Comments regarding the Draft EIS for the Drakes Bay Oyster Company Special Use Permit:

I live in West Marin — moved here 10 years ago. I have great respect for the Lunny family and what they have done to run a conscientious and environmentally sound business, DBOC. I endorse extending their lease and allowing the proposed expansion of the business.

RECEIVED
2011 NOV 10 PM 2:01
POINT REYES NS

Name: William G. Barton, Ph.D.

Email: [redacted]

Mailing addre[redacted]

Point Reyes National Seashore
California

National Park Service
U.S. Department of the Interior

Providing Comments

Please provide your comments online using the National Park Service's Planning, Environment, and Public Comment (PEPC) web site at: **http://parkplanning.nps.gov/pore** or use the reverse of this page to record your comments and thoughts regarding the Draft Environmental Impact Statement (EIS) for the Drakes Bay Oyster Company Special Use Permit.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The comment period will be open through November 29, 2011.

DBOC SUP EIS c/o Superintendent

Point Reyes National Seashore

1 Bear Valley Road

Point Reyes Station, CA 94956

94956+9793

Claude P. Benedix

[redacted]

November 20, 2011

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

Subject: Comments on the Draft EIS DBOC SUP

We have reviewed the Executive Summary of the Draft EIS and recommend the Secretary of the Interior issue a new Special Use Permit (SUP), either alternative B, D, or C, in that preferential order, for the reasons outlined below. Alternative A, "Do Nothing", is not acceptable; it is disruptive in the short term and of minimal added value in the long term.

Oyster farming operations have a long history at Point Reyes. While the site amenities may not have historical value per se, the operation itself does. The operation may conflict with the complete "Wilderness" concept, but there is plenty of space, both on shore and off shore, where "wilderness" is already attained. Yes, there are "blots" on the landscape (human development and agricultural operations), but the nine (+/-) dairy farms with their 99 year leases also have their negative impacts. The oyster farm does not significantly add to these "blots".

The Oyster farm operation provides a public source of aquaculture and a livelihood for some finite number of the Marin population. If it were to be shut down it would be another source of unemployment and economic loss. We are sure that the Drakes Bay Oyster Company (DBOC) operation falls into the class of Small Business. Has not the federal government been promoting Small Businesses as a class? The Interior Department should not be an adverse player in that sense.

With regard to environmental impacts – so grandly cited at length in the EIS – those impacts already exist. For the most part they are termed moderate, and some are noted as beneficial. In reviewing the lengthy spreadsheet of impacts we find no impacts that are so significant that they warrant shutting down the DBOC operation.

Again, we encourage the Secretary of the Interior to use his discretion and issue a new 10 year SUP to the DBOC.

Sincerely,

Claude P. Benedix

Claude P. Benedix

Copy: DBOC

RECEIVED
2011 NOV 22 PM 2:17
POINT REYES NS

John R. Braggins

[redacted] ***via US Mail this date:***

RE: Oyster Ranch Lease Renewal

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

November 21, 2011

Dear Sirs:

We have continued to receive a level of common sense that makes no common sense. As transplant from Colorado, I spent my childhood fishing in the mountains with my father. The beauty of nature never ceased to amaze me and the stewardship that it takes has commanded my utmost respect.

That said I never saw the ocean until I was twenty. One of the true joys of my life now, is taking out of state visitors (especially farmers) to the Oyster Ranch. Besides not being able to get fresh oysters in Iowa. They are truly amazed at how productive this operation is for as little as a foot print as it takes up.

It maybe that in making this allowance it may take some courage to command a bending of the rules. To wit if common sense prevailed in this action, this type of blanket restriction would command a level of careful consideration rather than a simple black and white policy decision. In that as a casual observer, it seems the park service is somehow threatened by the fact I simply would like to be able to pick up fifty smalls forsummer BBQ.

If we lose this jewel over a well intentioned but over bearing strategy, I feel sorry for the rest of the America that will soon be lost as well to an ever narrowness of mind.

Respectfully,

John R. Braggins

----------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

RECEIVED
2011 NOV 22 PM 2:16
PLANNING & ESNS

* indicates required fields

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

Postal Code:* [redacted]

First Name: John Middle Initial:

Last Name: Bragins

Address: [redacted]

Country:

Email:

X (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 14 PM 12:44
POINT REYES NS

November 10, 2011

Point Reyes Superintendent Cicely Muldoon
Point Reyes National Seashore
One Bear Valley Road
Point Reyes Station, CA 94956

RE: Please Reject the Drakes Bay Oyster Company Special Use Permit

I am writing to urgently and respectfully ask your help to protect Drakes Estero wilderness next year, as long intended. It is in the public interest to create the West Coast's only marine wilderness for the enjoyment of all.

The public has waited nearly four decades for these protections to be implemented. Drakes Estero is a rare refuge for wildlife where migrating birds stop over to rest and feed during long journeys, harbor seals give birth, and fish take shelter in eelgrass. Visitors should be able to enjoy it in its full glory instead of continued commercial oyster operations that include thousands of motorized boat trips each year.

As someone who values and cares for our nation's national parks and their wildlife, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

Drakes Estero is an estuary within Point Reyes National Seashore that is considered the ecological heart of the park. The estuary is on track to receive full wilderness designation in 2012, but an oyster company would like to extend their operating permit, contrary to law passed to protect the area as wilderness.

Please select alternative "A", which protects marine wilderness next year and is the Environmentally Preferred Alternative. The National Park Service is mandated to provide maximum protection to the natural resources at Drakes Estero, and selecting this alternative is the most consistent with the laws and policies affecting this park.

America's national parks are set aside for the public and for wildlife protection, and, after waiting nearly 40 years for private commercial use rights to expire, it is time to give the estuary the protection it needs. The environmental review shows that alternative "A" is best for public policy and best protects harbor seals, fish, birds and other natural resources.

Drakes Estero is our only marine wilderness on the West Coast, and is irreplaceable, while oysters can be commercially grown elsewhere.

Please honor the promise made for a protected marine wilderness at Drakes Estero. In doing so, you will set good policy example and reward the public with an enduring legacy found nowhere else on the West Coast.

Thank you most sincerely for your help. National park wilderness is for wildlife and public enjoyment, not private commercial use.

Yours truly,

J. Capozzelli

Comments regarding the Draft EIS for the Drakes Bay Oyster Company Special Use Permit:

Supporting Alternative "A"

Stewardship ① Drakes Estero = Lacking

First hand observation of oyster operation revealed there are pieces of plastic tube in and around the Estero.

This Area needs to be preserved!

RECEIVED
2011 NOV 17 PM 12:37
POINT REYES NS

Name: Cameron Colson

Email [redacted]

Mailing address:

Point Reyes National Seashore
California

National Park Service
U.S. Department of the Interior

Providing Comments

Please provide your comments online using the National Park Service's Planning, Environment, and Public Comment (PEPC) web site at: http://parkplanning.nps.gov/pore or use the reverse of this page to record your comments and thoughts regarding the Draft Environmental Impact Statement (EIS) for the Drakes Bay Oyster Company Special Use Permit.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The comment period will be open through November 29, 2011.

Mr. Walter Hoffman

DBOC SUP EIS c/o Superintendent

Point Reyes National Seashore

1 Bear Valley Road

Point Reyes Station, CA 94956

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, 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 29th** 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). For more up-to-date news and info, visit www.oysterzone.wordpress.com.

With Our Heartfelt Gratitude for Your Support Through the Years!

----------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: John Middle Initial: H

Last Name: Diffundufu

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 NOV 22 PM 2:16
POINT REYES NS

Alliance for Local Sustainable Agriculture
22555 Highway One
Marshall, CA 94940

John Rittenhouse

[redacted]

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

94511$0879

CORRESPONDENCE ID: 48204

REC D
2011 NO PM 12: 22
POI ES NS

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

Frances Draper
854A Bunker Road
Sausalito, CA 9496

November 12 2011

Dear Superintendent Muldoon,

I am writing to you as a Marin County resident who loves Point Reyes National Seashore and admires the National Park Service for its protection and management of this rare wilderness area, especially Drakes Estero. I thank you for protecting this area, and I hope you will ensure full protection of one of the last wild places along the California coast by preventing commercial farming within a site designated as potential wilderness. Continued commercial use is clearly against the intent of Congress when the Wilderness Act was passed, and full wilderness designation is needed for Drakes Estero.

The political and media pressure on the National Park Service to issue a special use permit and allow a commercial oyster farm in its wilderness rather than do its duty to protect wildlife such as seals in the area (these animals are protected from harassment by the Marine Mammal Protection Act) is disgusting. I have followed articles in the newspapers and local media about the lack of evidence for disturbance to harbor seals by the DBOC, and the "bad science" upon which such statements are made. As a scientist, I am shocked by the momentum such statements have gained, how they have been repeated by respected citizens who are not well informed on the issues, and how a series of reports by various federal agencies have been issued on this topic at tax payers' expense. Ultimately, the Marine Mammal Protection Act makes any disturbance to marine mammals in this country illegal. We do not need copious extensive scientific research to indisputably prove disturbance occurs, when we have trusted federal biologists whose jobs it is to protect the wildlife under their jurisdiction stating they have observed disturbance occurring. Science is based on hypothesis testing, and studies and experiments that have enough power to refute null hypotheses typically take considerable resources to design and implement. For wildlife studies, experimental approaches are usually impossible and much wildlife scientific research is based upon observation rather than manipulation, and confounding variables are typically hard to control for. Thus, rather than "bad science" in the wildlife arena we often have "limited science" due to under-funding, few resources and confounding variables. This does not however make it "bad", or prohibit conclusions based upon a weight of evidence approach. In the case of Point Reyes national Sea Shore, the best science possible under field conditions with the resources available has been performed. The continued attacks in the press upon the NPS biologists is appalling and promotes misconceptions about the science performed by the National Park Service.

I thank you for supporting your staff in their jobs to protect Drakes Estero, and hope you will chose the no action alternative in the current DEIS for DBOC permit.

Yours sincerely

F Draper

Frances Draper

CORRESPONDENCE ID: 48207

RECEIVED
2011 NOV 14 PM 12: 44
POINT REYES NS

November 9, 2011

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

Dear Superintendent Muldoon:

RE: Drakes Estero-Point Reyes National Seashore

I am contacting you to express my full support for **Alternative A: No New Special Use Permit – Conversion to Wilderness (No Action).**

The intent of Congress was crystal clear regarding the termination and removal, by November 20, 2012, of the commercial oyster operation located on shore and within the Drakes Estero. No amount of historical revisionism by the current lessee, or his backers, can change this fact.

