

Correspondence ID: 51000 **Project:** 33043 **Document:** 43390
Name: Koep, Lorna
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 09:58:26
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51002 **Project:** 33043 **Document:** 43390
Name: Golding, Samuel V
Outside Organization: Local Power, Inc. Unaffiliated Individual
Received: Dec,08,2011 09:59:53
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51003 **Project:** 33043 **Document:** 43390
Name: martin, helen
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 10:02:03
Correspondence Type: Web Form
Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51004 **Project:** 33043 **Document:** 43390
Name: LANG, Richard
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:02:21
Correspondence Type: Web Form
Correspondence: IT IS SO SIMPLE-IF PEOPLE ARE GOING TO LIVE IN PROXIMITY TO WATERWAYS, YOU NEED OYSTERS.

Correspondence ID: 51005 **Project:** 33043 **Document:** 43390
Name: Ferrato, Ron L
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:05:24
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51006 **Project:** 33043 **Document:** 43390
Name: Limberg, Leslie
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 10:08:30
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51007 **Project:** 33043 **Document:** 43390
Name: Slominski, Jeanne
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 10:08:53
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51008 **Project:** 33043 **Document:** 43390
Name: Smith, Rocio
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:19:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51009 **Project:** 33043 **Document:** 43390
Name: Smith, Donald & Eulalia
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 10:32:04
Correspondence Type: Web Form
Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51010 **Project:** 33043 **Document:** 43390
Name: Redman, Darren
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 10:32:07
Correspondence Type: Web Form
Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51011 **Project:** 33043 **Document:** 43390
Name: SmithRedman, Dia
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 10:32:07
Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51013 **Project:** 33043 **Document:** 43390
Name: Jaffe, Louis I
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:35:12
Correspondence Type: Web Form

Correspondence: The Drakes Bay Oyster Co use permit should be renewed. Point Reyes National Seashore should be a showcase public-private partnership supporting sustainable agriculture / aquaculture, recreation, and environmental restoration.

The Point Reyes National Seashore management appears to have a policy of promoting restoration at the expense of agriculture / aquaculture. That is not the premise on which the Seashore was founded. Science has not shown that oyster farming in Drake's Estero damages animal populations or the environment.

Loss of Drakes Bay Oyster Co would be a serious economic blow to the region. Dozens of jobs would be eliminated, and since Drakes Bay is the largest single SF Bay Area producer, the oyster industry as a whole would be weakened.

Please allow this resource to continue.

Louis Jaffe

Correspondence ID: 51014 **Project:** 33043 **Document:** 43390
Name: Cohen, Michele
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:42:36
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Please continue to allow the Drakes Bay Oyster Farm to exist in the Point Reyes National Seashore. Nothing is every black and white. In this case, the many benefits of the farm outlined in the CMA outweigh the negative environmental impact.

Correspondence ID: 51015 **Project:** 33043 **Document:** 43390
Name: O'DEA, GAIL
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:43:32
Correspondence Type: Web Form

Correspondence: The Drakes Bay Oyster Farm provides 50% of California's oysters. The EIS must address the loss of this local food source and the costs involved in offsetting the DBOF's share (some half million pounds) of supply for the Bay Area's demand for oyster. It must include -the fuel costs of importing oysters from overseas, the increase of carbon in the atmosphere which contributes to

global warming, and the loss to the public of this fresh, local protein in order to provide a full analysis of the economic and ecological costs.

Correspondence ID: 51017 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:46:18
Correspondence Type: Web Form
Correspondence: Drakes Bay Oyster Company is a local, sustainably-run business serving a need in the Bay Area. If shut down, the global footprint of importing oysters will be overly high. None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Thank you, Jenine Durland Oakland, California

Correspondence ID: 51018 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 10:56:39
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable special use permit for Drake's Bay Oyster Company.

Correspondence ID: 51019 **Project:** 33043 **Document:** 43390
Name: O'Dea, Lucy M
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: "I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51020 **Project:** 33043 **Document:** 43390
Name: adams, jim
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 11:00:52
Correspondence Type: Web Form
Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51021 **Project:** 33043 **Document:** 43390
Name: Hall, Ashley
Outside Organization: Sonoma State University Unaffiliated Individual
Received: Dec,08,2011 11:01:44
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51022 **Project:** 33043 **Document:** 43390
Name: Cagle, Courtney A
Outside Organization: Sacramento Natural Foods Co-op Unaffiliated Individual
Received: Dec,08,2011 11:03:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51023 **Project:** 33043 **Document:** 43390
Name: Whittick, Janet E
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:04:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51024 **Project:** 33043 **Document:** 43390
Name: Wade, Cindy
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 11:08:33
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51026 **Project:** 33043 **Document:** 43390
Name: O'DEA, GAIL
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:15:07
Correspondence Type: Web Form
Correspondence: The No Action Alternative that is proposed in the dEIS should reflect a choice to keep the oyster farm on site and functioning since it has been in the same spot and providing oysters for the public for many decades, and has in fact predated the existence of the Park. It is misleading and unfortunately self serving to suggest that "The" No Action Alternative, as suggested in the dEIS, must only lead to wilderness designation.

Correspondence ID: 51027 **Project:** 33043 **Document:** 43390
Name: Parker, Laura L
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Drakes Bay Oyster Farm is an important resource to the Bay.

Correspondence ID: 51028 **Project:** 33043 **Document:** 43390
Name: Koyama, Masahide
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:17:08

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51029 **Project:** 33043 **Document:** 43390
Name: O'DEA, GAIL
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:20:34
Correspondence Type: Web Form
Correspondence: The EIS must include thorough consideration of the role of the DBOC in the national shellfish industry, its role with respect to the US seafood trade deficit, the importance of domestic seafood production to national security and the role of the DBOC in the sustainability and food security of the San Francisco Bay Area.

Correspondence ID: 51030 **Project:** 33043 **Document:** 43390
Name: Jarocki, Martha
Outside Organization: Marin Audubon Society Unaffiliated Individual
Received: Dec,08,2011 11:25:48
Correspondence Type: Web Form
Correspondence: I support Alternative A in the Drake's Bay EIS, to end oyster production in the estuary in 2012. Of the alternatives posed for GGNRA lands in Marin County, I prefer Alternative 2 with an emphasis on natural resource preservation. Drake's Bay should remain wilderness because there is so little of it left- particularly an untracked coastal estuary. Oysters can be grown in other places.

Correspondence ID: 51031 **Project:** 33043 **Document:** 43390
Name: Newman, Roberta E.
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:33:08
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51032 **Project:** 33043 **Document:** 43390
Name: Plotinsky, Edith & Ira
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:36:16
Correspondence Type: Web Form
Correspondence: In this 21st century, when increasing population pressures mandate wise and imaginative use of our natural resources, lands, and waterways, it is self-defeating to close down the Drakes Bay Oyster Company. The DBOC has demonstrated commitment to operating in a way that is environmentally sensitive, they are providing good employment in a small community, they are educating adults and children in a manner that promotes environmental consciousness, and they offer a delicious and sustainable food for those who savor oysters.

The DBOC permit should be in place, and renewable.

Thank you.

Correspondence ID: 51033 **Project:** 33043 **Document:** 43390
Name: Taylor, Daniel
Outside Organization: Audubon California, state program of National Audubon Society Non-profit/Organization
Received: Dec,08,2011 00:00:00

Correspondence Type: Web Form
Correspondence: December 7, 2011

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

To Whom it May Concern:.

AUDUBON CALIFORNIA is the state program of the National Audubon Society, a non-profit corporation with 501(c)(3) status with over 100 years of conservation history. Our mission is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity.

On behalf Audubon California's 150,000 members and supporters we thank you for the opportunity to submit our comments on the Draft Environmental Statement (DEIS) for the Drakes Bay Oyster Company Special Use Permit.

Point Reyes National Seashore has been identified by National Audubon as an Important Bird Area of global significance. The Important Bird Areas Program, administered by the National Audubon Society in the United States, is part of an international effort to designate and support conservation efforts at sites that provide significant breeding, wintering, or migratory habitats for specific species or concentrations of birds. Sites are designated based on specific and standardized criteria and supporting data.

We draw your attention to the following from the site analysis of the Pt. Reyes National Seashore Important Bird Area:

"The areas of this Important Bird Area most important for bird conservation include the vast saltmarsh and mudflats of Drake's Estero, which support very large numbers of waterbirds in migration and winter. The headlands and offshore rocks within this Important Bird Area are critically important to a diverse nesting seabird population that includes Ashy Storm-Petrel (74 at Bird Rock, off Tomales Pt.), Rhinoceros Auklet and Tufted Puffin (handful on Pt. Reyes proper), all localized in the state (Carter et al. 1992). These are concentrated in three areas: Bird Rock, in the north near Tomales Point; the headlands at Pt. Reyes proper (southwest of Drake's Estero); and offshore rocks within Drake's Bay southeast of Drake's Estero."

We support the environmentally preferred Alternative A, No New Special Use Permit - Conversion to Wilderness (No Action).

Implementing Alternative A would bring many benefits to not only to the seabirds, shorebirds, migratory songbirds and other guilds of birds that use the site, but to the entire ecology of the Point Reyes National Seashore, a state and national treasure.

Sincerely,

Dan Taylor Executive Director

DT:gg

Correspondence ID:	51034	Project:	33043	Document:	43390
Name:	Coutts, Susan A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 11:38:36				
Correspondence Type:	Web Form				
Correspondence:	None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.				

Correspondence ID:	51035	Project:	33043	Document:	43390
Name:	Bain, Megan				
Outside Organization:	National Wildlife Federation Action Fund Unaffiliated Individual				
Received:	Dec,08,2011 11:38:43				
Correspondence Type:	Web Form				
Correspondence:	Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.				

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish

and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51036 **Project:** 33043 **Document:** 43390
Name: N/A, laura a
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 11:40:17
Correspondence Type: Web Form
Correspondence: I am a long time member of our community and have seen some questionable policies put into practice by the Park Service over the years here. Trust in the process has been eroded and the decision you make regarding the future of Drakes Bay Oysters will be looked at very closely. Please make sure that the arguments that the park has provided are backed by accurate and solid data. If there is doubt these arguments should not be used, and if false or misleading information has been found to have been given the Park Service then there should be some accountability. thank you, Laura Arndt

Correspondence ID: 51037 **Project:** 33043 **Document:** 43390
Name: Carr, Betty J
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 11:42:43
Correspondence Type: Web Form
Correspondence: Our environment and National Parks are being constantly threatened by the greed of large multinational corporations. The only recourse we ordinary people have to protect our natural resources are our elected and appointed government officials. Please listen to and heed our concerns.

Correspondence ID: 51038 **Project:** 33043 **Document:** 43390
Name: Snyder, Robert U
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 11:46:41
Correspondence Type: Web Form
Correspondence: We are writing in support of the Drakes Bay Oyster Company. This attempt by the PRNS and the Sierra Club strongly infringes on free enterprise without environmental and socio-economic impacts.

We and numerous friend have over many years enjoyed and supported this low impact eco enterprise.

We sincerely trust that an unbiased EIR has been completed, so that this enterprise is not subject to just another government takeover. How can we, as citizens, trust the PRNS to sponser a national EIR that is presubmably unbiased concerning an eco-friendly business?

We think that the Park Service should abandon any attempts to evict DBOC and let them stay as long as they want with their succulent oysters continuing to filter Drakes Bay!!

Correspondence ID: 51039 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 11:49:04
Correspondence Type: Web Form
Correspondence: make the change

Correspondence ID: 51040 **Project:** 33043 **Document:** 43390
Name: Fisk, Todd
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 11:50:12
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51041 **Project:** 33043 **Document:** 43390
Name: French, Thomas B
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:54:52
Correspondence Type: Web Form

Correspondence: I strongly support the wilderness designation for Drakes Estero within the Point Reyes National Seashore through extensive experience I have had observing wildlife and its natural beauty. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51042 **Project:** 33043 **Document:** 43390
Name: Montuori, John R
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 11:57:31
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51043 **Project:** 33043 **Document:** 43390
Name: Grossi, Dominic s
Outside Organization: Marin County Farm Bureau Non-profit/Organization
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: December 8, 2011

Submitted via government website

Re: EIS on Drakes Bay Oyster Company Special Use Permit

Dear Superintendent Muldoon

The Marin County Farm Bureau appreciates this opportunity to comment on the Draft Environmental Impact Statement (DEIS) regarding the issuance of a special use permit for DBOC (Drakes Bay Oyster Company) in the Point Reyes National Seashore. Marin County Farm Bureau works for the solution of the problems of the farm, the farm home and the rural community, by use of the recognized advantages of organized action, to the end that those engaged in the various branches of agriculture may have opportunity for happiness and prosperity in their chosen work. We represent, protect and advance the social, economic and educational interests of the farmers of Marin.

Farm Bureau strongly supports a Collaborative Management Alternative that includes a ten-year renewable Special Use Permit (SUP), an alternative that was not offered in the DEIS. We believe strongly that agriculture is an important part of Marin's economy, and that DBOC is a significant and important part of Marin's economy and its success. The DEIS 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. The EIS must assess and address the economic impacts of eliminating the production of 50% of California's oysters and the subsequent impact on the local, state and national economy. Further, the DEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The DEIS also fails to recognize other businesses that would shut down in the area. The oyster shell byproduct from the Lunny cannery is a critical and sole resource for reestablishing oyster beds and Snowy Plover habitat in San Francisco Bay. The loss of the Lunny resource would shut down these restoration operations as well. In addition, 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. This is extremely misleading and shows a bias towards eliminating the oyster company.

Additionally, there is no socioeconomic discussion in the DEIS on how the closing of DBOC will affect the surrounding agricultural operations in PRNS and Marin County as a whole. There is great concern throughout our community that once one business is eliminated from the Park a domino effect will follow. Support for agriculture on PRNS lands is described in the Marin County Local Coastal Program Unit II (County of Marin 1980), illuminating its value to the local economy with this statement: "The economic activity associated with agriculture in the federal parks forms a significant part of Marin County's total agricultural industry." The Parks ranchers' economic contribution to Marin's direct gross agricultural income is significant, at roughly 17 percent. Marin has 165,064 agricultural acres and 17% is in the Parks. This number represents the approximately 137,000 acres of privately owned agricultural land in Marin County plus the 28,064 acres of land in ranching at PRNS and GGNRA. The 137,000 acres includes all agriculturally zoned land, some of which is not in active production. Therefore, PRNS and GGNRA agricultural land actually accounts for more than 17% of land in production. If this one business is eliminated and a domino effect occurs in the Park, it will certainly affect all of Marin. The agricultural infrastructure for supplies and maintenance on all these farms will collapse if ranchers continue to disappear. The businesses that do this work will have fewer farms to work on and supply goods to; as this happens those businesses will be forced out of business. We are already seeing this as many dairy supply companies have already merged or gone out of business over the past several decades.

The DEIS also fails to address the socioeconomic impacts on the oyster farm's approximately 50,000 visitors annually who enjoy the oysters and the interpretive services provided by Drakes Bay Oyster Company. Visitors to the oyster farm represent a wide range of incomes, races and ethnicities, some of whom might not otherwise have any connection to the National Park System. The National Park Service itself actively searches for ways to increase access to the National Park System for underserved communities. If DBOC's Special Use Permit is denied, these underserved communities would be impacted. The DEIS must address the subsequent impacts to these visitors and how these impacts will be mitigated.

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 down DBOC in ten years. An alternative must be presented that allows for the oyster company to continue. This alternative must then be completely analyzed in the DEIS to determine all impacts of keeping the oyster farm in production. None of this has happened in the DEIS. We believe this alternative was left out of the DEIS because of the false belief that Drakes Bay must convert to Wilderness. You must remember that nowhere in the Wilderness Act of 1976 does it say this land must convert to Wilderness. It is only "proposed" for wilderness which means it does not have to convert to Wilderness. The authors of the Wilderness Act have even come out publicly and said the intent was never to force out DBOC and convert this area to Wilderness.

Respectfully submitted, Dominic Grossi President Marin County Farm Bureau

Cc: Dianne Feinstein, United States Senator Kenneth Salazar, Secretary of Interior Cicely Muldoon, PRNS Superintendent Marin County Board of Supervisors

Correspondence ID:	51044	Project:	33043	Document:	43390
Name:	Weber, Robert B				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 11:59:36				
Correspondence Type:	Web Form				
Correspondence:	I do have personal experience with the function of oysters in such environments. They are an asset that should be utilized. Please consider that they were a part of the natural habitat of most marine eco systems before pollution, invasive non-native species, and un-regulated farming destroyed them.				

Respectfully, Robert Weber

Correspondence ID: 51045 **Project:** 33043 **Document:** 43390
Name: Groff, Cyd
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 12:01:14
Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51046 **Project:** 33043 **Document:** 43390
Name: Nicholls, Christina
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:03:12
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51047 **Project:** 33043 **Document:** 43390
Name: Vito, Jennifer
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:09:01
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Thank you

Regards,

Jennifer Vito

Correspondence ID: 51048 **Project:** 33043 **Document:** 43390
Name: Balanda, Brenda N
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS (below). DBOC is

an asset to the entire region, the Park, the local community, and the environment.

COLLABORATIVE MANAGEMENT ALTERNATIVE:

A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID: 51049 **Project:** 33043 **Document:** 43390
Name: Trautman, Jane
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:09:51
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51050 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:29:24
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb

to special interests seeking to commercialize these special places.

Correspondence ID: 51051 **Project:** 33043 **Document:** 43390
Name: Maeshiro, Miki
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form

Correspondence: I urge you to support the protection of Drakes Estero from further commercial exploitation. It is in the best interest of the public and the natural environment to create and protect the West Coast's only marine wilderness. We have been waiting since 1976 for these protections to be implemented. Drakes Estero is a rare wildlife refuge where migrating birds stop, harbor seals give birth, and fish take shelter in eelgrass. Our family plans trips to the continental US to enjoy the diverse landscape and wildlife so different from our own. I urge you to uphold and move forward with the plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51052 **Project:** 33043 **Document:** 43390
Name: Kennedy, Nicole D
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:36:08
Correspondence Type: Web Form

Correspondence: I support the collaborative management alternative as the preferred alternative in the final DBOC SUP ELS.

Correspondence ID: 51053 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:40:17
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS

Correspondence ID: 51054 **Project:** 33043 **Document:** 43390
Name: Faulhaber, Linda
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:44:04
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51055 **Project:** 33043 **Document:** 43390
Name: Rose, T.
Outside Organization: Unaffiliated Individual

Received: Dec,08,2011 12:46:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. I support Drakes Bay Oyster Farm. The National Park Service (NPS) is considering closing down the farm. I know that there are those who see shell fish farming as inappropriate in a National Seashore. I would suggest that this is a narrow and outdated point of view, considering the vital role that the oyster farm is playing in the ecology of the region, especially how it interacts with the dairy farms. The oyster farm is no more inappropriately located within the Seashore than is the treatment of human waste in the park by septic systems. The unique environmental protection that Marin County has been able to implement came about as a result of a series of historic agreements forged between farmers and environmentalists and we should respect this balancing of interests and the positive amenities it has created for the local region.

Correspondence ID: 51056 **Project:** 33043 **Document:** 43390
Name: Mitchell, Angela
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: To Whom it May Concern at the National Park Service:

I grew up on the West Coast, sailing the waters from the Pacific Northwest, down to San Diego, Catalina, and beyond.

I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51057 **Project:** 33043 **Document:** 43390
Name: clarke, marguerite e
Outside Organization: none Unaffiliated Individual
Received: Dec,08,2011 12:53:58
Correspondence Type: Web Form
Correspondence: -----

Sample Letter I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51058 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 12:54:20
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51059 **Project:** 33043 **Document:** 43390
Name: San Socie, Robert Glenn
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 13:00:58
Correspondence Type: Web Form
Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51060 **Project:** 33043 **Document:** 43390
Name: Tomlinson, Carrie
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec.08,2011 13:01:10
Correspondence Type: Web Form

Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51061 **Project:** 33043 **Document:** 43390
Name: N/A, Annette
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 13:07:06
Correspondence Type: Web Form

Correspondence: I believe that none of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company. The company appears to be very responsible and a great asset to our state, county and community. Annette

Correspondence ID: 51062 **Project:** 33043 **Document:** 43390
Name: Carter, Rob
Outside Organization: NPS Unaffiliated Individual
Received: Dec.08,2011 13:18:36
Correspondence Type: Web Form

Correspondence: support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51063 **Project:** 33043 **Document:** 43390
Name: Hamblin, Barbara K
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are acceptable. Allow a renewable use permit for Drakes Bay Oyster Farm.

thank you

Barbara Kay Hamblin

Correspondence ID: 51064 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 13:20:18
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS

Correspondence ID: 51065 **Project:** 33043 **Document:** 43390
Name: Meek, Hope M
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 13:23:33
Correspondence Type: Web Form
Correspondence: I support the alternative management agreement.

Correspondence ID: 51066 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: "I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51067 **Project:** 33043 **Document:** 43390
Name: Bucher, Margeaux S
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 13:33:59
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Making a hike & fresh oyster excursion has been a cherished ritual for myself and many, many of my friends over the years and we would hate to see this go away.

Correspondence ID: 51068 **Project:** 33043 **Document:** 43390
Name: Stallard, Kera
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 13:38:46
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51069 **Project:** 33043 **Document:** 43390
Name: NELSON, AXEL
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 13:54:22
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. I feel very strongly that the DBOC enhances my experience of the Point Reyes National Seashore, and this feeling is shared by many friends and relatives from all over the world who have visited the area. Having reviewed the large amount of data that has been published on this subject, I can see no credible evidence of any adverse affects to wildlife or the ecosystem caused by DBOC operations. Therefor, I believe that the historical and cultural tradition of oyster harvesting in Drake's Bay should be allowed to continue.

Correspondence ID: 51070 **Project:** 33043 **Document:** 43390
Name: Mitchell, Bridger M
Outside Organization: Environmental Action Committe of West Marin Unaffiliated Individual
Received: Dec,08,2011 13:54:45
Correspondence Type: Web Form
Correspondence: Comments on Draft EIS for DBOC SUP

I support the NO ACTION Alternative "A". This is the only alternative that will allow the Drakes Bay Estero to attain full wilderness status.

Full wilderness is a requirement of legislation ? the 1962 enabling legislation that established the Point Reyes National Seashore, the Wilderness act of 1964, and the 1976 Point Reyes Wilderness Act. Attaining full wilderness in the estero, on conclusion of the oyster company's special use permit best promotes the restoration of environmental resources and their long-term protection.

The environmental impacts of Alternatives "B", "C", and "D" are almost entirely adverse. The Draft EIS correctly finds that those alternatives are environmentally not preferred. Its analysis of the many impacts of mariculture operations on the estero's wetland environment is telling: the introduction of invasive species and plastics into the marine environment; the adverse impacts on eelgrass which host essential feed for endangered and sensitive species; the disturbance of breeding harbor seals; the displacement of resident and migratory birds; the auditory disturbances caused by machinery and motorboat activities.

Since publication of the Draft EIS conservation organizations have submitted further information, including extensive citations to relevant scientific literature, that extend the EIS analysis of impacts due to invasive species and on avian wildlife. These additional analyses reinforce the EIS finding that Alternative "A" is the environmentally preferred alternative.

Scientists working with Save our Seashore have, in addition, submitted expert statistical analyses that support the EIS's statistical analyses and the Marine Mammal Commission's review of those methods. Those submissions also thoroughly refute erroneous and scientifically inaccurate critiques of the EIS sponsored by the DDOC.

Bridger Mitchell, Inverness, CA

Correspondence ID: 51073 **Project:** 33043 **Document:** 43390
Name: Brosnan, Scotia
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 14:09:01
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine

wilderness for the benefit of people and wildlife.

Correspondence ID: 51074 **Project:** 33043 **Document:** 43390
Name: Castle, Elizabeth
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 14:09:07
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51075 **Project:** 33043 **Document:** 43390
Name: Capobianco, Joyce
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 14:09:12
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51077 **Project:** 33043 **Document:** 43390
Name: Wortis, Naomi
Outside Organization: Unaffiliated Individual
Received: Nov,22,2011 00:00:00
Correspondence Type:
Correspondence: I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51079 **Project:** 33043 **Document:** 43390
Name: Oltman, Elle
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 14:21:30
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51081 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I have visited the DBOC and have studied the issue. I support the Collaborative Management Alternative as the preferred

alternative in the final DBOC SUP EIS. Not one of the four NPS DEIS alternatives is acceptable.

Correspondence ID:	51083	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	"I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."				

Correspondence ID:	51084	Project:	33043	Document:	43390
Name:	OLEary, Helen F				
Outside Organization:	Pt. Reyes resident Unaffiliated Individual				
Received:	Dec,08,2011 14:43:46				
Correspondence Type:	Web Form				
Correspondence:	I, my family and my friends, all very strongly support the extension of the lease as well as its renewal in the future. The oyster company has been of great benefit to the community and has been very careful to follow the environmental guidelines. We need and want it in Pt. Reyes, as do many others in the wider community. This area has been settled for many generations, has not been a "wilderness" for hundreds of years, and it is important that it continue as it has been. Removing it would have seriously bad effects not only on it as such but on the whole area. Continue and extend the lease!!!				

Correspondence ID:	51085	Project:	33043	Document:	43390
Name:	Olin, Paul G				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 14:47:52				
Correspondence Type:	Web Form				
Correspondence:	"I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS." This is the only option that allows continued oyster cultivation and retains legal jurisdiction for shellfish leases within the Department of Fish and Game.				

Correspondence ID:	51086	Project:	33043	Document:	43390
Name:	Calhoun, Katie B				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 14:48:08				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Save Drakes Bay Oyster Farmers. You should be happy you have such terrific neighbors, tenants, who really do care so much about the ecology and longevity of our beautiful area. Thank you. Katie				

Correspondence ID:	51087	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 14:50:26				
Correspondence Type:	Web Form				
Correspondence:	I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.				

Correspondence ID:	51088	Project:	33043	Document:	43390
Name:	Hochstrasser, Scott L				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 14:55:16				
Correspondence Type:	Web Form				
Correspondence:	"I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."				

Correspondence ID:	51089	Project:	33043	Document:	43390
Name:	Hendrickson, Alec P				

Outside Organization: Center for biological diversity Unaffiliated Individual
Received: Dec,08,2011 14:56:11
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51090 **Project:** 33043 **Document:** 43390
Name: OLeary, Helen F
Outside Organization: Inverness Yacht Club Unaffiliated Individual
Received: Dec,08,2011 14:57:26
Correspondence Type: Web Form
Correspondence: We very strongly support this renewal and extension!!

Correspondence ID: 51091 **Project:** 33043 **Document:** 43390
Name: Mae, Karen
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 14:57:49
Correspondence Type: Web Form
Correspondence: I support a renewable Special Use Permit for Drakes Bay Oyster Company.

I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Throughout history, indigenous people have understood that they are an integral part of the natural world. In this context the idea of human life being separate from "wilderness" is a relatively recent concept. What needs to be understood is that human life ISN'T separate from the rest of the natural world, and that creating/enforcing this artificial separation is not sustainable. When human activity synchronizes with and sustains natural systems, all of nature benefits and thrives. The effects of Drake's Bay Oyster Farm's operation have been investigated and shown over and over again to be beneficial to the estuary's ecosystem. What has been neglected is adequate investigation of the effects of the recurring and increasing recreational activity the regularly impacts the estuary. How is it that recreational activity could possibly be considered preferable to sustainable, sensitive aqua farming that is based on ultimate respect for an ecosystem, providing not only nourishing food for thousands of people, but invaluable education to current and future generations about how to respectfully interact with "all our relations".

Correspondence ID: 51092 **Project:** 33043 **Document:** 43390
Name: Muller, Dru R
Outside Organization: Full Belly Farm Unaffiliated Individual
Received: Dec,08,2011 15:09:18
Correspondence Type: Web Form
Correspondence: As a farmer I want to encourage the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Drakes Bay has done a wonderful job of integrating environmental concerns with agriculture. Please let them stay farming! Thank you so much

Dru Rivers Muller Full Belly Farm

Correspondence ID: 51093 **Project:** 33043 **Document:** 43390
Name: Mc Naul, Darleen
Outside Organization: National Parks Conservation Association Unaffiliated Individual

Received: Dec,08,2011 15:13:23

Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51095 **Project:** 33043 **Document:** 43390
Name: Engelkes, Lyn
Outside Organization: resident Unaffiliated Individual
Received: Dec,08,2011 15:15:08
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51101 **Project:** 33043 **Document:** 43390
Name: Prescott, Tanya L
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 15:30:52
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51102 **Project:** 33043 **Document:** 43390
Name: mcdonald, margie
Outside Organization: marin organic Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support adoption of the collaborative management that includes a special ten year use permit with option for extension as the preferred alternative in the final DBOC SUP EIS.

margie mcdonald

Correspondence ID: 51103 **Project:** 33043 **Document:** 43390
Name: Bava, Philip
Outside Organization: Caff Unaffiliated Individual
Received: Dec,08,2011 15:34:57
Correspondence Type: Web Form
Correspondence: I support the CMA alternative!

