

# *Drakes Bay Oyster Company*

17171 Sir Francis Drake Boulevard

Inverness, CA 94937

(415) 669-1149

[kevin@drakesbayoyster.com](mailto:kevin@drakesbayoyster.com)

[nancy@drakesbayoyster.com](mailto:nancy@drakesbayoyster.com)

March 5, 2011

Natalie Gates  
DBOC SUP EIS

Re: Alternate Building Design

Dear Natalie,

Cicely Muldoon informed us on January 26, 2011, that we still have time to supplement our EIS scoping comments. We were later informed that all comments needed to be submitted by March 4<sup>th</sup>. On March 4<sup>th</sup>, you graciously agreed to allow us to provide our final comments over the weekend of March 5<sup>th</sup> and 6<sup>th</sup>. Thank you for your flexibility.

DBOC has requested a SUP to allow for the continued use of the expiring ROU. As part of the request, DBOC has asked that the buildings be replaced as reviewed by NPS in the 1998 EA that resulted in a FONSI. The buildings studied in 1998 included a new oyster processing building, a new hatchery building, a new garage and two new piers.

DBOC would like to respectfully request that another building design be considered as an alternative in the EIS. In 2009, DBOC worked together with Eco Design Collaborative (EDC) on a more environmentally friendly building concept (attachment a) that would serve the same overall purposes. This EDC design incorporates renewable energy use as well as other green building principles. The design limits the construction to one building, removes the need for the stringing shed in the intertidal area, allows a larger setback from the water's edge for the new hatchery, raises it above potential sea level rise and includes only one pier to access the Estero. The EDC design would also improve the visitor experience and interpretive opportunities by allowing the public to view every step of the shellfish process, from seed production to shucking and packing. EDC included a comparative review of existing conditions, the building proposal chosen in the 1998 NEPA process and the 2009 EDC concept (attachment b). The concept drawings do not show any worker housing except a manager's residence. Worker housing may be incorporated into the design in the future.

We feel that it is important for the EIS to also look at the 2009 EDC building concept as an alternative, because it will likely be found to have fewer adverse environmental effects and more positive effects than the 1998 plan that resulted in a FONSI.

In 1998, NPS, the oyster farmer and the public agreed that the buildings should be replaced. Currently, the same decision must be made. The issue is being addressed under the same General Management Plan as it was in 1998. We are not aware of any changes in the law that would change the outcome of the current NEPA process. Just as in 1998, building replacement financing and repayment of long term debt will require a SUP to operate past 2012. This issue was considered in the 1998 EA where it states "The PRNS GMP is currently being revised. An issue to be addressed is the long term status of the lease agreement past 2012".

Members of the public continue their support for the new interpretive center (attachment b). Importantly, new support for an interpretive center at Drakes Estero has come from the National Academy of Sciences following their in-depth study completed in 2009. Both the 1998 NPS/JOC design and the 2009 EDC green building design would fulfill the need.

Sincerely,

Kevin & Nancy Lunny