Drakes Estero is a rare body of water located on the Pacific Coast of North America. Fortunately, Drakes Estero is located within the Point Reyes National Seashore, which will provide the maximum protection for this vital estuary. The people of the United States own these lands, not an individual who cannot live up to a signed agreement.

It is time for these damaging oyster production facilities to finally be removed from this wondrous national and natural treasure. The removal of all human made objects will then allow the estuary to heal and regain its full environmental value, as originally mandated by congress.

Thank you for your attention to my letter.

Sincerely,

Richard Fraites

Richard Fraites
[redacted]

NOV 16, 2011

RECEIVED
2011 NOV 18 AM 11:55
CONVEYANCES

DEAR SIRS

I RESPECTFULLY REQUEST THAT YOU GRANT DBOC AN EXTENDED USE PERMIT. I.E. RENEWABLE SPECIAL USE PERMIT.

MY FAMILY HAVE BEEN PATRONS OF THE OYSTER CO. FOR OVER 50 YEARS. (INCLUDING THE PREVIOUS OWNERS)

WE WOULD VISIT THE LIGHT HOUSE, BEAR VALLEY, AGATE BEACH, HEARTS DESIRE BEACH ETC. AND THEN PURCHASE FRESH OYSTERS TO BARBECUE.

WE HAVE MET MANY WONDERFUL PEOPLE FROM FAR AND NEAR WHILE PURCHASING OYSTERS AT THEIR PREMISES... MANY FAMILYS PICNIC & BARBECUE AT THE FACILITIES PROVIDED BY THE LUNNYS.

OUR CHILDREN & GRAND CHILDREN HAVE HAD SCHOOL FIELD TRIPS TO THE LUNNYS OYSTER FARM.

THERE ARE THOUSANDS OF ACRES OF PARK WILDERNESS. THE LUNNYS DON'T DESERVE TO LOOSE THEIR LIVELYHOOD AND THAT OF THEIR

EMPLOYEES, FOR THE SAKE OF MORE FORESTRY WILDLANDS.

THE OYSTERS ENHANCE THE WATERS SEA LIFE AND SEA GRASSES THROUGH THEIR UNIQUE FILTRATION SYSTEM - THEY ARE NOT HARMING SEA BIRDS OR SEA LIFE, AND HAVE NEVER BEEN PROVEN TO DO OTHERWISE.

OUR FAMILY AND FRIENDS OF 5 GENERATIONS WILL BE HEARTSICK IF YOU DO NOT RENEW THE LUNNYS SPECIAL USE PERMIT.

PLEASE RENEW THE PERMIT AND ALLOW THE OYSTER FARM TO REMAIN THE GEM THAT IT IS.

THANK YOU

ADRIENNE AND LARRY FRIBERG

[redacted]

RECEIVED
2011 NOV 18 11:55

Dr. Secretary. Salazar,

A private citizen and graduate of Fisheries from HSU-I would like to extend my string support to maintaining the oyster farming industry in Drakes Estero- the industry have operated for more than 120 years and is proven there and in many other places to clean the water column of turbid elements while converting nitrogen. Oysters are the perfect food for humanity as they require no feed input and create manageable waste. They are example if sustainable ways to procure food from the sea and should be held up as example of the right way to obtain ocean protein.

The many jobs that the farms cerate are critical during this recession and honors the cultural history of the region. As private citizen I hope you allow the farms to remains as to remove them would create a protein defecate and deny Californians of a beloved shellfish-

How would we replace this protein, cut down more trees to grow more cows?

Please allow the oyster farmers to remain.

I would also to like to voice my concern that many NGO's and their hired advocates are standing outside supermarkets and spreading very untrue testimony about the oyster situation.

Very truly yours

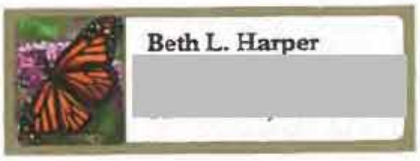
Chris Goldblatt

RECEIVED
2011 NOV 22 PM 2:17
POINT REYES NS

November 18, 2011

To Whom It May Concern:

It is long past time to let the Lunney Family ~~to~~ operate the Drakes Bay Oyster Company in Peace! My family has enjoyed oysters ever since the Johnsons' had the property. over 50+ years now. What an improvement the Lunneys' have made, the environment has been fortunate to have the present family as Caretakers. Leave them alone!!



Beth L Harper

11/18/2011

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2011 NOV 24 PM 3:
POINT REYES NS

Drakes Bay Oyster Co.

I support a Renewable Special Use Permit for Drakes Bay Oyster Co. Point Reyes National Seashore.

Ladina M. Heath
Ladina Heath

[redacted]

Comments regarding the Draft EIS for the Drakes Bay Oyster Company Special Use Permit:

I SUPPORT ALTERNATIVE A
WILDERNESS IS THE ONLY ANSWER TO THE
PROBLEMS WITH DBOC IN DRAKES ESTERO.

RECEIVED
2011 NOV 17 PM 12: 37
PO NI REYES NS

Name:

Email:

Mailing address:

Point Reyes National Seashore
California

National Park Service
U.S. Department of the Interior

Providing Comments

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The comment period will be open through November 29, 2011.

Mr. Walter Hoffman

NORTH BAY CA 949

16 NOV 2011 PM 2 L

DBOC SUP EIS c/o Superintendent

Point Reyes National Seashore

1 Bear Valley Road

Point Reyes Station, CA 94956

94956+9799

Comments regarding the Draft EIS for the Drakes Bay Oyster Company Special Use Permit:

ONE MORNING I GOT UP EARLY AND HAULED MY CANOE TO DRAKES ESTERO FOR A MELLOW MORNING OF PADDLING.

WHILE GLIDING ALONG THE SOLETUDE OF THE ESTERO I COULD HEAR A LOW HUMMING SOUND COMING UP FROM BEHIND ME AND IT BECAME LOUDER AS IT GOT CLOSER. I TURNED MY HEAD TO SEE WHAT THE OFFENDING NOISE WAS AND LO AND BEHOLD A BOAT WAS SPEEDING UP TO ME THEN PASSED ME AT HIGH SPEED LEAVING A WAKE THAT ROCKED MY CANOE AND LEFT WAVES SLAPPING ON THE BEACH STIRRING UP THE BOTTOM.

WE NEED TO STOP THIS AND GO WITH ALTERNATIVE A AND LET IT GO BACK TO WILDERNESS

Name: WALTER HOFFMAN

Email:

Mailing address: [redacted]

RECEIVED
NOV 17 PM 12:37
POINT REYES NS

Point Reyes National Seashore
California

National Park Service
U.S. Department of the Interior

Providing Comments

Please provide your comments online using the National Park Service's Planning, Environment, and Public Comment (PEPC) web site at: **http://parkplanning.nps.gov/pore** or use the reverse of this page to record your comments and thoughts regarding the Draft Environmental Impact Statement (EIS) for the Drakes Bay Oyster Company Special Use Permit.

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The comment period will be open through November 29, 2011.

Mr. Walter Hoffman

USA FIRST-CLASS

DBOC SUP EIS c/o Superintendent

Point Reyes National Seashore

1 Bear Valley Road

Point Reyes Station, CA 94956

Victoria N. Hoover
[redacted]

RECEIVED
2011 NOV 17 PM 12:36
POINT REYES NS

November 15, 2011

To: Draft EIS DBOC SUP c/o Superintendent
Point Reyes National Seashore national Park Service
1 Bear Valley Road
Point Reyes Station, CA 94956.

Re: Drakes Bay Oyster Company Special Use Permit EIS

I strongly support Alternative A, the "No Action" Alternative, of the above named Environmental Impact Statement. Please adopt the No Action Alternative, which is the only one that will allow the original, firm intent of Congress, as expressed in the 1976 Point Reyes Wilderness Act, to go forward. When establishing the Phillip Burton Wilderness via this law in 1976, Congress recognized that a portion of the area being designated, could not immediately be wilderness because it was subject to a use permit for a commercial oyster operation. To allow this permit to continue until its 2012 expiration date, Congress specified the Drakes Estero area to be potential wilderness—until 2012. It was, and is, to become wilderness automatically on expiration of the permit.

Nothing that has happened in the interim has changed the value of this law, its terms, or the need for this solution as devised by Congress. Please allow the intent of Congress to proceed, by adopting the No Action Alternative.

Only Alternative A, the No Action Alternative, is compatible with federal wilderness law and National Park Service policies on natural resource conservation, restoration and invasive species management. The No Action Alternative will allow for full wilderness protection for the only coastal marine estuary on the west coast in the national wilderness system. Drakes Estero is a remarkable wildlife-rich estuary; it is important habitat for hundreds of thousands of resident and migrating birds, providing crucial resting and foraging area. Home to endangered coho salmon and steelhead trout, it is also one of California's major breeding sites for harbor seals. The estuary has some of the largest extent of native eelgrass habitat along the California coast. Please allow wilderness protection for this area, as Congress intended and as the biologically significant estuary deserves.

San Franciscans are fortunate to have a federally designated wilderness so close to home. But we know it belongs also to all Americans, who also will benefit from assuring the completion of this wonderful wilderness area by adoption of Alternative A of the Drakes Bay Oyster Company Special Use Permit EIS.

Thank you for considering my comments,

Victoria N Hoover

Victoria N. Hoover
[redacted]

CORRESPONDENCE ID: 48260

RECEIVED
2011 NOV 21 PM 3:17
POINT REYES NS

D. W. James, Jr.
[redacted]

15 Nov 2011

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

Dear Superintendent Muldoon,

I am writing to comment on the Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit. I am strongly in favor of keeping the Drakes Bay Oyster Company (DBOC) in its present location on Drakes Estero. I am therefore dismayed that all options detailed in the EIS put DBOC out of business.

Let's begin with the need for an EIS on the occasion of a use permit renewal. It is unprecedented to require an EIS for a mere extension of a special use permit (SUP). The Pt. Reyes National Seashore (PRNS) and the National Park Service (NPS) are in error in taking this route. Not only is this an expensive waste of time and tax payer money it isn't required or necessary. The only reason I can think of is PRNS has no scientific evidence that DBOC is harming seals or eel grass and the park, therefore, has a strong need to distract us with irrelevant documents, graphs, and pictures.