Correspondence ID: 51105 **Project:** 33043 **Document:** 43390
Name: Manarik, Laurie
Outside Organization: Point Reyes Outdoors Unaffiliated Individual
Received: Dec,08,2011 15:45:42
Correspondence Type: Web Form
Correspondence: As the three largest and longest operating local kayaking companies, that consistently provide the majority of kayaking tours on Drakes Estero, we feel it important to provide a statement of our experiences of Drakes Estero and Drakes Bay Oyster Company. Between our 3 companies we operate at least 85% of the public kayaking tours on Drakes Estero. We feel the paragraph below misrepresents the wilderness experience that we have consistently encountered over the years and that we have been misrepresented within this section of the impact statement.

During our many kayak outings on the estero, the "soundscape" of the wilderness area has not been impacted by the noise of the farm. The use of power tools can be heard while one is on shore preparing to launch, but the noise quickly fades after leaving the shore in Schooner Bay paddling toward the potential wilderness area. While kayaking on Home Bay and Creamery Bay, any noise of farm operation is undetectable. Over many years of operating tours on the estero, we have never had guides or clients comment on the pneumatic drills negatively impacting their experience while kayaking or hiking within the estero.

Oyster boats are rarely seen in action and if we do encounter boats, they are always very respectful of our presence, making sure

not to disturb us or wildlife in any way. "I have been guiding on the estero for four years and only once have I encountered a motor boat. And it was on purpose. Kevin Lunny was meeting our group at the oyster beds to discuss the history of aquaculture, and his oyster farming techniques." Tressa Bronner, Point Reyes Outdoors

We feel that the above section of the DEIS does not accurately represent our experience of Drakes Estero or Drakes Bay Oyster Company and infers that we have stated these complaints to the park or others when we have not. Nor have we been contacted directly by the park for feedback on our experiences concerning either Drakes Estero or Drakes Bay Oyster Company.

Below you will find comments from the owners of the individual companies that collectively signed the above statement.

Thank you.

Laurie Manarik, Mike Rudolph, Tressa Bronner - Point Reyes Outdoors
Bob Licht, Steve Hayward - Sea Trek Kayaking Center
John Granatir, Pamalah MacNeily - Blue Waters Kayaking

Point Reyes Outdoors Individual Statement: I have kayaked and hiked Drakes Estero personally and professionally since 1992 and have never been disappointed with the wilderness experience. The launching experience however, has been much improved since the Lunny family took over operation of the Oyster Farm. Not only have they cleaned and improved the physical location but they offer an educational and historical component that enhances our client's experience of the area. Their willingness to share information on sustainable aquaculture and its history in the area has been a terrific addition to tours for school groups and scout troops.

Having the DBOC operation means there is an emergency phone and boats within the estero and accessible to us which provides a welcome level of comfort, knowing help is available in an area that is hard for rescue operations to get to quickly. While this is not a component of wilderness, their generous assistance did help us get a client who was having trouble breathing back to shore quickly and without incident.

- Laurie Manarik, Owner Point Reyes Outdoors ? Point Reyes Station www.pointreyesoutdoors.com (415)663-8192

Sea Trek Company Statement:

I have always felt that the Oyster Company adds rather than distracts from the paddling experience. It is rare that people get to see an environmentally conscious operation and they like to find out the story of how oysters are grown. It is similar to MALT taking people on educational tours of the Strauss Dairy. We have never heard any complaints from our clients about the noise or distraction of motorboats. The expectation is that one is entering a working Bay which only adds to the experience and we still see the requisite amount of wildlife, seals and waterfowl. We haven't noticed that they are disturbed by the operation.

Bob Licht/Owner - Sea Trek Kayak and Paddleboard Center www.seatrek.com (415) 332-8494

Blue Waters Kayaking Company Statement:

We at Blue Waters Kayaking feel that the presence of Drake's Oyster Farm has not been of any detriment to Blue Waters Kayaking or any of our clients. On the contrary, we feel that it has positive cultural and historical significance, is of economic importance to the local community, is a significant example of benign, non-harmful aquaculture, is a safety resource for recreation users, and is in general a model and well run company that should have the option of continued presence on Drake's Estero. We do not feel that the "wilderness" aspect of the Estero is compromised by the presence of the Oyster farm.

John Granatir, Owner - Blue Waters Kayaking www.bwkayak.com 415-669-2600

Correspondence ID:	51106	Project:	33043	Document:	43390
Name:	Granatir, John				
Outside Organization:	Blue Waters Kayaking Business				
Received:	Dec,08,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	We at Blue Waters Kayaking feel that the presence of Drake's Oyster Farm has not been of any detriment to Blue Waters Kayaking or any of our clients. On the contrary, we feel that it has positive cultural and historical significance, is of economic importance to the local community, is a significant example of benign, non-harmful aquaculture, is a safety resource for recreation users, and is in general a model and well run company that should have the option of continued presence on Drake's Estero. We do not feel that the "wilderness" aspect of the Estero is compromised by the presence of the Oyster farm, which issue shall be addressed below. We have been running trips to Drake's Estero for over 10 years. It is our opinion that neither Drakes Oyster Farm or Johnson's Oyster Farm detracted from our customer's experience. In fact, the oyster farm, along with the surrounding ranches, has become an organic part of the PRNS. As a local company, our vision is PRNS working co-operatively with locals. We see us all as part of a team to help preserve, protect and promote this amazing place we all live in. We would like to see PRNS be a model for how locals, and business and the environment can co-exist. To make our position clear: we do not believe that the departure of Drakes Oyster Farm will enhance or improve the experience of recreational use of Drake's Estero. We are ardent environmentalists, and we really don't see the point of removing Drake's Estero. The argument that this is				

needed to preserve "wilderness", is in our view, specious. The Oyster Farm is situated in a pastoral area comprised of dairy ranches which have been in production there since the 1850's. Staking out a claim for a "wilderness area" in the midst of these ranches is dubious at best. Ranching and Oystering both have historical presences in the National Seashore which need to be honored as integral parts of the local landscape. Both are important historically, culturally, and economically and have been shown to be non-intrusive and not harmful to the local ecosystems, and non-destructive to the primary uses of the Park which are visitation and recreation. Oysters are an important part of the experience for many of our clients coming to this area. Drake's Estero is the only reliable, unpolluted oyster growing area in the Seashore. During rains and times of runoff, Oysters cannot be harvested out of Tomales Bay, however, they can be harvested out of Drake's Estero. If you remove this valuable source of oyster production, it cannot be easily replaced. There have been comments from many people who want Drakes gone, that the Bay Area can go get oysters from the Northwest. That may or may not be true, but we are advocates of "eating locally", thus avoiding extra time and transport costs.

John Granatir, Owner Pamalah MacNeily Blue Waters Kayaking 415-669-2600

Correspondence ID: 51108 **Project:** 33043 **Document:** 43390
Name: Lizak, Catherine M
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 15:47:43
Correspondence Type: Web Form
Correspondence: Draft EIS DBOC SUP c/o Superintendent

I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51109 **Project:** 33043 **Document:** 43390
Name: Johnson, Janine
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 15:50:27
Correspondence Type: Web Form
Correspondence: "I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."

Thank you, Janine Johnson

Correspondence ID: 51111 **Project:** 33043 **Document:** 43390
Name: Dunnagan, Robert D
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 15:51:52
Correspondence Type: Web Form
Correspondence: Please add me to the list of persons opposed to the issuance of a future permit for oyster farming at Point Reyes National Seashore. My reasons are many but the current law and regulation will do fine. Please take the time to assure that this imposition on Wilderness and a unit of the National Park System is not continued.

Thanks.

Robert D. Dunnagan

Correspondence ID: 51112 **Project:** 33043 **Document:** 43390
Name: Jordan, Cynthia J
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I fully support Alternative A of the DEIS. Drakes Estero should achieve full wilderness status in 2012. That was the legislative promise made in 1976 by Congress and there is no valid reason why that promise should not be honored. The public is being held hostage by someone who would subvert the 1976 legislation for personal financial gain.

Humans have an innate need to have land set aside for the pure enjoyment, serenity and peace that nature provides. Our highest form of the protection of nature-for its inherent value as well as its value for people-is wilderness designation. Point Reyes National Seashore (PRNS) and the adjoining Golden Gate National Recreation Area (GGNRA) were established to meet those needs of nature and people. There is no possibility of wilderness in the GGNRA. There is also no possibility anywhere else on the Pacific Coast of a marine wilderness.

When farsighted individuals could see that the urban and suburban lands of the San Francisco Bay Area would continue to encroach upon open space and agricultural lands, they fought for the creation of both the PRNS and the GGNRA. They kept ranching in a pastoral zone in PRNS. But, they limited the tenure of the existing oyster operation because of the unique and remarkable natural resources of the estero. They had the vision of returning the estero to its pure natural state and protecting the

estuary from private commercial development after 2012, and Congress voted wholeheartedly in support of that plan.

Ranches do still exist within PRNS but those who fought valiantly to preserve the seashore and environs from urban development urged grandfathering these properties along with specific permitted Rights of Use and Occupancy (RUO). When DBOC was purchased, its new owner well understood the legal encumbrances and time limits on the oyster operation yet now wastes public monies and National Park Service time to argue that he has the full right to extend his RUO and continue his private commercial use in the estero in defiance of policy and law.

Allowing that continuation would set a frightening precedent that puts the pristine nature of every other designated wilderness area in the United States at risk of disruption by commercial operations. Should we allow one individual who is definitely not a "small" businessman get around the law?

Local support is behind closing the Drakes Bay oyster operation and seeing the conversion of this gem of marine wilderness returned to its natural state. 77% of those responding to the scoping process for this EIS believed the 1976 legislation must be honored. Does that not prove the point that the people want DBOC closed?

Interior Secretary Ken Salazar needs to honor and fulfill the Congressional promise made to the American people in 1976.

Correspondence ID: 51113 **Project:** 33043 **Document:** 43390
Name: Curtis, Carolyn L
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 15:54:31
Correspondence Type: Web Form
Correspondence: As a visitor to Point Reyes since the early 1970s I urge you to extend the operating permit for the Drakes Bay Oyster Company: - it's historic: As the successor to the family-run Johnson Oyster company, the Drakes Bay Oyster Company (DBOC) continues the decades-long presence of oyster farming in Drakes Bay. Generations have gotten delicious fresh oysters there, including some not otherwise available. Drakes Bay oysters are as much a part of Point Reyes as the dairy farms; oyster farming in Drakes Bay predates the establishment of the National Seashore. - it's low-impact: I've kayaked in Drakes Bay and saw no ill effects. It's my understanding that the family now owning the DBOC spent a lot of money upgrading the facility. - it's popular: whenever we visit the DBOC we're never the only customers; a steady stream of people attests to the popularity of this valuable and unique company.

Please adopt the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51114 **Project:** 33043 **Document:** 43390
Name: Saunders, Charles
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 15:57:44
Correspondence Type: Web Form
Correspondence: We support the Drakes Bay Oyster farms continued use. We have been buying our oysters there for many years. It was our understanding at the beginning when the area was turned into a National Park, that the Drakes Bay Oyster farm would be allowed to continue. Please keep it open.

The Saunders Family

Correspondence ID: 51117 **Project:** 33043 **Document:** 43390
Name: McDevitt, Matthew A
Outside Organization: Not affiliated Unaffiliated Individual
Received: Dec,08,2011 16:05:56
Correspondence Type: Web Form
Correspondence: I am a seventy year old retired technology worker and proud holder of a lifetime NPS passport. The National seashore is our main, really only recreational resource available for use without long range planning. It is a great treasure. We don't as a rule think of eating as recreation, but the opportunity to prepare food with, and dine out at local area eateries using locally cultivated, lovingly produced ingredients, combines with the beauty of the natural environment to create another aspect of 'treasure' that, while not wholly natural in a wilderness sense, represents still a high achievement of human culture. In his context I think of many things, including oysters and the culture which makes this food available. I specifically point to and support one of the "Action Options" set forth in the captioned draft report. I get the arguments. I know the area. I understand the 'value' of wilderness and it's reclamation. But we're not talking reclaiming lakefront from Gary, Indiana. For the socio-economic reasons in the current climate, for the encouragement of good human practices. Implement one of the action items even considering option "D" under enlightened public supervision. Thank you.

Correspondence ID: 51118 **Project:** 33043 **Document:** 43390
Name: Carlson, Ray C
Outside Organization: Unaffiliated Individual
Received: Nov,22,2011 00:00:00
Correspondence Type:
Correspondence: I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51119 **Project:** 33043 **Document:** 43390
Name: Fitzgerald, Martin
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec,08,2011 16:12:24
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51120 **Project:** 33043 **Document:** 43390
Name: Webster, Gary
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 16:15:51
Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51124 **Project:** 33043 **Document:** 43390
Name: Carlsen, Stacy K
Outside Organization: Marin County Agricultural Commissioner Government
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form

Correspondence: December 7, 2011 To: DBOC SUP EIS c/o Superintendent Cicely Muldoon Point Reyes National Seashore 1 Bear Valley Road Point Reyes Station, CA 94956

From: Stacy Carlsen Marin County Agricultural Commissioner 1682 Novato Blvd. Ste. 150A Novato, CA 94947

Subject: DOBC SUP EIS Dear Superintendent Muldoon: I am writing these comments in support of and recommend that you grant a Special Use Permit to allow Drakes Bay Oyster Company to continue its operation in Drakes Estero. I do not fully support any of the Alternatives you propose in the EIS. I do support the Alliance for Local Sustainable Agriculture (ALSA) recommendation for a Collaborative Management Alternative. This alternative includes: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities This alternative permits Drakes Bay Oyster Company (DBOC) to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this

alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Economic and Social Impacts Analysis Requested It is essential we retain oyster production in Drakes Bay for Economic Sustainability and Social Justice. The Drakes Bay Oyster Company (DBOC) plays an important role in the local, regional, and statewide economy. DBOC represents 85% of the shellfish growing area in Marin County and the SF Bay Area. It produces nearly 40% of the oysters grown in the entire State of California and greater than 50% of Marin County produced oysters. Greater than 500,000 pounds of oyster meat per year are produced at DBOC and is the only oyster cannery in California to provide shucked product to the Bay Area. All the shellfish grown by DBOC are marketed in Marin County and the SF Bay Area. The gross economic value (farm gate) of production exceeds \$1.5 million. The economic effect due to jobs, transportation and local business services associated with this operation boost this economic value to at least \$5.0 million. The loss of this operation would create a product demand and trigger importing greater than 38,000 pounds of oysters each week from other areas (Seattle, Tokyo, and uncertain locations of origin) that would increase overall carbon footprint, inferior product substitution, and defeat the principle of local sustainable farm production activities. Current supply of shell fish is only a few minutes or hours from market and consumption. This food is highly regarded by consumers and understood to be the highest quality oyster in the Pacific Region. Shellfish imported to fill the gap if DBOC was out of business would travel great distances increasing the chances for food safety problems, poor quality, and product contamination. Any health related event associated with imported shellfish could drastically impact the overall support of any of our local oyster production due to lack of confidence in food safety. Currently Drakes Bay Oyster Company provides hundreds of water samples and shellfish meat samples to the California Department of Health Services. The testing confirms the safety of the product and the information is used by environmental health agencies and the California Department of Fish and Game so to regulate and inform the public of product safety and presence of dangerous biotoxins. These growing waters contain California's only "Approved" status growing area. Approved status means that there are no harvest closures due to potential pathogens in storm water runoff following rainfall. This identifies the fact that Drakes Bay Oyster Farm is the only shellfish farm in California with the potential of harvesting every day, year round. Imported products could increase food safety cost, regulatory inspections, increase cost of product, and increase environmental impacts. Drakes Bay Oyster Company is the second largest employer within the Pt. Reyes National Seashore. DBOC employs approximately 35 Hispanic men and women, many of whom live at the farm or in nearby local communities, working at year round jobs to support their families. These families spend money locally, have children that attend the local schools and pay local taxes. These working families are striving for economic and social status working to improve their lives and their children's lives within the community. They are a fabric of our society and the loss of any of these jobs would have a tremendous impact on their lives and the social fabric of the community where they live. The children of these working families attend local schools affecting the school income from attendance fees from State agencies. There are also many indirectly-related local jobs that are created as a result of oysters grown at the DBOC, including jobs at restaurants, markets as well as for jobs involved in marketing and distribution of the shellfish. DBOC is a major attraction, bringing approximately 50,000 people each year to West Marin. These oyster farm visitors spend money locally---at restaurants, for lodging and for other local services. Also the high demand for locally produced food is consistent with the public call for fresh local grown food. This EIS must consider the following economic and social impacts: The loss of the majority of the Bay Area's and Marin County's shellfish production; impacts on the Lunny Family, local markets and restaurants. The impacts to these direct and indirect local jobs, including state funding for schools. The impact to the West Marin community if this public attraction no longer exists. The social injustice associated with impacts to families and children.

The EIS must fully consider and clarify all of the following impacts: Economic benefit to the local community derived from DBOC business. Economic impacts on working families due to job loss and the disproportionate impact to the Hispanic community in the immediate region. Environmental Impacts Analysis Requested The current activities performed by DBOC have shown to have little or no environmental impact on the Drakes Bay aquatic or terrestrial flora or fauna. The operation has complied with the strictest guidelines imposed by the Pt. Reyes National Seashore. This EIS process must demonstrate under the peer review standard of scientific principles that there are impacts to flora and fauna caused by DBOC. This EIS also needs to evaluate the environmental benefits from loss of a locally grown seafood source, life cycle carbon analysis for importing oyster to fill the product supply lost if the DBOC was closed, and the ecological services provided by cultured oysters and the adverse

effect of removing cultured oysters from the Bay. This EIS must consider the following environmental impacts: Ecological services/impacts of oyster production. Sea Lion populations/ecology associated with DBOC activities. Eelgrass abundance associated with DBOC activities. Cultural and Historical Impact Analysis Requested The State of California has leased the bottomlands in Drakes Estero for shellfish cultivation since the 1930's, long before the National Park was established. In a historical reflection, the Senate Committee on Interior and Insular Affairs held a hearing on April 14, 1960 in Pt. Reyes Station on Senate Bill S.2428 "Bill to establish the Pt. Reyes National Seashore in the State of California" which included testimony from then Chief of Recreation and Resources Planning(Nat. Park Ser. Reg. 4 SF Dist. Before there was a Superintendent position created) He was quoted to say "Existing commercial oyster beds-which we saw yesterday as we flew around there- a very important activity- and a cannery at Drake's Estero, plus three existing commercial fisheries, would continue under National Seashore status because of their public value" (page 14). This value statement is true today as when spoken with certainty on that historic important in time. It was spoken because the community was concerned that family business activities would be impacted detrimentally by the park establishment. The Chief reinforced the commercial activity as essential to the local economy. Further support was injected during the hearing from the US Department of Interior Reg. 4 Land Use Survey by saying "The oyster beds and cannery on Drakes Estero would add recreation and economic value to the seashore and should continue" (page 1). Those statements have given generations of operators in Drakes Estero a clear image of the value of the operation in the community and the economic benefits derived from the successful oyster culture in the bay. There are family commitments and investments made to maintain the operations. It is well understood that many jobs are created and associated activities generate economic stimulus to the local community. There are many that place a high value on purchasing wholesome local food from family farmers which is identified by their reputation for quality products. The family that runs the oyster farm is real people, employee real people, and plays a role in civic affairs. DBOC gives back to the community and play a major role in educating the public on the importance of buying locally and sharing their knowledge of the environment and history of agriculture and mericulture in the Seashore, through their educational farm tours and outreach. The farm serves on many civic Boards and Commissions. Moving ahead to the year 2009- HR 3423 (123 Stat. 2532) Public Law 111-88 October 30, 2009, Pt. Reyes National Seashore, and Extension of Permit: Specifies the Secretary of Interior shall take into consideration recommendation of the National Academy of Science (NAS) Report pertaining to shellfish mericulture in Pt. Reyes National Seashore before modifying any terms and conditions of the extended authorization. The legislation does not specify any other sources of evaluation to allow for an extension of the DBOC operating permit. Have you evaluated the (NAS) findings as it relates to the specific mandate in HR 3423? This EIS must consider the following Cultural and Historical Impacts: Please clarify the impacts on family and generational transfer of business, and impact on job loss within the local community, community impact of losing enjoyment of sustainable food systems. Clarify what the NAS required report recommended to the Secretary of Interior which identifies and demonstrates any specific impact presented by DBOC to Drakes Estero wildlife. In conclusion: now is the time to deal with this issue in a fair manner considering all the possible impacts and benefits derived from the best and most reliable scientific sources to resolve the question "Should a Special Use Permit for a period of ten years for commercial harvesting and processing for shellfish be issued by the Park Service to DBOC". My assessment is YES the extension should be granted and the ALSA Collaborative Management Alternative adopted. The HR 3423 bill that authorized allowance for a ten year extension placed sole responsibility for scientific review in the hands of NAS. I recommend their findings be heavily weighted in the review process. My view is the DBOC is a sustainable farming system, steeped in culture and historical value, and plays a major role in job creation and economic stimulus to our community. I do not believe the routine activities of DBOC are impacting flora or fauna in the Drakes Estero. Please consider the NAS science and make the decision to issue the recommended permit extension. Sincerely, Stacy Carlsen

Marin County Agricultural Commissioner

Correspondence ID: 51125 **Project:** 33043 **Document:** 43390
Name: Lamb, Ann
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 16:39:42
Correspondence Type: Web Form

Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51126 **Project:** 33043 **Document:** 43390
Name: McKenna, Yeny Reina A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 16:40:22
Correspondence Type: Web Form

Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

I am a resident of Marin and aware of the Historical Value of the rich coastal region in West Marin. The research indicating an environmental impact on the bay due to the seeding and growing of oysters is simply not conclusive. The permit to continue using the bay and estero for the special purposes of growing oysters ought to continue. Drakes Bay Oyster Co. is a landmark destination for visitors and residents alike.

Correspondence ID: 51127 **Project:** 33043 **Document:** 43390
Name: Tarjan, Jim
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 16:42:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51128 **Project:** 33043 **Document:** 43390
Name: Draper, Jerry
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 16:44:41
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51129 **Project:** 33043 **Document:** 43390
Name: Balogh, Tom
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 16:46:00
Correspondence Type: Web Form
Correspondence: "I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51130 **Project:** 33043 **Document:** 43390
Name: Corff, Barbara
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 16:53:07
Correspondence Type: Web Form
Correspondence: Please be true to your promise to the public to end Drake's Bay Oyster company from doing business in our parklands and waters. There is a reason that there was an end date to their time. I visit Point Reyes for its spectacular natural beauty, and i do not expect to find a business making a profit in our park. Be the true leaders that you are with the incredible legacy of the Golden Gate National Seashore at stake. Do not put at risk the ecology of our shorelines and bays by allowing introduction of non native species. Do not bend to big money. Protect our treasured places, please! thank you.

Correspondence ID: 51131 **Project:** 33043 **Document:** 43390
Name: Ravizza, Osterweis, Barbara
Outside Organization: MarinWatch.org Unaffiliated Individual
Received: Dec,08,2011 17:04:16
Correspondence Type: Web Form
Correspondence: Adaptive Shellfish Cultivation Alternative

I support adoption of the Adaptive Shellfish Cultivation Alternative as the "preferred alternative" in the final EIS. That includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS. This was submitted by the Alliance for Local Sustainable Agriculture.

This would be a Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities.

Adopting this Adaptive Shelfish Cultivation Alternative would do many important things for the local area and the national area as well.

Some of which are: It supports the local economy by attracting visitors to West Marin

Continuing oyster cultivation provides 85% of the Bay Area's sustainably farmed shellfish.

It allows DBOC to continue using the federally owned facilities onshore Drakes Estero and allows them to continue to use the CDFG leases for right to fish.

Building an Interpretative Center would provide educational opportunities for children and people of all ages.

It would enable the Seashore to integrate natural and cultural resource management to better identify and understand the relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining the area's distinctive "sense of place and character.

It would go a long way to restore the NPS good name in this community and many communities across the nation who have been following this issue closely.

Correspondence ID:	51132	Project:	33043	Document:	43390
Name:	Herum, Jonathan				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	"I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS." COLLABORATIVE MANAGEMENT ALTERNATIVE:				

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

This alternative permits Drakes Bay Oyster Company (DBOC) to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Consider submitting additional comments on the suggested topics (see below) that you feel most strongly about.

The Oyster Farm's additional comments on the Draft Environmental Impact Statement:

2. NPS should support a renewable permit. Please support the issuance of a renewable permit for Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses pursuant to the existing California Department of Fish and Game leases in place since 1934.
3. NPS should adhere to its existing management policies, which support the continuation of the oyster farm. The current NPS General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. The draft EIS does not include justification for the decision to overturn the existing General Management Plan and Marin County's planning processes. The failure to address these issues is unacceptable.
4. NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations. PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again,

calling the removal of the oyster farm the "environmentally preferable" alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

5. NPS must fully address the economic impacts of the oyster farm - the draft study fails to provide a complete analysis. The draft EIS mentions that removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but does not provide a complete analysis of these impacts, nor does it include these impacts in the overall analysis. Further, it does not analyze the impacts of eliminating one of the largest employers in West Marin County and the last remaining oyster cannery in California. The EIS must address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy.

6. NPS must fully address the socioeconomic 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 foodshed.

8. NPS must properly assess impacts (both actual and potential) on wildlife - the draft study makes claims of harm based on weak or non-existent evidence. The draft EIS claims that removing the oyster farm would benefit harbor seals; that claim is not supported by science. This issue has been reviewed by various agencies and individuals, including the National Academy of Sciences and many prominent scientists, with the conclusion that the impact of the oyster farm on the harbor seals cannot be determined. What is known, however, is that Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and that the population seems to be stable.

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

Correspondence ID: 51133 **Project:** 33043 **Document:** 43390
Name: Robb, Aaron
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec.08,2011 17:15:53
Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51134 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 17:36:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51135 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 17:38:46
Correspondence Type: Web Form
Correspondence: The original SUP should be allowed to expire, and Alternative A adapted.

Correspondence ID: 51136 **Project:** 33043 **Document:** 43390
Name: Cook, Rebecca
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 17:39:21
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51137 **Project:** 33043 **Document:** 43390
Name: D'Amico, Dominic
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 17:46:55
Correspondence Type: Web Form
Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51138 **Project:** 33043 **Document:** 43390
Name: D'Amico, Donna
Outside Organization: National Parks Conservation Association Unaffiliated Individual
Received: Dec,08,2011 17:46:55

Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51139 **Project:** 33043 **Document:** 43390

Name: Hennessey, Dakota

Outside Organization: National Parks Conservation Association Unaffiliated Individual

Received: Dec,08,2011 17:47:40

Correspondence Type: Web Form

Correspondence: I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51140 **Project:** 33043 **Document:** 43390

Name: Traylor, Stacie

Outside Organization: Unaffiliated Individual

Received: Dec,08,2011 17:57:12

Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final Drakes Bay Oyster Company SUP Environmental Impact Statement.

It is my understanding that the operation of Drakes Bay Oyster farm is in no way harmful to the environment, but in fact the opposite- the oysters provide an important filtration system to that body of water. DBOC also strengthens the local economy of Marin, provides a wonderful source of sustainably farmed seafood (40% of California's Oyster production!) that is in high demand, and employs hundreds of people. DBOC has also shown to

The idea that taking this operation out of Marin County is shortsighted and harmful.

Correspondence ID: 51141 **Project:** 33043 **Document:** 43390

Name: Porrata, Carlos

Outside Organization: Unaffiliated Individual

Received: Dec,08,2011 17:59:38

Correspondence Type: Web Form

Correspondence: Superintendent Cicely Muldoon Point Reyes National Seashore 1 Bear Valley Road, Point Reyes Station California Re: Support for Alternative A (wilderness designation for Drakes Estero.)

