 94956

Dear Superintendent:

These comments concern the draft environmental impact statement (EIS) for the proposed extension of the permit for the commercial shellfish operation at Drakes Estero. I grew up in San Diego and moved to the east coast during my career in the United States Air Force, from which I am now retired. My career often took me to the Bay Area and Travis AFB. One of my friends has visited Point Reyes over a period of 50 years.

The National Park Service deserves praise for the thorough analysis of environmental impacts shellfish farming has imposed on the wildlife habitat and wild character of Drakes Estero.

Please adopt Alternative A, to close down all shellfish farming on Drakes Estero and promote the area to wilderness status as Congress directed 35 years ago. The areas damaged by shellfish farming should be restored to nature as quickly as possible. Future generations should have the pleasure of seeing Drakes Estero in its natural state, as Sir Francis Drake found it in 1579.

The other three alternatives allow continuation of the shellfish business, committing these waters to unnatural conditions for 10 years and probably longer. I doubt the business owner will be satisfied with 10 years. Fundamentally, a commercial shellfish farm is not compatible with the laws applicable to the National Park System.

The present owner of the shellfish company knew the permit would expire in 2012 when he acquired the business 6 years ago. He needs to live with that date and let the area receive full wilderness status.

Thank you for the opportunity to comment.

Sincerely,

R. Larry Laffoon

MARIA S LORCH

CERTIFIED MAIL  
RETURN RECEIPT

[REDACTED]

DRAFT EIS DBOC c/o SUPERINTENDENT  
POINT REYES NATIONAL SEASHORE  
1 BEAR VALLEY ROAD  
POINT REYES STATION, CA 94956

DEC. 5/2011

DEAR SIR,

PLEASE DO NOT PUT THE JEWEL OF  
POINT REYES NAT. SEASHORE, DRAKES BAY  
OYSTER FARM, OUT OF BUSINESS WITH ALL  
PROPOSED ALTERNATIVES. CONSIDER THE  
ENVIRONMENTAL BENEFITS OF THE OYSTER  
FARM AND SUPPORT A RENEWABLE PERMIT  
WITHOUT OVERTURNING THE EXISTING  
GENERAL MANAGEMENT PLAN. NPS SHOULD  
LOOK AT THE OYSTER FARM'S CONTRIBUTIONS  
TO LOCAL HABITAT AND ENDANGERED BIRD  
RESTORATION. THE SOCIOECONOMIC IMPACT  
FOR WEST MARIN IS CONSIDERABLE AS IS  
THE HISTORICAL CULTURAL ROLE.

YOURS VERY TRULY,

Maria S. Lorch.

POINT REYES NS

2011 DEC -6 PM 2:54



DEC -6 PM 2:57

POINT REYES NS

**December 2011**

**Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes, CA 94956**

**RE: DEIS Drakes Bay Oyster Farm (DBOF)**

**The draft EIS (DEIS) for the continued use of the Drakes Bay Oyster Farm is inadequate and must be revised.**

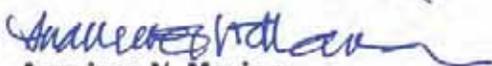
**The document is deficient for the reasons:**

**The positive economic impacts of the Farm are ignored. The DEIS should consider community benefits of employing its many workers, the asset value of the payroll and income to West Marin and the real economic losses to the area and California if the Farm is put out of business by the NPS.**

**The DEIS disregards the very beneficial environmental and ecological impacts of the Farm's oyster cultivation: water purification, eel grass proliferation, habitat restoration and the positive carbon "footprint" of a locally grown, sustainable food source. The negative impact of this ecological loss should be properly documented by the NPS.**

**Repair this poor piece of work. It should have been unlawful to produce such a biased document.**

**I support a renewable special use permit for the Drakes Bay Oyster Farm.**

  
**Anavieve V. Mariam**



December 5, 2011

Point Reyes National Seashore  
DBOC SUP DEIS 1  
Bear Valley Rd.  
Pt. Reyes Station, 94956

2011 DEC -6 PM 2:58

POINT REYES NS

Attention: Superintendent

I lived in Pt. Reyes for 40 years before moving to Novato six years ago, and I know the Lunnys personally. They bought the oyster company when it was a real mess, cleaned it up, and brought everything up to code. Their integrity and honesty is beyond reproach.

Aquaculture is not only important to the local people but to all in the bay area and beyond who enjoy fresh oysters. There has been no evidence that the oyster company has negatively impacted the wildlife in the area. In fact, some of your studies have been proven to be done in a dishonest way to prove your point of view.

As far as the environmentalists are concerned, would they have the area banned from human use? Is that what they mean by a wilderness area? It is really ridiculous!

So, I ask you please to let the Drakes Bay Oyster Company continue to provide fresh oysters to the public.

By the way, your website printed in the newspaper makes it very confusing about where to go to comment. After I tried to submit my comments I was told it didn't go through, therefore, this letter.

Thank you,

*Judith Morris*

Judith Morris

[REDACTED]

[REDACTED]



## National Parks Conservation Association

*Protecting Our National Parks for Future Generations®*

### Pacific Regional Office

130 Post Street, Suite 310  
San Francisco, CA 94108  
415 989 9921 (phone)  
415 989 9926 (fax)

December 1, 2011

Secretary Ken Salazar  
U. S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Superintendent Cicely Muldoon  
Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Secretary Salazar and Superintendent Muldoon,

Our nation's national parks are treasures entrusted to us for the use, enjoyment and education of our grandchildren and their grandchildren, precious resources to be preserved in perpetuity.

Wilderness areas were set aside by Congress to protect the even smaller and ever dwindling wild natural areas of the country. The only potential for marine wilderness on the west coast of the United States exists within Point Reyes National Seashore, in an area being used for the exclusive interests of one private individual as opposed to being preserved and maintained for the future of our nation. You have been afforded the opportunity to make a difference and protect these precious resources for all people. Indeed, you are in a remarkable and unique position to fulfill the promise to all Americans for a protected marine wilderness on the west coast.

Kevin Lunny purchased Drake's Bay Oyster Co. in 2005 from the Johnson Oyster Co. with the specific and explicit understanding that he was purchasing the remaining 7 years of a 40 year permit, and paying a reduced value, due to expire in 2012; a permit which could not be extended. Once the permit expired, and the operation removed, the area would, as directed by Congress, be designated marine wilderness.

Since that time, Mr. Lunny and an industry lobbyist has employed tactics such as attacking the professional staff of the National Park Service in order to reach their goals of extending their permit. Although we will discuss specific points in this letter, the matter is actually quite simple. Mr. Lunny purchased a 7-year permit, paid the value for a 7 year, non-extendable permit, clearly knowing what he was purchasing in 2005. Therefore, the operation should be removed when Mr. Lunny's permit expires in 2012. Only then will the people of the nation fully attain their right to the spectacular national resources of Drakes Bay Estero.

NPCA Headquarters  
777 6th Street NW • Suite 700 • Washington, DC 20001  
202 223 NPCA(6722) • Fax 202 454 3333 • [npcan@npca.org](mailto:npcan@npca.org) • [www.npcan.org](http://www.npcan.org)

POINT REYES NS

2011 DEC -6 PM 2:30

PERMITTED

A critical point requires emphasis, the land upon which Mr. Lunny's operation exists is owned by all the citizens of this country, not just Mr. Lunny.

We, the undersigned, are members of the National Parks Conservation Association Pacific Regional Advisory Council. While we represent a wide range of business and environmental interests in California, the United States and internationally, we are fundamentally passionate about protecting our nation's national parks. Extending Mr. Lunny's permit in any manner is a direct assault on that protection.

Mr. Lunny knew what he was purchasing in 2005, a 7 year permit which expires in 2012. It is patently unfair for one private individual to influence and control resources owned by this nation's citizens. This denies the rest of the citizen-owners the enjoyment and use of this land for its intended national park purposes.