On the parameters of the EIS itself, the four alternatives discussed are based on a flawed interpretation of Public Law 111-88; Section 124. Section 124 gives the Secretary of the Interior discretionary authority to renew the SUP for a period of 10 years. Section 124 DOES NOT give the Secretary the authority to delete renewal rights that DBOC retains as part of its current SUP. When the current SUP is renewed, the rights for future renewal would be carried forward to the next document. It is illegal to rewrite a legally binding contract without permission of all parties to the contract.

Furthermore, it is the intent of the original legislation that established PRNS to keep historic features of the working landscape including dairy ranches and the oyster farm. PRNS is a so called "urban park" because of its proximity to a large urban area. Discussion of wilderness or even "potential wilderness' with reference to PRNS is at best an imaginative construct and at worst a complete fantasy.

In conclusion the SUP for DBOC should be renewed for a period of 10 years with the right of future renewals beyond 2022. The EIS currently under consideration is irrelevant to the central issue.

Sincerely,

D. W. James, Jr.

Douglas W. James

21 Nov 2011

RECEIVED
2011 NOV 22 PM 2:17
POINT REYES NS

Draft EIS DBOC SUP c/o Superintendent
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 Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit. I am strongly in favor of keeping the Drakes Bay Oyster Company (DBOC) in its present location on Drakes Estero. I strongly urge the Secretary of the Interior to renew the SUP for a period of 10 years under Alternative D (Expanded Onshore Development) AND carry forward existing SUP renewal rights such that DBOC will remain in business beyond 2022. Public Law 111-88; Section 124 gives the Secretary of the Interior discretionary authority to renew the SUP for a period of 10 years. Section 124 DOES NOT give the Secretary the authority to delete renewal rights that DBOC retains as part of its current SUP.

The draft EIS contains a number of significant shortcomings and flaws that need to be addressed:

1. <u>All alternatives put DBOC out of business</u>. The EIS completely misinterprets relevant laws regarding SUP renewal rights that are owned by DBOC. This sets up an untenable situation where a small business with relatively small resources in order to recover their rights would have to sue the US Government. By the time it would be settled DBOC would be out of business. PRNS knows this sequence by heart and this is their real objective.

2. <u>The positive effects of the oyster farm on Drakes Estero are not discussed</u>. The EIS completely misses the benefit of filter feeding by the oysters. This process clarifies the water column and has led to increased distribution of eel grass beds which are an essential to the life cycle of fish and invertebrates in the local ecosystem. Without the oysters the water would become more turbid, which would curtail photosynthesis, and lead to decline of the eel grass.

The impact of the loss of a regular presence in the Estero, that is provided by oyster employees is not assessed. The benefits of the constant clean up from past oyster operations and from kayakers picnics that DBOC provides is not assessed.

3. Adverse impacts to endangered species is unrealistic and incorrect. The EIS is sloppy in naming possible negative impacts on for example, Plovers and terns. These birds are not common in the subject area. Furthermore, using the term endangered in reference to harbor seals is incorrect. Harbor seals are not on the list of endangered species.

4. Cultural impacts are ignored. DBOC is the second largest employer in West Marin. These jobs are essential to many hispanic families in West Marin. The EIS incorrectly interprets US Census data in dismissing cultural impacts. Just because most of ethnic minorities live in eastern Marin County does not mean that workers loosing their jobs in West Marin will not be impacted culturally. The situation is that it is too expensive to live in West Marin for most service workers or there is a critical shortage of housing. They commute from the eastern part of the county where housing is cheaper and more plentiful. Social justice or economic issues of these lost jobs affects minorities throughout Marin County.

5. Effect on the Economy of West Marin is left out. Oysters are a hub of local economy in West Marin. Virtually every restaurant in Pt. Reyes Station, Olema, Nicasio, Inverness, Bolinas and Stinson Beach serves oysters. The role of oysters in the economy of West Marin is directly comparable to that of lobsters in New England. Thousands of visitors to the area expect to dine on oysters, a family tradition for generations.

6. No consideration of food safety and food security issues. DBOC is the last oyster cannery in California. It supplies up to 50% of California's oysters. The impact of this loss is not evaluated. Nor is the impact of importation of oysters to replace DBOC oysters from So Korea or elsewhere. Fewer than 1% of imported oysters receive health inspection. All are imported by airplanes that consume energy and add to greenhouse gas emissions.

7. Replacement costs of high quality protein not considered. DBOC produces half a million pounds of high quality marine protein using less

fresh water than an average home. The replacement costs for this locally and sustainably produced protein, both economically and environmentally, are not considered.

8. The oyster farm is an important visitor destination within PRNS. The oyster farm is a popular visitor-serving resource for the park with an estimated 50,000 visitors a year. In the 1990s PRNS had plans to upgrade the oyster farm to include additional buildings for education and interpretation by rangers and volunteers for park visitors. Although the plans were abruptly dropped without public discussion, the need persists to educate the public about the history of the oyster farm in producing sustainable marine protein and the benefits of mariculture to the conservation of wild fish resources. Indeed the EIS makes no mention of this globally recognized role of mariculture in helping to reduce over fishing in the wild. NPS ignores this fact, exposing its ignorance, bias, or both.

9. EIS is counter to PRNS Management Plan. The current Management plan adopted in 1980 strongly supports the oyster operation (refer to plans for an interpretation center in #8). The EIS does not explain why PRNS abruptly changed its view and subsequently started a withering campaign to get rid of the oyster farm.* How can PRNS not follow its own planning document?

*Tactics have included orchestrating a series of public attacks on the Lunny family by PRNS officials and scientists. When the oyster farm wanted to bring buildings up to environmental compliance PRNS repeatedly would not issue a permit. Then they turned around and allowed other agencies to cite DBOC for non-compliance. The citations were then used by the Sierra Club and the Environmental Action Committee as reasons that the oyster farm should be removed. It is clear to me that these people do not care what means they use to get what they want. PNRS even put in a secret camera system that photographed the Estero during daylight hours for over a year to try to prove that the oyster boats were disturbing the seals. During the site visit when National Academy scientists suggested that such a system would be useful in determing if seals were being disturbed. PRNS officials who had already approved and installed such a system said nothing. Presumably they already knew that none of 250,000 pictures showed the oyster boats disturbing the seals. The only documented disturbances were by kayakers!

10. The impact of the commercial Kayak business is not assessed. It is apparent to even the most casual observer that the largest impact on wildlife

at PRNS comes from visitors to the park. Last time I went kayaking on Drakes Estero I observed park visitors on Limintour spit throwing rocks into the estero which was disturbing harbor seals. Large groups of kayakers led by commercial guides ply the waters of Drakes Estero. It is one thing to have a few kayaks on the water, but when two of those kayak trailers wheel up, subsequently there are 24+ boats on the water. When a kayaker needs to go to the bathroom, where does the poop end up?

11. There is little discussion of the numerous commercial operations and working cattle and dairy ranches that exist within PRNS. The impact of the closing of the oyster operation on the continuation of the ranches is not discussed. The impact of this for Marin County is not addressed. The issuance of an EIS for a Special Use Permit in the PRNS Pastoral Zone is without precedent; the implications for remaining ag operations in the Seashore are dire.

12. Benefits of oyster shell byproducts is ignored by EIS. A byproduct from the oyster cannery is mounds of shells. DBOC is a critical and sole resource for reestablishing oyster beds and Snowy Plover habit in San Francisco Bay. The loss of DBOC will shut down these restoration operations.

In conclusion, please take my comments under consideration. I wish to receive future mailings and reports on PRNS dealings with DBOC.

Sincerely,

Douglas James, Ph.D.

FRAN MORELAND JOHNS

November 18, 2011

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

Our family has for many years enjoyed the Point Reyes National Seashore, including the Drakes Bay Oyster Company, its operation, its people --- and its oysters.

The suggestion that this valuable, unique enterprise might not be preserved for generations to come is beyond comprehension. DBOC is responsible for roughly half of all the shellfish now produced in California and is our state's only remaining cannery, while maintaining a very small carbon footprint. Its small but valuable work force and their families are vital to the community and its 50,000 annual visitors (among whom my family and I have often been) enjoy a warm welcome and an interesting, educational experience.

While we appreciate the good work of the National Park Service, we have watched with dismay when mistakes have been made in the name of some misguided grand plan. These mistakes cannot ever be rectified, and future generations lose. For future generations to lose the Drakes Bay Oyster Company would be tragic.

We hope you will listen carefully to the spokespeople who have studied the many aspects of this, and that you will not allow DBOC to be lost.

Sincerely,

Fran Johns Bud Johns

Bud and Fran Johns

RECEIVED
2011 NOV 22 PM 2:17
POINT REYES NS

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, 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 29th** 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). For more up-to-date news and info, visit www.oysterzone.wordpress.com.

With Our Heartfelt Gratitude for Your Support Through the Years!

----------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: Ken & Coleen Middle Initial: ____

Last Name: Johnson

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 2:17
POINT REYES NS

Alliance for Local Sustainable Agriculture
22555 Highway One
Marshall, CA 94940

UNITED STATES POSTAGE
PITNEY BOWES
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MAILED FROM ZIP CODE 94956

Ken Johnson

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

954043533D

RECEIVED
2011 NOV 16 PM 12: 22
POINT REYES NS

NOV 14, 2011

Draft EIS DBOC SUP
c/o Superintendent
PRNS
1 Bear Valley Rd
Point Reyes, CA 94956

The EIS should have an Alternative E which addresses the positive impacts of retaining the oyster farm. I would like the following comments submitted.

1. The historic cultural role of the oyster farm in West Marin is not adequately addressed. The EIS must assess the cultural impacts of eliminating an institution that has been in operation for 100 years, and that has served park visitors, local restaurants and the local food shed.

2. Environmental benefits are misrepresented. PRNS has been rebuked several times for misrepresenting 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. The DEIS fails to address the important ecological services provided by oysters, including filtering water. Further it does not address the environmental impacts of replacing a local, sustainable food source with 35,000 pounds of oysters flown in from Asia each week. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the DEIS.

3. The DEIS does not consider existing management policies. The current General Management Plan for Point Reyes National Seashore, adopted in 1980, strongly supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. The DEIS does not address how it can bypass the existing General Management Plan and Marin County's planning processes. The failure to address these issues points to arbitrary and capricious actions on the part of PRNS.