I am writing to you as a 32-year West Marin resident who loves our National Parks and what they stand for. I am very aware of and agree about the importance of preserving local agriculture, sustainability, organic production and our family farms. As a retired, California State Park ranger, I am also quite clear about the different operational procedures, laws and policies that particular designations require within the National Park, especially differences among Pastoral Zone, Wilderness and Potential

Wilderness designations.

As much as I am in favor of agriculture, this particular situation involving Drakes Estero is the exception. The designation, law and policies require Full Wilderness Protection in 2012 for Drakes Estero. For many years people have been expecting Drakes Estero to become the only marine estuary in the West Coast designated as Wilderness with all the protections that designation entails. Existing law requires eliminating nonconforming uses when current leases expire, in this case a 40-year Reservation of Use. That was the deal. It should be noted that DBOC and its backers want renewable leases forever, not just the proposed 10-year lease being discussed. Wilderness protection should not be indefinitely rolled back in favor of private, commercial operations of any kind in any National Park. It sets a very bad precedent.

In hindsight, if there ever was a moment when this terribly divisive issue could have been decided sparing all of us neighbors in our community the deep divisions, pain and anguish that we have endured, it was when Senator Feinstein chose to put in a rider that would give DBOC a new 10-year lease on the Department of the Interior's Appropriation Bill, circumventing the public, democratic process. The Senator's final rider on the appropriation bill requested that the final decision to be made by Secretary Salazar.

Congress approved the Wilderness Act and other laws that guide the National Parks. Our Senator could have used an open process to bring both sides of this issue together for public hearings, to discuss all documents, policies and laws involved, to sort them out and decide if the Wilderness Act should stand as written or be changed. The Washington-based decision would have spared our community the ugliness and divisiveness of the very nasty politics that we have been experiencing for quite a few years now.

Sadly enough, an opportunity for a win-win resolution was also missed when DBOC was presented with a very generous buy-out offer that included full relocation funds and they chose to turn it down. This would have brought permanent stability to the oyster company and all of its employees at another site and would have allowed for Drakes Estero to achieve its Wilderness status with all the protections it entails as required by law and policies.

So as it stands today, I hope Secretary Salazar follows the National Park Service mission, policies, and existing law and decides to do what is best for the nation and the public trust by requiring Wilderness Protection for Drakes Estero in 2012.

Carlos Porrata Inverness, CA.

Correspondence ID: 51142 **Project:** 33043 **Document:** 43390
Name: Barnes, Burt B
Outside Organization: North Bay Sheep Growers Association Unaffiliated Individual
Received: Dec,08,2011 18:06:01
Correspondence Type: Web Form
Correspondence: I Support the Drakes Bay Oyster Operation. Stop the environmental desecration of a fine business.

Correspondence ID: 51143 **Project:** 33043 **Document:** 43390
Name: Nelson Colton, Lisa
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 18:09:24
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51144 **Project:** 33043 **Document:** 43390
Name: La Belle, II, Russell W
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 18:10:53
Correspondence Type: Web Form

Correspondence: As an environmentalist I strongly support the efforts to allow the Drakes Bay Oyster Company to continue operations. As a long time Marin resident I have enjoyed their product and their stewardship of the land and waters around them. It is a perfect harmony of business and nature.

I have read the many independent reports and analyses of their operation and its environmental impact, and the great majority are in support of their operations vis a vis the bogus claims against them. Their product has a worldwide reputation and is second to none in purity and taste, and their operation supports many workers and contributes much through various tax bases as well.

I cannot think of a more "fabricated" and baseless attack on an environmentally harmonious operation than the campaign being conducted against them by arm chair bureaucrats.

Thank you for your consideration.

Russell La Belle LTC, U.S. Army

Correspondence ID: 51145 **Project:** 33043 **Document:** 43390
Name: Hess, Bob
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 18:20:35
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51146 **Project:** 33043 **Document:** 43390
Name: Kraus, Sibella
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 18:26:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51147 **Project:** 33043 **Document:** 43390
Name: Wickett, Justin
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 18:28:58
Correspondence Type: Web Form
Correspondence: I am a frequent hiker and kayaker in Point Reyes and Drakes Bay and my favorite after sports activity is get a few oysters and enjoy them on the funky benches. I fully support a renewable Special use permit for Drakes Bay Oyster Company. They add a lot of value for the visitors of this very magical place and I hope that I continue to enjoy them like I do the Point Reyes National Seashore.

Correspondence ID: 51148 **Project:** 33043 **Document:** 43390
Name: Smith, Matthew
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec,08,2011 18:30:17
Correspondence Type: Web Form
Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51149 **Project:** 33043 **Document:** 43390
Name: Campe, Jim
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 18:32:32
Correspondence Type: Web Form
Correspondence: To whom it may concern, I was very disappointed that the last time I was asked to comment about extending the use permit for the Drakes Bay Oyster Company, organizations like the Sierra Club and The Environmental Action Committee sent out a mass

emailing to their members with talking points encouraging their members to check a box to send an email in opposition to the renewal of the use permit. The response from the media was that the "public" - many who had never heard of DBOC before - had voted to shut down DBOC.

I was also very disappointed to read the Draft Statement and find out that my comments and the comments of many of my friends who live in West Marin were basically ignored. One comment, in a local paper, that was particularly irritating was: " Since it was suggested 30 years ago that Drakes Estero become wilderness, we shouldn't question the closing down of DBOC". Where as a wilderness designation for Drakes Estero may have been a good idea 30 years ago, the extreme environmental impacts of the last 30 years make it a bad idea now and an even worse idea for the future. Now, more than ever, communities need to work toward self sufficient food production. PRNS is a part of the community of West Marin and should welcome and encourage existing, sustainably managed, ecologically balanced agriculture and mariculture within the park boundaries.

My third disappointment was when I attended the meeting at the Dance Palace in Pt. Reyes only to find out that not one of the alternative scenarios - A, B, C & D - that would determine the fate of DBOC was presented by DBOC, or concerned members of the community. In fact, all four of the alternatives would put DBOC out of business. The presentation was quite intimidating and the eventual outcome seemed very much like a "done deal". Now there is an alternative, and I HIGHLY URGE the adoption of the COLLABORATIVE MANAGEMENT ALTERNATIVE (Alternative "E" ?) as the preferred option in the final DBOC SUP EIS. I would like to suggest an amendment to Alternative "E" that provides for renewal of the use permit to be determined 3 years prior to its expiration so that oyster cultivation can continue uninterrupted without hardship to DBOC.

DBOC is an excellent model of a sustainable fishery providing restorative benefits to the ecology of Drakes Estero while maintaining a low carbon foot print by selling exclusively to local markets. They provide jobs and affordable housing as well as being tireless supporters of the many local organizations that provide education, assistance and resources to our community. This issue is not about laws, but about people and nature learning to live together in order to provide a safe, sustainable planet for future generations.

Sincerely,

Jim Campe

Correspondence ID: 51150 **Project:** 33043 **Document:** 43390
Name: Spaletta, Ernest D
Outside Organization: Farmer Unaffiliated Individual
Received: Dec,08,2011 18:39:24
Correspondence Type: Web Form
Correspondence: I support the adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with option for extension as the preferred alternative in the final DBOC SUP EIS. Ernest Spaletta

Correspondence ID: 51151 **Project:** 33043 **Document:** 43390
Name: Spaletta, Nichola
Outside Organization: Dairywife Unaffiliated Individual
Received: Dec,08,2011 18:44:49
Correspondence Type: Web Form
Correspondence: I support the adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with option for extension as the preferred alternative in the final DBOC SUP EIS. Thank you, Nichola Spaletta

Correspondence ID: 51152 **Project:** 33043 **Document:** 43390
Name: Krefting, Steven M
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 19:09:04
Correspondence Type: Web Form
Correspondence: Dear NPS Planners:

I would like to express my strong support for the No Action alternative as the preferred alternative.

Point Reyes is a spectacular unit of the National Park System, and Drakes Bay is a unique resource. When it comes to restoring ecosystems, time is of the essence. Waiting another ten years would be detrimental to the long-term health of the Bay. Resource preservation should be the priority for the future of Drakes Bay.

Commercial operations that detrimentally impact park resources should not exist in a national park, and this lease was made and signed with the full understanding that it would expire. As much as I love fresh oysters, this operation should relocate to a more appropriate site outside of Point Reyes National Seashore.

Please allow the lease to expire and restore this Bay to a wilderness.

Correspondence ID: 51153 **Project:** 33043 **Document:** 43390
Name: Meier-Johnson, Pat

Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 19:13:44
Correspondence Type: Web Form
Correspondence: "None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company."

Correspondence ID: 51154 **Project:** 33043 **Document:** 43390
Name: kolling, john
Outside Organization: Solana Gold Co. Unaffiliated Individual
Received: Dec,08,2011 19:21:43
Correspondence Type: Web Form
Correspondence: An oyster farm in the park is a positive opportunity for park education, ecology demonstration, park dept. intern recruitment etc.....

The oyster farm contributes food-sustainability interest and diversification from most "look and see and drive-away " passive, boring parks.

The park could increase their revenues, visitor attendance and volunteers by the inclusion of the oyster farm.

For instance, what about underwater cameras that show the oyster cultivation in real time at visitor center, etc..

Correspondence ID: 51155 **Project:** 33043 **Document:** 43390
Name: Will-Harris, Daniel
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 19:23:50
Correspondence Type: Web Form
Correspondence: The Drakes Bay Oyster Co use permit should be renewed.

Point Reyes National Seashore should be a showcase public-private partnership supporting sustainable agriculture / aquaculture, recreation, and environmental restoration. The Point Reyes National Seashore management appears to have a policy of promoting restoration at the expense of agriculture / aquaculture. That is not the premise on which the Seashore was founded. Science has not shown that oyster farming in Drake's Estero damages animal populations or the environment. Loss of Drakes Bay Oyster Co would be a serious economic blow to the region. Dozens of jobs would be eliminated, and since Drakes Bay is the largest single SF Bay Area producer, the oyster industry as a whole would be weakened. Please allow this resource to continue.

Correspondence ID: 51156 **Project:** 33043 **Document:** 43390
Name: Brumm, Charles
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 19:27:07
Correspondence Type: Web Form
Correspondence: Drakes Bay Oyster Farm is sustainable farming and should be left alone to operated as a business for the next 100 years at least. I think that more housing out in that particular area or closing Drakes Bay Oyster farm would truly be tragedies in their own rights.

Correspondence ID: 51157 **Project:** 33043 **Document:** 43390
Name: Rastelli, Jamie
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 19:39:45
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51158 **Project:** 33043 **Document:** 43390
Name: Allen-Stewart, Tricia
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 19:40:02
Correspondence Type: Web Form

Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51159 **Project:** 33043 **Document:** 43390
Name: S, E
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 19:48:11
Correspondence Type: Web Form
Correspondence: December 8, 2011

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

Dear Superintendent and Point Reyes National Seashore Staff,

I am a wildlife biologist and have been visiting Point Reyes National Seashore for 44 years.

I am writing in support of Alternative A-No New Special Use Permit -- Conversion to Wilderness (No Action).

I support ultimate designation of Drakes Estero as wilderness. In California we have few wilderness areas near large cities. As a city dweller myself, I need the solitude of Drakes Estero -- and solitude free from mechanized devices such as motorized boats.

The draft EIS states that 95 wooden racks used for mariculture displaces 5 acres of eelgrass beds. If Drakes Bay Oyster Company (DBOC) were removed, there would be an additional 88 acres of intertidal foraging habitat for birds (page 137). Alternative A would result in long-term benefits to harbor seals (page 137). Drakes Bay of Estero represents a major staging area for spring-migrating Black Brant (page 183).

Although beyond the scope of the DEIS, I note that I have no sympathy for the Lunny's and their so-called sustainable oyster farm. Caveat emptor -they knew that the lease was going to expire when they took over Johnson's Oyster Company. The Lunny's deliberately and illegally expanded their mariculture operations. I object strongly to using our national parks and seashores -- our public land -- as a farm for the profit of individuals (the grandfathered-in capital leases at Outer Point Reyes being the exception if at the current magnitude of operation). The so-called "sustainable" oysters displace phytoplankton and zooplankton that could otherwise be utilized by larvae of Dungeness crab and increase prey for juvenile salmonids.

I congratulate Point Reyes National Seashore for preparation of an excellent and well-researched DEIS.

Please select Alternative A, the no-action alternative, as this would best serve the needs of the public as well as wildlife.

Sincerely,

E Strauss

Correspondence ID: 51160 **Project:** 33043 **Document:** 43390
Name: Ahearne, Heidi A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 19:49:00

Correspondence Type: Web Form
Correspondence: Please keep the Drakes Bay Oyster company. They are environmentally friendly and local taxpayers, as well as the oysters keep the bay clean! Do not condemn another local business to die and kill more jobs and local product. We come from Napa CA to specifically get their high quality oysters as they are harvested right! Heidi Ahearne

Correspondence ID: 51161 **Project:** 33043 **Document:** 43390
Name: Babinecz, andrew
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 20:05:16
Correspondence Type: Web Form
Correspondence: Economic impacts are not adequately addressed.

The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ?' The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ?' The dEIS does not include these impacts in the overall analysis. ?' The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy.

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority

Correspondence ID: 51162 **Project:** 33043 **Document:** 43390
Name: Babinedz, John
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 20:07:49
Correspondence Type: Web Form
Correspondence: Impacts to local habitat restoration efforts and endangered species are not addressed

' The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ' The California Least Tern is a U.S. federally listed endangered species ' The Snowy Plover is in decline due to habitat loss. ' If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ' The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ' The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

8

Correspondence ID: 51163 **Project:** 33043 **Document:** 43390
Name: Babinecz, Valerie
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 20:09:54
Correspondence Type: Web Form
Correspondence: Existing management policies are not considered.

' 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ' The existing General Management Plan and ' Marin County's planning processes The existing management policies must be considered and addressed.

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

10

Correspondence ID: 51164 **Project:** 33043 **Document:** 43390
Name: Babinecz, John

Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 20:11:24
Correspondence Type: Web Form
Correspondence: Existing management policies are not considered.

' 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ' The existing General Management Plan and ' Marin County's planning processes The existing management policies must be considered and addressed.

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

10

Correspondence ID: 51165 **Project:** 33043 **Document:** 43390
Name: Babinecz, John
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 20:13:35
Correspondence Type: Web Form
Correspondence: National aquaculture policies are ignored.

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 dEIS should consider these policies.

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

11

Correspondence ID: 51166 **Project:** 33043 **Document:** 43390
Name: Clark, Joy
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 20:14:23
Correspondence Type: Web Form
Correspondence: The Drakes Bay Oyster farm seems a viable sustainable local endeavor. Totally consistent with NPS. Our family strongly supports this resource and the benefits it supplies on many levels in our community. My husband (83) and I (69) have lived in the San Francisco Bay Area our entire lives (where else would one want to live?) and Drakes Bay is a treasure. Please keep it going. Thank you. The Clark Family

Correspondence ID: 51167 **Project:** 33043 **Document:** 43390
Name: Babinecz, John
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT:

Collaborative Management Alternative

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

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services

provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51168	Project:	33043	Document:	43390
Name:	Babinecz, John				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,08,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT:				

Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51169	Project:	33043	Document:	43390
Name:	Barnes, Christina				
Outside Organization:	National Parks Conservation Association Unaffiliated Individual				
Received:	Dec,08,2011 20:22:13				
Correspondence Type:	Web Form				
Correspondence:	I urge you 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, which is an immense compromise in itself. Drakes Estero 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, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.				

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID:	51170	Project:	33043	Document:	43390
Name:	Gilbert, Joanna				
Outside Organization:	National Parks Conservation Association Unaffiliated Individual				
Received:	Dec,08,2011 20:22:22				
Correspondence Type:	Web Form				
Correspondence:	Please protect Drakes Estero wilderness next year, as long as required. It is in the public interest to create the West Coast's only marine wilderness for the enjoyment of all, indefinitely. The public has waited nearly four decades for these protections to be implemented, which is an immense compromise in itself. Drakes Estero is a rare pristine wildlife refuge where migrating birds stop over, harbor seals give birth, and fish take shelter in eelgrass. As someone who enjoys and realizes the earth's irreplaceable value in our nation's national parks and their wildlife, I urge you to uphold the longstanding plan to convert this very special resource to wilderness.				

I urge you to 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. Our 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's 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 a good policy example and reward the public with an enduring legacy feat found nowhere else on the West Coast.

Correspondence ID: 51171 **Project:** 33043 **Document:** 43390

Name: Conley, Sue

Outside Organization: Cowgirl Creamery/Tomales Bay Foods Unaffiliated Individual

Received: Dec,08,2011 20:28:48

Correspondence Type: Web Form

Correspondence: I am writing in support of the Lunny family. I believe that the lease should be extended and should be renewable. This is one of the most ecological farm operations in our country and should be held up as a model. When the Point Reyes National Seashore was established, there was an understanding that the farms and ranches would be allowed to remain. This legacy has helped establish a critical mass of farmland in Marin County that makes agriculture viable in the region. Please do not take this history and our future promise away.

Thank you,

Sue Conley co-owner Cowgirl Creamery/Tomales Bay Foods

Correspondence ID: 51172 **Project:** 33043 **Document:** 43390

Name: Reed, Jeanne Marie

Outside Organization: NRDC Unaffiliated Individual

Received: Dec,08,2011 20:29:12

Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51173 **Project:** 33043 **Document:** 43390

Name: VanAlstyne, Pat

Outside Organization: Unaffiliated Individual

Received: Dec,08,2011 20:29:55

Correspondence Type: Web Form

Correspondence: I believe that Drake's Bay Oyster Farm should be allowed to continue farming oysters. People are so disconnected from their food sources that many people do not even understand WHERE or how food arrives on their plate. Oysters have fed untold numbers of people for countless centuries, yet most people today do not even know that oysters are shellfish or are from the ocean. It is refreshing to go directly to the source, see the oysters, see the waters where they come from and leave with a much DEEPER appreciation of the Bay, of the ocean and of a time honored craft (oystering). I visited Point Reyes on Monday, December 5, 2011. I noticed several farms that also exist on the Point. I feel that both farms and oyster farm can exist in harmony with the wilderness of Point Reyes.

Please allow Drake's Bay Oyster Farm to continue to function. Do not take away that aspect of history and stewardship--it

would be a loss for everyone. Thank you.

Correspondence ID: 51174 **Project:** 33043 **Document:** 43390
Name: Ritchey, Dr Gene
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: Gentlemen:

"I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

I urge you to continue protecting Drake's Bay Oyster Company use of the Drake's Bay Estuary in the coming years. 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.

COLLABORATIVE MANAGEMENT ALTERNATIVE:

A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Thank You, Dr. Gene Ritchey

=====

Correspondence ID: 51175 **Project:** 33043 **Document:** 43390
Name: Frasheski, Andy
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 20:43:10
Correspondence Type: Web Form
Correspondence: Drake's Bay Oyster company should be allowed to continue to cultivate and sell oysters in the present location at all costs. This is a sustainable and ecologically friendly business that should be allowed to continue forever. Oysters clean the water so that the plants can get the sunlight at lower depths that they need to create habitat for the fish and others to survive. Andy

Correspondence ID: 51176 **Project:** 33043 **Document:** 43390
Name: Schweig, Rishi
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 20:52:20
Correspondence Type: Web Form

Correspondence: Please DO NOT extend the Drakes Bay Oyster Company permit.

I know there are many people from my town who are raising as much pressure on you as they can to keep the non-native oysters growing in the wilderness area. The dissension and the anger is very disheartening...and intimidating

I have been a harbor seal survey volunteer. Not enough of us come from West Marin, unfortunately. I have seen boats from the oyster operation come out to the seals' resting area, ostensibly to retrieve equipment, but the effect has been a disturbance of the seals. I can only imagine how many bits of metal and plastic litter the Estero from this agricultural/industrial operation.

I think it is possible to seed native oysters into that area and get every bit as much benefit - even more - than the existing commercial operation. This is not a popularity contest. Yes, the Lunny's are wonderful people, even heroes when the whole area was flooded in '82. But they need to move the oyster operation elsewhere (did I mention that they are non-native?)

Thank You Rishi Schweig

Correspondence ID: 51177 **Project:** 33043 **Document:** 43390
Name: Mihelich, Elizabeth V
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 20:57:00
Correspondence Type: Web Form
Correspondence: I believe in the project!

Correspondence ID: 51178 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 21:02:47
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51179 **Project:** 33043 **Document:** 43390
Name: Corwin, John E
Outside Organization: Marin Organic Unaffiliated Individual
Received: Dec,08,2011 21:05:21
Correspondence Type: Web Form
Correspondence: I believe Drakes Bay Oyster Co. (DBOC) is beneficial to our community. It has upgraded the facility that used to exist in Pt. Reyes National Seashore (PRNS). The Park Service has manipulated data to try to force DBOC out of business by saying they disturb seals. This is contrary to many expert opinions, see Dr. Corey Goodman and others. The Park Service and others had a preconceived plan of what the Seashore should be, and manipulated or withheld data to fit their outcome. Any unbiased review of the facts will conclude that DBOC does not harm and perhaps enhances the environment in Drakes Bay. They should be allowed to continue their operation.

John Corwin

Correspondence ID: 51180 **Project:** 33043 **Document:** 43390
Name: Cosgriff, Mark
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 21:26:01

Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51181 **Project:** 33043 **Document:** 43390
Name: Myers Mcnamara, Paige
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec,08,2011 21:27:00
Correspondence Type: Web Form
Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51182 **Project:** 33043 **Document:** 43390
Name: VanAlstyne, Pat
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 21:30:42
Correspondence Type: Web Form
Correspondence: Keep the OYSTER FARM! Oysters improve water quality, plus they are sustainable. If anything, restrict hikers and kayakers (and I do both) from going anywhere near the seals. The oyster farm is a benefit to both people and the environment. I learned as much at the oyster farm as I did at the information center at the lighthouse. The oyster farm is part of our history and it should be part of our future. Plus, I would much rather have my oysters come from our own waterways than be imported from halfway around the world.

Correspondence ID: 51183 **Project:** 33043 **Document:** 43390
Name: Wick, John P
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

COLLABORATIVE MANAGEMENT ALTERNATIVE: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the onshore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers,

relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID: 51184 **Project:** 33043 **Document:** 43390
Name: Rathmann, Margaret C
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

COLLABORATIVE MANAGEMENT ALTERNATIVE: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID: 51185 **Project:** 33043 **Document:** 43390
Name: Mooney, Linda
Outside Organization: Unaffiliated Individual
Received: Dec.08,2011 21:54:45
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51186 **Project:** 33043 **Document:** 43390
Name: Harder, Christopher
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 21:56:11
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51187 **Project:** 33043 **Document:** 43390
Name: Brauer, Laurence
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 22:02:05
Correspondence Type: Web Form
Correspondence: The Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit makes it clear that the permit should not be extended.

The public reaction to the renewal of the lease at DBOC perfectly encapsulates the inability of some people to not see the forest for the trees, so to speak. Since the Point Reyes Wilderness Act and the lease with Johnson Oyster Company and thus Drakes Bay Oyster Company states the area reverts to wilderness in 2012, then that is what should happen. Kevin Lunny knew full well that the lease expired in 2012 when he purchased the operation. All the other discussion is irrelevant to this basic fact.

When John Burton and Pete McClosky say that closing down the oyster farm was not the intent when the wilderness was created in 1976, I have to wonder why it took them 35 years to say so. The provisions of the Wilderness Act and the Point Reyes Wilderness Act are clear and unambiguous. Why were they silent for so long? As the letter from the Field Solicitor from 2004 concludes, "Hence, the Park Service is mandated by the Wilderness Act, the Point Reyes Wilderness Act and its Management Policies to convert potential wilderness, i.e., the Johnson Oyster Company tract and the adjoining Estero, to wilderness status as soon as the non conforming use can be eliminated."

Dr. Cory Goodman's analysis has been completely discredited by the scientific community. It is an example of one person who shouts loudly enough and long enough can manage to be taken seriously even when the facts do not support his statements. The Point Reyes National Seashore staff who have been libeled and slandered in this process should be commended for their response to the vilification they have endured throughout this overly drawn out attempt to satisfy the politically well-connected .

Please allow the estuary to finally become the wilderness area envisioned in the Point Reyes Wilderness Act.

Thank you for your consideration.

Correspondence ID: 51188 **Project:** 33043 **Document:** 43390
Name: Painter, Michael J
Outside Organization: Californians for Western Wilderness (CalUWild) Non-profit/Organization
Received: Dec.08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: December 8, 2011

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

via Webform

Comments by Californians for Western Wilderness on the DEIS for the Drakes Bay Oyster Company Special Use Permit

Dear Superintendent Muldoon:

I am writing on behalf of the more than 790 members and supporters of Californians for Western Wilderness (CalUWild), an unincorporated citizens organization dedicated to encouraging and facilitating citizen participation in legislative and administrative actions affecting wilderness and other public lands in the West. Our members use and enjoy the public lands all over the West.

We strongly support the Seashore's Alternative A, the No Action Alternative.

When Congress passed the Pt. Reyes Wilderness bill in 1976, it designated Drake's Estero as potential wilderness. An area designated as potential becomes actual wilderness when the nonconforming use or condition is removed. The expectation is that a nonconforming use or condition will be removed or remediated at the earliest possible time.

The previous special use permit for the present Drakes Bay Oyster Company (DBOC) is due to expire in 2012. At that point, the areas it uses in the potential wilderness should be reclaimed as necessary and incorporated into the National Wilderness Preservation System.

By law, only Congress can designate wilderness, and, therefore, Congress should make any decisions regarding the wilderness status of public lands, with full open public hearings. The process in Congress surrounding the DBOC has been anything but open and public, with no public committee hearings and with riders attached to other legislation, also bypassing debate. Because of that (lack of) process, the Seashore should proceed as it originally intended and expected, and terminate DBOC's use permit when it expires.

Even the current owners of DBOC expected their permit to expire when they bought it from the previous owners just a few years ago. Presumably, that expectation figured into the purchase price. It is unfair for the owner to now expect an extension.

The environmental and scientific controversies surrounding the continued operation of DBOC are irrelevant, as far as we are concerned. The legislative and procedural questions surrounding the designation of the potential wilderness and purchase of the company are sufficient grounds to allow the SUP to expire in 2012.

In the event you decide to allow an extension of 10 years to the SUP, it should come with the most stringent environmental requirements possible and the fees paid by the owners to the Park Service should be increased to take into account the discount in purchase price paid when the company was purchased. Those higher fees should be used for habitat restoration in and around Drakes Estero.

Thank you for your consideration.

Respectfully submitted,

Michael J. Painter Coordinator

Californians for Western Wilderness P.O. Box 210474 San Francisco, CA 94121 415-752-3911

Correspondence ID: 51189 **Project:** 33043 **Document:** 43390
Name: Ruta, Ruth
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual

Received: Dec,08,2011 22:26:23

Correspondence Type: Web Form

Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51190 **Project:** 33043 **Document:** 43390

Name: Androvette, Steven A

Outside Organization: Unaffiliated Individual

Received: Dec,08,2011 22:47:28

Correspondence Type: Web Form

Correspondence: I have been a regular visitor to Drakes Bay Oysters for many years. I stop by 3-5 times annually. I am an oyster lover and Drakes Bay oysters are the best I've ever tasted. What's most special about a breakfast or lunch at Drakes Bay is the liquor in the oysters. It is like ingesting a teaspoon of the cleanest, coldest water from the deepest part of the mighty Pacific. I know of no experience more exquisite, and healing, than ingesting a Drakes Bay oyster with a side of ocean. I certainly feel that the Lunny Family and their workers have provided an important resource for us humankind in the Bay Area. Their oysters, as all who've visited can tell you, are an important part of our world.

Correspondence ID: 51191 **Project:** 33043 **Document:** 43390

Name: Lino, Kathryn

Outside Organization: Unaffiliated Individual

Received: Dec,08,2011 22:48:11

Correspondence Type: Web Form

Correspondence: To NPS, I respectfully submit my support for the Drakes Bay Oyster Farm and the continuation of their use permit. The original intent of the Point Reyes National Seashore was to continue farming in the Point Reyes National Seashore, this includes oyster farming by having the farmers be the stewards of the land and water. Point Reyes National Seashore has been and will continue to be a showcase public-private partnership supporting sustainable agriculture / aquaculture, recreation, and environmental restoration. More recently, the Point Reyes National Seashore management appears to have a policy of promoting restoration at the expense of agriculture and aquaculture. That is not the premise on which the Seashore was founded and I find very troubling.