The unwarranted attacks on National Park Service scientists and employees and the special legislative favors bestowed on one private individual, an individual who has no right to operate in Point Reyes National Seashore after 2012, is both unfair and unreasonable.

Let us clearly and definitely state that we strongly support Alternative "A" of the Draft Environmental Impact Statement (DEIS) Drakes Bay Oyster Company Special Use Permit. Selecting any other alternative contained in the DEIS is simply not viable.

We will not reiterate all the demonstrated clear impacts and effects the continuation of this private industry operation will have on the public resources of Point Reyes National Seashore. The impacts related to wetlands, eelgrass, wildlife and wildlife habitat, special-status species, coastal flood zones, water quality, soundscapes, wilderness, visitor experience and recreation and NPS operations are well articulated in the park's current Draft Environmental Impact Statement. We agree with the analysis of these impacts and conclude there is no choice but to honor the agreement to give the public's national park to the public.

We support the conclusions of the National Park Service in the Draft Environmental Impact Statement and commend the park and park superintendent and her staff for outstanding and professional work on this document.

Beyond the premise of a "deal is a deal" related to Mr. Lunny's purchase of a 7-year permit and hypothetically related to this matter, is the discussion of local and sustainable food. We strongly support local, organic, sustainable food, in particular seafood. Hog Island Oysters and Tomales Bay Oyster Farm are two excellent local companies, successfully operating outside national parks and wilderness areas.

Miraculture is expanding on the West Coast and in California. We support those efforts. They are not located within national parks or wilderness areas. We suggest that Mr. Lunny's operation be moved to private lands or an operation under the auspices of a valid California Fish and Game permit outside of a national park and wilderness area. Attempts have already been made to provide a "win-win" for Mr. Lunny and the American citizens, but only the public interest has come to the table in good faith. For example, in 2009, the American Lands Conservancy provided Mr. Lunny with a buy-out offer and relocation assistance, but Mr. Lunny did not accept it.



Secretary Salazar, we implore upon you to consider your environmental legacy, and that of this Administration, and not let go of already designated marine wilderness, the only marine wilderness area on the west coast of this country. Alternative "A" must be selected and implemented.

Sincerely,

Members of NPCA's Pacific Region Advisory Council

Matthias Blume  
Sr. Director, Analytics  
CoreLogic  
San Diego, CA

Heidi S. Brown  
Advisory Council Member  
National Parks Conservation Association  
Woodside, CA

Stewart C. Cushman  
Partner  
Integrated Capital LLC  
Hermosa Beach, CA

Benjamin C. Hammett, PhD  
Past Member Board of Directors,  
National Parks Conservation Association  
Palo Alto, CA

Marvin H. Heinze  
Captain, USN(ret)  
Coronado, CA

Vince Hoenigman  
Vice President, CA  
Citymark Development  
San Francisco, CA

Christy Holloway  
Board Member  
Yosemite Conservancy  
Stanford, CA



Michael Malaga  
Partner  
Innovative Seating Solutions, LLC  
San Francisco, CA

Mary Martin  
Former Superintendent  
Lassen Volcanic National Park and Mojave National Preserve  
Palo Cedro, CA

David Scott  
Principal  
Oak Hill Capital Management  
Redwood City, CA

William Withuhn  
Curator Emeritus  
Smithsonian Institution (For info only)  
Burson, CA



December 2011

TO: Sup. Pt. Reyes Natl. Seashore  
1 Bear Valley Road  
Pt. Reyes, CA 94956

RE: DBOF - DEIS Drakes Bay Oyster Farm

The legislative and planning history creating the Point Reyes Seashore relative to oyster cultivation is completely ignored by the DEIS. That history and subsequent laws and planning documents clearly state that oyster farming in Drakes Estero, and all ranching in the Seashore, will be continued in perpetuity. This must be added to the DEIS by the NPS. I support a permanent Special Use Permit for the Drakes Bay Oyster Company.

The DBOF DEIS must be amended to reflect the above.

The DEIS disregards the very beneficial environmental and ecological impacts of the Farm's oyster cultivation: water purification, eel grass proliferation, habitat restoration and the positive carbon "footprint" of a locally grown, sustainable food source. The negative impact of this ecological loss should be properly documented by the NPS.

You have been arbitrary and capricious in the production of this expensive misleading DEIS. Revise to include the above criticisms.

You should be embarrassed to have produced such a one-sided document...at the tax payers' expense. Repair it to include the above.

I support a renewable special use permit for the Drakes Bay Oyster Farm..

  
Barbara Otis  


POINT REYES NS

2011 DEC -6 PM 2:58

  
WED

RECEIVED  
2011 DEC -6 PM 2:32  
POINT REYES NS

**DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**DRAKES BAY OYSTER COMPANY**

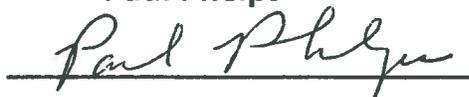
**SPECIAL USE PERMIT**

**COMMENTS FROM:**

**Paul Phelps**

and

**Lucille Phelps**



Post Office Box 804  
Point Reyes Station, CA 94956

Attention: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
Point Reyes Station, CA 94956

**COMMENTS:**

The draft EIS fails to take into account numerous sources of disturbance to terrestrial and marine life in or near the Estero.

**The draft EIS should address effects from:**

1. Kayakers and canoeists
2. Hikers
3. Mountain bikes on the Estero Trail
4. Dogs, including on the Limantour Spit next to the Estero
5. Picnickers at the mouth of Drakes Estero
6. Vehicles, including emergency PRNS service vehicles using sirens on Sir Francis Drake
7. Low flying aircraft and aircraft in general.  
Note the PRNS has made formal complaints to the FAA.
8. Picnickers at Sunset Beach





RECEIVED

**DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**DRAKES BAY OYSTER COMPANY**

2011 DEC -6 PM 2: 32

**SPECIAL USE PERMIT**

POINT REYES NS

**COMMENTS FROM:**

**Paul Phelps**

**and**

**Lucille Phelps**







Attention: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
Point Reyes Station, CA 94956

**COMMENTS:**

Dear Superintendent:

We are longtime supporters of Point Reyes National Seashore (past members of the Sierra Club and EAC), and support the PRNS Association. We were honored by being named Volunteers of the Year for Point Reyes National Seashore in the year 2004.

We are deeply saddened to see the deceptive means used by PRNS to shut down an 80-year-old oyster operation in Drakes Estero. Our many walks out to Sunset Beach via the Estero Trail were never, in any way, marred by the oyster farming in the Estero. We, in fact, enjoy making trips to DBOC and eating fresh oysters on the half-shell.

**The draft EIS is a disgrace!** It is based on very weak science and, in fact, makes claims that are unsupported by the evidence.

**We are ashamed by what PRNS has done by using tax dollars to buy a fake EIS with the clear goal to shut down DBOC!**

We urge you to consider the merits of maintaining a sustainable food supply by making an honest assessment and allowing the DBOC to continue oyster farming in the Estero.

The EIS must have the option for the DBOC to continue operation.



RECEIVED

**DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**DRAKES BAY OYSTER COMPANY**

2011 DEC -6 PM 2: 31

**SPECIAL USE PERMIT**

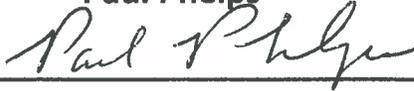
POINT REYES NS

**COMMENTS FROM:**

**Paul Phelps**

**and**

**Lucille Phelps**

  
\_\_\_\_\_

  
\_\_\_\_\_



Attention: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
Point Reyes Station, CA 94956

**COMMENTS:**

---

**The Draft Environmental Impact Statement is in conflict with the recently released "Marine Mammal Commission's report on mariculture and harbor seals in Drakes Estero, California.**

Panel members (Experts) report the conflict in **Appendix F**.

The experts' conclusions in Appendix F DO NOT support the draft EIS conclusion and, in fact, conclude that the Drakes Bay Oyster Company operation can co-Exist with the Harbor Seals.