Thank you,
Lynnette Fahn

[redacted]

Henrietta L. Knapp

[redacted]

CORRESPONDENCE ID: 48311

RECEIVED
2011 NOV 16 PM 12:22
POINT REYES NS

November 11, 2011

Dear Superintendent Muldoon,

Re: Drakes Estero estuary:

- A commercial oyster company has the best run operation on record in this State.
- Negative impact on the area is by heritage status Dairy.
- I say, leave the oyster.

Thank you, Henrietta Knapp

11-21-11

CORRESPONDENCE ID: 48313

Santa Rosa Junior College DEPARTMENT OF LIFE SCIENCES

To Whom it May Concern,

As a retired Biologist, a Birder and a Kayaker who has paddled for many years in The Drakes Estero, I have observed The folks at Drakes Bay Oyster Company to be good stewards of Their property in Drakes Estero. Their facilities seem to be every bit a part of Pt. Reyes Nat. Seashore just as The various dairies and their buildings are a part of The Pt. Reyes N.S. experience.

I would hope that The Parks Service would see its way to grant The Drakes Bay Oyster Company a renewable ~~Use~~ Permit.

Sincerely,

Peter V. Lewis

Prof. Emeritus

1501 Mendocino Avenue, Santa Rosa, CA 95401-4395 (707) 527-4483 • Sonoma County Junior College District

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 requ

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

Postal Code:* [redacted]

First Name: PETER Middle Initial: V

Last Name: LEVEQUE

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.

RECEIVED
2011 NOV 22 PM 2: 16
ES NS

HELEN DRAKE MUIRHEAD

RECEIVED
2011 NOV 22 PM 2:17
POINT REYES NS

November 21, 2011

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

Re: Draft EIS DBOC

Dear Ms. Muldoon;

I believe that the Drakes Bay Oyster Company should be given a contract to continue operation of the oyster beds in the Point Reyes National Seashore.
The oyster beds play an important role in cleaning the water along the shore.

The operation contributes to the economy of West Marin and provides local work for residents.

The 1980 General Management Plan for the Point Reyes National Seashore strongly supports the operation of the oyster farm. The owners have been good stewards of the environment. Why would you shut them down?

The present draft EIS includes false information. The public needs to be able to trust the information that the report presents. A new EIS will restore the public trust in the managers of the Point Reyes National Seashore.

I strongly urge you to recommend that a new EIS be written with an alternative that would give the Drakes Bay Oyster Company a 99 year permit to continue the commercial operations in the Point Reyes National Seashore.

Sincerely yours,

Helen Drake Muirhead

Helen Drake Muirhead

RECEIVED
2011 NOV 22 PM 2:17
POINT REYES NS

Sunday, November 20, 2011

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

RE: Draft Environmental Impact Statement Drakes Bay Oyster Company Special User Report

Dear Superintendent Muldoon:

I have concerns about the accuracy of the data presented in the above draft report. The prime one is the misrepresentation of scientific data on the effects of oyster farming in Drake'e Estero. From the reports in the Chronicle and elsewhere, I find it hard to understand how you can support whoever wrote that particular setion. Oyster farming was found by a national scientific body to be without deleterious effect.

Another issue is the economic impact of closing the oyster farm. Surely one should not dismiss lightly the loss of over thirty jobs in an economic turndown, especially in an area with few economic resources.

These are not the sole objections I have, but to shorten the letter I submit that the list of alternatives be extended to include the instructions given in Public Law (11-8 Sec. 124) that the permit have, "the same terms and conditions as the existing authorization".

Thank you for your consideration of these points. I expect that appropriate actions shall be taken.

Sincerely yours,

Fraser Muirhead M.D.

J. Fraser Muirhead, MD

[redacted]

RECEIVED
2011 NOV 18 AM 11:55
POINT REYES NS

November 15, 2011

Superintendent, Point Reyes National Seashore
Editorial Board, Marin Independent Journal
Editorial Board, San Francisco Chronicle

It is absurd to contend that oyster farming in Drake's Estero does not exert significant impacts on its natural systems. Ask anyone who knows anything about wildlife biology and they will agree that even recreational kayaking has a negative impact on waterfowl and harbor seal populations. The scientific p....sing contest that we have all sunk to in this issue has completely missed the point- the esteros of Point Reyes are the heart of one of the West Coast's most impressive natural phenomenons, and a commercial operation of any kind there is as offensive as a lumber mill would be in Muir Woods. No matter how green the business is, it doesn't belong there.

When I led the effort by the National Park Service in 1969 to prepare a new Master Plan for the Seashore, the main objective of our team was to turn around our own agency's misplaced inclination toward "recreation." We produced a document gushing with purple prose to convince our bosses that Point Reyes was much more than just a place to play. The first thing we pointed out in making our case was that the park was among the few places along the California coast where Highway One doesn't hug the shoreline- a place where a spacious, wild, edge-of-the-continent experience can be attained, encompassing both open-coastal and estuarine resources. This was an opportunity for a coastal wilderness area of unprecedented scope and size. Its proximity to millions of people made it miraculous. But sadly, the wildest, most pristine elements of the seashore-the esteros- were excluded from the final wilderness act and designated as potential wilderness.

In this current battle over Point Reyes, it seems as though wilderness designation is regarded by many as if it were just a zoning regulation- important but not *that* important. But to me, wilderness represents a mantle of honor that transcends all designations. It's not just a roadless mandate. It's a solemn proclamation that this land is sacred. The esteros are long overdue this recognition. It's time to terminate the oyster operation.

Doug Nadeau, NPS retired

We need some Oyster Companies in California

POINT REYES NS
2011 NOV 18 AM 11:55
RECEIVED

JOHN JAMES AUDUBON (1785-1851)
Purple Gallinule, 1836 (Havell Pl. 305)
Watercolor on paper, 12⅜ x 19 9/16 in.
Buffalo Society of Natural Sciences

4Q-16-R8PG
printed on recycled paper

A personal note...

11/15/11

Ms. Ruth Pheffer
[redacted]

National Park Service
att: Superintendent
Pt. Reyes Station
94952

I am very much in favor of retaining The Oyster Company as is.
The evidence does not support its removal and it is a much-loved part of Marin County.

Sincerely,
Ruth Pheffer

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2011 NOV 21 PM 3:16
SNS-PRESS POINT REYES

RECEIVED
2011 NOV 21 PM 3:17
POINT REYES NS

Gerald F. Pound

Division of Administration

Point Reyes National Seashore
1 Bear Valley Rd.
Point Reyes Station, CA 94956

ATTN: DBOC SUP DEIS - Don't extend the oyster-growing permit in Drakes Estero

Dear Dear National Park Service,

Drakes Estero is a national ecological treasure and should become a protected wilderness area. It has outstanding natural resources, including one of California's largest harbor seal colonies and tens of thousands of shorebirds, waterfowl, native fish and endangered species that use its wetlands, mudflats and eelgrass beds.

In the 1976 Point Reyes Wilderness Act, Congress recognized Drakes Estero as a unique recreational and biological resource and promised that this irreplaceable resource would formally become a wilderness area when non-conforming uses were eliminated. Your agency permitted a commercial oyster company to grow non-native oysters and clams on 1,050 acres in Drakes Estero for 40 years, or until 2012.

Your own draft environmental impact statement reveals the extensive damage that the existing operation has caused to Drakes Estero and Point Reyes National Seashore's beaches. As you know, commercial operations of any kind are not permitted in designated wilderness areas because of such damage. Further, the Park Service's Organic Act mandates protection of park resources and values and strictly limits commercial operations.

Your approval of the proposal to extend the oyster company's permit would be contrary to the Point Reyes Wilderness Act and would establish a dangerous precedent at a time when America's public lands and environmental laws are already under widespread attacks in Congress and elsewhere.

We've been waiting long enough. It is time to allow that permit to expire and to honor Congress' commitment. We want our bay back.

Sincerely,

Gerald F. Pound

Gerald F. Pound

NRDC Proud Member and Supporter

Gerry F. Pound

[redacted]

RECEIVED
2011 NOV 14 PM 12: 44
POINT REYES NS

Dr. Gene Ritchey & Associates
Without Prejudice
c/o Box 2399 • Sunnyvale CA 94087
408/ 739-4147

10 November 2011

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

Dear Superintendent Muldoon,

I urge you to protect Drake's Bay Oyster Company use of the Drake's Bay Estuary next year. This company has used this Estuary for more than 100 years. It is in the Public's best interest to continue to have this Company serve the Public with oysters from this Estuary and their Educational and Training Program for children of all ages, which also includes adults of all ages.

The Public has enjoyed this West Coast's marine wilderness at Point Reyes for the past 100 years while the oyster company was there and it should continue as such. The Public for the most part DOES NOT know the oyster company is within the Estuary, which is a strong testimony the Oyster Company is NOT hindering the Estuary. The biggest hindrances to the Estuary are the zealots who cannot understand Public Land can have multi-uses with minimum impact from each use. This Estuary is unique, creating a special environment ideal with clean, pure ocean waters for raising oysters. The special environment needed for raising oysters CANNOT be found just anywhere. It can ONLY be found in remote calm, clean estuaries. Drake's Bay Estuary is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish take shelter in eelgrass. As someone who enjoys our nation's National Parks and their wildlife and oysters, I urge you to issue a new use permit to the Drake's Bay Oyster Company upholding the longstanding plan of multi-use of Public Land.

I strongly urge you to select the Option to renew Drake's Bay Oyster Company Special Use Permit. The continued production of oysters is a special service and use of the Estuary to serve the Public in a special and unique way. In addition, the revenue received by the Park Service provides funds to aid in the maintenance of the rest of Point Reyes National Seashore. This revenue is even more important today than ever before, as budget money continues to shrink year after year. The revenue stream from Drake's Bay Oyster Company may be in fact, the lifeblood for Point Reyes National Seashore in the future. Without a revenue stream from oyster production and with insufficient funding from Washington, the

National Park Service will not be able to insure the safety of Point Reyes National Seashore and its wildlife.

Our National Parks are set aside for the Public use for all generations and for wildlife protection. The renewal of the Special Use Permit will insure the continuance Point Reyes National Seashore for future generations. The environmental review and history show the renewal of the Special Use Permit is best for public policy, and best protects harbor seals, fish, birds, and other natural resources, as well as produce oysters for the Public – this also includes the Oyster Company's Educational and Training Program. Drake's Estuary is our only marine wilderness on the West Coast and oyster have coexisted here for more than 100 years. Both the Drake's Bay Estuary and Drake's Bay Oyster Company are Special, Unique, and Irreplaceable.