Science has not proven that oyster farming in Drake's Estero damages animal populations or the environment. Loss of Drakes Bay Oyster Co would be a serious economic blow to the region. Dozens of jobs would be eliminated, and since Drakes Bay is the largest single SF Bay Area producer, the oyster industry as a whole would be weakened. After reading the EIS, here are my concerns and comments.

1. All proposed alternatives put the oyster farm out of business - NPS should create a new alternative that supports oyster farming and maintains the renewal option. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives here that qualify as "no-action." Alternative A forces DBOC out of business next year and the other alternatives shut DBOC down in ten years. The draft EIS fails to provide a valid status-quo baseline, which would include a lease with a renewal option. A new set of alternatives must be created that meet the actual criteria for this process.
2. NPS should support a renewable permit. Please support the issuance of a renewable permit for Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses pursuant to the existing California Department of Fish and Game leases in place since 1934.
3. NPS should adhere to its existing management policies, which support the continuation of the oyster farm. The current NPS General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. The draft EIS does not include justification for the decision to overturn the existing General Management Plan and Marin County's planning processes. The failure to address these issues is unacceptable.
4. NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations. PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again,

calling the removal of the oyster farm the "environmentally preferable" alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

5. NPS must fully address the economic impacts of the oyster farm - the draft study fails to provide a complete analysis. 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 foodshed.

8. NPS must properly assess impacts (both actual and potential) on wildlife - the draft study makes claims of harm based on weak or non-existent evidence. The draft EIS claims that removing the oyster farm would benefit harbor seals; that claim is not supported by science. This issue has been reviewed by various agencies and individuals, including the National Academy of Sciences and many prominent scientists, with the conclusion that the impact of the oyster farm on the harbor seals cannot be determined. What is known, however, is that Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and that the population seems to be stable. 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.

And some additional questions:

1. National Academy of Sciences Report: Why doesn't the EIS follow NAS Report's conclusion of no major adverse impact per Senator Feinstein's legislative instructions to the NPS? Why does the NPS find just the opposite?

2. "Potential" Impacts: After a decade of scientific studies and millions of taxpayers' dollars, why is this EIS about future "potential" impacts and not about documented data of actual impacts?

3. Special-Status Species: How come NPS concluded in 1998 that DBOC was not a threat to endangered species, and now, in 2011, the EIS says the opposite?

4. Red-Legged Frogs: Since red-legged frogs don't and can't live in salt water, why are they listed in this EIS as being subject to a "potential" impact of DBOC? Does NPS have any evidence of an actual impact or even a theory as to how an impact could occur?

5. Eelgrass: Since NAS said eelgrass has doubled in coverage since the early 1990s, and since oysters help clarify the water, why does the EIS say eelgrass is negatively impacted?

6. Harbor Seals: Concerning the harbor seal impacts we've been hearing about since 2007, what happened to earlier NPS claims about an 80% decline in seals due to DBOC disturbances? Were those claims withdrawn because there's no evidence for them?

7. NPS Photos: Given that NAS thought minute-to-minute photos would resolve the controversy, why does the EIS dismiss the 281,000 minute-to-minute photos showing no disturbances due to DBOC?

8. "Displacement" of Seals: NPS describes a long-term displacement of harbor seals OUT of the Estero, but doesn't the data show a short-term displacement of seals INTO Estero?

9. Rogue Elephant Seal: Wasn't the rogue elephant seal at Double Point in 2003, and not the oyster farm, the cause of the short-term movement of seals INTO the Estero in 2003 & 2004?

10. Lack of NPS Data: After many years of NPS claims of actual overwhelming harm to seals by DBOC, are hypothetical potential future impacts the best the DEIS has to offer as to why DBOC is causing harm? Where is the science in this?

11. Why does the EIS not propose a fifth alternative that would allow DBOC to continue operation past 2012 under the same

rules and regulations it's been operating under until now? It appears to me that without an option to continue the DBOC use permit, the park is clearly trying to get rid of DBOC.

The facts clearly show that the Lunny's and DBOC are fine stewards of the land and waters in and around the Drakes Estero and they should continue to do so with a ten year lease and renewable lease option there after.

Respectfully, Kathryn Lino

Correspondence ID: 51192 **Project:** 33043 **Document:** 43390
Name: Stock, Jennier
Outside Organization: none Unaffiliated Individual
Received: Dec,08,2011 23:21:24
Correspondence Type: Web Form
Correspondence: I support Alternative A no action and I would encourage the Point Reyes National Seashore to be reimbursed for the thousands of dollars of labor that has been taken up by this ridiculous mess.

Correspondence ID: 51193 **Project:** 33043 **Document:** 43390
Name: Gregory, Heidi
Outside Organization: TBOC Unaffiliated Individual
Received: Dec,08,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I Support DBOC. As a farmer on Tomales Bay I see the demand for oysters increasing. People coming to our area to enjoy the oysters and the beauty that surrounds us. Over the last 10 Years the demand of oysters has two folded, Plus some. Oysters are a luxury that we all enjoy. It is one of the main reasons that people come out to visit this area. Oysters have been in this county for 100 years. Why should it change now?? DBOC Is the ONLY cannery in CA and supplies oysters all over. They also have a great advantage of being able to have a Hatchery on sight. which is very rare and self sustainable. This is where people come to escape As the popular demand for oyster Picnic areas are increasing on Tomales bay so is the Parking,traffic cars and people. We already face the community's criticism for overflow parking that leads to traffic congestion. Tomales Bay sites are struggling to accommodate visitors in full summer now. If DBOC was shut down then what??? Tomales Bay retail and picnic areas will have to turn away visitors, effectively taking away from them the opportunity to visit an oyster farm and purchase freshly harvested oysters grown on-farm. Plus education about Farming,and about our beautiful area that we all like to share with those we meet. People come to our farm and ask for jarred oysters and we send them in the right direction!

Heidi Gregory

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

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID: 51194 **Project:** 33043 **Document:** 43390
Name: Majicka, Kat
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,08,2011 23:26:37
Correspondence Type: Web Form

Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51195 **Project:** 33043 **Document:** 43390
Name: Copland, Lisa
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,08,2011 23:26:59
Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51196 **Project:** 33043 **Document:** 43390
Name: Pera, Jeff
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 23:28:52
Correspondence Type: Web Form

Correspondence: I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID: 51197 **Project:** 33043 **Document:** 43390
Name: L, K
Outside Organization: Unaffiliated Individual
Received: Dec,08,2011 23:31:36
Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51198 **Project:** 33043 **Document:** 43390
Name: Kuhn, Jesse
Outside Organization: local farmer Unaffiliated Individual
Received: Dec.08,2011 23:41:02
Correspondence Type: Web Form
Correspondence: To Whom It May Concern,

The network of agricultural producers in Marin County is an extremely valuable resource for the SF Bay Area community, and is used as a model for other food communities both in this country and others. The management in the National Park Service realized this when they moved to protect the natural beauty of the Point Reyes peninsula from gross development, by also preserving the ranching, dairying and other agricultural endeavors that made up the historical economy and landscape that was in place.

The preservation of this local food economy is as important as the lands from which the goods are derived. However, this rich food economy that was in place was not only preserved- it was revered by the Park Service- honoring each ranch by giving them 'historic' status.

The Drakes Bay Oyster Co is a very unique element of our food community, and should not be crushed by current Park Service management. Quite the contrary- they should be honored by the Park and touted as an historic and cultural gem.

The National Park Service should recognize the tremendous potential that exists here for collaboration, education and community building. Working with this small family farm to preserve the historic elements of mariculture in Drakes Bay could be the very model of sustainability used by the Park Service to promote itself. I mean, growing these oysters is hardly resource intensive, and actually leaves the water cleaner than it began, right? If its the seals we are worried about, then keep the kayaks out of there.

Please let the Lunnys go back to farming and being being the great land stewards that they are.

Please make the Park Service stop wasting our resources by fighting the renewal.

I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Sincerely,

Jesse Kuhn Marin Roots Farm 415-309-2474

Correspondence ID: 51199 **Project:** 33043 **Document:** 43390
Name: gura, marion
Outside Organization: NRDC Unaffiliated Individual
Received: Dec.09,2011 00:03:58
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51200 **Project:** 33043 **Document:** 43390

Name: Motzer, Robin
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 00:16:48
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51201 **Project:** 33043 **Document:** 43390
Name: Lafranchi, Richard R
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:23:10
Correspondence Type: Web Form
Correspondence: Dear Sirs,

As a life long Marin resident I greatly appreciate the National Seashore. To be able to first hand experience this beautiful part of our country is a true treasure. As a child I was fortunate to have relatives with a ranch on Drakes Bay and we could go to the beach and be the only people on the beach for miles. While this was wonderful I believe it is better that all people now have access to this stunningly beautiful place. Over the years whenever my daughter is in town from the East Coast we always make a trip to the park. During these wonderful times we always stop by the Drakes Bay Oyster Company to enjoy their product. I'm always impressed by the steady flow of people visting the site and how happy they all seem to be to be there. I sincerely believe this Oyster operation is another of the Park's treasures. Countless people stop there and all enjoy the serenity and comfort the site and product bring to them. I appreciate the Park's concerns for the seals and all other plant and animal life. I believe the operator's of the Drake's Bay Oysters also share this concern. This a productive positive component of the West Marin economy and community. This operation helps to sustain the agricultural infrastructure of West Marin. An ag community that was one of the first on the West Coast. I see no good reason to shut it down. I respectfully ask for the Drakes Bay Oyster operation to continue for another ten years with a renewable lease. Thank you for your time. Rick Lafranchi

Correspondence ID: 51202 **Project:** 33043 **Document:** 43390
Name: Cadiz, Ramon
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:36:55
Correspondence Type: Web Form
Correspondence: The DBOC is a crucial part of our local cultural heritage. I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS, and strongly urge its adoption. Thanks for reading this.

Correspondence ID: 51203 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:38:18
Correspondence Type: Web Form
Correspondence: Superintendent Cicely Muldoon Point Reyes National Seashore 1 Bear Valley Road Point Reyes Station, CA 94956

Re: Support for Alternative A ? Wilderness ? in Drakes Estero

Dear Superintendent Muldoon:

I am writing to support Alternative A, the "no action" alternative that would restore wilderness protections to Drakes Estero. I support this alternative for 3 reasons: law, environment, and violations. Each is explained in greater detail below.

My experience with oyster production in public waters is as a resident of Morro Bay where there is an oyster farm in the National/State Morro Bay Estuary, where an oyster farm exists today.

The National Park Service has concluded that full wilderness protection is the best option for the environment. It is also the option preferred by the public. More than 77% of the comments submitted during the scoping process for the oyster lease environmental impact statement called for full wilderness protection in 2012.

The public's voice is critical as the Park belongs to all Americans, and visitors to the Park are vital to the local economy. In 2009, visitors spent almost \$86 million during visits to the Seashore and non-local visitor spending supported 966 local jobs and accounted for \$39.3 million in local labor income.¹ Unfounded and politically motivated claims of scientific misconduct by Park Service personnel and incorrect statements regarding Congress' intent in establishing the Seashore and its wilderness areas have diverted attention away from the real issues.

Wilderness protection should not be rolled back to benefit one private commercial operation in derogation of our wilderness laws and policies. This would set a terrible precedent and must not be allowed to prevail. It is time to look beyond the numerous unfounded attacks and return Drakes Estero to all Americans, as the West Coast's only marine wilderness.

All Applicable Law and Policy Require Full Wilderness Protection in 2012

Federal law and policy require full wilderness protection for Drakes Estero in 2012 and prohibit the Park Service from issuing a new special use permit to the Drakes Bay Oyster Company (DBOC). The FY 2010 Interior appropriations bill rider that prompted the current review allows, but does not require, a new special use permit for the oyster operation.²

The Seashore was created "to save and preserve, for the purposes of public recreation, benefit, and inspiration" a portion of the nation's diminishing seashore.³ The Seashore's 1962 authorizing legislation requires the Park Service to administer the Seashore "without impairment of its natural values" and in a manner that is "supportive of the maximum protection, restoration, and preservation of the natural environment."⁴

The Wilderness Act of 1964 recognizes and defines wilderness as "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."⁵ Wilderness is further defined as an area of "Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions."⁶

The 1976 Point Reyes Wilderness Act reaffirms the 1962 and 1964 laws and added language to the Seashore's authorizing legislation which "underscores the intention that the Seashore is to be managed for the protection of its natural environment and values."⁷ The Point Reyes Wilderness Act designates the waters of Drakes Estero and the adjoining intertidal land as "potential wilderness."

The term "potential wilderness" is defined in legislative history as "a category of lands which are essentially of wilderness character, but retain sufficient non-conforming structures, activities, uses or private rights so as to preclude immediate wilderness classification."⁸ The legislative history provides an explicit statement of Congressional intent regarding the importance of removing all non-conforming uses including the oyster operation in Drakes Estero from areas designated as "potential wilderness":

"As is well established, it is the intention that those lands and waters designated as potential wilderness additions will be essentially managed as wilderness, to the extent possible, with efforts to steadily continue to remove all obstacles to the eventual conversion of these lands and waters to wilderness status."⁹ Congress chose to designate Drakes Estero as potential wilderness with full knowledge of the presence of the oyster company and its non-conforming use in the Estero.¹⁰ This knowing designation and the contemporaneous legislative history make it clear that Congress intended that the non-conforming use must end when the current lease expires. There is no support in the legislative history for continuing oyster operations after expiration of the current lease in 2012.

During a 1976 Congressional hearing on the Point Reyes Wilderness Act, then Representative John L. Burton wrote that the "potential wilderness" designation would allow Drakes Estero to "be classified as wilderness upon the removal of certain presently existing temporary conditions, without the need to come back to Congress again."¹¹ Congressman Burton recognized that Drakes Estero was one of "three particularly fragile areas" in urgent need of protection:

"Drakes and Limantour Esteros are refuges for harbor seals, leopard sharks, egrets, herons, migratory fowl, rare species of clams, cockles, and snails. They are also native Indian sites. Their permanent protection is urgently needed, at the very least by potential (or reserve) wilderness."¹²

Congressman Burton also testified that potential wilderness designation was critical to ensure that these areas would not be "destroyed by incursions of speedboats and motor-type boats."¹³ A recent letter to the Secretary of the Interior from former Congressman Burton and others offers a new interpretation of the purported legislative intent behind creation of the Seashore and designation of Drakes Estero as "potential wilderness" that is at odds with the contemporaneous legislative history.¹⁴ As a matter of law, a legislator's post-hoc interpretations of legislation carry no special weight; only statements made contemporaneous with passage of legislation are to be considered. *Sullivan v. Finkelstein*, 496 U.S. 617, 632 (1990) ("views of a

legislator concerning a statute already enacted are entitled to no more weight than the views of a judge concerning a statute not yet passed").

The National Park Service Management Policies prioritize management of natural resources for maximum protection and restoration and require conservation and resource protection in the face of scientific uncertainty or conflicts between conservation and use.¹⁵ The Park Service is also required to manage wilderness, including potential wilderness, "for the preservation of the physical wilderness resources" and "planning for these areas must ensure that the wilderness character is likewise preserved."

This policy further states that potential wilderness shall "be managed as wilderness to the extent that existing nonconforming conditions allow" and the Park Service shall determine "the most appropriate means of removing the temporary, nonconforming conditions that preclude wilderness designation from potential wilderness."¹⁶ The zoning for Drakes Estero under the Point Reyes General Management Plan calls for the Estero's conversion to wilderness where no mechanized equipment or development is to occur.¹⁷ In 2004, the Department of the Interior Solicitor's Office advised the Park Service that it is "mandated by the Wilderness Act, the Point Reyes Wilderness Act and its Management Policies to convert potential wilderness, i.e., the Johnson Oyster Company tract [now the Drakes Bay Oyster Company tract] and the adjoining Estero, to wilderness status as soon as the non conforming use can be eliminated."¹⁸ Indeed, the Park Service is "required to actively seek to remove from potential wilderness the temporary, non- conforming conditions that preclude wilderness designation."¹⁹ The Drakes Bay Oyster Company operation is the only remaining obstacle to full wilderness protection. The Best Available Science Supports Full Wilderness Protection The National Park Service Draft Environmental Impact Statement (Draft EIS) makes clear that the "no action" alternative ? allowing the DBOC lease to expire in 2012 and establishing full wilderness protection to Drakes Estero ? is the best alternative for the environment and for managing the park in conformance with law and policy. Extending the DBOC lease through any of the three "action" alternatives would have long-term adverse environmental impacts on Drakes Estero that "would be clearly detectable and could appreciably affect individuals or groups of species, communities, or natural processes"²⁰ including to: Wilderness due to the readily apparent, widespread, impact on wilderness character from non-native shellfish cultivation; maintenance of human-made infrastructure (including 5 miles of racks); motorboat travel 8 hours per day for 6 days a week; and human-caused noise; Harbor seals due to the potential for human disturbance and resulting displacement from multiple motor boat trips and bottom bag cultivation on sandbars and mudflats adjacent to harbor seal protection areas; Shorebirds due to flushing from motor boats which causes avoidance of normal foraging and resting; inability to access food in the five miles of inter-tidal area occupied by oyster bags; and impacts to the Black Brant sea goose which eats only eelgrass as it migrates from Alaska to Mexico; Eelgrass habitat due to boat propeller scaring; boat wake erosion; the invasive tunicate (*Didemnum vexillum*) that is attaching to and smothering eelgrass; and continued introductions of non--?native species; Wetlands and wetland functions due to placement of bottom bags in wetland habitat; Soundscapes due to the use of heavy machinery and repeated use of motor boats; Native fish due to displacement of habitat and continued attraction of fish communities that would not naturally be found due to perpetuation of non-native habitats; and Benthic fauna due to non-native oysters competitively excluding native species; introduction of diseases; and introduction of other harmful non-native species.

The two greatest threats to biodiversity are habitat loss and invasive species. Both of these causes to biodiversity loss will intensify with climate change and both will be aggravated by continued mariculture operations in Drakes Estero.²¹

The Draft EIS Understates the Adverse Impacts of the Action Alternatives by Failing To Assess the Risks and Impacts of Non-Compliance with Permitting Requirements and Permit Conditions Established to Protect the Environment The Draft EIS improperly ignores DBOC's abysmal record of complying with permit conditions and requirements when analyzing impacts of continued operations. There has been no time during DBOC's ownership when it has been in compliance with its permit conditions or permitting requirements. DBOC's predecessor, the Johnson Oyster Company, had a similarly long history of environmentally destructive violations. These violations have caused ? and continue to cause -- significant harm to the environment and there is nothing to suggest that these problems will be rectified if DBOC is granted a new special use permit. This history of constant non-compliance must be evaluated and considered in assessing the potential impacts of any of the action alternatives. Ignoring this long history produces an inaccurate and unrealistically positive assessment of adverse impacts. Since its purchase of Johnson's Oyster Company, DBOC has operated in knowing violation of California Coastal Commission, National Park Service, and U.S. Army Corps of Engineers permit conditions and requirements. DBOC was most recently cited for violations of its California Coastal Commission permit in September 2011. For example: 7 December 2004: DBOC purchases the remaining seven years of the existing mariculture lease, knowing that it will expire in 2012, and assumes responsibility for complying with the cease and desist order issued to the prior owner, the Johnson Cease and Desist Order No CCC-03-CD-12. (Consent Cease and Desist Order CCC-03-CD-12; November 29, 2007 Staff Report and Findings for Cease and Desist Order; Draft EIS Ch. 1 at 19) 7 May 2005: The California Coastal Commission advises DBOC that it still is not in compliance with the Johnson Cease and Desist Order and that it must obtain a coastal development permit. (May 11, 2005 Letter from the California Coastal Commission to DBOC) 7 March 2006: The California Coastal Commission again advises DBOC that it is not in compliance with the Johnson Cease and Desist Order, that it is in violation of the Coastal Act, and that it must obtain a coastal development permit for additional new and unpermitted development. (March 21, 2006 Letter from the California Coastal Commission to DBOC) 7 June 2007: The California Coastal Commissions again advises DBOC that it is not in compliance with the Johnson Cease and Desist Order and that it is also may require a coastal development permit and permits from the U.S. Army Corps of Engineers and the Park Service. (June 5, 2007 Letter from the California Coastal Commission to DBOC) 7 October 2007: The California Coastal Commission advises DBOC that it intends to commence Cease and Desist Order Proceedings due to DBOC's continued unpermitted offshore and onshore operations and facilities. (October 3, 2007 Letter from the California Coastal Commission to DBOC) 7 December 2007: The California Coastal Commission issues a Consent Cease and Desist Order to DBOC regarding unpermitted activities carried out in connection with DBOC oyster operations in Drakes Estero. The related November 2007 staff report states that DBOC is not in compliance with the Johnson Cease and Desist Order and that DBOC has constructed additional development and engaged in unauthorized uses without the required permits (e.g., refrigerated storage units installed, second leach field constructed, parking area paved, boat transit outside established channels). (Consent Cease and Desist Order CCC-07-CD-11, December 12, 2007; November 29, 2007 Staff Report and Findings for Cease and Desist Order; Draft EIS, Ch. 1 at 19) 7 February 2009: DBOC begins harvesting Manila clams

without a Park Service permit and 10 months prior to review and approval by the California Fish and Game Commission. DBOC declines to provide information on cultivation to assist the Park Service in evaluating this expansion of species cultivation. Manila clam cultivation has never been approved by the Park Service. (Draft EIS, Ch. 1 at 20) 7 September 2009: The California Coastal Commission advises DBOC of numerous ongoing violations of the 2007 Cease and Desist and Consent Order, including provisions developed to protect the Estero from invasive species, to impose appropriate restrictions on new construction, and to protect water quality. (September 16, 2009 Letter to DBOC from the Coastal Commission) 7 December 2009: The California Coastal Commission fines DBOC \$61,500 for numerous ongoing violations of five separate provisions of the Cease and Desist and Consent Order issued to DBOC in 2007 and advises DBOC that the fines will continue to accrue until DBOC comes into compliance. Violations include operating in areas of Drakes Estero that are off limits during the crucial harbor seal pupping and rearing season. (December 7, 2009 Letter to DBOC from the Coastal Commission) 7 November 2010: The U.S. Army Corps of Engineers advises the Park Service that the DBOC aquaculture activities require a Corps permit but that the Corps does not have either a current permit application or permit on file. (Draft EIS, Ch. 2 at 130, Table 2-6; November 16, 2010 Letter to the Park Service from the Corps of Engineers) 7 September 2011: The California Coastal Commission advises DBOC to "aggressively and comprehensively" address significant amounts of plastic and other marine debris from DBOC operations that pose "a hazard to the marine environment and natural resources of Drakes Estero" and address "adverse impacts from the boats and DBOC personnel on the sensitive harbor seals and their habitat during the breeding and pupping season." (September 29, 2011 Letter to DBOC from the Coastal Commission) Individually, each of DBOC's violations of permit conditions and permitting requirements is cause for concern. Cumulatively, they significantly undermine the ability of the Park Service, the California Coastal Commission, and the U.S. Army Corps of Engineers to administer the activities of DBOC in accordance with federal and state law and policy and in a manner that will protect and enhance the Seashore's natural resources. Issuance of a new Special Use Permit to DBOC includes a significant risk that DBOC will continue to violate conditions attached to the new permit and other applicable regulations designed to protect the environment. While the Draft EIS summarizes DBOC's history of non-compliance it goes on to assume that DBOC will comply fully with all permitting conditions and requirements if a new Special Use Permit is issued pursuant to any of the three action alternatives. Given the long history of non-compliance with permit conditions and terms, the assumption that the conditions attached to a new Special Use Permit and other permitting conditions would be strictly complied with presents a false picture of the impacts of issuing a new Special Use Permit. The EIS must consider the impacts of the likely failure of DBOC to comply with permit conditions and requirements on the ecological health of Drakes Estero and the many sensitive species that utilize the Estero. These impacts extend to all the impacts evaluated in the Draft EIS, including the impacts to Park Service operations.

In conclusion, all applicable law, policy, and best available science call for full Wilderness Protection for Drakes Estero in 2012. The issuance of a new 10-year special use permit would roll back wilderness protection to benefit a single business at the expense of the public trust and the ecological heart of Point Reyes National Seashore. It is time to return Drakes Estero all Americans as the West Coast's only marine wilderness.

Sincerely yours, Betty Winholtz

Endnotes 1 Park Service employees also contribute a significant amount to the local economy. In 2009, the Seashore supported 129 National Park Service jobs and the Park's payroll contributed an additional \$13 million to the local economy. Stynes, D.J., January 2011, "Economic Benefits to Local Communities from National Park Visitation and Payroll," Natural Resource Report NPS/NRPC/SSD/NRR-2011/281, Department of Community, Agriculture, Recreation and Resource Studies Michigan State University East Lansing, Michigan 48824--?122, available at: <http://www.nature.nps.gov/socialscience/docs/NPSSystemEstimates2009.pdf>. 2 Public Law 111--?88, Section 124. 3 16 U.S.C. ' 459c. 4 16 U.S.C. ' 459c--?6. 5 16 U.S.C. ' 1131(c). 6 16 U.S.C. ' 1131(c). 7 House Report No. 94--?1680 (1976). 8 Senate Report No. 94--?1357 (1976) at 3. 9 House Report No. 94--?1680 (1976); see also Senate Rep. No. 94--?1357 at 7 (1976) (potential wilderness "will automatically gain wilderness status" when nonconforming uses are eliminated). 10 See, generally, Hearing Before The Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, February 5 and 9, Mar. 2 (1976). 11 Statement of the Honorable John L. Burton, Democrat, 5th District, California, Before the Subcommittee on National Parks and Recreation of the House Interior Committee in H.R. 8002, September 9, 1976 (emphasis added). 12 Id. 13 Oral Testimony of the Honorable John L. Burton, Democrat, 5th District, California, Before the Subcommittee on National Parks and Recreation of the House Interior Committee in H.R. 8002, September 9, 1976. 14 Letter to Secretary Kenneth Salazar from John Burton, William Bagley, and Paul McCloskey (August 11, 2011). Neither Mr. Bagley nor Mr. McCloskey participated in the legislative debate on the Point Reyes Wilderness Act. 15 National Park Service Management Policies 2006 " 1.5. 4.1, 6.2.2.1, 6.3.1, 6.3.4.3, 6.3.5; Point Reyes General Management Plan (1980). 16 National Park Service Management Policies 2006 " 6.3.1. In evaluating the environmental impacts of proposals that may impact wilderness resources, the Park Service "will take into account (1) wilderness characteristics and values, including the primeval character and influence of the wilderness; (2) the preservation of natural conditions (including the lack of man--?made noise); and (3) assurances that there will be outstanding opportunities for solitude, that the public will be provided with a primitive and unconfined type of recreational experience, and that wilderness will be preserved and used in an unimpaired condition." Id. ' 6.3.4.3 (Wilderness Resource Management, Environmental Compliance). 17 Point Reyes General Management Plan (1980). 18 Memorandum Opinion from the Department of the Interior Office of the Solicitor to the Superintendent of Point Reyes National Seashore, February 26, 2004. 19 Id. (citing 6.3.1 Wilderness Management, General Policy). 20 National Park Service, Draft Environmental Impact Statement Drakes Bay Oyster Company Special Use Permit (September 2011) (Draft EIS) at 120, 250, 252, Chapter 4. 21 Higgins et al. 1999, Conservation Biology 13: 303--?313.

Correspondence ID:	51204	Project:	33043	Document:	43390
Name:	Hinz, Robert S				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 01:24:31				
Correspondence Type:	Web Form				
Correspondence:	I believe Alternative A is the proper choice. The oyster operation should end as originally intended, and the estero's wilderness status and character should be returned to a wilderness .				

Our National Parks were intended to preserve some of the natural wonders of our nation. Drakes Estero is the most pristine estero of the Pacific Coast. It should be protected now as a wilderness area without waiting for ten years during which the ecosystem continues to be exposed to disturbance and degradation.

Invasive tunicates should not be given the support of oyster racks. Eelgrass should thrive in sunshine and feed brant. Harbor seals and all other wildlife should be left alone without having to appear to habituate to the operations of commercial oyster production. Park visitors should see and hear the natural world, not the operations of a business.