**The Draft Environmental Impact Statement regarding the Drakes Bay Oyster Company, California, must include the statements by experts contained in Appendix F.**

DRAFT ENVIRONMENTAL IMPACT STATEMENT

RECEIVED

DRAKES BAY OYSTER COMPANY

2011 DEC -6 PM 2: 31

SPECIAL USE PERMIT

POINT REYES NS

COMMENTS FROM:

**Paul Phelps** and **Lucille Phelps**  
  

Attention: Draft EIS DBOC SUP c/o Superintendent  
Point Reyes National Seashore  
Point Reyes Station, CA 94956

COMMENTS:

- 1. All proposed alternatives put the oyster farm out of business – NPS should create a new alternative that supports oyster farming and maintains the renewal option.** While the NEPA process mandates the consideration of a “no-action alternative,” there are no alternatives here that qualify as “no-action.” Alternative A forces DBOC out of business next year and the other alternatives shut DBOC down in ten years. The draft EIS fails to provide a valid status-quo baseline, which would include a lease with a renewal option. A new set of alternatives must be created that meet the actual criteria for this process.
- 2. NPS should support a renewable permit.** Please support the issuance of a renewable permit for the Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses pursuant to the existing California Department of Fish and Game leases in place since 1934.
- 3. NPS should adhere to its existing management policies, which support the continuation of the oyster farm.** The current NPS General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. The draft EIS does not include justification for the decision to overturn the existing General Management Plan and Marin County’s planning processes. The failure to address these issues is unacceptable.
- 4. NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations.** PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again, calling the removal of the oyster farm the “environmentally preferable” alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the

environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

**5. NPS must fully address the economic impacts of the oyster farm – the draft study fails to provide a complete analysis.** The draft EIS mentions that removing the oyster farm would cause “major, long-term, adverse effects to the California shellfish market” but does not provide a complete analysis of these impacts, nor does it include these impacts in the overall analysis. Further, it does not analyze the impacts of eliminating one of the largest employers in West Marin County and the last remaining oyster cannery in California. The EIS must address the economic impacts of eliminating the production of nearly 40% of California’s oysters and the subsequent impact on the economy.

**6. NPS must fully address the socioeconomic impacts of the oyster farm – this draft study section should be reformulated to address impacts on West Marin itself.** The discussion of the socioeconomic impact of the alternative is seriously flawed. Different geographic parameters are used throughout that chapter seemingly at random, switching from Inverness proper, to greater West Marin, to Marin, to multi-county, to statewide, to nationwide. This switching of parameters is used to argue that the job losses caused by shutting down the oyster farm would be minimal. Considered properly, in the context of West Marin, these job losses would be anything but minimal, as DBOC is one of the largest employers in the area. This section should be reformulated and corrected for the EIS.

**7. NPS must fully address the historical cultural role of oyster farming in Drakes Estero – the draft study is inadequate.** The EIS should assess the cultural impacts of eliminating an institution that has been in operation for generations and that is important to park visitors, local restaurants, and the local foodshed.

**8. NPS must properly assess impacts (both actual and potential) on wildlife – the draft study makes claims of harm based on weak or non-existent evidence.** The draft EIS claims that removing the oyster farm would benefit harbor seals; that claim is not supported by science. This issue has been reviewed by various agencies and individuals, including the National Academy of Sciences and many prominent scientists, with the conclusion that the impact of the oyster farm on the harbor seals cannot be determined. What is known, however, is that Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and that the population seems to be stable.

**10. NPS must address national aquaculture policies when considering the oyster farm – the draft study does not discuss the various government and private efforts to encourage shellfish aquaculture around the country and around the world.** Shellfish aquaculture is widely recognized nationally and globally as having a valuable role in the protection of wild fish resources. The National Oceanic and Atmospheric Administration (NOAA) is encouraging aquaculture for this and many other reasons. The EIS should take these policies into account.



2011 DEC -6 PM 2: 54

**Liz Robinson**



November 25, 2011

POINT REYES NS

Point Reyes National Seashore  
Attn: Superintendent, DBOC SUP DEIS  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Dear Superintendent:

Please consider the following comments on the draft environmental impact statement for the Drakes Bay Oyster Company special use permit.

I heartily favor Alternative A, which proposes to shut down the shellfish farming in Drakes Estero when the permit expires in November 2012 and make the area wilderness. That's what Congress directed in the 1976 law that established wilderness in Point Reyes National Seashore.

The EIS clearly shows that the shellfish farming is damaging the value of Drakes Estero as wildlife habitat. Ninety-five shellfish racks totaling 5 miles in length, up to 88 acres of "culture bags" in the intertidal zone, 8 miles of motorboat trails cut through eelgrass beds – these add up to an unacceptable impact on bird habitat.

Please restore the damaged habitat of Drakes Estero by closing the shellfish operation and let the area become wilderness. As a wilderness area it will serve the birds, harbor seals, and all the people who come to see them. It will also serve as a historical site, showing visitors an estuary that remains as Sir Francis Drake saw it when he landed there in 1579.

Alternatives B, C and D should be rejected because they let the shellfish farming continue or expand. They would mean continuing impacts against wildlife habitat and they would prevent Drakes Estero from achieving wilderness status.

Thank you for considering my comments.

Sincerely yours,

Comments regarding the Draft EIS for the Drakes Bay Oyster Company Special Use Permit:

I came to the Bay Area in 1957 from Olympic NP Student Conservation Assoc. pilot program when environmental issues were just beginning to "take off" and have been actively involved ever since. (Save the Bay, Pt Reyes Seashore, Mono Lake, Bodega Head, East Bay Regional Parks, and then Presidio Trust/GBNRA) Each one of these projects is different, although with basic similarities and this is very important because "exceptions" in certain instances to certain general rules sometimes occur. One of these is PRN Seashore where the landscape, history, and culture and whole fabric of West Marin is geared toward food production within a rich natural landscape. I was part of the activist community which created PRN Seashore and very much supported and continue to support the inclusion of continued renewable leases to both the oyster farm and the ranches. It itself a similar example of a specific Park difference is the Presidio Trust arrangement with the GBNRA.

I went to two of of the three NPS meetings and was very much disturbed by the negativity of them. The Report itself was flawed and the purported choices from A to D were totally inadequate and misleading. The Marine Mammal Commission's Panel Report shows that seals and oyster farming are not mutually exclusive. The Oyster Farm is an historical, educational, and economic asset and not as the ideologues say is a detriment that with it's demise, everything will be "wilderness" and "rosy". I support the Collaborative Management Alternative as the preferred alternative in the final DEIS SUP EIS.

Name: Joan L. Seear, UC Berkeley Biology 30 yrs.

Email: JoanSeear@Yahoo.com

Mailing address:

2011 DEC -6 PM 2:54

RECEIVED





2011 DEC -6 PM 2: 54

11/15/11

RECEIVED  
YES NS

Draft EIS DBOC SUP  
c/o Superintendent Cicely Muldoon,  
Point Reyes National Seashore,  
1 Bear Valley Road,  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon,

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically, the EIS states:

“Congress designated 1,363 acres within Drakes Estero as potential wilderness. Drakes Estero was designated as potential wilderness rather than full wilderness due to the presence of the commercial oyster operation, a nonconforming use.”

This is incorrect.

In fact three other conditions were also noted by Congress as equally preventing full wilderness designation:

- 1) the presence of working ranches completely surrounding the Estero
- 2) the retained rights of the state of California to fish, including its shellfish leases
- 3) the retained rights of the state to minerals and water bottoms.

The dEIS ignores these three equally important points to deceive the public into believing its specious claim that removal of the oyster farm is the only condition preventing designation of the Estero as wilderness.

The EIS must be rewritten to include a full discussion of these equally significant issues with respect to potential, versus full wilderness designation within the Estero. Further, the dEIS fails to acknowledge the legitimate potential for full wilderness designation and continued presence of the oyster farm as a prior existing, non-conforming use, ignoring the fact that coexistence of the farm and wilderness is entirely possible and within the range of options available for NPS to consider in this analysis.