Please honor the promise made to protect marine wilderness at Drake's Bay Estuary and to uphold the National Park Service mandate to allow the multi-use of Public Lands. In doing so, you will be continuing a good policy established more than 100 years ago for the coexistence of a wilderness area and oyster production for the Public benefit.

Sincerely,

Dr Gene Ritchey

Dr. Gene Ritchey

DBOC.UsePermit

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

RECEIVED
2011 NOV 18 AM 11:55
POINT REYES NS

Nov 17, 2011

Dear Sir,

I definitely support renewing Drakes Bay Oyster Co's Special Use Permit and here is why.

I was a commercial diver in San Francisco Bay from 1975 to 2000. When I started the only live animal I ever saw were mussels and a skate like creature that easily fit the term "bottom feeder". And those I couldn't see very well because of the dirty water. Starting about 1995 I started seeing crabs, including the kind you eat, actual schools of small fish, etc. And the water was noticeably cleaner. All the effort to clean up SF bay was taking effect. The reason I told you all that is because I'm aware that oysters are nature's water cleansing machines. I cannot recall what the reports I have read regarding the amount of water an oyster filters but it is a prodigious amount. Why would anyone want to get rid of an animal, and the people that support it, that is such a benefit to the waters of Point Reyes National Seashore that it helps clean up at no expense to the tax payer.

Another reason I support renewing the Special Use Permit is because it is an **Oyster Farm**. We live on the coast of California, the high tech capital of the world but the word California has a romantic feel/sound to it as well. What could fit into that as well as "an Oyster Farm". It is a plus for the area and fits right into a National Seashore. **"Our National Seashore has its own Oyster Farm".** It is something to brag about not get rid of. And it's been there for many-many years just like all the Dairy farms in the area. When my cousins from England visited recently Point Reyes National Seashore is where I took them first. And not only because it is a beautiful place but because of the oyster farm tour and the picnic, and oysters, we enjoyed on their picnic tables. Many people I know drive up there from the Bay area to enjoy the Seashore and the huge Redwood trees along the way but they are partly motivated because they want to buy some oysters and to see such a unique operation.

Probably the National Park service is attempting to eliminate the Oyster

farm for what they feel are good environmental reasons but in this case I feel those reasons are misplaced. I am what could be described as an "almost tree hugger". I am a member of the Sierra Club and other environmental groups such as the World Wildlife Fund plus others I contribute to and I, emotionally and intellectually, support environmental efforts world wide. However I feel we are going to save our planet by fitting people into it not eliminating them entirely and here, "An Oyster Farm", is an excellent fit.

Yours most sincerely

James E. Sibbring

[redacted]

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, 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 29th** 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). For more up-to-date news and info, visit www.oysterzone.wordpress.com.

With Our Heartfelt Gratitude for Your Support Through the Years!

——————————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:*

Postal Code:*

First Name: JAMES Middle Initial: E

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. — I DEFINATELY SUPPORT. J.E.S. 11-17-11

November 23, 2011

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

RE: Draft NPS EIS on Drakes Estero/Drakes Bay Oyster Company

Dear Cicely Muldoon,

Thank you for the opportunity to comment on this most important wilderness issue. We appreciated your personal availability to discuss the issue with our representatives at the three meetings in October. As you've heard, Sierra Club adamantly supports the No Action Alternative.

The Drakes Estero, in the Point Reyes National Seashore, is a rare beauty: it is the only coastal estuary on the west coast of the lower 48 states that qualifies as "wilderness." When it was Congressionally designated as a potential wilderness area, Drakes Estero was officially recognized to receive the nation's highest degree of natural resources protection.

The Wilderness Act of 1964 states: "A wilderness... is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain" (full text at www.wilderness.net).

This definition is at the heart of issues regarding the oyster company in Drakes Estero: any fixed human operation is incompatible with wilderness, under law and policy.

Sierra Club strongly supports Alternative 3, the No Action Alternative of the draft Environmental Impact Statement, prepared by the National Park Service.

When the Drakes Bay Oyster Company (DBOC) bought the operation in 2005, it took over a time-limited lease on the property that had been sold to the National Park Service (NPS) in 1972. DBOC did so with clear knowledge and written documentation that NPS planned to close the operation in 2012, when the 40-year lease was up. Despite accepting these purchase terms, DBOC began lobbying to overturn not only the Park's authority but also the Wilderness Act provisions that created the Drake Estero wilderness designation.

85 Second Street, Second Floor, San Francisco, CA 94105-3459 TEL [415] 977-5500 www.sierra.club.org

Concerned about the preservation of Drakes Estero wilderness designation and the Wilderness Act itself, the Sierra Club has made the Drakes Estero a national campaign priority. Joined by many environmental organizations, the campaign is focused on activating and informing the public about the importance of this coastal wilderness area and to support the No Action Alternative.

The Sierra Club's aim is to represent factual and scientifically solid information to the public on all issues. We encourage dialogue that respects differences of opinion, exchange of information, and civility. While deep differences of opinion continue to exist regarding the oyster company and Drakes Estero, we urge people not to stray from factual representation of the situation.

Sierra Club believes the following adverse impacts are important environmental issues:

Ecological/Science
The Draft EIS comprehensively articulates **environmental impacts** to wetlands, birds, fish, harbor seals, native mollusks, endangered species, and eelgrass beds. The entire ecosystem is being impacted, including alterations and added stress to the food chain. Industrial oyster operation **impacts to the wetland environment could threaten the estuary's resilience** in the face of climate change and sea-level rise.

Invasive Species and Debris
Permitting the oyster company for ten more years would continue and could multiply the impacts of **invasive species**, including the noxious tunicate, Manila clam, and the Pacific oyster itself. Oysters and oyster gear create a hard bottom substrate where the invasive tunicate thrives and smothers near-shore aquatic life. **The oyster operation also encourages the invasion of viruses and algae. The invasive tunicate slime is already attaching itself onto the leaves of eelgrass**, which disrupts photosynthesis and prevents black brant sea geese from eating their only food. The longer we wait and let invasive species proliferate, the more likely that restoration costs increase exponentially.

Thousands of DBOC PVC spacer tubes have been found all over Point Reyes beaches by West Marin beach volunteers. This oyster operation plastic is not used by other oyster companies, can leech harmful chemicals, could be lethal if swallowed by seals and seabirds, and negatively impacts the visitor experience.

Eelgrass
Oyster operations have a significant impact on eelgrass in Drakes Estero due to the facilitation of invasive species, motorboat propellers physically cutting the eelgrass beds, erosion and displacement. All impacts on eelgrass have cascading impacts on wildlife, including federally endangered steelhead and their prey species.

Harbor Seals

Drakes Estero has one of the largest colonies of harbor seals in California, so in context with other estuaries such as Humboldt Bay, San Francisco Bay, and Morro Bay, Drakes is absolutely critical habitat for harbor seals. The seals can be disturbed by noise from boats or displaced by oyster-growing racks.

Birds

Best available science shows that due to sensitivity to noise, flushing by motorboats, destruction of the eelgrass beds, and placement of oyster bags displacing intertidal feeding habitat, **oyster company operations impact resident and migratory birds,** depriving them of undisturbed rest and foraging.

While we believe there is documented evidence of impacts from the oyster operation, the National Resource Council (NRC) (under the auspices of the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine), commented, "In cases of uncertainty as to the impacts of activities on park natural resources, the protection of natural resources will predominate" (NPS, 2006c). This policy could be applied to permitting decisions before 2012, as well as an environmental rationale for not extending the 40-year term of the RUO [reserved rights or operating permit] that was granted upon the Johnson's sale of the property to the NPS in 1972 (pg.86 NRC report).

The Sierra Club is dedicated to protecting the last remaining wilderness estuary on the West Coast. We maintain that the incompatibility of oyster operations in a wilderness area is apparent.

The era of oyster industry impacts should end in 2012, to restore the full wilderness qualities of Drakes Estero.

Sincerely,

Bruce Hamilton

Bruce Hamilton, Deputy Executive Director, Sierra Club

Louis Nuyens

Louis Nuyens, Chair, Marin Group

RECEIVED
2011 NOV 21 PM 3:17
POINT REYES NS

November 19, 2011

Point Reyes National Seashore
Att. Superintendent

RE: Drakes Bay Oyster Company and the general
Issue of public partnerships with commercial enterprises on public land

I am of the opinion that the previous Pt. Reyes Park Superintendent had a bias to take back all public land for totally public use. After following this story over many years, I believe she wanted commercial use gone from the Park. Fortunately, Senator Feinstein intervened and the debate has continued with more studies and more studies with mixed findings as to the health of the Park when commercial uses are allowed.

I support the lease with Drakes Bay Oyster Company. I support cooperation with local dairy and cattle industries. I know there is a way to co-habit with commercial endeavors. Of-course, care has to be taken to maintain the quality of the soil/water/air and so forth. In the case of the Drakes Bay Oyster Company, I believe that, being a water industry, that Company is enhancing the quality of the sea and sea life in and around the oyster beds.

To try to discredit environmental studies that support the special use permit is continuing the bias that existed with the previous superintendent.

Similar to the commercial endeavors in the Presidio, commercial use tenants not only provide much needed revenue but with the regulatory environmental protections, those commercial tenants maintain and improve the quality of the air/water/soil.

I support the extension/renewal of the lease with the Drakes Bay Oyster Company. With careful review, I support a climate of cooperation and co-habitation with other commercial endeavors at Point Reyes Seashore.

Sincerely

Mary Ann Sinkkonen

Mary Ann Sinkkonen

RECEIVED
2011 NOV 30 PM 1:40
POINT REYES NS

November 28, 2011

Supt. Pt. Reyes Natl. Seashore
1 Bear Valley Rd
Pt Reyes, CA 94956

I'm writing about: Drakes Bay Oyster Farm

I'm only 12 but my family and me go to the oyster farm for fun trips on weekends and I love being there. They teach you things about oysters and how we need to be careful about our world.
Please let them keep on doiung just what the Miwok Indians did.
Please let the Drake family keep being there so our family can keep going there.

David

David Bacci

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

November 28, 2011

Supert. Pt. Reyes Nationl. Seashore
1 Bear Valley Rd
Pt Reyes, CA 94956

About: 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.

The document is sadly deficient and must be revised to reflect the above criticisms.

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?

You have been arbitrary and capricious in the production of this expensive misleading DEIS. Revise to include the above criticisms.

I support a continued Use Permit for the Drakes Bay Oyster Company.