The oyster farm has had its day. Now is the time for it to go away.

Correspondence ID: 51205 **Project:** 33043 **Document:** 43390
Name: mechles, betty
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 01:30:24
Correspondence Type: Web Form
Correspondence: Drakes Bay Oyster Farm should be allowed to continue you its sustainable business, which is true asset to the area. It would be a huge loss to the community if they were not allowed to continue to operate.

Correspondence ID: 51206 **Project:** 33043 **Document:** 43390
Name: McGrath, Andrea
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 02:35:54
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51207 **Project:** 33043 **Document:** 43390
Name: spangler, gail
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 02:57:06
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51208 **Project:** 33043 **Document:** 43390
Name: G, Theresa
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 05:37:46
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51209 **Project:** 33043 **Document:** 43390
Name: chase, celeste
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 05:42:41
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51210 **Project:** 33043 **Document:** 43390
Name: Reese, Toby Ann
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 05:43:53
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51211 **Project:** 33043 **Document:** 43390
Name: christiansen, e j
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 05:48:24
Correspondence Type: Web Form
Correspondence: No rational study implies that Drakes Bay Oyster Company has had any effect on the Harbor Seals, or any other specie found in the bay for that matter. I strongly object to the National Park Service attempting to put this family business out of business. One which I might ad has been there for many many years doing their part to maintain the purity of the water.

Correspondence ID: 51212 **Project:** 33043 **Document:** 43390
Name: Whitney, Angela P
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 06:16:13
Correspondence Type: Web Form
Correspondence: Dear NPS.

I strongly support wilderness at Drakes Bay Estero and greatly hope that all aspects of the Estero's ecological resources and values are maintained. I support limited human access and use in this area if it will help protect important estuary and marine resources and promote the overall health and viability of the Drakes Estero ecosystem.

Thank you for all of your hard work and admirable dedication,

Angela Whitney

Correspondence ID: 51213 **Project:** 33043 **Document:** 43390
Name: Sanford, Kathlena
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 06:44:13
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51214 **Project:** 33043 **Document:** 43390
Name: Waddell, Christine
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 07:22:46
Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51215 **Project:** 33043 **Document:** 43390
Name: Waddell, Christine
Outside Organization: NRDC Unaffiliated Individual
Received: Dec.09,2011 07:25:14
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51216 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 07:39:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51217 **Project:** 33043 **Document:** 43390
Name: Stanton, Arden
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec.09,2011 07:42:49
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches,

and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51218 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 07:54:05
Correspondence Type: Web Form
Correspondence: "None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company."

Correspondence ID: 51219 **Project:** 33043 **Document:** 43390
Name: Thompson, Linda
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 07:54:58
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51220 **Project:** 33043 **Document:** 43390
Name: reils, shera w
Outside Organization: nwf Unaffiliated Individual
Received: Dec,09,2011 08:04:26
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51221 **Project:** 33043 **Document:** 43390
Name: Scholl, David W
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 08:12:06
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company."

Correspondence ID: 51222 **Project:** 33043 **Document:** 43390
Name: Christie, Craig
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 08:12:49
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51223 **Project:** 33043 **Document:** 43390
Name: Alon, Jan-Paul
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 08:18:50
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51224 **Project:** 33043 **Document:** 43390
Name: Taylor, John
Outside Organization: Bianchini Inc., Bivalve Dairy Unaffiliated Individual
Received: Dec,09,2011 08:31:21
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51225 **Project:** 33043 **Document:** 43390
Name: Heesch, Karen
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 08:42:59
Correspondence Type: Web Form

Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51226 **Project:** 33043 **Document:** 43390
Name: Morrison, Ian
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 08:53:41
Correspondence Type: Web Form
Correspondence: We don't need an oyster farm in a wilderness area.

Correspondence ID: 51227 **Project:** 33043 **Document:** 43390
Name: White, Joseph C
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 08:57:52
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

I have followed the EIS process for the Drakes Bay Oyster Co. permit reauthorization from a distance for a while, though I had the opportunity to visit the DBOC last year while visiting the Bay Area. I've followed this 'debate' because I think it very important that we can find ways to support ecologically-sensitive sustainable agriculture, even in a national park - as I commented previously. With the DBOC, this seems like a no-brainer. I understand, however, that each of the Alternatives in the EIS effectively puts the company out-of-business sooner or later. I know that the Company is rejecting the Alternatives and is calling for a Collaborative Management Alternative. I also know there has been a great deal of doubt cast upon the credibility of the science utilized by the Park Service (which breaks my heart as a former NPS employee - the Park Service's credibility was one of its main assets in the public's eyes - no more, alas). For all of these reasons, I support the Collaborative Management Alternative as the preferred choice for the EIS. I know this means 'backing up' and restarting the process, essentially. But that's alright - this is a very important issue with many important ramifications and consequences for the NPS as well as the DBOC. Please consider a fresh alternative.

Thaks,

Courtney White

Correspondence ID: 51228 **Project:** 33043 **Document:** 43390
Name: Frasheski, Andy
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 09:09:35
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51229 **Project:** 33043 **Document:** 43390
Name: Felsher, Carrie
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 09:12:55
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future

generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51230 **Project:** 33043 **Document:** 43390
Name: Williams, Thomas G
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 09:13:39
Correspondence Type: Web Form

Correspondence: I was raised in Inverness, & have worked in my family's business (Shaker Shops West) here for 26 years. The Oyster Co. has always been part of our community as long as I can remember. It provides an important source of income for us. One of the most common questions our Customers ask is "How do we get to DBOC?". I share, along with most of my neighbors a strong concern for conservation of the abundant natural and environmental resources that surround us. I agree with many others that DBOC shares those concerns as well, & is an asset in protecting them.

I strongly urge you to grant a renewable Special Use Permit for Drakes Bay Oyster Company.

After consideration of all other alternatives proposed in the Draft EIS none seem appropriate or ensures continued operation of the Drakes Bay Oyster Company. I would view a closure of the DBOC as a tragic loss to both our economic and natural environment. It's a unique and historic industry, providing employment, harvesting a wonderful product and attracting park visitors. It's in the public's interest that it should be allowed to continue.

Respectfully,

Thomas G. Williams

Correspondence ID: 51231 **Project:** 33043 **Document:** 43390
Name: Alderson, George and Frances
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 09:18:28
Correspondence Type: Web Form

Correspondence: Please consider this message as our comment on the draft EIS concerning the proposed special use permit for the Drakes Bay Oyster Co. operation at Drakes Estero. We favor Alternative A because it provides for restoration of the natural character and wildlife habitat of Drakes Estero, and for bringing the area into wilderness status as Congress directed in 1976 in Public Laws 94-544 and 94-567.

Although we live far from Point Reyes, I (George) have visited the area ? first in 1952 before the national seashore was established, and again in 1979, when I visited Drakes Estero and the lighthouse. Drakes Estero is an outstanding natural area of national value both for its wilderness character and for its marine ecosystem, notably including 60 species of shorebirds and water birds.

The current issue is about issuing a special use permit for commercial oyster growing in Drakes Estero, in waters that were identified for designation as wilderness when the oyster production operation ended. We are sympathetic to oyster culture, having seen many oyster-growing operations in coastal waters in France. But we cannot agree that the operation in Drakes Estero should be allowed to continue.

The DBOC operation is mainly serving the wholesale shellfish market, providing some 600,000 pounds of shellfish annually to restaurants and wholesalers. That in itself is not permissible within a national seashore or national park. Commercial enterprises within the national seashore should be limited to essential services for park visitors and contractual work such as construction of National Park Service facilities. The DBOC operation is neither of those. It is more comparable to a logging company cutting trees within Yosemite National Park for sale in lumber yards serving homebuilding contractors. Neither should be allowed.

The environmental analysis in Chapter 4 of the EIS shows that the DBOC operation imposes unacceptable impacts on Drakes Estero, degrading the value of the waters for bird and wildlife habitat. DBOC has erected 95 racks at different locations around the estuary and deposited shellfish culture bags on some 142 acres of the intertidal zone. DBOC's motorboats operate some 12 round trips per day, six days a week, and the motorboats have left 8 miles of channels cut through eelgrass beds. Maps in the

EIS show that DBOC has approximately 12 buildings onshore, plus two wastewater leach beds. All those structures and impacts should be removed as soon as possible, and the area should be restored to nature.

The highest priority should be to provide the most secure form of protection available for the lands and waters by completing the wilderness designation contemplated in the Point Reyes Wilderness Act of 1976. The wilderness designation clearly benefits the public and the national interest more than the continuation of the commercial oyster operation. We believe the time has come to end the oyster operation and make this area a full part of the Point Reyes wilderness.

Thank you for considering our views.

Correspondence ID: 51232 **Project:** 33043 **Document:** 43390
Name: Hemingway, Carol
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 09:23:17
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51233 **Project:** 33043 **Document:** 43390
Name: Smith, Karen M
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 09:35:03
Correspondence Type: Web Form
Correspondence: If you are to keep the farm's access to the water unsecured, then keep the oyster farms. It's simple and equitable.

Correspondence ID: 51234 **Project:** 33043 **Document:** 43390
Name: motta, Maria
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 09:42:38
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51235 **Project:** 33043 **Document:** 43390
Name: Fillatti, Francie
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 09:42:59
Correspondence Type: Web Form
Correspondence:

Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51236 **Project:** 33043 **Document:** 43390
Name: LeBlanc, Eric
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 09:42:59
Correspondence Type: Web Form
Correspondence:

Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51238 **Project:** 33043 **Document:** 43390
Name: Johnson, Rick
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 10:02:58
Correspondence Type: Web Form
Correspondence:

Regarding the DBOC claim that NPS has supported the continuation of DBOC in perpetuity I would add a few points.

The 1980 General Management plan still had 32 years of oyster operation to go on the RUP and was making the best of that circumstance.

NPS has never to my knowledge ever supported continuation of the high intensity aquaculture practiced by DBOC. In a letter to the California Department of Fish and Game, NPS asked to scale back the oyster operation. On June 27, 1991, Superintendent Sansing wrote: "we believe that oyster operations should not be allowed on the mud flats. As indicated on the map some of the flats include oyster beds as well as harbor seal haul out and pupping areas. The remainder of the mud flats are used as feeding areas by a multitude of shorebirds including the Black Brant." (Letter posted on the MMC website) This request to CDFG is focused on protecting natural resources, and is consistent with trying to manage towards future wilderness conversion.

Much of the scientific literature and technical reports cited in the DEIS was published in the last ten years. Much more

information can inform the EIS and DBOC SUP decision now, than was available to previous NPS decisions relating to the Estero. The body of scientific information points to many moderate and some major adverse impacts to the Estero.

In the meantime, the value of wilderness and fully protected marine reserves is better understood.

There are many working bays in California and along the West Coast where mariculture takes place along side other human activities.

Wilderness in Drakes Estero in 2012 is a unique opportunity that should not be squandered.

Correspondence ID: 51239 **Project:** 33043 **Document:** 43390
Name: Sletteland, Trygve B
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 10:09:40
Correspondence Type: Web Form
Correspondence: Trygve B. Sletteland P.O. Box 256, Laguna Beach, CA 92652 trygsletteland@earthlink.net

December 8, 2011

Comments on Environmental Impact Statement (EIS) for Drake's Bay Oyster Co. (DBOC) at Pt. Reyes National Seashore

I find unacceptable the EIS prepared by the National Park Service to gauge possible environmental impacts of continued oyster farming at Drake's Estero. The proposed alternative actions are inadequate. I support continued aquaculture at Drake's Estero on the scale practiced under the existing use permit, therefore I recommend as the preferred alternative reissuance of the DBOC use permit.

During a 30-year career as an environmental analyst and advocate, I prepared EIS's for Caltrans and later founded a nonprofit organization to protect the Sacramento River. In the early Nineties, I worked as a salmon resource analyst for the Sierra Club Legal Defense Fund, where I vigorously opposed a proposed aquaculture project, a Washington State steelhead hatchery on the Skagit River. My opposition was based on the harm the project would have done to the environment, which was in turn based on many credible scientific studies, hundreds of them, in fact.

As CEO of Pacific Rivers Council from 1996 through 2001, I helped to establish the Salmon-Safe agricultural certification program, which evaluated and improved the water quality impacts of land-based agricultural operations. Certification of aquacultural operations such as mariculture is outside the scope of Salmon-Safe, but it did certify Kevin Lunny's ranching operation immediately above Drake's Estero. If there were any credible scientific proof that Mr. Lunny's aquacultural operations were harming the aquatic environment, I am convinced he would take steps to mitigate that impact.

Considering the lack of credible scientific evidence of any negative environmental effects of Mr. Lunny's oyster farming, as well as his excellent environmental track record as evidenced by his Salmon-Safe participation, I strongly recommend that the EIS in question be revised as necessary to include an alternative that would allow Mr. Lunny to continue his mariculture operation as it has been operated for a good number of years now. The preferred alternative should be reissuance of a use permit to Mr. Lunny.

Please keep me apprised of progress in this case.

Sincerely, Trygve B. Sletteland

cc: US Senator Diane Feinstein Hon. Ken Salazar, Secretary of the Interior (feedback@ios.doi.gov)

Correspondence ID: 51241 **Project:** 33043 **Document:** 43390
Name: Allan, T
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 10:17:25
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

The Oyster enterprises not only help keep the waters clean, but they draw a lot of visitors who learn the value of protecting our marine ecosystems. In addition, local employment that stewards our resources, educates the public, collaborates with research projects and generates income is a win-win for people and the planet.

Thank you.

Correspondence ID: 51245 **Project:** 33043 **Document:** 43390

Name: Gause, Gerald W
Outside Organization: Ret. Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the collaborative management alternative for a 10-year S.U. permit, that would be renewable. Keep it going!

Correspondence ID: 51253 **Project:** 33043 **Document:** 43390
Name: Rosen, Daniel
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 10:33:04
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. The Drakes Bay Oysters Farm should be allowed a ten year special use permit WITH AN OPTION FOR EXTENSION!

The Drakes Bay Oyster Farm is an asset to the area for many reasons. It produces local, sustainable, low carbon footprint, high protein, shellfish. It is a local employer and economic booster. It attracts visitors to remote West Marin. It is a historical enterprise. It has low impact on the environment. The shellfish may indeed improve water quality. The proprietors have shown willingness and ability to respect and steward their local natural environment and THAT is the crucial factor for the high quality of their products. Farming shellfish is so successful here because of the near pristine nature of the vibrant natural ecology. To bar shellfish farming here, in effect, compels this activity to be done in more polluted, overused, heavily trafficked waters.

Please consider allowing the shellfish farming activity to continue with provisions for monitoring the environment and the operation to ensure that it is sustainable and low impact. The permit should be renewable in perpetuity unless significant environmental damage is proven.

Correspondence ID: 51254 **Project:** 33043 **Document:** 43390
Name: Hooper, De-Anne
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 10:35:53
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51255 **Project:** 33043 **Document:** 43390
Name: Fedulow, Alexandra V
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 10:36:18
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51256 **Project:** 33043 **Document:** 43390
Name: Gale, Mike
Outside Organization: Chileno Valley Ranch Unaffiliated Individual
Received: Dec,09,2011 10:38:10
Correspondence Type: Web Form
Correspondence: I would support the adoptive Collective Management Alternative that includes a Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

The Park Service has not been an honest broker in this process: lying before the Marin County Board of Supervisors, and withholding evidence (250,00 photos of the DBOC operation over several years) that would shed some important information on the extent of the DBOC staff disturbing seals. They are not to be trusted, and should be punished for the dishonesty and anguish they have caused the agricultural community in West Marin.

Mike Gale

Correspondence ID: 51257 **Project:** 33043 **Document:** 43390
Name: Kenney, Cheri
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 10:43:06
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches,

and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51258 **Project:** 33043 **Document:** 43390
Name: Farren, J
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 10:44:33
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51259 **Project:** 33043 **Document:** 43390
Name: Irish, Alan L
Outside Organization: The Times of Inverness Unaffiliated Individual
Received: Dec,09,2011 10:55:54
Correspondence Type: Web Form
Correspondence: As a 36 year resident of the Point Reyes/Inverness area "I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS." Local businesses such as the Drake Bay Oyster Co. are very necessary in today's economic struggles and provide jobs for many local people and they are good guardian's of the Estero.

Correspondence ID: 51260 **Project:** 33043 **Document:** 43390
Name: Crook, Mark A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:02:53
Correspondence Type: Web Form
Correspondence: I support the collaborative managemant alternative as the preferred alternativein the final DOBC SUP EIS.

Correspondence ID: 51261 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:12:51
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51262 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:13:04
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51263 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:13:22

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51264 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:13:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51265 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:13:55
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51266 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:14:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51267 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:14:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51268 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:14:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51269 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:15:05
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51270 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:15:23
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51271 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:15:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51272 **Project:** 33043 **Document:** 43390
Name: Adams, Jane H
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:15:49
Correspondence Type: Web Form
Correspondence: I urge you to support Alternative A: No New Special Use Permit - Conversion to Wilderness (No Action) for the following reasons:

* To allow conversion of Drakes Estero from Potential Wilderness Status to Full Wilderness Status in 2012 when the DBOC lease is to currently end. This action is the outcome approved by public hearings and designated by Congress with the passage of

the 1976 Pt Reyes Wilderness Act.

*To gain its rightful status of wilderness as is already in effect for its adjacent area, Limantour Spit and Estuary.

*To protect the wildlife and other natural resources of this magnificent, unique California estuary. The wildlife and natural resources may even increase with the implementation of the wilderness status, just as the benefits with the restoration of the Waldo Giacomini wetlands surprised skeptics.

*To enable the public to always enjoy Drakes Estero as a natural national treasure. It is easily accessible to visitors from the entire country via the transportation center of San Francisco.

The public land that is Drakes Estero should be preserved now in its natural state for all without the intrusions of a private business.

Correspondence ID:	51273	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:15:54				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51274	Project:	33043	Document:	43390
Name:	Mertz, Gregory J				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:15:57				
Correspondence Type:	Web Form				
Correspondence:	I heartily support the Collaborative Management Alternative as the preferred choice in the final DBOC SUP EIS. The solution lies in an environmentally sound approach that permits this jewel to continue to operate. Any other outcome would be a travesty. Although I live in Southern California, I am from Novato and have spent much time in the Point Reyes area, enjoying this unique landscape. One of things that makes it so special is the home grown local flavor, which the modest Drakes Bay Oyster Farm operation so beautifully exemplifies. Let's please allow this little slice of heaven in business!				

Correspondence ID:	51275	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:16:08				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51276	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:16:25				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51277	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:16:38				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51278	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:16:55				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51279	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:17:10				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID: 51280 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:17:26
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51281 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:17:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51282 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:17:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51283 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:18:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51284 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:18:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51285 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:18:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51286 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:18:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51287 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:19:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51288 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:19:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51289 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:19:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID:	51290	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:19:58				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51291	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:20:13				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51292	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:20:25				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51293	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:20:39				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51294	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:20:56				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51295	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:21:15				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51296	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:21:27				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51297	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:21:43				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51298	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:21:59				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51299	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:22:14				
Correspondence Type:	Web Form				

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51300 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:22:26
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51301 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:22:42
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51302 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:22:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51303 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:23:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51304 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:23:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51305 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:23:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51306 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:23:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51307 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:24:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51308 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:24:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51309 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:24:38

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51310 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:24:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51311 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:25:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51312 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:25:20
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51313 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:25:34
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51314 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:25:49
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51315 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:26:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51316 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:26:17
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51317 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:26:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51318 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:26:42
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51319 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 11:27:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51320 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:27:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51321 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:27:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51322 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:27:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51323 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:28:03
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51324 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:28:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51325 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:28:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51326 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:28:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51327 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:29:07
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51328 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:29:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51329 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:29:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51330 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:29:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51331 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:29:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51332 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:30:14
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51333 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:30:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51334 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:30:46
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51335 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:31:03
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51336 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:31:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51337 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:31:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51338 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:31:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51339 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:31:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51340 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:31:59
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51341 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:32:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51342 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:32:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51343 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:32:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51344 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:32:59
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51345 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:33:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51346 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:33:30
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51347 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:33:46
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51348 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:34:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51349 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:34:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51350 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:34:36
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51351 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:34:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51352 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:35:07
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51353 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:35:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51354 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:35:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51355 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:35:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51356 **Project:** 33043 **Document:** 43390
Name: Lawler, Anya J
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:35:52
Correspondence Type: Web Form
Correspondence: I am a frequent visitor to Point Reyes National Seashore. I hike, camp, kayak, and take advantage of all of the tremendous resources that park has to offer. I adore this park and hope that my children's children will be able to visit the same park that we visit today. The park simply would not be the same without the Drake's Bay Oyster Company. The oyster company is a tremendous asset not only to the park, but to the region and the state, and I cannot imagine what purpose it would serve to not renew its lease. I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51357 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:36:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51358 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:36:18
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51359 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:36:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51360 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:36:47
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51361 **Project:** 33043 **Document:** 43390
Name: Voth, Kathy
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:37:00
Correspondence Type: Web Form
Correspondence: Date: December 9, 2011

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

From: Kathy Voth 6850 W CR 24 Loveland, CO 80538 (970)663-6569

Subject: Comment on Draft EIS, regarding an SUP for Drakes Bay Oyster Company

After reviewing the DEIS I find that its analysis is inadequate and that it includes procedural errors that are defined as "fatal flaws" in NPS Director's Order 12. I will begin with the procedural errors first, and then continue with a discussion of the inadequacies in analysis. I conclude with an alternative that was not, but should have been, included as part of the analysis.

Procedural Errors

1. In addressing this matter, the National Park Service must first answer the question: "Does the National Park Service have jurisdiction over mariculture in Drakes Bay Estero?" The analysis presented in the DEIS is inadequate because it does not reflect a full legislative and administrative history. Were it complete, the answer to whether or not the NPS has jurisdiction over mariculture activities would be "No."

A complete analysis must include the information provided by William T. Bagley, John L. Burton and Paul N. Peter McCloskey Jr., in their August 11, 2011 letter to Secretary Ken Salazar. These three men were California legislators personally involved in either the transfer of the state tidal lands to the NPS in 1965, acquisition of funding for purchase of the ranches in the park's pastoral zone, and/or the 1976 designation of a portion of Point Reyes National Seashore (PRNS) as wilderness. The exhibits attached to the letter include a declaration by then Assemblyman William T. Bagley based on his own recollections and materials stored at the UC Berkeley Bancroft Library. According to his declaration it was always his intent as the author of AB 1024 that the state maintain its right to fish in the Estero, and that fishing included mariculture. To ensure this, he also authored AB767 at the request of the California Department of Fish and Game (CDFG). AB 767 made many administrative changes regarding planting and propagation, but one major provision was to specify that "shellfish" included "oysters" and to expand the definition of "fish" to include all shellfish, not just oysters."

Mr. Bagley's understanding, that by maintaining the state's right to fish as part of AB 1024 the state maintained its right to manage mariculture in the Estero, was confirmed by a memorandum from the State Attorney General, and a letter from CDFG to Bagley, PRNS and the Johnson Oyster Company. The Attorney General's September 30, 1965 memorandum (26 Cal. Atty. Gen. Ops. 68) was addressed to the CDFG Director and advised him that "oysters and shellfish are 'fish'" within the meaning of Fish and Game Code Section 45?and as such are subject to the prerogative of the sovereign [the State] to protect and preserve them in such as manner and upon such terms as the legislature deems best." That the state maintained its rights was further confirmed by the CDFG's Director in an October 22, 1965 letter to Bagley, PRNS and the Johnson Oyster Company. That letter stated that "all State laws and regulations pertaining to shellfish cultivation (including planting requirements, land rentals, etc.) remain in effect since the conveyance by the Legislature reserves fishing rights to the State."

The National Park Service agreed with these findings in a March 25, 1966 letter to the CDFG Director, and again in a 1974 environmental review concerning possible wilderness status, saying that it was the only oyster farm in the seashore and "control

of the lease from the California Department of Fish and Game, with presumed renewal indefinitely, is within the rights reserved by the State on these submerged lands." The Seashore's 1980 GMP also notes the State's role in maricultural management, stating as one of its Management Objectives on page 2 "To monitor and improve maricultural operations, in particular the oyster farm operation in Drakes Estero, in cooperation with the California Department of Fish and Game." Correspondence from the 1990s indicates that both the National Park Service and the State of California agreed that the State has jurisdiction over mariculture in the Estero. Finally, this understanding is reinforced by the subsequent 46 years during which mariculture operations were managed by the State of California and the fact that in 2004, the California Fish and Game Commission gave Drakes Bay Oyster Company a 25-year permit to 2029.

The more recent opinion presented by the CDFG Director in response to a request by then Superintendent Don Neubacher is clearly deficient in that it does not draw upon the actual legislative and administrative history surrounding this issue. In addition, it seems to relinquish a state right that only the legislature is permitted to relinquish. Case law exists to resolve confusion. *Martin v. Szeto*, 32 Cal.4th 445 (2004) states:

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

Given that the facts and history are available to the NPS, relying in the DEIS on a letter that was not well-researched, puts the NPS at risk of preempting state's rights and putting itself in direct conflict with Executive Order 13132 of August 4, 1999 and the current administration's official policy articulated in a May 20, 2009 presidential "Memorandum for Heads of Executive Departments and Agencies" stating that "preemption of State law by executive departments and agencies should be undertaken only with full consideration of the legitimate prerogatives of the States and with a sufficient legal basis for preemption."

If Point Reyes National Seashore has determined that preemption is appropriate in this matter, the required Federalism impact work associated with, and documenting the change must be included in the DEIS.

2. An Environmental Impact Statement is not required for the purposes of issuing this Special Use Permit.

Per NPS Director's Order 12, the NPS may issue a renewal of a Special Use Permit under a Categorical Exclusion and is encouraged to do so when no change in environmental effects is reasonably foreseeable, as would be the case here, given that no change in operation is proposed. The permit provided to Drakes Bay Oyster Company in 2005 was done under a Categorical Exclusion as were all prior SUPs issued to the Johnson Oyster Company. Therefore, it seems reasonable that the National Park Service comply with CEQ regulations (Section 1500.4 (p) and Section 1501.4) and Director's Order 12 (Section 3.4) that require the agency to reduce paperwork and use Categorical Exclusions appropriately. In 2007 and 2008, NPS also submitted SUPs to DBOC under categorical exclusions.

Another reason for providing the SUP renewal under a Categorical Exclusion is that it falls under the Seashore's General Management Plan. GMPs are developed through an EIS process specifically so that the agency can function more efficiently and to cover many things that might otherwise require individual EISs. In this case, the management objectives in the GMP clearly cover the oyster farm, stating as an objective: "To monitor and improve maricultural operations, in particular the oyster farm operation in Drakes Estero, in cooperation with the California Department of Fish and Game." (Page 2, 1980 GMP)

Some of your staff may claim that the level of controversy in this matter precludes a Categorical Exclusion. Such a claim would be based on misconduct by current and former staff members. Specifically, in this case, the controversy was fomented by the NPS itself when it chose to misrepresent science and to use this misrepresentation to accuse DBOC of causing damage to the environment and to harbor seals. This is not merely my opinion but the opinions of the Inspector General in the report published in July 2009, and of the National Academy of Science in their review published in May of 2009. Indeed, in spite of a review by the National Academy of Science that found the NPS had misrepresented scientific findings, and in spite of the fact that over 280,000 photos show no evidence that seals are bothered by oyster workers, Point Reyes National Seashore continues to spread false science and has not apologized. This gross misconduct appears to rise to a level of capriciousness rarely seen and well within the precedent for judicial review under the Administrative Procedure Act. Your knowing and continued reliance on that science would appear to make you personally culpable.

If there were legitimate information it would have made sense for the NPS to address it with DBOC before bringing doing what the NPS did in this case: bringing it to the attention of the public in public hearings and via the media, and in meetings and correspondence with state and national agencies. But in this case, the information NPS presented is false and therefore any ensuing controversy is artificial. Any NPS claim of controversy in this case is, therefore, an inadequate basis for requiring an Environmental Impact Statement.

3. The Purpose and Need statement and objectives are fatally flawed as defined in Director's Order 12. Because of fatal flaws in the Purpose and Need Statement, the NPS and the public have no basis on which to evaluate the proposed alternatives. The Purpose and Need must be rewritten, and alternatives that respond to that purpose and need must be developed.