Sincerely

Jeffrey A. Creque, Ph.D.





2011 DEC -6 PM 2: 54

POINT REYES NS

11/15/11

Draft EIS DBOC SUP  
c/o Superintendent Cicely Muldoon,  
Point Reyes National Seashore,  
1 Bear Valley Road,  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon,

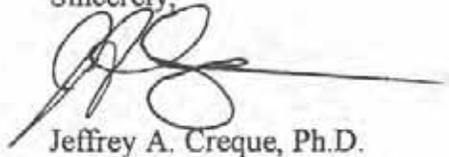
The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically the dEIS fails to observed NEPA standards for identification of the baseline for the study and is thus inherently and irreparably flawed. The dEIS must be rewritten, utilizing a proper baseline as the basis for evaluation of proposed alternatives.

In this case, the baseline is properly the existing conditions with the nearly 100 year old oyster operation in place. The no-action alternative would be retaining the oyster farm in Drakes Estero as it is today. But the dEIS defines "no action" as eliminating the oyster farm. This is preposterous and illegitimate, and ignores congressional intent in section 124 of Public Law (PL) 111-88.

The dEIS must be rewritten, utilizing a proper baseline –existing conditions- as the basis for evaluation of proposed alternatives.

Sincerely,



Jeffrey A. Creque, Ph.D.



ED

2011 DEC -5 PM 2: 56

POINT REYES NS

11/14/11

Draft EIS DBOC SUP  
c/o Superintendent Cicely Muldoon,  
Point Reyes National Seashore,  
1 Bear Valley Road,  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

The dEIS is entirely inadequate with respect to the stated purpose, need and objectives of the EIS, environmental issues of concern, and the sufficiency of the overall analysis.

- The NEPA process mandates the consideration of a “no-action alternative” as part of the EIS process, but there is no alternative within this dEIS that qualifies as a “no-action” alternative. All the alternatives presented result in closure of the oyster farm, whether immediately or at the end of a ten year period. This dEIS is a transparent misuse of the NEPA process. A genuine no action alternative must be included within the EIS if it is to meet rudimentary requirements set forth in NEPA guidelines.
- The draft EIS fails to consider the environmental benefits of oyster farming and calls the removal of the oyster farm the “environmentally preferable” alternative without providing any data or references to justify or support that conclusion. Overall, the EIS is a remarkably data free document, relying on opinion rather than fact. As such, the document fails to meet even rudimentary standards for the EIS process.
- The draft EIS includes a tremendous amount of discussion about special-status species, and implies that the oyster farm has or might have a negative impact on these species. Yet most of the species mentioned in the report don't even exist in the project area. Plovers and terns are not sighted in the Estero. Red-legged frogs, a fresh water species, don't live in the Estero. Leatherback turtles do not come into Drakes Bay. And harbor seals and eelgrass are doing well, as the National Academy of Sciences has pointed out. The dEIS is thus based on fraud, deceit and misrepresentation, and must be rewritten to reflect actual conditions.

- The EIS mentions that removal of the oyster farm would cause “major long-term adverse effects to the California shellfish market” but ignores this highly significant fact in its overall analysis. DBOC provides up to 50% of California’s oysters, and the serious implications of the loss of this resource for the economy and food security of California are not addressed in the dEIS. This gross oversight constitutes extreme negligence on the part of the NPS and must be corrected for the EIS to have any legitimacy whatsoever.
- DBOC produces half a million pounds of highest-quality marine protein annually, using less fresh water than an average home. The replacement costs for this protein, both economically and environmentally, are not considered in the dEIS. A full analysis of the economic and ecological costs of replacing this protein for Bay Area consumers must be including within the EIS.
- The commitment the Department of Interior has made to the recently initiated NOAA-Dept. of Commerce national shellfish initiative is entirely ignored in the dEIS, a completely unacceptable position. The EIS must include thorough consideration of the role of DBOC in the national shellfish industry, its role with respect to the US seafood trade deficit, the importance of domestic seafood production to national security and the role of the DBOC in the sustainability and food security of the San Francisco Bay Area.
- The dEIS contains no reference to or consideration of the role of shellfish aquaculture in the protection of wild fish resources, a role widely recognized nationally and globally. The EIS must include an informed analysis of the state of the world’s oceans and fish stocks and the role of shellfish aquaculture in mitigating the negative impacts of human harvesting upon those wild fish stocks.
- The EIS fails to address the issue of ocean acidification and the implications of that issue to west coast shellfish fisheries. The increasingly important role of DBOC in the west coast shellfish industry as more northerly production areas succumb to acidification is ignored, as is the potential role of the DBOC in restoration of the native Olympia oyster and the significance of that effort to estuarine processes in the Estero. These highly significant environmental issues are ignored by the EIS, rendering it irrelevant, or worse. These gross deficiencies must be rectified if the EIS is to have any credibility whatsoever.
- Discussion pertaining to the socioeconomic impact of the alternatives is seriously flawed. The analysis uses differing geographic scales throughout the relevant chapter, switching from the local town of Inverness, to greater West Marin, to Marin as a whole, to multi-county, to statewide, to nationwide scales. This switching of scales is used to manufacture the argument that job losses caused by shutting down the oyster farm would be minimal. DBOC is the second largest employer in West Marin. The dEIS economic analysis is insufficient to the point of fraudulence and must be corrected.

- The historical and cultural role of oyster farming in Drakes Estero for West Marin, Marin County and the greater SF Bay Area is dismissed or ignored, despite its 100-year history and despite the importance of oysters to park visitors, to local restaurants, and to the San Francisco Bay Area's food security. A pretense is made at addressing this matter, but it is dismissed on the basis of a finding of lack of historic significance for the DBOC's buildings only. This ignores the cultural and historical significance of the oyster farm and the activities conducted there for over a century. The EIS must comprehensively address the history and cultural significance of shellfish aquaculture in Drakes Estero from the local, regional and State perspectives.
- The oyster shell by-product from the DBOC cannery –the last shellfish cannery in the State- is a critical and sole resource for reestablishing oyster beds and Snowy Plover habitat in and around San Francisco Bay. The loss of DBOC oyster shell would shut down these restoration operations. The draft EIS does not address this potential significant loss, or its implications for the ecology of San Francisco Bay area. The EIS must consider the environmental importance of this shell resource and the environmental consequences of its loss
- The current General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. PRNS must follow its own planning document and must cooperate with the County of Marin's planning process. The EIS must reflect and be consistent with the goals of the PRNS, General Management Plan and of the local planning process.
- The issuance of an EIS for a Special Use Permit in the PRNS Pastoral Zone is without precedent and almost certainly illegitimate. The implications for other agricultural operations in the Seashore operating under SUPs are dire and must be acknowledged and explained within the EIS.
- The dEIS says the NPS would eliminate the renewal clause that (exists in the current reservation of Use) in any new SUP. This is a direct contradiction of the purpose of the EIS, which is to address Public Law (11-8 Sec. 124), which provides the authority to issue a SUP to DBOC with "the same terms and conditions as the existing authorization." The draft EIS must include an alternative that meets the spirit and letter of PL 11-8 Sec. 124 by including a renewable Reservation of Use.

Sincerely,



Jeffrey A. Creque, Ph.D.



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2011 DEC -6 PM 2: 56

POINT REYES NS

11/15/11

Draft EIS DBOC SUP  
c/o Superintendent Cicely Muldoon,  
Point Reyes National Seashore,  
1 Bear Valley Road,  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically, the dEIS is hopelessly inadequate in the manner in which it addresses—or fails to address—issues of Environmental Justice.

The dEIS ignores or minimizes the critical role played by the oyster farm in providing housing and jobs for minority working class members of the West Marin community, dismissing this invaluable component of Marin's community as irrelevant.