Edie B

Edie Bacci

November 28, 2011

Supt. Pt. Reyes Natl. Seashore
1 Bear Valley Rd
Pt Reyes, CA 94956

re: Drakes Bay Oyster Farm

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 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?

You have been arbitrary and capricious in the production of this expensive misleading DEIS. Revise to include the above criticisms.

Please approve a continued Use Permit for the Drakes Bay Oyster Company.

NOB

Natasha O. Bacci

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

RECEIVED
2011 NOV 28 PM 2:48
POINT REYES NS

[redacted]

20 November 2011

The Superintendent
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes Station, California 94956

Re: Draft Environmental Impact Statement for the Drakes Bay Oyster Company Special Use Permit

Dear Sir or Madam:

Thank you for the opportunity to review and comment on the National Park Service's Draft EIS (DEIS) for the Drakes Bay Oyster Company (DBOC) Special Use Permit (SUP). Unfortunately, the document appears deeply flawed in that it seems to take it as a forgone conclusion that sooner or later, NPS will be able to shut down oyster farming in Drakes Bay, or perhaps it would be more accurate to say that NPS seems to assume that sooner or later, it will be able to hound DBOC out of business.

The administration is talking out of both sides of its mouth when, on the one hand it claims to support job creation, yet on the other is doing its best to drive out of business a small company that employs over 30 people. I am not an environmental justice specialist or economist, and it is conceivable that the methods used for the environmental justice and socioeconomic analyses in the DEIS may be technically acceptable to specialists in those fields. Nonetheless, the methods and conclusions lack all common sense. It seems laughable to conclude that because only 16% of Marin County's population are minorities and only 6.3% are low-income and because the employees of DBOC represent only 3% of the population of the Inverness area, closure of DBOC would not have a disproportionate impact on low-income or minority populations – as if many low-income people could afford to live in one of the most expensive parts of the state! Instead, the DEIS should have considered what percentages of DBOC's employees are minority and/or low-income and what other employment and housing opportunities would realistically be available in rural western Marin County to these employees, most of whom probably lack extensive education and white-collar job skills. <u>We are talking about real people here, hardworking people who do productive work, their families, and their children, not just statistical entities</u>.

I note that according to page 221 of the DEIS, there are three other oyster farms "close" to DBOC, two on Tomales Bay, one on Morro Bay. Are the Tomales Bay oyster companies hiring? And who but a Washington bureaucrat would consider Morro Bay "close" to DBOC and consider it reasonable for low-income people to relocate to yet another notoriously high-priced area in hopes of finding a job there?

Figure 1-6 shows Angel Island as one of two low-income blocks in all of Marin County. Is that because only a handful of California state park employees live on Angel Island, while throughout the rest of the county, the relatively few low-income people who do live in Marin County are swamped out in the census data by folks who can afford multimillion-dollar properties? By the way, although it is not relevant with regard to the DEIS, I would like to note that DBOC's employees would probably be delighted with the job security and benefits enjoyed by the state's "low-income" employees on Angel Island.

The DEIS relies heavily on legal opinions and NPS policies. Legal opinions, however, as just that: opinions. Other attorneys, representing other interest groups, could easily arrive at different opinions. As for NPS policies being binding: while such policies may be binding on NPS employees, unless these policies have been through the public rulemaking process (for example, by publication of the draft policies in the *Federal Register* for public review and comment), I do not understand how they can be considered to have the force of law or of regulations that have undergone public review prior to their finalization.

The DEIS conveniently downplays the role of the California Department of Fish and Game (CDFG) in DBOC operations. While NPS may think that CDFG no longer has a role, CDFG apparently disagrees since in 2004 it renewed DBOC's aquaculture lease through 2029. Although, according to page 6 of the DEIS, CDFG subsequently concluded, in 2007 and 2008, that NPS has *primary* management authority over DBOC, it does not appear to have abdicated its entire role by rescinding the 25-year aquaculture lease. I fully support CDFG's issuance of a 25-year lease, which implicitly acknowledges that trying to run a business on a 10-year permit is unrealistic and takes away all incentive to make any environmentally beneficial improvements, and I hope that NPS will follow CDFG's lead and issue DBOC a 25-year SUP. I realize that the DEIS lists issuance of an SUP with a term longer than 10 years as an alternative that was considered but dismissed from further review because Section 124 only allows a 10-year term. What the DEIS fails to do, though, is take into account that Section 124 is part of a federal appropriations bill and to discuss what steps would be necessary to extend the 10-year provision either in the current appropriations bill or a future bill. Laws can and do change. In short, the DEIS fails to make a good faith effort to consider an entirely feasible alternative that would meet the project objectives.

The DEIS lists three project objectives: 1) manage natural *and cultural* resources to support their protection, restoration, and preservation; 2) manage wilderness and potential wilderness areas to preserve the character and qualities for which they were designated; and 3) provide *opportunities for visitor use and enjoyment of park resources* (italics added). The continued operations of DBOC do not interfere with any of these three objectives. 1) While I find it disappointing that the State Historic Preservation Officer concurred with NPS that DBOC is not eligible for the National Register of Historic Places because the buildings lack historic integrity, this concurrence does not change the fact that oyster farming is, and for more than 70 years has been, an important part of the agricultural heritage of the Drakes Bay area, just as much as the nearby dairy farms. The dairy farms were designated a pastoral landscape in 1961, and the House Report supporting the 1962 legislation that enabled creation of Point Reyes National Seashore even acknowledges that oyster farming in Drakes Estero would not conflict with NPS's plans; by now the oyster farm has been there more than long enough to be worthy of inclusion in the pastoral/agricultural zone. Furthermore, the reasoning that because the buildings have been modified, the site lacks historic integrity seems disingenuous: it seems only reasonable that, as part of an ongoing agricultural operation, buildings are modified over the course of time; most farmers are trying to make a living, not create historic or architectural monuments. And how many of the dairy ranches at Point Reyes, the Pierce Ranch excepted, have architectural integrity? 2) The oyster farm predates any potential wilderness designation, and contrary to what NPS claims, there appears to be good evidence in the record that there never was any legislative intent to eliminate oyster farming from the area. Even if Drakes Bay were designated as wilderness, nationwide there seem to be a fair number of designated wilderness areas that include or surround enclaves of non-conforming uses. For example, Desolation Wilderness contains an actively maintained component of the Federal Energy Regulatory Commission's Project 184 (Lake Aloha and the Lake Aloha dam); other wilderness areas contain powerlines or pipelines, etc. Another example: two or three years ago the

Superintendent of Glacier National Park proposed to convert the entire park to wilderness to prevent *further, future* development of the park. While I am not familiar with the details and the current status of this proposal, I very much doubt that the superintendent envisioned removal of the existing park lodge, campgrounds, roads, and other infrastructure as part of the wilderness designation. 3) Opportunities for visitor use and enjoyment: that includes many visitors who appreciate the presence of the oyster farm as part of Point Reyes's agricultural heritage and as a good example of sustainable agriculture. I find it ironic that NPS is quite happy to accommodate kayakers on Drakes Bay, has provided them with restroom facilities and a parking lot right next to DBOC, and somehow ignores their impacts on Drakes Bay, yet castigates DBOC for its operations. Removing the oyster farm but leaving the support facilities for kayakers (to say nothing of the surrounding dairy farms) will not restore Drakes Bay to a "pristine" or pre-European settlement condition, nor should such an attempt be made to turn the clock back. NPS should instead welcome the diversity of visitor uses and interests, including the oyster farm's value as an agritourism destination.

With regard to biological impacts, it appears to me that NPS commissioned the National Academy of Sciences (NAS) to determine the environmental impacts of shellfish aquaculture on Drakes Estero; now that NAS has published its report and NPS does not like the findings (specifically, that there is a lack of strong scientific evidence that current levels of shellfish farming have major adverse ecological effects on Drakes Estero), NPS is trying to downplay the value of NAS's findings, such as quibbling over what would constitute a "major" adverse effect. NPS legal and environmental staff should be cognizant of the fact that for many, perhaps most, biological impacts, it is impossible to establish thresholds of significance that are both objective and biologically truly relevant. If the presence of a DBOC boat (or a recreational kayak) makes one harbor seal out of a hundred temporarily move from its resting place, is that really biologically significant – a "major" impact? What if five seals move farther away? What if ten seals move? What if a boat disturbs 1% of the eelgrass beds – is that biologically significant? Most biologists would probably agree that 50% disturbance would constitute a "major" disturbance, but what about 20%? 10%? 5%? What if the eelgrass grows back within the same growing season? What if it takes several growing seasons to grow back? And what does "several" mean? Different, equally qualified professionals may have very different professional opinions. Instead of accepting NAS's conclusions, NPS now seems to be answer shopping.

The wildlife, including listed species, that now uses Drakes Bay has co-existed with oyster farming operations for more than 70 years. If anything, perhaps NPS should evaluate biological impacts caused by increasing recreational use of Drakes Bay and its watershed.

Taking DBOC to task for setting out a few picnic tables, as "facilities not approved by NPS" (Figure ES-3), seems a classic example of bureaucratic pettiness.

In conclusion, I believe the DEIS needs to include a realistic analysis of a <u>25-year, renewable</u> lease for DBOC, which probably will require recirculation of an environmental document for public review and comment. I look forward to receiving a revised or supplemental DEIS.

Yours truly,

E. Begley

E. Begley, Ph.D.

ECEI
11 NOV 30
POINT REY

Claude P. Benedix

November 28, 2011

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

Subject: Comments on the Draft EIS DBOC SUP

The comments in this letter are in addition to comments previously filed dated November 20, 2011. They cover supplementary issues raised by DBOC and are slightly edited without changing the intent. Please note at the outset, I am not associated with, or representing, any group or organization.

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 actively support a renewable permit. The first unnumbered page of the EIS implies there is only a one time discretionary permit renewal allowed. This may not be an absolute requirement. Please support the issuance of a **renewable** permit for Drakes Bay Oyster Company. There is no reason to repeat this process again in ten years. 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.

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 impact 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 alternatives 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 food resource.

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.

The draft EIS also includes a tremendous amount of discussion about special-status species and concludes that the oyster farm has or could have a negative impact on these species — yet most of the species mentioned in the report don't even exist in the estero (plovers, terns, red-legged frogs, and leatherback turtles). The final EIS should reconsider all wildlife issues and provide a data-based assessment.