The statement of Purpose and Need is inadequate per NPS Director's Order 12. First, the Purpose is supposed to describe goals and objectives the NPS intends to fulfill by taking action (NPS Director's Order 12). It can't be just a statement saying, as this one does, "we're doing NEPA because a public law says the Secretary has the authority to issue a permit and someone wants a

permit." According to Director's Order 12, the purpose and need addresses why action is needed at this time, and includes information on the Park Unit's enabling legislation and its General Management Plan to provide a foundation for alternative development. The DEIS Purpose and Need does none of these things, focusing only on the proposed action. This failure fits the example of a "fatal flaw" as shown under the NPS's online examples of Purpose and Need Statements (<http://www.nature.nps.gov/protectingrestoring/do12site/tabs/tab7.htm>, 11/29/2011).

Further, objectives must be drawn from the GMP. In this case, the objectives are edited in a way that does not present a true picture of PRNS's enabling legislation and its current General Management Plan. This results in an additional fatal flaw because without full disclosure of the purpose of the Park Unit and the direction of the GMP, proper alternatives cannot be developed, and neither the NPS nor the public have a baseline upon which to evaluate the alternatives.

4. The alternatives lack merit because there is not an adequate purpose or need or a baseline status upon which to evaluate them. Further, they assume that the NPS can preempt states rights and take over mariculture management in the Estero. The first is a fatal flaw. The second requires that the NPS complete federalism impact work.

The entire discussion of harvest quantities, species, and more is something that has been and continues to be the responsibility of the California Fish and Game Commission. They have provided a permit to DBOC for continuing operations to 2029, and the NPS must cooperate with them on this issue. Please see comment 1 under Procedural Errors.

5. The process of beginning scoping for this EIS was not done properly and in accordance with CEQ regulations and represents another fatal flaw.

According to CEQ Regulations Section 1508.22 "Notice of intent" (NOI) means a notice that an environmental impact statement will be prepared and considered. The notice shall briefly:

(a) Describe the proposed action and possible alternatives. (b) Describe the agency's proposed scoping process including whether, when, and where any scoping meeting will be held. (c) State the name and address of a person within the agency who can answer questions about the proposed action and the environmental impact statement.

The notice of intent provided in the October 22, 2010 Federal Register Notice does not describe the proposed action nor does it state the purpose or need. It references the scoping letter as containing the purpose and need. The inadequacy of that purpose and need is evident, as is the inadequacy of the NPS failure to provide a purpose and need of any sort in the formal NOI. Furthermore, the NOI also fails to say when or where the scoping meetings will be held. It does state that public announcement of those meetings will occur at least 15 days prior to any meeting. Yet, the first public scoping meeting occurred just 4 days after publication of the NOI. The timeline of NPS announcements fails to meet CEQ, DOI or NPS requirements. As the following section of my comment makes clear, announcements that you and your staff made in early October are inadequate under law and policy because those announcements fail to meet requirements regarding publication in the paper or papers of record. In the case of Point Reyes, the papers of record include the Federal Register, where you failed to announce meetings, and regional papers, such as those in neighboring counties and the larger metropolitan areas, where no legal announcements appeared. Press releases, according to NPS Director's Order 12, are inadequate. Your reliance upon that mechanism again suggests arbitrariness, capriciousness, and possible professional misconduct given the prominence of that policy and the reasonable expectation that you and your staff know better.

6. Another fatal flaw is that the initial public involvement and scoping process was not consistent with the standards required by the CEQ and NPS Director's Order 12 in terms of timing or outreach. The NPS demonstrated bias in the materials it supplied to the public skewing the kinds of information and responses provided in scoping and for the DEIS.

CEQ Regulations under section 1506.6 require that "In the case of an action with effects of national concern notice shall include publication in the Federal Register and notice by mail to national organizations reasonably expected to be interested in the matter and may include listing in the 102 Monitor. An agency engaged in rulemaking may provide notice by mail to national organizations who have requested that notice regularly be provided. Agencies shall maintain a list of such organizations."

Since the NPS began its campaign against DBOC, they have often stated that this is an issue of national concern. Therefore it seems reasonable that the NPS would have mailed notices to national groups such as those representing mariculturalists, agriculturists, slow food and local food groups, and farm bureaus. The NPS failed to do so. In fact, DBOC was not even mailed the letter of October 8, 2010. Nor was DBOC notified of or given the press release of September 22 in spite of the fact that they met with the NPS on that day.

These failures demonstrate the NPS bias against the oyster farm and agriculture in general. They also do not conform to NPS Director's Order 75A. Section VI 9 (a) states that the NPS will: "Keep active contact lists of interested, affected parties and groups-making sure to include those who may not agree with us, as well as our supporters," and "Work in partnership with state, local, and tribal governments, community groups, associations, park "friends" groups, and others to develop strategies to jointly sponsor, develop, and promote public involvement activities."

CEQ Regulations in section 1506.6 also require that, as part of the scoping process the lead agency shall: "Invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, the proponent of the action, and other interested persons (including those who might not be in accord with the action on environmental grounds), unless there is a

limited exception under Sec. 1507.3(c)." Again, Point Reyes National Seashore did not invite the participation of state and local agencies.

The timing and manner of announcing the EIS are also not in accordance with Director's Order 12 that requires that the Notice of Intent be published before scoping can begin and that meetings must be announced 15 days in advance. In this case, the first open house was held 4 days after the Notice of Intent was published. Press Releases are not considered an adequate form of announcement for meetings because inclusion in the media is optional. Therefore, the September and October press releases prior to the NOI publication do not serve as adequate announcement of upcoming meetings. I have already addressed the fact that the October 8 letter was not mailed to a wide enough audience.

Based on the information provided to participants in the scoping meetings in poster form and as handouts, the National Park Service demonstrates an effort to bias the information it gathers by selectively providing background information, thus abrogating its duty to provide for an open and objective process. For example:

? The "Background" Poster cites Public law 94-567 as the reason that oyster growing and wilderness are not congruent. However, that law does not address either the oyster farm OR potential wilderness status and what is required to move from potential to wilderness status. True background in this case would have acknowledged information from the 1974 Final EIS on Proposed Wilderness, committee meetings and public testimony indicating that all parties involved at that time meant for the oyster farm to continue in concert with wilderness designation. Those materials also cite the NPS Management Policies. Today these management policies state: "The established use of motorboats, snowmobiles, or aircraft does not make an area ineligible for wilderness. The nature and extent of any impacts on the environment and on eligibility, and the extent to which the impacts can be mitigated would need to be addressed in subsequent wilderness studies, along with the possible need to discontinue the use." (Section 6.2.1.2) Providing information on the true scope of NPS Management policies is critical for proper scoping.

? The poster on Wilderness again misstates the requirements for potential wilderness by saying that non-conforming uses must be removed before the area can become full wilderness. As indicated above, this is untrue. This repetition of misinformation is very damaging to the scoping process.

To give the public a broader understanding of how this Park Unit flexibly implements Wilderness policy, it might serve the public well to understand how Muddy Hollow went from potential wilderness to wilderness even though it contains underground utilities and NPS Management Policy states: "Lands containing aboveground or buried utility lines will normally not be considered as eligible for wilderness designation, but they can be considered as eligible for "potential" wilderness designation if there is a long-term intent to remove the lines. No new utility lines may be installed in wilderness, and existing utility lines may not be extended or enlarged except as may be allowed pursuant to section 1106 of the Alaska National Interest Lands Conservation Act (16 USC 1133(c))."

? The poster showing the map of the area and potential wilderness boundaries is misleading without seeing the Estero's broader context which shows a patchwork of wilderness and non-wilderness. The Sunset Trail and Estero Trail are all on a large area of non-wilderness, there is a large area of non-wilderness providing motorized access to Limantour beach with a hostel, an environmental center and a developed parking area, a long stretch of Limantour beach is also non-wilderness, as is the cherry-stemmed Stewart trail and associated camping areas. Failure to share this information during scoping might lead public participants to assume that the conflict between wilderness, potential wilderness, and non-wilderness is greater than it is, based on what seems to be this Park Unit's ability to comfortably manage the different designations.

? You provide selected information about the Park's Enabling Legislation to support what seems to be the staff's desire to support wilderness (based on media interviews in the past). But this doesn't provide a full picture of the enabling legislation. Section 6 (b) states: "The Secretary may permit hunting and fishing on the lands and waters under his jurisdiction within the seashore in such areas and under such regulations as he may prescribe during open seasons prescribed by applicable local, State, and Federal law. " Given the nature of what's being considered here, it seems appropriate for the public to have this information.

? The poster on Objectives omits one of the key management objectives in the Seashore's current and legally binding General Management Plan. According to the GMP your management objectives include:

"To manage seashore activities in pastoral and estuarine areas in a manner compatible with resource carrying capacity. "To monitor and improve maricultural operations, in particular the oyster farm operation in Drakes Estero, in cooperation with the California Department of Fish and Game."

Again, given the topic of this scoping, omitting these objectives is a serious deficiency, provides the public with inadequate information for their comments, and indicates a willingness on the part of the National Park Service and those involved in this EIS to cherry-pick information for their own purposes. This demonstrable pattern of distortion by your staff is stunning in its egregiousness and in the legal vulnerability it creates for you and your agency.

? While the NPS provides background on wilderness, it provides no background on DBOC beyond the fact that it exists. How is the public to assist in scoping without a history of the farm, the number of people who visit and the services the farm provides such as interpretation and education? Given the importance the NPS places on preserving "unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of future generations, it is also useful for the public to know that you have over 250,000 photographs that show that the oyster farm operates in the estero according to requirements and does not disturb harbor seals. At a minimum it would be helpful for participants to know that the

oyster farm facilities are not in potential wilderness. Most importantly of all you must disclose that California Fish and Game have jurisdiction for the mariculture permit, not the NPS.

Methods of gathering scoping information seem designed to dampen participation in the process. Those who provided information during the Open House meetings were required to give their information to an NPS staff member to write on flip charts. They were not permitted to write on the flipcharts themselves, and they were not required to leave their name or contact information. At the same time, those of us who respond outside of the Open House meetings are warned "Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment ? including your personal identifying information ? may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so." This language, along with the fact that Open House participants did not have to give their names suggests that we can only speak our comments to you, which can be uncomfortable, or that we are in danger if our names are released. In both cases, the process is discouraging to anyone not sharing the NPS's goals and objectives and it contains inadequate administrative record to show comments gathered during open houses are actual public comments, as opposed to false comments inserted by your staff members, staff members whose pattern of misconduct and distortion is already demonstrable and evident.

This concludes the section on procedural inadequacies of the DEIS and the process leading up to it. Following is a discussion of inadequacies of analysis and science.

Analysis Inadequacies

1. Information is missing from the discussion of Commercial Shellfish Operations in Drakes Estero. Including this information would give reviewers a better feel for the intent of legislators who created PRNS, and for the NPS's past management and management objectives, and would change the outcome of the analysis. Further, in this section the NPS continues its efforts to preempt state's rights over mariculture in Drake's Estero, biasing the analysis and setting up faulty alternatives.

In the Overview from 1930 to 2004, the DEIS does not include important information about the legislative intent surrounding mariculture in Drakes Estero. The following must be included so that the decision that follows is appropriate:

a. In his 1961 testimony on S. 476, A Bill to Establish the Point Reyes National Seashore in the State of California and for Other Purposes, then NPS Director Conrad Wirth stated his support for continued oyster operations in Drakes Estero, saying "Existing commercial oyster beds and an oyster cannery at Drakes Estero plus three existing commercial fisheries, should continue under national seashore status because of their public values. The culture of oysters is an interesting and unique industry which presents exceptional educational opportunities for introducing the public, especially students to the field of marine biology." This position was restated in a report on the Economic Feasibility of the Proposed Point Reyes National Seashore completed by the Region Four Office in 1961.

b. In 1998/99, PRNS completed an Environmental Assessment on proposed expansion of the existing Johnson Oyster Company facility. In the finding of no significant impact signed by PRNS, the following statement appears: "Long-term impacts of oyster production to resources in the estuary was a concern of a number of organizations. As stated above, the NPS has concluded that there will not be any new impacts in the estuary as a result of the alternative chosen." A three-year research program was begun at that time to determine long-term impacts, with an agreement that the permit could be changed based on information they acquired. Since the permit was not subsequently changed, it seems the research found no long-term impacts.

c. At this same time, architectural designs were drawn up, and Superintendent Don Neubacher wrote letters to potential lenders for construction loans, assuring them that he was in full support of the project.

d. According to the California Department of Health Services' 2006 report, Drakes Estero is the only mariculture fishery in the state with an "Approved" area for mariculture, in addition to the several "conditionally approved" areas it includes. "Conditionally approved" areas must close during high rain events when water quality might be reduced by drainage into oyster harvesting areas. This information should also be included under the discussion of affected environment.

e. As noted earlier in my comment letter, the State has not given up its rights to manage mariculture in the Estero. The repetition of this mistake here must be corrected in order for the DEIS to be accurate.

2. Impacts of alternatives on the red-legged frog are not supported by science.

The DEIS raises the specter that DBOC is a threat to "special-status" species including the red-legged frog. This analysis is incorrect because red-legged frogs cannot live in salt water, so oystering operations would not affect them. PRNS acknowledged this in its 1998 Environmental Assessment for the oyster farm stating, "NPS has concluded that the proposed action would not adversely affect any federally listed species or critical habitat," that "no federally protected species have been detected?" and "no effect on threatened or endangered species."

The DEIS states that frogs may be in danger of being struck by vehicles as they are crossing the .5 mile road leading to the oyster farm. This does not make sense because the only reason for a frog to cross the road in that location would be to go to or

from salt water. Again, since red-legged frogs cannot live in salt water, this is a specious argument.

4. Impacts of alternatives B, C, and D on Eelgrass are overstated and not supported by existing data. The actual data for Drakes Estero and inclusion of the review by the NAS would reverse the analysis and lead to a different conclusion.

The DEIS states 43 times that there are potential impacts on eelgrass. However there is no data supporting these claims. In fact, maps done by the NPS indicate that in 1991 there were 368 acres of eelgrass, and in 2007 there were 736 acres. According to the National Academy of Science (NAS), eelgrass has approximately doubled in areal cover in Drakes Estero from 1991 to 2007, implying little systemic threat from the existing intensity of oyster culturing activities. Oysters have the potential to benefit eelgrass because their filtering activity improves local water clarity (and hence light penetration) and because they release biodeposits?(plant nutrients)."

Instead of using Drakes Estero specific data, the DEIS relies on papers written about other areas. Given the actual data and the review of the NAS it is obvious that the DEIS's conclusion that "the overall impact?on eelgrass would be moderate and adverse" is completely false.

5. Impacts of alternatives B, C, and D on Harbor Seals are overstated and not supported by existing data.

The only "data" or "evidence" showing impact is a reference to Becker, Press and Allen (2011). However, this is a very weak paper, one that the Marine Mammal Commission told the NPS should not be published, and it's conclusions are not supported by the NPS's own data.

According to the DEIS, "In a recent review of longterm data at Drakes Estero, Becker, Press and Allen (2011) used a model-based approach to show that harbor seals preferentially use haul-out sites less when located near active oyster mariculture sites during years of high vs. low oyster harvest."

This is the fourth generation of claims by the NPS of harm to harbor seals by the oyster farm, all of which have proven false. In 2007, the NPS claimed DBOC caused an 80% decline in harbor seals at one site. This was disproven by the NPS's own data. Their second claim, based on an April 26, 2007 trip report, said that DBOC disturbed harbor seals, a claim disproved by DBOC records, and one which was dropped after questions were raised about it's accuracy. In 2008 the NPS claimed to the National Academy of Science that disturbances led to a decrease in seals. The resulting paper (Becker 2009) was heavily criticized and the NPS eventually agreed, in a paper with very limited distribution, that disturbances had not led to a decrease in seals.

The 2011 paper by Becker, Press and Allen is the only piece of "data" that the DEIS cites to demonstrate impacts to harbor seals, therefore it is critical that it be above reproach. In reality, the paper is as handicapped as all the other claims have been. First, it is not a long-term study as claimed in its title, with three decades of data as referenced in the DEIS. In fact, it is based on 13 years of data, and then the authors went back and cherry picked data from 82 and 83. Second, The P and R2 values done for this study indicate low confidence in the results of the analysis. When the outlier data for 2003 and 2004 is removed, we find no correlation between oyster harvesting and seal populations in Drakes Estero. Third, the analysis reveals no "long-term spatial displacement out of the Estero. Rather, there is a short-term displacement of seals INTO the estero in 2003 and 2004 after the event on Double Point when a rogue seal killed 40 harbor seals at Double Point. An NPS graph showing seal populations in PRNS clearly shows a drop in seal numbers at Double Point at the same time that numbers are increasing in Drakes Estero, and numbers increasing again at Double Point at the same time numbers decrease in Drakes Estero with the elephant seal incident highlighted. Second, the P and R2 values are not strong. In addition to these serious flaws, the authors used incorrect seal maps, oyster maps, and inferences, they never got the correct data, and the misinterpreted aerial photographs.

The Marine Mammal Commission has said that the data in this paper is scant and when Becker presented this same data at a National Academy of Sciences panel in September of 2008, Dr. Francis O'Beirn, noted that at seal populations increased in 2002 and 2004, and then decreased throughout the region, thus the changes in Drakes Estero were unlikely due to the oyster farm. This last comment is extremely significant, and again, puts the results of this paper in doubt.

6. The 281,000 photographs showing that the oyster farm causes no harm to Harbor Seals during pupping periods are improperly excluded from the analysis.

The DEIS claims that the photographs cannot be included in the analysis because the NPS did not establish written protocols before beginning to take the photos. However, the DEIS relies on other data that was likewise gathered without written protocols. Examples include the aerial photographs, and the information on sound pollution included in the DEIS. The evidence is clear that the 281,000 photographs were gathered in just as standard a manner as other data collected by the NPS and used in the DEIS. They are date and time stamped, and staff and volunteers have gone through them, creating a list of disturbances to the seals. What the analysis of the photos shows is that harbor seals are not disturbed by oyster farms. This data would significantly change the analysis and the outcomes of the process. Because the photographs were gathered in a manner consistent with other data included in the DEIS, they must be included in the EIS's analysis.

Alternative to Be Considered

In its analysis, the NPS did not consider this alternative:

Drakes Bay Oyster Company will be issued another 10 year permit with options for additional renewals. Operations will continue to overseen by the California Department of Fish and Game with harvest levels continuing at current levels. PRNS will continue "To monitor and improve maricultural operations, in particular the oyster farm operation in Drakes Estero, in cooperation with the California Department of Fish and Game," as stated in the PRNS General Management Plan. In addition, NPS will cooperate with Marin County, and the California Department of Health Services to ensure that DBOC facilities improve visitor access, experience, and safety and promote sustainable, health oyster harvests. In accordance with NPS wilderness management policy, DBOC will continue to be allowed to use motorized watercraft to conduct mariculture activities in the Estero.

Thank you for your attention to these matters. I know that inclusion of the information I have provided here will improve the final EIS.

Sincerely,

Kathy Voth

Correspondence ID: 51362 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:37:04
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51363 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:37:20
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51364 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:37:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51365 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:37:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51366 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:38:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51367 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:38:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51368 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:38:42
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID:	51369	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:39:00				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51370	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:39:12				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51371	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:39:28				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51372	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:39:40				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51373	Project:	33043	Document:	43390
Name:	farrell, abigail d				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:39:54				
Correspondence Type:	Web Form				
Correspondence:	I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS. I support it not just because it's the right thing to do, but also because the park service has used the most egregious practice of lies and obfuscation to try to shut Drakes Bay Oyster down. They should be ashamed - which of course they are not.				
Correspondence ID:	51374	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:39:56				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51375	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:40:11				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51376	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:40:25				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51377	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 11:40:43				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51378	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				

Received: Dec,09,2011 11:40:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51379 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:41:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51380 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:41:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51381 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:41:49
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51382 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:42:08
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51383 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:42:20
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51384 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:42:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51385 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:42:53
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51386 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:43:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51387 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:43:23
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51388 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:43:41
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51389 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:43:55
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51390 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:44:14
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51391 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:44:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51392 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:44:47
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51393 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:45:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51394 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:45:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51395 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:45:26
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51396 **Project:** 33043 **Document:** 43390
Name: O'Leary, Stephen D
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:45:37
Correspondence Type: Web Form
Correspondence: I visit Point Reyes National seashore every year with my family. Every time we visit, we make a point of stopping for oysters at the Drakes Bay Oyster Company. The oysters here are superb and we love to eat them; we especially love to buy them and grill them ourselves because, though we support the local restaurants in the area, we are not wealthy enough to order them when we go out for a meal. We are among the thousands of people who enjoy eating this local delicacy, and who were shocked to discover that the Park Service may close the business altogether.

I do not understand why the Park Service is so concerned about the environmental problems of oyster farming. The Point Reyes area is far from being pure of all human influence and contains other operations, such as dairy farming, which have now become an integral part of the local economy and tourist industry. If the oyster farms are shut down, will they remove the dairy farms next? The environment of the area is not harmed in any meaningful way by the oyster farms, and it is disturbing that the Park

Service is so hostile to mixed-use operations that are now thoroughly integrated with the local economy. It appears to me that this governmental interference in the name of environmental purity can only have harmful consequences. It is not possible to restore the land to its pure natural state; the only way to do that is to remove people from the park altogether. The next logical step is to remove (for example) all of the businesses--hotels, stores, restaurants, and all--from Yosemite Valley and every other national park. Please recognize that the Point Reyes area is a landscape inhabited and visited by human beings who need to work and need to eat. Let the Drakes Bay Oyster Company be, and let it continue to make its traditional contribution to the food and economy of this park.

Correspondence ID: 51397 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:45:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51398 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:46:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51399 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:46:18
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51400 **Project:** 33043 **Document:** 43390
Name: Lavacca, Ken
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec.09,2011 11:46:22
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51401 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:46:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51402 **Project:** 33043 **Document:** 43390
Name: Mahoney, Kathryn
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: Pt. Reyes National Seashore is probably the most beautiful and precious part of California's coast--I have been fortunate to visit many times. I am appalled that the Park Service is not honoring Congress's wilderness promise to protect Drakes Estero when the current lease for commercial oyster operations expires in 2012.

Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive

damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51403 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:46:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51404 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:47:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51405 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:47:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51406 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:47:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51407 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:47:52
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51408 **Project:** 33043 **Document:** 43390
Name: Vayhinger, Nancy
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:48:08
Correspondence Type: Web Form
Correspondence: To Whom It may concern:

Although there are many charming features to Drakes Bay Oyster Company, I strongly prefer Alternative A.

Reasons:

Breaking the Wilderness Act. There are many lobbyists and interests looking carefully at what happens in Pt Reyes, to see a precedent for other private concerns to intrude upon the Wilderness Act elsewhere in America. These interests may not be nearly as charming as the Drakes Bay Oyster Company. Regardless of exacting language, this is what is at stake. American forests and wild lands are already threatened from many sides.

The fact that Pt Reyes National Park exists at all is a miracle, where pioneers, dedicated to preserving America's beauty for the public, worked long and hard against moneyed interests and private influence, and won by narrow margins. Let us not see their work undone by money and influence in this case. At the time of purchase, the mandate to cede Drakes Bay Oyster Company to the Park in 2012 was crystal clear.

Property Law. The law states that the National Park has the right of first refusal in this real estate transaction. The laws that protect the public lands in America are diminishing - let us not repeat this pattern again here.

Again, there are many charming aspects to Drakes Bay Oysters. In a perfect world, we would wish that we could somehow make this one tiny exception in the Wilderness Act. We would be naive to think that our case would avoid serving as a precedent for other intrusions on the Wilderness Act nationwide. Some of these other interests, like mining, or coal and oil development, have a long history of lobbying to gain access to public land, and they are no doubt eager to see this precedent be set. These other concerns may not be nearly so charming or fit in with Wilderness values and aesthetics as Drakes Bay Oyster Company.

But our world is not perfect, and this case has generated much public interest and awareness nationwide. We who benefit from some 80,000 acres of public lands at our back door cannot afford to be shortsighted, and be party to a move that would deprive other areas of the country of the joy and beauty of the wilderness from which we daily benefit.

The data on the effects oyster farming on the seal populations is mixed. We should not let the discussion about seals cloud what I believe to be the more important issues.

Thank you for this opportunity to share my views.

Correspondence ID: 51409 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:48:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51410 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:48:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51411 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:48:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51412 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:49:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51413 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:49:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51414 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:49:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51415 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:49:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51416 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:50:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51417 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:50:34
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51418 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:50:49
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51419 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:51:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51420 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:51:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51421 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:51:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51422 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:51:42
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51423 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:52:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51424 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:52:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51425 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:52:28
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51426 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:52:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51427 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:53:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51428 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:53:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51429 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:53:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51430 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:53:49
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51431 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:54:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51432 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:54:18
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51433 **Project:** 33043 **Document:** 43390
Name: Simpson, Bobbi A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:54:32
Correspondence Type: Web Form
Correspondence: December 9, 2011

RE: Comments on the Lunny Commercial Oyster Operation Draft EIS

I am in favor of the no-action alternative as described in the DEIS with a lease sunset of the commercial oyster operation (DBOC) to be set (at the very latest) November 30, 2012. If infractions continue to occur and the company continues to operate outside of the realm of what is described in the leases and the consent decrees, I believe the company's permit should be discontinued promptly and fines issued. I urge Secretary Salazar to closely evaluate this decision based on the merits outlined in the NPS Organic Act ("to conserve the scenery and the natural and historic objects and wild life therein ?.. unimpaired for the enjoyment of future generations: 16 U.S.C 1). I consider the DEIS listed violations to be "impairments".

More specific comments: 1. Drakes Bay Commercial Oyster Operation History (DEIS page 19-21): This rundown of activities

makes it clear the company has been a high maintenance lease (e.g. introduction of not approved, non-native species (Manila Clams) into the permit zone, and the continued disregard for the conditions of the RUO and SUP). The number of times the CCC and NPS have discovered violations makes me wonder what other violations are occurring that have gone unnoticed. The fact that DBOC has not fulfilled all of the required terms and conditions of the consent order (November 29, 2007) is very important to weigh. With the volume of violations - a trend of non-compliance is evident ? a fair question would be "Why he is continued to operate at all?". This is a burden to the agency that was not established to spend an inordinate amount of time and tax payer dollars managing and destructive and delinquent leasee activities.

2. Law and Policy: The Marine Mammal Protection Act (pg. 40) defines "take" as "harass, hunt?...any marine mammal." The cumulative effect of activities - daily movement of motorboats, placement of oyster racks, loss littering of plastic tubes and nets from the operation and DBOC's unreliable GPS system that prevents the them from being able to establish clam bags in authorized zones - equates to a "take" as I see it (i.e. illegal).

3. Pollution by operation: ? Has DBOC's discharge of wash from their operations into Drakes Estero been monitored? If so, does it comply with the Clean Water Act? ? How does monitoring for invasive introductions occur for this project site? I assume non-native species are potentially moving in on oyster seed shipments. ? Thousands of plastic tubes and debris have been collected on the shore of this operation. This litter is a significant byproduct of this facility that a sunset of November 2012 would (at a minimum) stop.

4. Lease conditions: The park has supported the commercial oyster company since the beginning of the park history. It has offered a very long sunset and notification has been over several decades. To change the terms based on one individuals disregard for a lease would encourage NPS lease holders to "demand" the same. (demand is the word DBOC has used in their talking points).

5. Ramifications of Decision: Wilderness and the park system are concepts that are critical to our heritage as a people. We are known internationally for having the foresight to preserve, protect, and make available to our society these treasures. A subset of gourmet foodies are hoping that the parks will become the next farms for local communities (I love gourmet food, but think the construct of the national park system should not be compromised by a new movement that would just as well be established in non-park settings). The ramifications of extending the lease could be the start of a movement that destroyed the legacy of the National Park Service and the construct of Wilderness ? the international legacy that was developed and matured by the likes of Stephen Mather, John Muir and Teddy Roosevelt.