The dEIS further fails utterly to consider the historical cultural significance of the oyster farm to ethnic minorities from throughout the greater San Francisco Bay Area, many of whom have visited the oyster farm for generations. For many, a visit to the oyster farm is the sole reason and occasion for visiting PRNS. NPS proposes to eliminate this important public resource, thereby significantly degrading the visitation experience for many park visitors, and destroying a cultural and historical icon for many. Rather than supporting the alleged objectives of the project, the proposed alternatives will:

- Degrade, destroy and eliminate natural and cultural resources;
- Eliminate significant opportunities for over 50,000 park visitors, many of whom represent ethnic and cultural minorities from throughout the greater Bay Area and the United States, whose primary use and enjoyment of park resources each year is a visit to the oyster farm.

The EIS must be rewritten to engage fully and legitimately with the significance of the oyster farm as a cultural resource utilized by tens of thousands of park visitors each year.

The EIS must also engage fully and legitimately with the Environmental Justice questions raised by NPS attempts to eliminate this element of the PRNS, which will clearly have a

disproportionate effect upon ethnic and cultural minorities of the greater San Francisco Bay Area and beyond.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Creque', with a long horizontal line extending to the right.

Jeffrey A. Creque, Ph.D.



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2011 DEC -6 PM 2:55

POINT REYES NS

11/15/11

Draft EIS DBOC SUP  
c/o Superintendent Cicely Muldoon,  
Point Reyes National Seashore,  
1 Bear Valley Road,  
Point Reyes Station, CA 94956

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically, the failure to adequately address the Climate Change and Greenhouse Gas Emissions (Carbon Footprint) impacts of elimination of the oyster farm is unacceptable. This issue must be addressed by including a full Lifecycle Analysis of this issue within the EIS.

As noted in the dEIS:

“There are two aspects of climate change that must be considered in an environmental impact analysis:

(1) Human impact on climate change: i.e., through actions, the potential to increase or decrease emissions of greenhouse gases that contribute to climate change; and, (2) The impact of climate change on humans: i.e., how the resources that are managed are likely to change in response to changing climate conditions, and how that changes or otherwise affects management actions and the impacts of those actions on the resource.”

The dEIS fails utterly to address these critical issues, relying instead upon speculation, uninformed opinion and “seat of the pants” analysis.

The dEIS focuses on fossil fuel consumption by the DBOC and notes that greenhouse gas emissions associated with any of the alternatives involving issuing a new SUP would be negligible. The dEIS then touches upon, but erroneously dismisses, the idea that the quantity of greenhouse gas emissions (the carbon footprint) associated with oyster consumption would increase because of the loss of this critical local food source if a new SUP was not issued to DBOC. In fact, the distance that replacement shellfish would have to be transported to meet demand in the San Francisco Bay Area would greatly increase,

significantly increasing the overall GHG emissions associated with meeting local demand for this important local food resource. Oysters would have to be shipped in from outside California and probably the U.S., with the most likely alternative sources Korea and Mexico. The loss of DBOC would constitute a permanent degradation of the sustainable shellfish production capacity of California and the United States at a time when NOAA fisheries and the Department of Commerce are calling for a significant increase in US domestic shellfish production.

The dEIS claims that agencies are not required to engage in speculation or analyze indirect effects that are highly uncertain (CEQ 1981, Q18 [48 Fed. Reg. 18027]), but it is speculative and highly uncertain to suggest that there would be no significant GHG effects of replacing the half million pounds of protein for San Francisco Bay Area consumers that would be lost if DBOC is eliminated. Failure to conduct a full lifecycle analysis on this issue renders dEIS comment on this matter purely speculative and utterly illegitimate.

Greenhouse gas emissions associated with elimination of the oyster farm would be significantly greater due to increased transportation distances and increased GHG associated with alternative production. For example, oyster production in Drakes Estero is roughly 10 times more efficient than oyster production in Tomales Bay.

Further, it is highly speculative to suggest, as the dEIS does, that the effects of climate change on park resources over the 10-year planning horizon for the EIS are likely to be negligible. In fact, climate change is already impacting Seashore resources, including terrestrial species change, invasive weed expansion, rising sea temperatures, rising sea levels and ocean acidification. As the dEIS notes:

CH3, p 4: "The central California coastline also is susceptible to changes related to climate change and sea level rise, which are expected to bring increases in mean sea level of approximately 3 to 4.5 feet by the year 2100 (Heberger et al. 2009)." This represents a highly significant change in sea level within the very near future, and, as Heberger et al. (2009) report, California is already undergoing sea-level rise from climate change.

CH 3, P 24: OCEAN ACIDIFICATION: "In addition to changes in sea level, global warming has also been linked to changes in ocean circulation patterns and water chemistry. Changes in ocean pH levels all already significant (Kerr 2010; Feely et al. 2008), with adverse effects on organisms that build shells or skeletons from calcium carbonate, such as marine bivalves (Kerr 2010). The more acidic conditions can cause reduced rates of calcification (effectively lowering shell-building potential), and eventually can begin to dissolve shell material (Feely et al. 2008; Kerr 2010)."

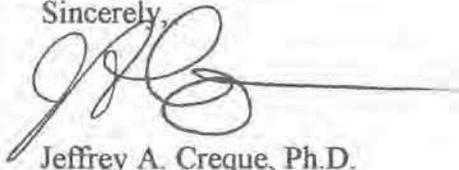
The implications of these significant, ongoing changes in marine ecology for shellfish aquaculture must be evaluated within the framework of a legitimate lifecycle assessment of the global climate change implications of eliminating the DBOC. NPS failure to address this question honestly and thoroughly constitutes an egregious violation of NPS and federal climate change policy.

The contribution of the actions contemplated in the EIS to climate change is likely to be significant. The loss of shellfish from DBOC absolutely could not be replaced through existing local shellfish operations. DBOC produces up to 85% of the SF Bay Area's shellfish and this protein cannot be replaced by alternative local production due to the high productivity of Drakes Bay waters and the absence of additional shellfish producing waters in the region. Further, the role of shellfish in mitigating climate change via absorption of CO2 from the water column is not addressed, nor is the loss of alternative Pacific coast shellfish growing areas due to ocean acidification.

The EIS must be rewritten to include a serious analysis and evaluation of the role of shellfish in global marine ecology and the national food and health security issues pertaining to importation of shellfish to meet the current US shellfish deficit and the implications of these issues for global warming, carbon footprints and climate change.

The EIS must include a full Lifecycle Analysis, conducted by a qualified third party in accordance with established standards for such analyses, to evaluate the true GHG costs and climate change implications of eliminating the DBOC and providing and transporting an equivalent amount of marine protein from other sources to meet demand for shellfish in the SF Bay Area.

Sincerely,

A handwritten signature in black ink, appearing to read 'JAC', with a long horizontal line extending to the right.

Jeffrey A. Creque, Ph.D.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: PETER HELENE Middle Initial: R

Last Name: MERCHANT

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PRINTED NAME: PETER HELENE MERCHANT  
DATE: 2011 NOV 22 PM 2:16  
PRINTED ADDRESS: [redacted]

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: DAVID Middle Initial: R

Last Name: HOOVER

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\*  State/Province:\*

Postal Code:\*

First Name: John Middle Initial:   

Last Name: Mlodzianowski

Address:

Country:

Email:

2011 NOV 29 PM 2:16  
POINT REYES NS

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

Environmental Impact  
Drakes Bay Oyster Company Special

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Gerri Middle Initial: \_\_\_\_\_

Last Name: Mlodzianowski

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

State/Province:\* [redacted]

Middle Initial: M.

private.)

s Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore

Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement

Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: MARINO Middle Initial: R

Last Name: AQUISAP

Address: [Redacted]

Country: [Redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

Yes I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
Keep it open please

POINT REYES NS  
2011 NOV 22 PM 2:16  
PERMISSION

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: MARINO Middle Initial: R.