9. NPS must address the oyster farm's contributions to local habitat restoration and endangered bird restoration efforts - the draft study ignores these restoration services provided by the oyster farm. The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is a critical resource for re-establishing native oyster beds and for restoring Least Tern and Snowy Plover habitat, both in the San Francisco Bay. The California Least Tern is a U.S. federally listed endangered species and the Snowy Plover is in decline due to habitat loss. These two restoration projects have relied very heavily on the philanthropic contributions of Drakes Bay Oyster Company and it is unlikely these projects would continue if shell were to be sourced out of state. The draft EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts.

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.

Thanks for listening.

Claude P. Benedix

Claude P. Benedix

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

Nov. 23, 2011

Supt. Point Reyes National. Seashore
1 Bear Valley Rd
Pt Reyes, CA 94956

Concerning: Drakes Bay Oyster Co.

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.

You should be embarrassed to have produced such a one-sided document...at the tax payers' expense. Repair it to include the above.

I am in favor of a continuing Use Permit for the Drakes Bay Oyster Company.

D. Cohan

Deborah Cohan, MD.

11/23/2011

Dear National Park Service,

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

Across the globe, peoples and nations continue to look to America as a model for actions regarding our changing world. It is our privilege and our responsibility to preserve what land and wildlife we may, even in the face of political opposition or economic turmoil. The controversy at Point Reyes National Seashore offers us the opportunity to stand up for the principle of preservation.

Thank you for your time, and your service.

Sincerely,

Tess Corvus

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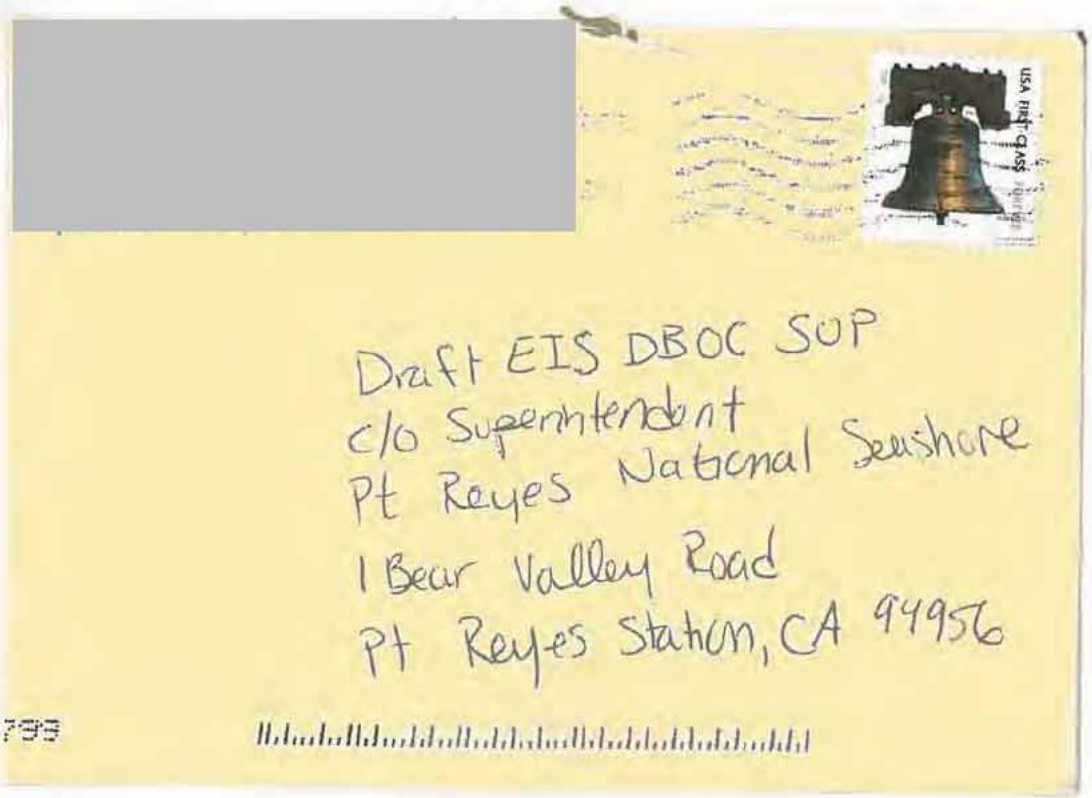
NOV 30 PM 1:37
POINT REYES NS



Superintendent,

Concerning the impact of Drake's Bay Oyster Co. on Marines Mammals in Drakes Bay;
It would seem to me that having Kevin Lunny planting and harvesting shellfish in Drake's Bay accomplished two things;

1) The healthy mollusks are filtering the bay water leading to increased clarity.
2) As an organically certified farm Mr. Lunny is acting a steward and advocate for the wildlife in and around the bay. By simple monitoring and maintaining his farm he is protecting the marine mammals from shootings/marauding dogs and some of the other things that threaten them in San Francisco and Monterey Country.
3) People are part of the ecosystem out there and have been for a very long time. I don't want to forgo sustainably produced oysters from the Marin County coast. What a treasure!

So in closing I would say that marine mammals can not only coexist but prosper in an environment with thriving oyster beds.

Please renew the special use permit indefinitely for The Drake's Bay Oyster Company.

M.P. Elliott

Margaret Elliott
Fairfax Fresh

2011 NOV 29 AM 10:15
INT - DMS

CORRESPONDENCE ID: 48735

RECEIVED
PM 1:50
YES NS

Michele Garside
[redacted]

Dear Superintendent of Point Reyes National Seashore,

Drakes Estero was designated to become part of the Phillip Burton Wilderness area in 2012. Please allow it to do so by selecting

ALTERNATIVE A

for the EIS. We have been waiting well over 30 years - since 1976 - for this area to reach its designated wilderness status. Do not extend the operation of a business on such a land.

Please inform me of your decision.

Thank you,
Michele Garside
11/27/11

CORRESPONDENCE ID: 48742

POINT REYES NATIONAL SEASHORE 11-23-11
ATTN: SUPERINTENDENT
DBOC SUP DEIS
1 BEAR VALLEY ROAD
POINT REYES STATION, CA. 94956

RECEIVED
2011 NOV 28 AM 10:
POINT REYES NA

DEAR SUPERINTENDENT,
I'M SITTING HERE AT MY DESK TRYING TO RECOVER FROM A VERY LONG HOSPITAL STAY. READING THIS MORNINGS PAPER I CAME ACROSS A SMALL ARTICLE ON THE BACK PAGE CONCERNING THE DBOC OYSTER FARMING PERMIT.
MY NAME IS LARRY "CHEECH" GIAMBASTIANI BORN AND RAIZED IN INVERNESS AND INVERNESS PARK 1933-1960. LIKE OTHERS I'VE TALKED TO, WE ARE TIRED OF THE RHETORIC CONCERNING THE DBOC OYSTER FARMING PERMIT AND A GENTLEMAN THAT KEEPS TALKING ABOUT THE WELL BEING OF THE HARBOR SEALS, THE TRASH ETC. HE SOUNDS LIKE HE REALLY DOES NOT KNOW MUCH ABOUT THE HARBOR SEALS AND THEIR WAY OF LIFE.
I, THE UNDERSIGNED, LARRY "CHEECH" GIAMBASTIANI WORKED FOR THE OYSTER CO. NOW DBOC IN THE 1950'S WHEN I CAME HOME FROM KOREA. I AND OTHERS OPERATED A LARGE BARGE WHICH THE FOREMAN AL FORD HAD CONVERTED INTO A POWERFUL T-6 AIRBOAT SO WE COULD BRING A LOAD OF OYSTERS TO THE OYSTER SHACK HIGH TIDE OR LOW TIDE TO BE PREPARED FOR MARKET. WE WOULD NAVIGATE DAILY IN OUR OUTBOARDS OR THE AIR BOAT TO AND FROM BARRY BAR (LARGE SANDBAR) WHERE HERDS OF HARBOR SEALS WOULD BE SUNNING THEMSELVES OR JUST DOING WHAT HARBOR SEALS DO. AS LONG AS WE KEPT MOVING THE HARBOR SEALS WOULD JUST LOOK

AT US AND COULD CARE LESS.

AS LONG AS I CAN REMEMBER THERE HAS ALWAYS BEEN OYSTER FARMING AT DBOC JUST DIFFERENT OWNERS.

SO IN CLOSING – KNOW WHAT? DBOC PREPARES FOR CONSUMPTION ONE OF THE FINEST TASTING OYSTERS OFFERED. COAST TO COAST FOR ALL TO ENJOY AND IT ENTAILS A LOT OF HARD WORK!

TONS OF CREDIT GOES TO MR. KEVIN LUNNY FOR UPDATING AND CLEANING THE OYSTER SHACK AND GROUNDS AND I'M SURE KEVIN LUNNY IS UP TO CODE – YOU, THAT HAVE NOT, SHOULD HAVE SEEN THE PLACE BEFORE!

LET'S QUIT COSTING THE TAXPAYERS UNDUE MONEY AND GET BACK TO REALITY — LET DBOC CONTINUE HARVESTING OYSTERS PLUS A LEASE EXTENSION SO THEY CAN CONTINUE EMPLOYING PEOPLE WHILE CAUSING NO HARM TO ANYTHING, OR ANY ONE, ESPECIALLY THE HARBOR SEALS (THEY ARE SMARTER THAN SOME PEOPLE THINK)

DBOC IS NEEDED NOW AND IN THE FUTURE WITH THE ECONOMY THE WAY IT IS.

WE HAVE MORE THAN ENOUGH GOVERNMENT INTERFERENCE — NOW IS THE TIME TO WORK TO GETHER AND LET PEOPLE WORK AT DBOC.

RESPECTFULLY,

Larry "Cheech" Giambastiani

Larry "Cheech" Giambastiani

[redacted]

P.S. I HOPE YOU PRINT THIS LETTER TO SHOW THAT SOME OF US READ THE BACK PAGES.

THANKS AGAIN

"CHEECH"

E MAYS

Point Reyes National Seashore

1 Bear Valley Road

Point Reyes Station, CA 94956

2011 NOV 30 PM 1:50

POINT REYES NS

Dear National Park Service,

I am writing in support of Alternative A in the draft Environmental Impact Statement – full wilderness designation for the entire Drakes Estero within Point Reyes National Seashore.

The leatherback turtle is an endangered animal and with that distinction alone it is our responsibility to protect it from harm as much as possible. This includes preserving the land that is by definition part of its conservation land. To destroy this habitat is to put us another step closer to destroying the turtle itself. We have seen firsthand how these types of property changes can cause immediate harm to all kinds of wildlife and we need to learn from our past mistakes.