6. CONSISTENCY: The National Park Service is an agency that serves the nation ? not just local fads or movements of the day. As such, it is an agency that should be resilient to the ebbs and flows of local politics. If the parks were reactive to local politics, there would be very little consistency across the country. If the parks were to respond to local politics there would be very little consistency between parks and render the entire idea of a national system defunct. Upholding intent and policy of the NPS is critical and the strength to fulfill the national policy is paramount, otherwise the world renown agency (NPS) might as well be turned over to the counties to manage. 7. Effects of move to DBOC: To offset the impacts related to the business's expired lease; I support Mr. Lunny moving outside the park to set up another business. He currently runs two other businesses (ranching on park land and gravel extraction) so I am assuming as an entrepreneur he should be able to anticipate the end of a lease and migrate accordingly. The employment transfer along with extenuating financial offers to move should more than make up for the transitional efforts. The expense is something that should have been taken into consideration when purchasing a lease (at a low cost due to the nature of the time limit). I see Mr. Lunny as being irresponsible as he purchased a lease without clarifying whether the park had any interest in foregoing the Wilderness designation planning. He is responsible for leading this locally divisive attack campaign that could render his employees without a job, and the agencies attentions redirected. All this because he made assumptions about being able to convince the park to change their 30-year course.. The park has held upheld their responsibilities with the lease (and then some-if you consider the high maintenance of this situation) and Mr. Lunny has not. Extending his lease in any fashion would be rewarding this behavior.

Mr. Lunny can open another business on Tomales bay. I don't understand why this cannery could not be reestablished on Tomales bay - outside of what he has considered onerous restrictions (from comment made on local radio station). It is also a fairly feeble assemblage of buildings. Relocating these dilapidated, shack-like buildings would seem to be a fairly straightforward process (not expensive). This would continue to provide all the market services and allow for a long awaited Wilderness to unfold and be cherished by the citizens of our county of Marin and the rest of the country. This would be better than a no net loss ? it would be a net gain to both environmentalist, commerce, and jobs. If Mr. Lunny were to take advantage of an extremely generous offer to move (that Feinstein supported), there would even be more employment locally to carry out the transition. 8. Unfair federal commercial support to DBOC: The DBOC commercial operation is not the only local oyster operation. Oysters may be found outside the park boundary. Matter of fact, this is government support is creating unfair business competition for the companies that are in operation outside the park. I believe this goes against some no-competition laws. 9. Science and management decisions: I applaud the NPS for continuing to clarify the resource issues and to obtain peer review for the Becker report. As a biologist with 20+ years experience, it is my understanding that most land management decisions are made on trend information. If decisions were restricted to only statistically proven, without a hair of doubt, agencies across the country would be in a no action mode and most resources would suffer the consequences ? and Industry would trump every attempt at preserving resources.

10. Impacts to NPS operations: I think consideration of the performance by DBOC should be considered as well as the cost to the government for the demands for extended leases. The redirected human resources to deal with the high maintenance lease is worth examining and is having this lease extended going to continue to drain limited resources. What park resources are not getting dealt with due to the (what equates to a) reduction in staff and dollars.

Sincerely,

Bobbi A. Simpson

Correspondence ID: 51434 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:54:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51435 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:54:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51436 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:55:07
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51437 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:55:23
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51438 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:55:39
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51439 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:55:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51440 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:56:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51441 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:56:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51442 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:56:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51443 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:56:47
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51444 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:57:03
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51445 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:57:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51446 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:57:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51447 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:57:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51448 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:58:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51449 **Project:** 33043 **Document:** 43390
Name: Rose, Jena
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec,09,2011 11:58:14
Correspondence Type: Web Form
Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51450 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:58:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51451 **Project:** 33043 **Document:** 43390
Name: Rose, Jena
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec.09,2011 11:58:20
Correspondence Type: Web Form

Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51452 **Project:** 33043 **Document:** 43390
Name: Deapen, Kristopher
Outside Organization: Center for Biological Diversity Unaffiliated Individual
Received: Dec.09,2011 11:58:25
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51453 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:58:33
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51454 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:58:48
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51455 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 11:59:03

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51456 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:59:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51457 **Project:** 33043 **Document:** 43390
Name: Pileggi, Mairi I
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:59:23
Correspondence Type: Web Form
Correspondence: Superintendent Cicely Muldoon Point Reyes National Seashore 1 Bear Valley Road Point Reyes Station, CA 94956

Re: Support for Alternative A ? Wilderness ? in Drakes Estero

Dear Superintendent Muldoon:

I strongly encourage the National Park Service and Secretary Salazar to support wilderness protections for Drakes Estero in 2012. Supporting Alternative A, the "no action" alternative that would restore wilderness protections to Drakes Estero. This is the "environmentally preferable alternative" and one which I support.

As a college professor who brings students to the National Park and to Drakes Estero, I have come to understand the educational value of preserving and protecting wilderness. But there's something profound that happens to us when we engage with the land here and it's very difficult to quantify. One student was stunned to realize "there was a place so clean and pure and serene left in the world." She and others felt this was a place to "find serenity" and to connect more deeply with herself and with nature. Another student, who began collecting plastic oyster tubes during a walk in Drakes Estero, was appalled that we are allowing this place to become polluted.

The Seashore was created in 1962 "to save and preserve, for the purposes of public recreation, benefit, and inspiration" a portion of the nation's diminishing seashore. Shortly thereafter, the Wilderness Act of 1964 recognized and defined wilderness as "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."

Congress chose to designate Drakes Estero as potential wilderness with full knowledge of the oyster company's presence and its nonconforming use in the Estero. Issuing a new 10-year special use permit would clearly benefit a single business at the expense of the public trust and the ecological heart of Point Reyes National Seashore. I urge you to protect the West Coast's only marine wilderness.

Thank you for the opportunity to comment in support of Wilderness for Drakes Estero.

Sincerely,

Mairi Pileggi, Ph.D.

Correspondence ID: 51458 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 11:59:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51459 **Project:** 33043 **Document:** 43390
Name: La Belle, Russell W
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:08:24
Correspondence Type: Web Form
Correspondence: I strongly urge the Park Service to renew the special use permit and extend the lease for Drakes Bay Oyster Company.

Drakes Bay Oyster Co. produces about 40% of the shellfish produced in California.

With worldwide fisheries collapsing from over fishing, we are lucky to have in DBOC a proven sustainable (over 80 years) food

supply.

After all, food is important and, as time goes by, this supply will become increasingly important.

To be pragmatic and to use all our resources wisely, we would be foolish to eliminate one that provides food and helps the environment.

Correspondence ID: 51460 **Project:** 33043 **Document:** 43390
Name: davis, karen
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:09:02
Correspondence Type: Web Form
Correspondence: "I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51461 **Project:** 33043 **Document:** 43390
Name: Collins, Nicole
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:09:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51462 **Project:** 33043 **Document:** 43390
Name: Gegenheimer, Nina
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 12:09:53
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51463 **Project:** 33043 **Document:** 43390
Name: Beckett, Jessica
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:10:29
Correspondence Type: Web Form
Correspondence: I believe that the Drakes Bay Oyster company is providing an ecological service to the National Seashore. Farming and conservation can go hand and hand. Please consider keeping the farm where it is.

Thank you Jessy

Correspondence ID: 51464 **Project:** 33043 **Document:** 43390
Name: Baldwin, Natylie
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:12:37
Correspondence Type: Web Form
Correspondence: Hello. I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Thank you.

Correspondence ID: 51465 **Project:** 33043 **Document:** 43390
Name: Ferris, Lisa
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual

Received: Dec,09,2011 12:13:56
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51466 **Project:** 33043 **Document:** 43390
Name: La Belle, Audrey V
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:16:36
Correspondence Type: Web Form
Correspondence: I strongly urge the National Park Service to renew the special use permit and extend the lease for Drakes Bay Oyster Company at Drakes Estero.

Harbor seals are the most abundant seal specie. It is estimated that their population is about 5,000,000 seals found in North America, Asia and Europe.

Harbor seals thrive along side DBOC, and their presence at Drakes Estero after 80 years of oystering operations is conclusive proof that the harbor seals are not adversely affected. Claims to the contrary are false.

Correspondence ID: 51467 **Project:** 33043 **Document:** 43390
Name: Palko, Patricia E
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: Dear National Park Service,

I am writing you today to urge the National Park Service (NPS) to select the No Action Alternative so that Drakes Estero will become Wilderness in 2012, as directed by Congress 36 years ago. The 1976 Point Reyes Wilderness Act mandates the addition of Drakes Estero to the Philip Burton Wilderness in 2012, when a commercial oyster farm lease expires. Unfortunately, a rider attached to an Interior Appropriations bill granted the Secretary of the Interior the authority to extend the Drakes Bay Oyster Company's lease beyond its expiration. The NPS's draft EIS addresses whether to extend the permit another 10 years. Please preserve Drakes Estero as Wilderness in 2012, rather than continue to allow commercial activity in this important wildlife area.

? Please support the NO ACTION Alternative. It is the Environmentally Preferred Alternative and would provide for the area to become Wilderness in 2012 as Congress intended since the 1970s. ? The Action Alternatives have significant long-term adverse impacts to the Drakes Estero environment, including to wetlands, birds, fish, harbor seals, native mollusks, endangered species, eelgrass beds and to wilderness and the national park experience. ? The Action Alternatives are a direct attack on the Wilderness Act of 1964, run counter to the 1962 Point Reyes enabling legislation and the 1976 Point Reyes Wilderness Act, and set a dangerous precedent for future commercialization of National Parks and Wilderness around the county. ? The oyster operation involves 3,700 motorboat trips per year through harbor seal and eelgrass habitat; promotes the spread of invasive species impacts to native oysters, eelgrass beds, bird, fish and endangered species habitat; and litters remote Point Reyes beaches with thousands of pieces of plastic trash.

We have a moral duty to protect wildlife and wild spaces from the worst effects of human society. Therefore, I urge you to support the NO ACTION Alternative. Thank you so much for your time and I look forward to hearing from you regarding this matter.

Correspondence ID: 51468 **Project:** 33043 **Document:** 43390
Name: Costa, Temra A
Outside Organization: CAFF Unaffiliated Individual
Received: Dec,09,2011 12:19:00
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51469 **Project:** 33043 **Document:** 43390
Name: Burke, Ted
Outside Organization: Shadowbrook Restaurant Unaffiliated Individual
Received: Dec.09,2011 12:21:31
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51470 **Project:** 33043 **Document:** 43390
Name: Conte, Fred S
Outside Organization: University of California Davis Unaffiliated Individual
Received: Dec.09,2011 12:23:29
Correspondence Type: Web Form
Correspondence: My name is Fred Conte. I am an Extension Aquaculture Specialist for the University of California and a faculty member of the Department of Animal Science at the University of California Davis. I have a Masters with emphasis in freshwater ecology, and a Doctorate in Zoology with emphasis in marine ecology. I have 39 years experience as an aquaculture specialist and have worked with the shellfish industry in the Gulf of Mexico and the Western states for my entire career. For the past 29 years a major focus of my program has been addressing shellfish aquaculture as it relates to environmental impacts including shellfish culture activities on eelgrass, impacts on birds and marine mammals, sedimentation, shellfish pathology, shellfish sanitation and socio-economic factors related to the shellfish industry.

I have worked with shellfish growers and regulatory agencies on all of these issues in all growing areas of the State, including Drakes Estero and Tomales Bay. I served as a member of the Mariculture Monitoring Committee (MMC) for the Humboldt Bay Harbor Recreation and Conservation District (Lead Agency) during the nine year transition period in which the industry completely converted from bottom culture to off-bottom culture of oysters. This entire transition was based on the Drakes Estero and Tomales Bay shellfish culture models. The original encouragement for this transition was made by resource agencies, including the California Department of Fish and Game (CDFG), the U.S. Fish and Wildlife Service (FWS), and the National Marine Fisheries Service (NMFS). Representatives of all of these agencies also served on the MMC. As part of the Mitigated Negative Declaration of the California Environmental Quality Act (CEQA) process, the MMC administered the activities of the shellfish company making the transition. This included the requirement of establishing research to evaluate the impacts of shellfish culture on the bay's ecosystem.

Directly related to these MMC activities, I also serve on the Board of Directors of the USDA sponsored Western Regional Aquaculture Center (WRAC) which funded approximately 1.7 million dollars to conduct the required CEQA research on the impacts of shellfish culture on eel grass, bird populations, sedimentation, benthic communities and salmonids in Arcata Bay for this study and shellfish bays in Washington State. At the end of the nine-year Arcata Bay transition permit process, and based on the WRAC environmental research, the MMC approved the transition to off-bottom culture as these and other studies demonstrated that shellfish culture had no significant negative impact on the environmental and biotic integrity of the bay. After further review by the Corp of Engineers and the California Coastal Commission, the final permits for off-bottom culture in Arcata Bay were granted. These decisions would not have been made if there had been any evidence that properly conducted shellfish culture practices were harmful to the bay ecosystem. Environmental studies such as that described above, and other studies conducted in Chesapeake Bay, have demonstrated that when properly managed, shellfish culture does not adversely impact the environmental quality of marine bays. Studies in Chesapeake Bay have also concluded that shellfish culture has an overall positive impact on the health of marine bay systems and these shellfish populations are necessary for overall health of the Bay. It can be supported that with the over harvesting and reduction of Native oyster populations in West Coast bays, that the Japanese oyster now performs the vital functions of maintaining ecosystem health through such functions as algal filtration, carbon fixation and nitrogen recycling.

I am greatly concerned with the events surrounding the EIS reporting of the impacts that Drakes Bay Oyster Company (DBOC) had on harbor seal populations in the Estero. In all the years that I worked with shellfish operations, including in Drakes Estero, I have been aware of the special concern that shellfish producers have about disturbing seal populations. The industry knows that there is no margin for error when dealing with the Marine Mammal Act. I was surprised at the findings of the EIS regarding the seal study. I was especially disappointed that no adjustment in the EIS was made when the conflicting findings were found on additional analysis of the seal disturbance data, or the films. There is more at stake here than the decision of whether DBOC remains in the Estero. The lack of credibility in the harbor seal finding in the EIS is significant. If it is allowed to stand as is, it will potentially cloud future environmental studies of similar nature nationally, and will have negative impacts on shellfish culture nationally. The recent position taken by personnel of the Marine Mammal Commission regarding DBOC is at odds with the findings of the EIS, and the portion taken in the EIS should be reconsidered.

I am very familiar with the shellfish production capacities of all shellfish growing areas in California. I have this knowledge through my capacity as an aquaculture specialist, as a member of the State Aquaculture Development Committee, through my interaction with the Marine Branch of the CDFG, and while working with the CDFG on renegotiations of California's shellfish bottom leases. The only way for Tomales Bay to expand its production is to expand the culture footprint in the bay, and this will not happen. The loss of shellfish production that will occur if DBOC is removed cannot be filled by production in Tomales Bay. This misconception of shellfish production capacities is but one example of why the National Park Service (NPS) should never be placed in a position of managing shellfish leases. These activities should remain in the hands of the CDFG as they have the history and experience necessary to administer these activities.

The NPS EIS also contains statements opposing the cultivation of native species (Native oysters and native rock scallops) by DBOC. The arguments for this position are based on the requirements of these native species for hard substrates and that the

Estero is primarily a soft bottom estuary. The report also states that these native species "are not likely to be found naturally growing in abundance within Drakes Estero due to the hard surface attachment requirement. Therefore, although the species is native to the region, it is most likely to occur naturally in Drakes Estero only in larval form and cultivation of scallops would not contribute to a population of a native, naturally occurring species." I had a number of conversations with Charley Johnson (previous operator in Drakes Estero) about the Native oyster populations in Drakes Estero, and that he had harvested Native oysters in the earlier years of his operation. CDFG harvest records turned in by Mr. Johnson in 1957, 1958 and 1963 show fairly significant harvest and commercial sales of this species from the Estero. I also am aware that both Charley Johnson and his son Tom would gather Purple Hinge Rock Scallops (native) from hardened areas in the estero, and from other structures, and sold these shellfish for \$1.00 each in San Francisco's Chinatown. Both these species historically existed in the Estero in adult forms.

Native oyster populations were severely reduced in all bays throughout the West Coast as a result of commercial harvest and their biological nature. Instead of releasing ova (eggs) in the surrounding water like Japanese oysters, the native female retains about 250 ova in their mantle cavity. Japanese oysters are broadcast spawners, which release millions of eggs into the water where they are fertilized by released sperm from males. Fertilization in Native oysters is internal, and occurs when water carrying male sperm is pumped through the mantle cavity. The fertilize eggs develop into larva, which attach to the gill structures and are retained by the female until the larvae produce a shell and then are released to the surrounding water at an advanced stage of development. Oysters that brood their larvae in such a fashion are brood oysters, and the term for this biological function is larviparous reproduction. Because the reproductive capacity of the Native oyster is limited, the population is easily impacted by fishing pressure. The usual method of commercially culturing Native oysters in California would not be allowed. It requires dyking the substrate in bottom culture. Acceptable methods using bag and other off-bottom methods would be slower and more limited. Native oyster culture in the Estero would provide species diversity, a historical resurgence of a native species, but would not expand the footprint of culture activity in the system. It would be off bottom and within the existing footprint.

The opposition the NPS has for the culturing of native species in the Estero also is contrary to the philosophical objectives of the CDFG, NMFS, FWS and the National Sea Grant Program (NSGP). Both the CDFG and the FWS has encouraged the culture of native species throughout California and the NMFS and the NSGP has funded restoration programs for Native oysters and Native Rock Scallops. The resource restoration programs supported by these Federal agencies have tremendous value for resource management and broad support of environmental groups throughout the western coastal states. The NPS should encourage the culture of Native oysters and scallops I have reviewed both the NPS EIS and the proposals put forward by the collective shellfish growers of Marin County. I support the Collective Management Alternative titled: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities. "Specifically this alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Fred S. Conte, Ph.D. Department of Animal Science Extension Aquaculture Specialist University of California Davis Davis, CA.

Correspondence ID: 51471 **Project:** 33043 **Document:** 43390
Name: Scandone, Cecile T
Outside Organization: /CAFF/Buy Fresh Buy Local Unaffiliated Individual
Received: Dec,09,2011 12:23:49
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

NPS must consider the environmental benefits of the oyster farm. The draft EIS should address the important ecological services provided by oysters, including filtering water. It should also address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

NPS must fully address the historical cultural role of oyster farming in Drakes Estero. The EIS should assess the cultural impacts of eliminating an institution that has been in operation for generations and that is important to park visitors, local restaurants, and the local foodshed.

NPS must fully address the socioeconomic impact of the oyster farm and in particular, address impacts on West Marin itself. In the context of West Marin, the job losses would be anything but minimal, as DBOC is one of the largest employers in the area. Displaced workers who may then need to travel by car across the county or the Bay Area to find work affect air and water quality. This section should be reformulated and corrected.

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.

Correspondence ID: 51472 **Project:** 33043 **Document:** 43390
Name: carton, jesse
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:26:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51473 **Project:** 33043 **Document:** 43390
Name: Elton, Zoe
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:29:35
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51474 **Project:** 33043 **Document:** 43390
Name: N/A, Susan
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:34:52
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51475 **Project:** 33043 **Document:** 43390
Name: Lau, Leilani
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:35:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51476 **Project:** 33043 **Document:** 43390
Name: Dickinson, Ephraim
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:42:38
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."

Correspondence ID: 51477 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:43:20
Correspondence Type: Web Form
Correspondence: I fully support the application for a special use permit by Drakes Bay Oyster Company. In this environment of economic uncertainty, it is very important to allow this company to continue its operations. There are Oyster farms operating all over the world. If we deny Drakes Bay their permit, where will our Oyster's come from then? We must allow this local enterprise to continue.

Correspondence ID: 51478 **Project:** 33043 **Document:** 43390
Name: Courtney, Brigid
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 12:45:25
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51479 **Project:** 33043 **Document:** 43390
Name: Creque, Jeffrey A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:45:59
Correspondence Type: Web Form
Correspondence: 908 Western Ave. Petaluma, CA 94952

12/8/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

The dEIS suggestion that DBOC's continued operation poses risks to eelgrass, California Coho salmon and Central California steelhead trout is baseless and without merit. The EIS must explain how it is that eelgrass has expanded dramatically in Drakes Estero in recent years under current conditions if DBOC boat traffic adversely impacts its biomass and abundance as claimed in the EIS. Further, the EIS must address the negative effect on eelgrass of the loss of water clarity that would result if oyster cultivation were eliminated from the estero.

The EIS must address the fact that closure of DBOC would be in direct conflict with Marin County and State policies that seek to protect local agriculture and aquaculture, and stands in direct opposition to the recently released joint NOAA and Department of Commerce Shellfish Initiative, encouraging increased domestic shellfish production.

The dEIS states DBOC has no "visitor service," but in fact up to 10% of DBOC sales occur at the DBOC on shore facility at PRNS. In fact, DBOC provides a profoundly unique visitor experience, offering visitors the opportunity to engage directly and intimately with the products of the Seashore. Further, DBOC serves a unique segment of the San Francisco Bay Area's ethnic communities, particularly its Asian minority communities. The EIS must discuss the serious negative effect DBOC closure would have on the PRNS visitor experience, and address the social justice issues raised by its closure with respect to both DBOC employees and DBOC clientele.

The dEIS suggestion that DBOC's continued operation poses risk to Myrtle's silverspot butterflies, or California red-legged

frogs, or Black Brant is laughable and unsupported by any data. NPS must provide legitimate evidence of such risk, or remove reference to it from the EIS.

The EIS must recognize and conduct a legitimate analysis of the increasingly important contribution that aquaculture makes to Marin County's agricultural economy and the SF Bay Area food security.

The EIS must include a detailed analysis, including a greenhouse gas lifecycle analysis, of the environmental and economic impact of shipping oysters from outside the SF Bay Area. The erroneous statement that Tomales Bay, or other California oyster producers, would be able to expand production to make up for the loss of DBOC must be corrected.

All of the alternatives presented in the DEIS are unacceptable. They conflict with local, state and federal agricultural and aquacultural policy, disregard many of the values and purposes for which PRNS was established, minimize the importance of DBOC jobs to the local community, dismiss the importance of the visitor experience that DBOC provides, and minimize the value of DBOC's oyster production to Marin County's agricultural economy, to local food security, and to the Bay Area's shellfish supply.

Loss of DBOC would have severe negative consequences for our community, the greater San Francisco Bay Area, for the State of California and for the nation's seafood deficit. The EIS must include a preferred alternative that would allow continued renewal of DBOC's lease, consistent with that of the California Department of Fish and Game, such as the Collaborative Alternative proposed by the Alliance for Local Sustainable Agriculture.

Finally, the EIS must include a serious economic and socio-ecological analysis of the damage done to the NPS by NPS mishandling of the DBOC special use permit issue and an in depth discussion of how NPS will compensate both the DBOC and the local community for the years of ham-handed incompetence it has exhibited in this matter.

Sincerely,

Jeffrey A. Creque, Ph.D.

Correspondence ID:	51480	Project:	33043	Document:	43390
Name:	Robbins, Chris				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 12:54:05				
Correspondence Type:	Web Form				
Correspondence:	"I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS."				

Correspondence ID:	51481	Project:	33043	Document:	43390
Name:	Creque, Jeffrey A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 12:54:15				
Correspondence Type:	Web Form				
Correspondence:	908 Western Ave. Petaluma, CA 94952				

11/15/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically, the failure to adequately address the Climate Change and Greenhouse Gas Emissions (Carbon Footprint) impacts of elimination of the oyster farm is unacceptable. This issue must be addressed by including a full Lifecycle Analysis of this issue within the EIS.

As noted in the dEIS:

"There are two aspects of climate change that must be considered in an environmental impact analysis: (1) Human impact on climate change: i.e., through actions, the potential to increase or decrease emissions of greenhouse gases that contribute to climate change; and, (2) The impact of climate change on humans: i.e., how the resources that are managed are likely to change in response to changing climate conditions, and how that changes or otherwise affects management actions and the impacts of

those actions on the resource."

The dEIS fails utterly to address these critical issues, relying instead upon speculation, uninformed opinion and "seat of the pants" analysis.

The dEIS focuses on fossil fuel consumption by the DBOC and notes that greenhouse gas emissions associated with any of the alternatives involving issuing a new SUP would be negligible. The dEIS then touches upon, but erroneously dismisses, the idea that the quantity of greenhouse gas emissions (the carbon footprint) associated with oyster consumption would increase because of the loss of this critical local food source if a new SUP was not issued to DBOC. In fact, the distance that replacement shellfish would have to be transported to meet demand in the San Francisco Bay Area would greatly increase, significantly increasing the overall GHG emissions associated with meeting local demand for this important local food resource. Oysters would have to be shipped in from outside California and probably the U.S., with the most likely alternative sources Korea and Mexico. The loss of DBOC would constitute a permanent degradation of the sustainable shellfish production capacity of California and the United States at a time when NOAA fisheries and the Department of Commerce are calling for a significant increase in US domestic shellfish production.

The dEIS claims that agencies are not required to engage in speculation or analyze indirect effects that are highly uncertain (CEQ 1981, Q18 [48 Fed. Reg. 18027]), but it is speculative and highly uncertain to suggest that there would be no significant GHG effects of replacing the half million pounds of protein for San Francisco Bay Area consumers that would be lost if DBOC is eliminated. Failure to conduct a full lifecycle analysis on this issue renders dEIS content on this matter purely speculative and utterly illegitimate.

Greenhouse gas emissions associated with elimination of the oyster farm would be significantly greater due to increased transportation distances and increased GHG associated with alternative production. For example, oyster production in Drakes Estero is roughly 10 times more efficient than oyster production in Tomales Bay.

Further, it is highly speculative to suggest, as the dEIS does, that the effects of climate change on park resources over the 10-year planning horizon for the EIS are likely to be negligible. In fact, climate change is already impacting Seashore resources, including terrestrial species change, invasive weed expansion, rising sea temperatures, rising sea levels and ocean acidification. As the dEIS notes:

CH3, p 4: "The central California coastline also is susceptible to changes related to climate change and sea level rise, which are expected to bring increases in mean sea level of approximately 3 to 4.5 feet by the year 2100 (Heberger et al. 2009)." This represents a highly significant change in sea level within the very near future, and, as Heberger et al. (2009) report, California is already undergoing sea-level rise from climate change.

CH 3, P 24: OCEAN ACIDIFICATION: "In addition to changes in sea level, global warming has also been linked to changes in ocean circulation patterns and water chemistry. Changes in ocean pH levels all already significant (Kerr 2010; Feely et al. 2008), with adverse effects on organisms that build shells or skeletons from calcium carbonate, such as marine bivalves (Kerr 2010). The more acidic conditions can cause reduced rates of calcification (effectively lowering shell-building potential), and eventually can begin to dissolve shell material (Feely et al. 2008; Kerr 2010)."

The implications of these significant, ongoing changes in marine ecology for shellfish aquaculture must be evaluated within the framework of a legitimate lifecycle assessment of the global climate change implications of eliminating the DBOC. NPS failure to address this question honestly and thoroughly constitutes an egregious violation of NPS and federal climate change policy.

The contribution of the actions contemplated in the EIS to climate change is likely to be significant. The loss of shellfish from DBOC absolutely could not be replaced through existing local shellfish operations. DBOC produces up to 85% of the SF Bay Area's shellfish and this protein cannot be replaced by alternative local production due to the high productivity of Drakes Bay waters and the absence of additional shellfish producing waters in the region. Further, the role of shellfish in mitigating climate change via absorption of CO₂ from the water column is not addressed, nor is the loss of alternative Pacific coast shellfish growing areas due to ocean acidification.

The EIS must be rewritten to include a serious analysis and evaluation of the role of shellfish aquaculture in global and local marine ecology, as well as national food and health security issues pertaining to importation of shellfish to meet the current US shellfish deficit and the implications of these issues for global warming, carbon footprints and climate change.

The EIS must include a full Lifecycle Analysis, conducted by a qualified third party in accordance with established standards for such analyses, to evaluate the true GHG costs and climate change implications of eliminating the DBOC and providing and transporting an equivalent amount of marine protein from other sources to meet demand for shellfish in the SF Bay Area.

Sincerely,

Jeffrey A. Creque, Ph.D.

Name: Creque, Jeffrey A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:58:14
Correspondence Type: Web Form
Correspondence: 908 Western Ave. Petaluma, CA 94952

11/15/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically the dEIS fails to observed NEPA standards for identification of the baseline for the study and is thus inherently and irreparably flawed. The dEIS must be rewritten, utilizing a proper baseline as the basis for evaluation of proposed alternatives.