Last Name: ADOLISAO

Address: [REDACTED]

Country: [REDACTED]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Please keep Drakes bay Oyster open please

DO NOT CLOSE

2011 NOV 22 PM 2:15

Comment form

Park: Point Reyes National Seashore

Project: Drakes Bay Oyster Co. Special Use Permit Environmental

Document: Draft Environmental Impact Statement Impact Statement

Drakes Bay Oyster Co. Special Use Permit

\* indicates required fields

City: \* [REDACTED]

State: [REDACTED]

Postal Code: \* [REDACTED]

First Name: WILLIAM

Middle Initial: G

Last Name: HANSEN

Address: [REDACTED]

Country:

Email: [REDACTED]

Check here if you want your contact information kept private

Comments or Requests

I support a renewable Special Use Permit for Drakes Bay Oyster Company.



**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code:\* [redacted]  
First Name: Francis Middle Initial: W  
Last Name: Collins  
Address: [redacted]  
Country: [redacted]  
Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests: *please don't take this away from the community.*  
I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
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Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

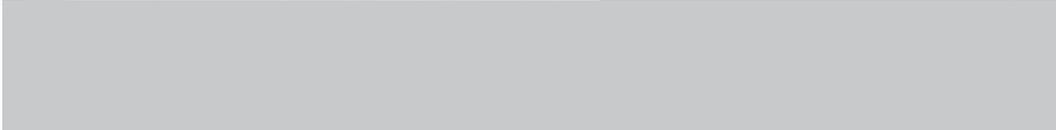
\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_

Postal Code:\* \_\_\_\_\_

First Name: MARINO Middle Initial: R

Last Name: AQUISAP

Address: 

Country:

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

yes I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
*we are family who enjoy the oysters in Drakes Bay, Please continue*

2011 NOV 22 PM 2:16  
PREVIOUS

\* indicates required fields

City:\* [Redacted]

State/Province:\* [Redacted]

Postal Code:\* [Redacted]

First Name: Molly

Middle Initial: C

Last Name: GORDON

Address [Redacted]

Country [Redacted]

Email: [Redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore

Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement

Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: KENNETH Middle Initial: W

Last Name: JENNER

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code [redacted]

First Name: MARTIN Middle Initial: P.

Last Name: Vermeulen

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

NOV 22 PM 2:16

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: HARVEY Middle Initial: L.

Last Name: JOTER

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 NOV 22 PM 2:15  
PESNS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Carlos Middle Initial: A.

Last Name: Correa

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

REC'D  
2013 MAY 22 PM 2:15  
PCL  
4309

Use Permit

\* indicates required fields

City:\* [Redacted]

Postal Code:\* [Redacted]

State/Province:\* [Redacted]

First Name: Amy

Last Name: [Redacted] Middle Initial: M

Address: [Redacted]

Country: [Redacted]

Email: [Redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PERMITS

2011 NOV 22 PM 2:15

PERMITS

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Michael Middle Initial:

Last Name: McQuate

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

keep the oyster farm! It makes the park better.

2011 NOV 22 PM 2:15  
P. 8/11/11 11:34 AM

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* \_\_\_\_\_ State/Province:\* \_\_\_\_\_  
Postal Code:\* \_\_\_\_\_  
First Name: ROBERT Middle Initial: T  
Last Name: CLARK  
Address: \_\_\_\_\_  
Country: \_\_\_\_\_  
Email: \_\_\_\_\_

2011 MAY 22 PM 2:15  
P... 20

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
*I HAVE KNOWN THE LUNNY FAMILY FOR YEARS AND FEEL THEY WILL DO A EXCELLENT JOB AS STEWARDS OF THE BAY!*

-----cut here-----

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]  
Postal Code: [redacted]  
First Name: FRANCIS Middle Initial: F  
Last Name: BURKE  
Address: [redacted]  
Country: [redacted]  
Email: \_\_\_\_\_

2011 NOV 22 PM 2:15  
[redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company. *Francis E. Burke*

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Janet Middle Initial: K

Last Name: Swanson

Address: [redacted]

Country: \_\_\_\_\_

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PO BOX 10185 NIS  
2011 NOV 27 PM 2:15  
100-10185-01

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province: [redacted]

Postal Code: [redacted]

First Name: Rick Middle Initial: \_\_\_\_\_

Last Name: Scripture

Address: [redacted]

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PAID  
7011 NOV 22 10 21 15  
PACIFIC

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Christine Hansen Middle Initial: M

Last Name: Hansen

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

RECEIVED  
2011 NOV 22 PM 2:15  
POINT REYES NS

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: TAIKI Middle Initial: C.

Last Name: KATO

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

PLUMMER CS NS  
2011 NOV 22 PM 2:15  
FBI

**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Ruth Middle Initial: \_\_\_\_\_

Last Name: McCreight

Address: \_\_\_\_\_

Country: \_\_\_\_\_

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

*no address given*

2011 MAY 22 PM 2:14

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**Comment Form**

Park: Point Reyes National Seashore

Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement

Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: William Burrows Middle Initial: T

Last Name: Burrows

Address: \_\_\_\_\_

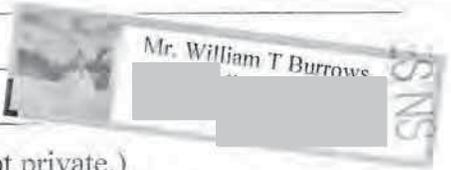
Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.



NOV 22 PM 7:14  
SAN FRANCISCO, CA

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Floretta

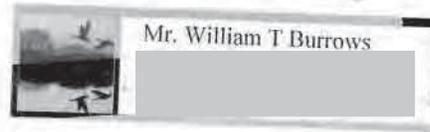
Middle Initial: \_\_\_\_\_

Last Name: BURROWS

Address: \_\_\_\_\_

Country: USA

Email: \_\_\_\_\_



(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

2011 Nov 22 PM 2:14  
SNS

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**Comment Form**

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Robin Middle Initial: H

Last Name: Robinson

Address: [redacted]

Country: [redacted]

Email: [redacted]

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.  
*Yes! My husband, Merritt Robinson was on the 1975  
GENRA Advisory Commission. They supported the Oyster  
Farm then and we do now.*

2011 NOV 22 PM 2:11  
PULL FROM FILE

Comment Form

Park: Point Reyes National Seashore  
Project: Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement  
Document: Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit

\* indicates required fields

City:\* [redacted] State/Province:\* [redacted]

Postal Code:\* [redacted]

First Name: Sarah Barron Middle Initial: \_\_\_\_\_

Last Name: \_\_\_\_\_

Address: [redacted]

Country: [redacted]

Email: \_\_\_\_\_

(Check here if you want your contact information kept private.)

Comments or Requests:

I support a renewable Special Use Permit for Drakes Bay Oyster Company.

POINT REYES  
2011 JUN 22 PM 2:14  
[redacted]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION IX  
 75 Hawthorne Street  
 San Francisco, CA 94105-3901

DEC 05 2011

2011 DEC -7 PM 12:28

POINT REYES NS

Ms. Cicely A. Muldoon, Superintendent  
 National Park Service  
 Point Reyes National Seashore  
 1 Bear Valley Road  
 Point Reyes Station, California 94956

Subject: Draft Environmental Impact Statement for the Drakes Bay Oyster Company Special Use Permit in Point Reyes National Seashore, Marin County, California (CEQ#20110328)

Dear Ms. Muldoon:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (EIS) for the above action. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The Draft EIS analyzes four alternatives for issuance of a special-use permit for a commercial oyster operation in Drakes Estero in Point Reyes National Seashore. The intent of the EIS is to assist the National Park Service (NPS) in evaluating the environmental impacts of considering expiration or issuance of the special-permit. NPS has not identified a preferred alternative. EPA has rated all the alternatives in the Draft EIS as Lack of Objections (LO) (see enclosed "*Summary of Rating Definitions*").