Thank you for hearing my plea, and thank you in advance for your consideration of this endangered species

Sincerely,

Caitlin Silva

and

Joseph Grzybala

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.

Again, I support protecting our wildlife for future generations by preserving their habitat.

Sincerely,
Azad Gualtieri

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

RECEIVED
2011 NOV 30 PM 1:40
POINT REYES NS

December 1, 2011

Supt. Point Reyes National Seashore
1 Bear Valley Rd
Pt Reyes, CA 94956

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 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.

You have been arbitrary and capricious in the production of this expensive misleading DEIS. Revise to include the above criticisms.

The DEIS must be drastically amended to reflect all of the above.

Please do the right thing and approve a continued Use Permit for the Drakes Bay Oyster Company.

Elizabeth Matthews

Elizabeth L. Matthews

[redacted]

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

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

November 30, 2012

To the Park Service Superintendent:

None of the proposed alternatives presented by the Park Service are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

My husband and I have both been traveling out to Drakes Bay Oyster Company, and its predecessor Johnson's Oyster Farm, for decades, to buy and consume locally grown oysters. It is an important family tradition, and supports local agriculture.

The National Park Service should do everything it can to support local agriculture and mariculture. The Draft EIS is deficient in taking into account the value of the DBOC to the local economy as well as the natural environment.

Please issue a renewable SUP for DBOC, as the legislators creating the National Seashore originally intended.

Thank you,
April McDonald
Ian McDonald

April & Ian McDonald

[redacted]

Morton McDonald

To: Superintendent; Point Reyes National Seashore
Subject: Drakes Bay Oyster Co. operation to continue please!

2011 NOV 30 PM 1:38
POINT REYES NS

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

We, the undersigned, Morton McDonald & Jane L. Barrett are property residents of Inverness, and Berkeley, Calif., and strongly support the continuance of the Drake's Bay Oyster Company & its operations at the current site, as they petitioned. We have enjoyed the oysters from there for many decades. We had canoed & used kayaks there as well and never noticed any seal disruptions. We have followed the arguments and evidence of both sides closely, and believe it supports continuance there.

Morton McDonald *

Jane L. Barrett
Jane L. Barrett *

Bob & Marilyn Mulcahy
[redacted]

2011 NOV 28 PM 2:45
POINT REYES NS

11-25-11

Sirs

Please support a reasonable permit for Drakes Bay Oyster Co. We hate to see people out of work during times like this and they also do a service to the waters where they grow the oysters as they help clean the waters with their filtering process. This it also helps the local economy.

Bob Mulcahy

[redacted]

Napa-Solano Audubon Society
Post Office Box 10006
Napa, CA 94581

November 22, 2011

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

I am writing to you today in behalf of the 800+ members of the Napa-Solano Audubon Society (NSAS) as a member of it's conservation committee to comment on the Draft EIS for Drakes Estero. NSAS supports Alternative A in the Draft EIS for Drakes Estero because:

Eelgrass beds in Drakes Estero would benefit from removal of shading by oyster racks and damage by motorboat propellers.

Control of the invasive tunicate Didemnum would be more manageable under alternative A.

Alternative A eliminates the daily use and operation of motorboats on Drakes Estero, thereby reducing the potential for disturbance to the resident and migratory wildlife species that depend on its resources. Drakes Estero would be fully closed to boat traffic during Spring migration which is a key time of usage by Brant, shorebirds, and harbor seal mothers and pups.

Noise associated with boat motors, oyster tumblers, pneumatic drills, and daily customer traffic would be removed under alternative A, thus restoring a more natural soundscape within Drakes Estero.

The congressionally designated potential wilderness would be converted to congressionally designated wilderness, as directed by Congress and NPS policies, providing a marine wilderness experience to the public.

Thank you for allowing NSAS to comment on this Draft EIS.

Sincerely,

Robin L. Leong

Robin Leong,
Conservation Committee member of NSAS

RECEIVED
2011 NOV 30 PM 1:27
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.

Additionally, the sea turtles are not the only ones this would affect. This particular area is a place where citizens can travel to enjoy peaceful settings in the wild. Continuing a commercial lease at Drakes Estero could negatively impact tourism to the area, not to mention all the large variety of wildlife that resides there in addition to the turtle.

We need to protect this area and stand up for those that don't have a voice.

Gregory Peterson

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

Nov. 23, 2011

Supt. Point Reyes National. Seashore
1 Bear Valley Rd
Pt Reyes, CA 94956

TOPIC: Drakes Bay Oyster Farm

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.

It should be illegal (and maybe it is) to produce a document so biased toward the NPS goal of closing the DBOF and all ranching in the Seashore. Revise it to include these recommendations

I definitely encourage you to approve a continuing Use Permit for the Drakes Bay Oyster Company.

Steve Schiff
2755 Mathews Street
Berkeley, California 94702

CORRESPONDENCE ID: 48763

Comments regarding the Draft EIS for the Drakes Bay Oyster Company Special Use Permit:

THIS IS AN ENVIRONMENTLY SENSIBLE OPERATION, I SUPPORT THEIR EFFORT WHOLE-HEARTEDLY

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

Name: BOB SCOTT

Email: [redacted]

Mailing address:

RECEIVED
2011 NOV 28 AM 11: 15
POINT REYES NS

November 21, 2011

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

The DBOC (and its predecessor if it had a different name) was in existence long before it was within a national park. (I have been a frequent visitor since that early time.) During all this time it was a delightful source of excellent sea food, a point of positive interest for visitors to the area, and an environmentally positive influence on water quality in the head of the estero. It should be noted, with emphasis, the present management is a distinct improvement over the former management. During all this time there was certainly no adverse effect on the local seal population or on the eel grass or other vegetation. Animals like seals readily adjust to regular and routine comings and goings of the culture operation. How could this be more disruptive than irregular and unpredictable use by water craft users?

As I have stated, the oyster culturing is only a positive influence. The NPS seems to be unconcerned about the negative effects of dairy cattle on a supposedly pristine environment. There is a huge disconnect here.

Finally, the whole idea of classifying this general part of the Seashore as wilderness is completely preposterous! With the road accesses, the beaches, the ranches, and all the * improvements at Drakes Beach, it is nonsense to think of this area as a wilderness, nor should there be any thought of making it one. Its best use, especially for the using public, is as it is now. I think the permitted use should be indefinite but if I must choose an Alternative, I suppose D would be the best choice.

Sincerely,

Thomas J. Smithberger

Thomas J. Smithberger

[redacted]

* and the light station

TUES 11/29/11

DEAR SUPERINTENDENT MULDOON,

I CAN THINK OF LOTS OF GOOD REASONS FOR KEEPING THE OYSTER FARM GOING & I CANT THINK OF ANY GOOD REASONS TO CLOSE IT DOWN. I HAVE BEEN CONSUMING OYSTERS OUT OF DRAKE'S BAY FOR 4 DECADES & HAVENT NOTICED ANY SIGNIFICANT DAMAGE TO THE ENVIORNMENT OTHER THAN KEEPING THE ROAD FREE OF MUD DUE TO THE SHELLS (THEY MAKE GREAT PROVIDERS OF CALCIUM TO THE SOIL BY THE WAY)

IF IT WERE MY DECISION, I WOULD NOT TRY TO FIX WHAT ISN'T BROKEN. KEEP THE OYSTERS & THEIR KEEPERS

WILBUR

RECEIVED
2011 NOV 30 PM 1:38
POINT REYES NS

CORRESPONDENCE ID: 48769

RECEIVED
2011 NOV 28 AM 11: 15
POINT REYES NS

NOVEMBER 18, 2011

REGIONAL DIRECTOR NAT'L PARK SERVICE
333 BUSH ST, SUITE 500
SAN FRANCISCO, CA 94104-2828

ATTN: CICELY MULDOON

DEAR MS MULDOON,

PLEASE PROTECT DRAKES ESTERO WILDERNESS NEXT YEAR, AS LONG INTENDED. THE NATIONAL PARK SERVICE IS MANDATED TO PROVIDE MAXIMUM PROTECTION TO THE NATURAL RESOURCES AT DRAKES ESTERO OUR ONLY MARINE WILDERNESS ON THE WEST COAST. THE OYSTER COMPANY CURRENTLY USING THE AREA WISHES TO EXTEND THEIR OPERATION PERMIT, CONTRARY TO LAW PASSED TO PROTECT THIS AREA AS WILDERNESS. DO NOT PERMIT THIS!

AS SOMEONE WHO ENJOYS OUR NATION'S NATIONAL PARKS & THEIR WILDLIFE, I URGE YOU TO UPHOLD THE LONGSTANDING PLAN TO CONVERT THIS VERY SPECIAL RESOURCE TO WILDERNESS.

Margaret R. Wright

MARGARET WRIGHT

[redacted]

RECEIVED
2011 NOV 30 PM 1:39
POINT REYES NS

Lo I and Won Yin
[redacted]

November 25, 2011

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

Dear Superintendent:

Please accept our compliments on the draft environmental impact statement (EIS) pertaining to the commercial shellfish farming operation in Drakes Estero. Although we live far away, we often visit California, as my sister lives in San Diego, and our travels have taken us through the region of Point Reyes.

We believe the highest value of Drakes Estero is as a restored wild estuary, so it can serve as habitat for thousands of waterbirds and shorebirds that migrate and winter there every year. With a little help, nature will heal the impacts left by the shellfish farming business. Chapter 4 of the EIS documents those impacts.

We support Alternative A, which will bring the added protection of wilderness designation to Drakes Estero. Congress gave you a mandate in 1976 to convert this area to wilderness status when the shellfish farming business ceased. The permit should be allowed to expire in November 2012, as in Alternative A. If you extend the permit for 10 years, as in Alternatives B, C and D, it would mean 10 more years of deterioration of the wildlife habitat. Then after 10 years the owner would undoubtedly press for yet another extension, and wilderness would be postponed again.

Millions of people live within two hours' drive of Drakes Estero. This area will become even more popular in the future for bird watching, hiking, photography, and kayaking. Visitors will also come for its historical values, as Sir Francis Drake landed here in 1579. The public interest will best be served by ending the shellfish farming on schedule and putting the wilderness designation into effect.

We appreciate your thoughtful, systematic approach to the management of Drakes Estero. Thank you for this opportunity to participate.

Sincerely yours,

Lo I Yin
Won O. Yin