We appreciate the opportunity to review this Draft EIS. When the Final EIS is released for public review, please send one hard copy and one CD to the address above (mail code: CED-2). Should you have any questions regarding our comments, please contact me at (415) 972-3521, or contact Stephanie Skophammer, the lead reviewer for the project. Stephanie can be reached at (415) 972-3098 or [skophammer.stephanie@epa.gov](mailto:skophammer.stephanie@epa.gov).

Sincerely,

Kathleen Martyn Goforth, Manager  
 Environmental Review Office  
 Communities and Ecosystems Division

Enclosures: Summary of Rating Definitions

Cc: Brannon Ketcham, Point Reyes National Seashore  
 Melissa Stedeford, Project Manager

## **SUMMARY OF EPA RATING DEFINITIONS\***

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

### **ENVIRONMENTAL IMPACT OF THE ACTION**

#### ***"LO" (Lack of Objections)***

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### ***"EC" (Environmental Concerns)***

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### ***"EO" (Environmental Objections)***

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### ***"EU" (Environmentally Unsatisfactory)***

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### **ADEQUACY OF THE IMPACT STATEMENT**

#### ***"Category 1" (Adequate)***

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### ***"Category 2" (Insufficient Information)***

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### ***"Category 3" (Inadequate)***

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.



2011 DEC -7 PM 12: 29 December 1, 2011

Superint. Pnt. Reyes Nat. Seashore  
1 Bear Valley Rd  
Pt Reyes, CA 94956

POINT REYES NS

Issue: The Drakes Bay Oyster Farm (DBOF)

The positive social and educational contributions of the DBOF need to be presented in the DEIS. The story of oyster cultivation has educated thousands of visitors to the Farm for many years. These visitors represent travelers to the park and all levels of educational institutions. How will the loss be mitigated by the NPS?

The Farm's historic contribution to the region must be explained. For over century oyster cultivation has contributed to the cultural and historic fabric of the area along with the adjoining ranches. This must be publicly stated by the NPS.

The draft EIS (DEIS) for the continued use of the Drakes Bay Oyster Farm is inadequate and must be revised. The document is deficient for the reasons:  
The positive economic impacts of the Farm are ignored. The DEIS should consider community benefits of employing its many workers, the asset value of the payroll and income to West Marin and the real economic losses to the area and California if the Farm is put out of business by the NPS.

The DEIS must be drastically amended to reflect all of the above. The document is sadly deficient and must be revised to reflect the above criticisms.

Approve a continued Use Permit for the Drakes Bay Oyster Company.

LOB

Lee O. Breynaert





RECEIVED

December 2, 2011

2011 DEC -7 PM 12: 29

Sup. Point Reyes Natl. Seashore  
1 Bear Valley Rd  
Pt Reyes, CA 94956

POINT REYES NS

RE:: Drakes Bay Oyster Farm (DBOF)

The positive social and educational contributions of the DBOF need to be presented in the DEIS. The story of oyster cultivation has educated thousands of visitors to the Farm for many years. These visitors represent travelers to the park and all levels of educational institutions. How will the loss be mitigated by the NPS?

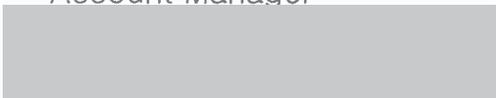
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The DEIS must be drastically amended to reflect all of the above. The document is sadly deficient and must be revised to reflect the above criticisms.

Approve a continued Use Permit for the Drakes Bay Oyster Company.

Robert Breynaert  
Account Manager



*Robert Breynaert*



2011 DEC -7 PM 12: 29

POINT REYES NS

December 2011

Superintendent  
Point Reyes National Seashore  
1 Bear Valley Road  
Pt. Reyes, CA 94956

RE: DEIS Drakes Bay Oyster Farm (DBOF)

The DEIS disregards the very beneficial environmental and ecological impacts of the Farm's oyster cultivation: water purification, eel grass proliferation, habitat restoration and the positive carbon "footprint" of a locally grown, sustainable food source. The negative impact of this ecological loss should be properly documented by the NPS.

The legislative and planning history creating the Point Reyes Seashore relative to oyster cultivation is completely ignored by the DEIS. That history and subsequent laws and planning documents clearly state that oyster farming in Drakes Estero, and all ranching in the Seashore, will be continued in perpetuity. This must be added to the DEIS by the NPS.

Your goal to close the oyster farm is obvious by this DEIS. You should be ashamed. Fix it by including these revisions.

I support a renewable special use permit for the Drakes Bay Oyster Farm.

Martin Fay



# CATHERINE CAUFIELD

December 6, 2011

Superintendent Cicely Muldoon  
Point Reyes National Seashore  
Bear Valley Road  
Point Reyes Station, CA 94956

POINT REYES NS

2011 DEC -7 PM 12:50

CAUFIELD

Re: Support for Alternative A – Wilderness – in Drakes Estero

Dear Superintendent Muldoon:

As a resident of Inverness, I am writing to support Alternative A, the “no action” alternative that would restore wilderness protections to Drakes Estero. This is the “environmentally preferable alternative” and for the reasons below, I strongly encourage the National Park Service and Secretary Salazar to support wilderness protections for Drakes Estero in 2012.

The National Park Service has concluded that full wilderness protection is the best option for the environment. It is also the option preferred by the public. More than 77% of the comments submitted during the scoping process for the oyster lease environmental impact statement called for full wilderness protection in 2012.

The public’s voice is critical as the Park belongs to all Americans, and visitors to the Park are vital to the local economy. In 2009, visitors spent almost \$86 million during visits to the Seashore and non--local visitor spending supported 966 local jobs and accounted for \$39.3 million in local labor income. Unfounded and politically motivated claims of scientific misconduct by Park Service personnel and incorrect statements regarding Congress’ intent in establishing the Seashore and its wilderness areas have diverted attention away from the real issues.

Wilderness protection should not be rolled back to benefit one private commercial operation in derogation of our wilderness laws and policies. Beyond the arguments about whether or to what extent oyster farming affects the Estero and its wildlife, is the basic fact that the Seashore exists for the national benefit and not to advance private commercial interests. DBOC knew when they bought the lease from Johnson’s oysters that it expired in 2012. Drakes Estero would be the West Coast’s only marine wilderness and it should be given wilderness status.

I personally spoke to Kevin Lunny before the sale was final and he stated that, allow he hoped to change the Park’s mind, he knew that the lease expired in 2012 and his business model allowed him to make a profit and leave at that time if necessary. The time for DBOC to leave has come.



## All Applicable Law and Policy Require Full Wilderness Protection in 2012

Federal law and policy require full wilderness protection for Drakes Estero in 2012 and prohibit the Park Service from issuing a new special use permit to the Drakes Bay Oyster Company (DBOC). The FY 2010 Interior appropriations bill rider that prompted the current review allows, but does not require, a new special use permit for the oyster operation.

The Seashore was created “to save and preserve, for the purposes of public recreation, benefit, and inspiration” a portion of the nation’s diminishing seashore. The Seashore’s 1962 authorizing legislation requires the Park Service to administer the Seashore “without impairment of its natural values” and in a manner that is “supportive of the maximum protection, restoration, and preservation of the natural environment.”

The Wilderness Act of 1964 recognizes and defines wilderness as “an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain.” Wilderness is further defined as an area of “Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.”

The 1976 Point Reyes Wilderness Act reaffirms the 1962 and 1964 laws and added language to the Seashore’s authorizing legislation which “underscores the intention that the Seashore is to be managed for the protection of its natural environment and values.” The Point Reyes Wilderness Act designates the waters of Drakes Estero and the adjoining intertidal land as “potential wilderness.”

The term “potential wilderness” is defined in legislative history as, “a category of lands which are essentially of wilderness character, but retain sufficient non-conforming structures, activities, uses or private rights so as to preclude immediate wilderness classification.” The legislative history provides an explicit statement of Congressional intent regarding the importance of removing all non-conforming uses – including the oyster operation in Drakes Estero – from areas designated as “potential wilderness”:

“As is well established, it is the intention that those lands and waters designated as potential wilderness additions will be essentially managed as wilderness, to the extent possible, with efforts to steadily continue to remove all obstacles to the eventual conversion of these lands and waters to wilderness status.”

Congress chose to designate Drakes Estero as potential wilderness with full knowledge of the presence of the oyster company and its non-conforming use in the Estero. This knowing designation and the contemporaneous legislative history make it clear that Congress intended that the non-conforming use must end when the current lease expires. There is no support in the legislative history for continuing oyster operations after expiration of the current lease in 2012.

During a 1976 Congressional hearing on the Point Reyes Wilderness Act, then Representative John L. Burton wrote that the "potential wilderness" designation would allow Drakes Estero to "be classified as wilderness upon the removal of certain presently existing temporary conditions, without the need to come back to Congress again." Congressman Burton recognized that Drakes Estero was one of "three particularly fragile areas" in urgent need of protection:

"Drakes and Limantour Esteros are refuges for harbor seals, leopard sharks, egrets, herons, migratory fowl, rare species of clams, cockles, and snails. They are also native Indian sites. Their permanent protection is urgently needed, at the very least by 'potential (or reserve) wilderness.'"

Congressman Burton also testified that potential wilderness designation was critical to ensure that these areas would not be "destroyed by incursions of speedboats and motor-type boats." A recent letter to the Secretary of the Interior from former Congressman Burton and others offers a new interpretation of the purported legislative intent behind creation of the Seashore and designation of Drakes Estero as "potential wilderness" that is at odds with the contemporaneous legislative history. As a matter of law, a legislator's post-hoc interpretations of legislation carry no special weight; only statements made contemporaneous with passage of legislation are to be considered. *Sullivan v. Finkelstein*, 496 U.S. 617, 632 (1990) ("views of a legislator concerning a statute already enacted are entitled to no more weight than the views of a judge concerning a statute not yet passed").

The National Park Service Management Policies prioritize management of natural resources for maximum protection and restoration and require conservation and resource protection in the face of scientific uncertainty or conflicts between conservation and use. The Park Service is also required to manage wilderness, including potential wilderness, "for the preservation of the physical wilderness resources" and "planning for these areas must ensure that the wilderness character is likewise preserved."

This policy further states that potential wilderness shall "be managed as wilderness to the extent that existing nonconforming conditions allow" and the Park Service shall determine "the most appropriate means of removing the temporary, nonconforming conditions that preclude wilderness designation from potential wilderness." The zoning for Drakes Estero under the Point Reyes General Management Plan calls for the Estero's conversion to wilderness where no mechanized equipment or development is to occur.

In 2004, the Department of the Interior Solicitor's Office advised the Park Service that it is "mandated by the Wilderness Act, the Point Reyes Wilderness Act and its Management Policies to convert potential wilderness, i.e., the Johnson Oyster Company tract [now the Drakes Bay Oyster Company tract] and the adjoining Estero, to wilderness status as soon as the non conforming use can be eliminated." Indeed, the Park Service is "required to actively seek to remove from potential wilderness the temporary, non-conforming conditions that preclude wilderness designation." The Drakes Bay Oyster Company operation is the only remaining obstacle to full wilderness protection.

### **The Best Available Science Supports Full Wilderness Protection**

The National Park Service Draft Environmental Impact Statement (Draft EIS) makes clear that the “no action” alternative – allowing the DBOC lease to expire in 2012 and establishing full wilderness protection to Drakes Estero – is the best alternative for the environment and for managing the park in conformance with law and policy. Extending the DBOC lease through any of the three “action” alternatives would have long-term adverse environmental impacts on Drakes Estero that “would be clearly detectable and could appreciably affect individuals or groups of species, communities, or natural processes” including to:

- Wilderness due to the readily apparent, widespread, impact on wilderness character from non-native shellfish cultivation; maintenance of human-made infrastructure (including 5 miles of racks); motorboat travel 8 hours per day for 6 days a week; and human-caused noise;
- Harbor seals due to the potential for human disturbance and resulting displacement from multiple motor boat trips and bottom bag cultivation on sandbars and mudflats adjacent to harbor seal protection areas;
- Shorebirds due to flushing from motor boats which causes avoidance of normal foraging and resting; inability to access food in the five miles of inter-tidal area occupied by oyster bags; and impacts to the Black Brant sea-goose which eats only eelgrass as it migrates from Alaska to Mexico;
- Eelgrass habitat due to boat propeller scaring; boat wake erosion; the invasive tunicate (*Didemnum vexillum*) that is attaching to and smothering eelgrass; and continued introductions of non-- native species;
- Wetlands and wetland functions due to placement of bottom bags in wetland habitat;
- Soundscapes due to the use of heavy machinery and repeated use of motor boats;
- Native fish due to displacement of habitat and continued attraction of fish communities that would not naturally be found due to perpetuation of non-native habitats; and
- Benthic fauna due to non-native oysters competitively excluding native species; introduction of diseases; and introduction of other harmful non-native species.

The two greatest threats to biodiversity are habitat loss and invasive species. Both of these causes to biodiversity loss will intensify with climate change and both will be aggravated by continued mariculture operations in Drakes Estero.<sup>21</sup>

### **The Draft EIS Understates the Adverse Impacts of the Action Alternatives by Failing To Assess the Risks and Impacts of Non-Compliance with Permitting Requirements and Permit Conditions Established to Protect the Environment**

The Draft EIS improperly ignores DBOC’s abysmal record of complying with permit conditions and requirements when analyzing impacts of continued operations. There has been *no time* during DBOC’s ownership when it has been in compliance with its permit conditions or permitting requirements. DBOC’s predecessor, the Johnson Oyster Company, had a similarly long history of environmentally destructive violations. These violations have caused – and continue to cause -- significant harm to the environment and there is nothing to suggest that these problems will be rectified if DBOC is granted a new special use permit.

5

This history of constant non-compliance must be evaluated and considered in assessing the potential impacts of any of the action alternatives. Ignoring this long history produces an inaccurate and unrealistically positive assessment of adverse impacts.

Since its purchase of Johnson's Oyster Company, DBOC has operated in knowing violation of California Coastal Commission, National Park Service, and U.S. Army Corps of Engineers permit conditions and requirements. DBOC was most recently cited for violations of its California Coastal Commission permit in September 2011. Cumulatively, DBOC's violations of permit conditions and permitting requirements significantly undermine the ability of the Park Service, the California Coastal Commission, and the U.S. Army Corps of Engineers to administer the activities of DBOC in accordance with federal and state law and policy and in a manner that will protect and enhance the Seashore's natural resources.

**Issuance of a new Special Use Permit to DBOC includes a significant risk that DBOC will continue to violate conditions attached to the new permit and other applicable regulations designed to protect the environment.** While the Draft EIS summarizes DBOC's history of non-compliance it goes on to assume that DBOC will comply fully with all permitting conditions and requirements if a new Special Use Permit is issued pursuant to any of the three action alternatives. Given the long history of non-compliance with permit conditions and terms, the assumption that the conditions attached to a new Special Use Permit and other permitting conditions would be strictly complied with presents a false picture of the impacts of issuing a new Special Use Permit.

The EIS must consider the impacts of the likely failure of DBOC to comply with permit conditions and requirements on the ecological health of Drakes Estero and the many sensitive species that utilize the Estero. These impacts extend to all the impacts evaluated in the Draft EIS, including the impacts to Park Service operations.

In conclusion, all applicable law, policy, and best available science call for full Wilderness Protection for Drakes Estero in 2012. The issuance of a new 10-year special use permit would roll back wilderness protection to benefit a single business at the expense of the public trust and the ecological heart of Point Reyes National Seashore. It is time to return Drakes Estero all Americans as the West Coast's only marine wilderness.

Thank you for the opportunity to comment in support of Wilderness for Drakes Estero.

Sincerely yours,



Catherine Caufield  
[Redacted]  
[Redacted]