In this case, the baseline is properly the existing conditions with the nearly 100 year old oyster operation in place. The no-action alternative would be retaining the oyster farm in Drakes Estero as it is today. But the dEIS defines "no action" as eliminating the oyster farm. This is preposterous and illegitimate, and ignores congressional intent in section 124 of Public Law (PL) 111-88.

The dEIS must be rewritten, utilizing a proper baseline ?existing conditions- as the basis for evaluation of proposed alternatives.

Sincerely,

Jeffrey A. Creque, Ph.D.

Correspondence ID: 51483 **Project:** 33043 **Document:** 43390
Name: Massman, Barbara E
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 12:59:23
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company."

Correspondence ID: 51484 **Project:** 33043 **Document:** 43390
Name: Creque, Jeffrey A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:00:09
Correspondence Type: Web Form
Correspondence: 11/15/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically, the EIS states:

"Congress designated 1,363 acres within Drakes Estero as potential wilderness. Drakes Estero was designated as potential wilderness rather than full wilderness due to the presence of the commercial oyster operation, a nonconforming use."

This is incorrect.

In fact three other conditions were also noted by Congress as equally preventing full wilderness designation:

1) the presence of working ranches completely surrounding the Estero 2) the retained rights of the state of California to fish,

including its shellfish leases 3) the retained rights of the state to minerals and water bottoms.

The dEIS ignores these three equally important points to deceive the public into believing its specious claim that removal of the oyster farm is the only condition preventing designation of the Estero as wilderness.

The EIS must be rewritten to include a full discussion of these equally significant issues with respect to potential, versus full wilderness designation within the Estero. Further, the dEIS fails to acknowledge the legitimate potential for full wilderness designation and continued presence of the oyster farm as a prior existing, non-conforming use, ignoring the fact that coexistence of the farm and wilderness is entirely possible and within the range of options available for NPS to consider in this analysis.

Sincerely,

Jeffrey A. Creque, Ph.D.

Correspondence ID: 51485 **Project:** 33043 **Document:** 43390
Name: Osiecki, Lori
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:00:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51486 **Project:** 33043 **Document:** 43390
Name: Pagel, Kathleen
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 13:01:35
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51487 **Project:** 33043 **Document:** 43390
Name: Creque, Jeffrey A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:02:49
Correspondence Type: Web Form
Correspondence: 908 Western Ave. Petaluma, CA 94952

11/15/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

Specifically, the dEIS is hopelessly inadequate in the manner in which it addresses or fails to address issues of Environmental

Justice.

The dEIS ignores or minimizes the critical role played by the oyster farm in providing housing and jobs for minority working class members of the West Marin community, dismissing this invaluable component of Marin's community as irrelevant.

The dEIS further fails utterly to consider the historical cultural significance of the oyster farm to ethnic minorities from throughout the greater San Francisco Bay Area, many of whom have visited the oyster farm for generations. For many, a visit to the oyster farm is the sole reason and occasion for visiting PRNS. NPS proposes to eliminate this important public resource, thereby significantly degrading the visitation experience for many park visitors, and destroying a cultural and historical icon for many. Rather than supporting the alleged objectives of the project, the proposed alternatives will:

- Degrade, destroy and eliminate natural and cultural resources; - Eliminate significant opportunities for over 50,000 park visitors annually, many of whom represent ethnic and cultural minorities from throughout the greater Bay Area and the United States, whose primary use and enjoyment of park resources each year is a visit to the oyster farm.

The EIS must be rewritten to engage fully and legitimately with the significance of the oyster farm as a cultural resource utilized by tens of thousands of park visitors each year.

The EIS must also engage fully and legitimately with the Environmental Justice questions raised by NPS attempts to eliminate this element of the PRNS, which will clearly have a disproportionate effect upon ethnic and cultural minorities of the greater San Francisco Bay Area and beyond.

Sincerely,

Jeffrey A. Creque, Ph.D.

Correspondence ID:	51488	Project:	33043	Document:	43390
Name:	Fazzio, Elizabeth				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 13:07:16				
Correspondence Type:	Web Form				
Correspondence:	"I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS."				

I love Drake's Bay Oyster Company! I've been taking visiting friends and family there for years. Everyone is very impressed with unique operation and idea. I think it's a wonderful use for this particular area. The national forest throughout the nation have several different types on outside public enterprises running on them. I don't understand why the National Parks would find this one farm is inappropriate. They allow oil drilling and fracking which I find much more inappropriate in a National Forest.

Thank you for your time,

Elizabeth Fazzio

Correspondence ID:	51489	Project:	33043	Document:	43390
Name:	Creque, Jeffrey A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 13:11:52				
Correspondence Type:	Web Form				
Correspondence:	908 Western Ave. Petaluma, CA 94952				

11/14/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS (dEIS) concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

The dEIS is entirely inadequate with respect to the stated purpose, need and objectives of the EIS, environmental issues of concern, and the sufficiency of the overall analysis.

? The NEPA process mandates the consideration of a "no-action alternative" as part of the EIS process, but there is no

alternative within this dEIS that qualifies as a "no-action" alternative. All the alternatives presented result in closure of the oyster farm, whether immediately or at the end of a ten year period. This dEIS is a transparent misuse of the NEPA process. A genuine no action alternative must be included within the EIS if it is to meet rudimentary requirements set forth in NEPA guidelines.

? The draft EIS fails to consider the environmental benefits of oyster farming and calls the removal of the oyster farm the "environmentally preferable" alternative without providing any data or references to justify or support that conclusion. Indeed, the EIS is a remarkably data free document, relying on opinion rather than fact. As such, the document fails to meet even rudimentary standards for the EIS process.

? The draft EIS includes a tremendous amount of discussion about special-status species, and implies that the oyster farm has or might have a negative impact on these species. Yet most of the species mentioned in the report don't even exist in the project area. Plovers and terns are not sighted in the Estero. Red-legged frogs, a fresh water species, don't live in the Estero. Leatherback turtles do not come into Drakes Bay. And harbor seals and eelgrass are doing well, as the National Academy of Sciences has pointed out. The dEIS is thus based on fraud, deceit and misrepresentation, and must be rewritten to reflect actual conditions.

? The EIS mentions that removal of the oyster farm would cause "major long-term adverse effects to the California shellfish market" but ignores this highly significant fact in its overall analysis. DBOC provides up to 50% of California's oysters, and the serious implications of the loss of this resource for the economy and food security of California are not addressed in the dEIS. This gross oversight constitutes extreme negligence on the part of the NPS and must be corrected for the EIS to have any legitimacy whatsoever.

? DBOC produces half a million pounds of highest-quality marine protein annually, using less fresh water than an average home. The replacement costs for this protein, both economically and environmentally, are not considered in the dEIS. A full analysis of the economic and ecological costs of replacing this protein for Bay Area consumers must be including within the EIS.

? The commitment the Department of Interior has made to the recently initiated NOAA-Dept. of Commerce National Shellfish Initiative is entirely ignored in the dEIS, a completely unacceptable position. The EIS must include thorough consideration of the role of DBOC in the national shellfish industry, its role with respect to the US seafood trade deficit, the importance of domestic seafood production to national security and the role of the DBOC in the sustainability and food security of the San Francisco Bay Area.

? The dEIS contains no reference to or consideration of the role of shellfish aquaculture in the protection of wild fish resources, a role widely recognized nationally and globally. The EIS must include an informed analysis of the state of the world's oceans and fish stocks and the role of shellfish aquaculture in mitigating the negative impacts of human harvesting upon those wild fish stocks.

? The EIS fails to address the issue of ocean acidification and the implications of that issue to west coast shellfish fisheries. The increasingly important role of DBOC in the west coast shellfish industry as more northerly production areas succumb to acidification is ignored, as is the potential role of the DBOC in restoration of the native Olympia oyster and the significance of that effort to estuarine processes in the Estero. These highly significant environmental issues are ignored by the EIS, rendering it irrelevant, or worse. These gross deficiencies must be rectified if the EIS is to have any credibility whatsoever.

? Discussion pertaining to the socioeconomic impact of the alternatives is seriously flawed. The analysis uses differing geographic scales throughout the relevant chapter, switching from the town of Inverness, to West Marin, to Marin as a whole, to multi-county, to statewide, to nationwide scales. This switching of scales is used to manufacture the argument that job losses caused by shutting down the oyster farm would be minimal. DBOC is the second largest employer in West Marin. The dEIS economic analysis is insufficient to the point of fraudulence and must be corrected.

? The historical and cultural role of oyster farming in Drakes Estero for West Marin, Marin County and the greater SF Bay Area is dismissed or ignored, despite its 100-year history and despite the importance of oysters to park visitors, to local restaurants, and to the San Francisco Bay Area's food security. A pretense is made at addressing this matter, but it is dismissed on the basis of a finding of lack of historic significance for the DBOC's buildings only. This ignores the cultural and historical significance of the oyster farm and the activities conducted there for over a century. The EIS must comprehensively address the history and cultural significance of shellfish aquaculture in Drakes Estero from the local, regional and State perspectives.

? The oyster shell by-product from the DBOC cannery ?the last shellfish cannery in the State- is a critical and sole resource for reestablishing native oyster beds and Snowy Plover habitat in and around San Francisco Bay. The loss of DBOC oyster shell would shut down these restoration operations. The draft EIS does not address this potential significant loss, or its implications for the ecology of San Francisco Bay. The EIS must consider the environmental importance of this shell resource and the environmental consequences of its loss

? The current General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. PRNS must follow its own planning document and must cooperate with the County of Marin's planning process. The EIS must reflect and be consistent with the goals of the

PRNS General Management Plan and of the local planning process.

? The issuance of an EIS for a Special Use Permit in the PRNS Pastoral Zone is without precedent and almost certainly illegitimate. The implications for other agricultural operations in the Seashore operating under SUPs are dire and must be acknowledged and explained within the EIS.

? The dEIS says the NPS would eliminate the renewal clause that exists in the current Reservation of Use in any new SUP. This is a direct contradiction of the purpose of the EIS, which is to address Public Law (11-8 Sec. 124), which provides the authority to issue a SUP to DBOC with "the same terms and conditions as the existing authorization." The draft EIS must include an alternative that meets the spirit and letter of PL 11-8 Sec. 124 by including a renewable Special Use Permit.

Sincerely,

Jeffrey A. Creque, Ph.D.

Correspondence ID: 51490 **Project:** 33043 **Document:** 43390
Name: Rolph, Sarah
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:14:14
Correspondence Type: Web Form
Correspondence: The draft EIS does not abide by the rules of the NEPA process and thus must be substantially revised. NEPA requires the existence of a no-action alternative. The draft EIS for DBOC's permit does not include a status-quo alternative at all. The so-called no-action alternative calls for a very dramatic action, the removal of the historic oyster farm. This is an unacceptable irregularity in the process.

Correspondence ID: 51491 **Project:** 33043 **Document:** 43390
Name: Priolo, Sophie
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:16:48
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51492 **Project:** 33043 **Document:** 43390
Name: zajonc, jeromy
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:19:58
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS

Correspondence ID: 51493 **Project:** 33043 **Document:** 43390
Name: Creque, Jeffrey A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:20:14
Correspondence Type: Web Form
Correspondence: 908 Western Ave. Petaluma, CA 94952

12/09/11

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

Dear Superintendent Muldoon;

The purpose of this letter is to comment on the NPS Draft EIS concerning issuance of a Special Use Permit for the Drakes Bay Oyster Company.

At enormous taxpayer expense, NPS has incorrectly, indeed, illegally, entered into this process on the grounds that,

"Action is needed at this time because pursuant to section 124 of Public Law 111-88, the Secretary has the discretionary authority to issue a SUP for a period of 10 years to DBOC for its shellfish operation, which consists of commercial production, harvesting, processing, and sale of shellfish at Point Reyes National Seashore. The existing Reservation of Use and Occupancy (RUO) and SUP held by DBOC will expire on November 30, 2012. DBOC has submitted a request for the issuance of a new

permit upon expiration of the existing authorizations."

In fact, quite independently of PL 111-88, the Secretary already has the discretionary authority to issue a SUP for the lands and on-shore facilities located within the PRNS pastoral zone, and regularly does issue such SUPs for other agricultural operations within the PRNS pastoral zone without requiring an EIS to do so. There is no legitimate basis for the Draft EIS now under consideration and the process should be terminated.

The draft EIS claims that it is necessary because the SUP pertains to the congressionally designated potential wilderness area portion of Drakes Estero, wherein some of the oyster farm's production areas are located. In fact, DOI-NPS has no authority over State of California shellfish aquaculture leases in Drakes Estero, the rights to which were retained by the State at the time of transfer of the waters to the United States. NPS has claimed that a letter, issued by California Department of Fish and Game, yields primary management authority of Drakes Estero shellfish operations to NPS, but CDFG has no authority to transfer said authority to NPS. Only the legislature of the State of California can relinquish or transfer that authority.

Further, the existing RUO pertains only to DBOC onshore facilities, located within the pastoral zone, and it is this RUO which expires in 2012, not the State Aquaculture lease, which continues through 2029. NPS has used the EIS process to fraudulently frame this discussion and deceive the public with respect to this issue.

Finally, even if we were to accept the NPS position regarding its alleged, but unfounded, authority over shellfish aquaculture activities in potential wilderness areas of Drakes Estero, the Point Reyes Wilderness Act (Public Law 94-567) clearly states:

"Sec. 3: All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that ell (sic) uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness."

It is clear, that short of such a notice by the Secretary, existing uses within the potential wilderness area may continue, without reference to or requirement for any action on the part of the DOI or NPS, including the EIS process allegedly undertaken for the purpose of evaluating such action. There is no date, whether 2012 or other, within the Act, by which such designation or notification must occur.

In short, the EIS process is a fraud, and NPS places itself in a position of illegitimacy in the eyes of the courts, the public and the congress by undertaking this ill-considered and illegitimate process. The EIS process must be halted and a renewable special use permit issued immediately for continued DBOC on-shore operations .

Sincerely,

Jeffrey A. Creque, Ph.D.

Correspondence ID:	51494	Project:	33043	Document:	43390
Name:	Evens, Jules G				
Outside Organization:	Public Citizen Unaffiliated Individual				
Received:	Dec,09,2011 13:20:57				
Correspondence Type:	Web Form				
Correspondence:	Please accept this memorandum as a public comment in reference to the DEIS for the Drakes Bay Oyster Company Special Use Permit. These comments are limited to consideration of the following issues: eelgrass, wildlife and wildlife habitat and special status species.				

I am writing in strong support of Alternative A. Among the various alternatives considered, the expiration of the Special Use Permit and designation of the estuary as Wilderness will provide the greatest level of protection for native flora and fauna. In addition to fulfilling the intentions of the Wilderness designation for the estero, the provisions in Alternative A conform to the goals and recommendations provided in the California Coastal Waterbird Conservation Plan (Shuford 2011), and the Southern Pacific Shorebird Conservation Plan (Hickey et al. 2003).

The DEIS mentions many of the species that will be affected by daily human intrusion into their habitats and identifies the sea goose, the Black Brant (*Branta bernicula*), as a species of concern, but understates the potential impacts to Brant if daily human intrusion into eelgrass meadows continues within the estuary. The Brant exemplifies the impacts imposed by habitual disturbance to foraging and staging habitat and serves as a surrogate example for all waterfowl. Excerpts selected from the ornithological literature, below, are relevant to Drake's Bay management issues.

The Brant species account in Birds of North America discusses disturbance events at Humboldt Bay that are analogous to activities at Drake's Bay. (In the following quote, "taking flight" is used as a measure of disturbance because, as well as exacting an energy expenditure, it precludes foraging and resting opportunities for waterfowl.) "At Humboldt Bay, CA, a fall and spring staging area, frequency of non-hunting human disturbances that caused Brant to take flight was 0.60 event/h for 5 time periods between Nov and May (Henry 1980); 39% of the disturbances were by people (mostly clambers), 29% by aircraft, 18% by boats, 9% by loud noises, and 4% by vehicle traffic" (Reed et al. 1998).

Several studies have indicated that the long-term trend shows a declining population of Brant on Pacific Flyway (Derksen and Ward 1993, Sedinger et al. 1994). Only protective conservation measures at important foraging and staging areas, of which the Drakes-Limantour estuarine complex is one, can contribute to a reversal of this trend. As stated in the Brant Management Plan (Pacific Flyway Council 2002): "Even where healthy eelgrass habitats are available, brant may be displaced or excluded due to human disturbance (Einarsen 1965, Kramer 1976, Henry 1980, Ward and Stehn 1989). Disturbance factors include increased boating, jet skis, wind surfers, kayakers, commercial and residential development, recreational and commercial shellfish harvest, fishing, and trail developments . . . Brant response to stimuli range from brief alert behaviors to immediate departure from a site. Excessive disturbances that interrupt foraging time are a concern because they can prevent birds from obtaining necessary resources for migration and egg-laying and thus lower reproductive performance.

Current closures to recreational boats in Drakes Estero (March 1-June 30) designed to protect harbor seals from disturbance serve to protect Brant from disturbance by kayaks and other recreational boaters during the most critical periods of spring migration (March-April), however mariculture boat traffic is permitted year-round (DEIS Figure ES-2, Existing Conditions).

Under "Conservation and Management" in the Birds of North America account on Brant (op. cit.), the authors state:

"Winter habitats, particularly in eastern and western coastal states, have experienced considerable impact from industrialization and recreational use of estuaries (Barnhart et al. 1992). Use of power dredges in oyster-farming has destroyed or altered eelgrass beds in Willapa Bay, WA (Wilson and Atkinson 1995); Humboldt Bay, CA (J. Smith unpubl. data); Morro Bay, CA (Einarsen 1965); and Bahma San Quintmn, Mexico (DHW). Dumping of empty oyster shells caused loss of eelgrass, and presence of oyster racks precludes access by Brant to large areas in some estuaries (Wilson and Atkinson 1995, J. D. Smith, DHW, and K. Foerster unpubl. data)."

Although "power dredging" is not practiced in Drake's Estero, the presence of oyster racks, and probably more importantly, the daily intrusion into the habitat required by the mariculture activities, pose ongoing sources of disturbance. Daily intrusion into such critical wildlife habitat is in conflict with the Park's founding legislation and the National Park Service Management Policies (NPS Mgt. Policy '1.4.3) which states "if there is a conflict between conserving park resources and values and providing for enjoyment of them, conservation is to be predominant." Of the four alternatives, only Alternative A provides protection for the Pacific Black Brant (and many other species of migratory waterfowl and wildlife), that depend on intact and undisturbed foraging opportunities for the long-term viability of their populations. Alternatives B, C, and D are contrary to the goals of Wilderness designation and so are inappropriate management strategies for preserving the long-term ecological integrity of the Drake's-Limantour Estero estuarine systems. Alternative A favors the conservation of resources.

The key management provision of the Organic Act, the founding legislation of the Park Service, states that: [The National Park Service] shall promote and regulate the use of the Federal areas known as national parks . . . to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (16 USC 1)

Thank you for this opportunity to comment on a management issue that affects not only Point Reyes National Seashore, but the ability of all National Parks to manage the nation's natural resources and "protect them from impairment" (16 U.S.C. '1) without undue interference from commercial interests.

Respectfully,

Jules Evens, P.O. Box 839, Point Reyes Station, CA 94956

REFERENCES Derksen, D. V. and D. H. Ward. 1993. Life history and habitat needs of the Black Brant. Fish and Wildlife Leaflet 13.1.15.

Hickey, C., W. D. Shuford, G. W. Page, and S. Warnock. 2003. Version 1.1. The Southern Pacific Shorebird Conservation Plan: A strategy for supporting California's Central Valley and coastal shorebird populations. PRBO Conservation Science, Petaluma, CA.

National Park Service Organic Act (16 U.S.C. 1 2 3, and 4), as set forth herein, consists of the Act of Aug. 25 1916 (39 Stat. 535) and amendments thereto.

Pacific Flyway Council. 2002. Pacific Flyway management plan for Pacific Brant. Pacific Flyway Study Comm. [c/o USFWS, DMBM] Portland, OR Unpubl. rept., 40 pp. + appendices.

Reed, A., D. H. Ward, D. V. Derksen and J. S. Sedinger. 1998. Brant (*Branta bernicla*), The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: <http://bna.birds.cornell.edu/bna/species/337>

Sedinger, J. S., D. H. Ward, R. M. Anthony, D. V. Derksen, C. J. Lensink, and K. S. Bollinger. 1994. Management of Pacific

brant: population structure and conservation issues. Trans. N. Am. Wildl. Nat. Res. Conf. 59:50-62.

Shuford, D. 2011. Coastal California (BCR 32) Waterbird Conservation Plan. PRBO Conservation Science, Petaluma, CA 94954 (in review).

Correspondence ID: 51495 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:23:27
Correspondence Type: Web Form
Correspondence: The draft EIS should be changed to correct its weak assessment of the role that the oyster farm plays in the local culture. The NEPA process is meant to ensure that the federal government "use all practicable means to create and maintain conditions under which man and nature can exist in productive harmony." Man and nature are existing in harmony now in Drakes Estero. The livelihoods of over 30 people, the enjoyment of thousands of visitors, many of them as part of a multi-generation tradition, the historic nature of the oyster farm, the role of the oyster farm in the National Seashore, and the importance of oysters as an attraction to West Marin, are all cultural facets that were not taken seriously in the draft EIS. The EIS must be reformulated to take into account these cultural issues, and it should assess the potential impact of eliminating a source of local food that has been in operation for 100 years, and that serves park visitors, local restaurants, and the local economy.

Correspondence ID: 51496 **Project:** 33043 **Document:** 43390
Name: Bonanno, Jessica
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:23:39
Correspondence Type: Web Form
Correspondence: The oyster farm is no more inappropriately located within the Seashore than is the treatment of human waste in the park by septic systems. The unique environmental protection that Marin County has been able to implement came about as a result of a series of historic agreements forged between farmers and environmentalists and we should respect this balancing of interests and the positive amenities it has created for the local region.

NONE of the NPS DEIS alternatives (A, B, C or D) are acceptable. I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

The value of the oyster farm far exceeds its economic and environmental benefits, which are notable. Its value is primarily, however, cultural. The park became a park after the local communities had begun their gentle agricultural use. The park is confused as to what their role is, as a park. No, more specifically, a National Seashore.

No better environmental stewards than Kevin and Nancy Lunny could be in place to perpetuate the cultural gem that is a local oyster farm at that historic place. I fear the loss of the oyster farm, because I fear the loss of this incredible, eye-opening site, where people from all walks of life learn, taste, smell, hear and touch the affects of this incredible place. Its educational. There is not one single argument against the oyster farm that stands up against the straight-face test.

All that is being proposed by the park is a ploy to turn that environmentally and culturally important place into something that either has no benefit to the water quality and ecological landscape, or is actually harmful (i.e. kayaking tours?). Please allow for the collaborative management alternative. It is the only choice that makes any sense.

Correspondence ID: 51497 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:29:00
Correspondence Type: Web Form
Correspondence: I am shocked to see that the draft EIS misrepresents the same facts that PRNS has been chastised for misrepresenting time and time again. The environmental benefits of oyster farming are downplayed, and environmental concerns are overemphasized. It is outrageous to call the removal of the oyster farm the "environmentally preferable" alternative. The draft EIS does not sufficiently discuss the important ecological services provided by oysters, nor does it address the environmental impacts of the actions that would be taken to replace this local, sustainable food source. The environmental damage that the Park Service claims could potentially occur if the oyster farm were allowed to continue do not hold water. The EIS must be substantially revised to eliminate unsubstantiated claims, speculation, and outright falsehoods such as the notion that special-status species that do not even exist in the estero could somehow possibly be harmed.

Correspondence ID: 51498 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:33:39
Correspondence Type: Web Form
Correspondence: The draft EIS must be reformulated to include a serious discussion of the economic impacts being proposed. The document is written as if removing the expected "major, long-term, adverse effects to the California shellfish market" that would happen as a result of shutting down the oyster farm are no big deal. In this economy, especially, they most certainly are a big deal. The draft EIS provides nothing like a serious analysis of these impacts, nor are these impacts addressed in the overall analysis. The EIS must be changed to address the economic impacts of shutting down the oyster farm. Eliminating the production of roughly 50%

of California's oysters is simply unacceptable. The subsequent impact on the local, state and national economy must be taken into account by the EIS. The document must also analyze and take seriously the economic effects that would be created if the oyster farm would shut down, taking away one of the largest employers in West Marin. Worker housing should be included in this analysis.

Correspondence ID: 51499 **Project:** 33043 **Document:** 43390
Name: Webb, Donna L
Outside Organization: Neighborhood Readiness Project Unaffiliated Individual
Received: Dec.09,2011 13:34:52
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

In these delicate times, collaboration between interests is sorely needed. Please do not undermine years of productive work, and a workable precedent for the tenuous future of our fragile coast.

Correspondence ID: 51500 **Project:** 33043 **Document:** 43390
Name: Bonanno, Jessica
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Further, I share the DBOC's concerns with the Draft EIS. I echo their comments here:

2. NPS should support a renewable permit. Please support the issuance of a renewable permit for Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses pursuant to the existing California Department of Fish and Game leases in place since 1934.

3. NPS should adhere to its existing management policies, which support the continuation of the oyster farm. The current NPS General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. The draft EIS does not include justification for the decision to overturn the existing General Management Plan and Marin County's planning processes. The failure to address these issues is unacceptable.

4. NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations. PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again, calling the removal of the oyster farm the "environmentally preferable" alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

5. NPS must fully address the economic impacts of the oyster farm - the draft study fails to provide a complete analysis. The draft EIS mentions that removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but does not provide a complete analysis of these impacts, nor does it include these impacts in the overall analysis. Further, it does not analyze the impacts of eliminating one of the largest employers in West Marin County and the last remaining oyster cannery in California. The EIS must address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy.

6. NPS must fully address the socioeconomic 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 foodshed.

8. NPS must properly assess impacts (both actual and potential) on wildlife - the draft study makes claims of harm based on weak or non-existent evidence. The draft EIS claims that removing the oyster farm would benefit harbor seals; that claim is not supported by science. This issue has been reviewed by various agencies and individuals, including the National Academy of Sciences and many prominent scientists, with the conclusion that the impact of the oyster farm on the harbor seals cannot be determined. What is known, however, is that Drakes Estero is currently home to one of the largest harbor seal populations on the

California coast and that the population seems to be stable.

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.

Correspondence ID: 51501 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:38:35
Correspondence Type: Web Form
Correspondence: The EIS does a shockingly poor job of addressing the potential socioeconomic impacts of shutting down the oyster farm. Among the important issues not addressed by the EIS are what it would mean to the oyster farm's roughly 50,000 visitors per year. These visitors have been vocal about their enjoyment of the oysters and the interpretive services provided by Drakes Bay Oyster Farm. Visitors to the oyster farm are from a wide range of demographics, including races and ethnicities whom might not otherwise visit the National Park System. Why would PRNS work against the National Park Service's goal of increasing access to the National Park System for underserved communities? If DBOF's Special Use Permit is denied, these underserved communities would be impacted. The EIS should address these communities of visitors and how these impacts will be mitigated should the loss of the oyster farm be a result of PRNS actions.

Correspondence ID: 51502 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:42:11
Correspondence Type: Web Form
Correspondence: It is an outrage that PRNS is ignoring its own management policies. The draft EIS is in direct contradiction to the current General Management Plan for Point Reyes National Seashore, which strongly supports the continued operation of the oyster farm. Nowhere in the DEIS is it discussed how NPS can bypass the General Management Plan. The failure to address this issue suggests arbitrary and capricious actions on the part of PRNS. The EIS must fully analyze how the alternatives presented are or are not consistent with these guidance documents.

Correspondence ID: 51503 **Project:** 33043 **Document:** 43390
Name: Kowalczyk, Bernadette
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 13:42:48
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51504 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 13:46:06
Correspondence Type: Web Form
Correspondence: How is it possible that Point Reyes National Seashore has issued a draft EIS that flies in the face of all planning on the part of Marin County? The County planning documents all express support for the continuation of mariculture in Drakes Estero. Oyster farming is an important aspect of the local foodshed, providing tremendous potential for benefitting the local economy. The Park Service is a federal agency, but that does not give it the right to run roughshod over local interests. PRNS should substantially revise the draft EIS to take into consideration the County planning process.

Correspondence ID: 51505 **Project:** 33043 **Document:** 43390
Name: Plater, Brent
Outside Organization: Wild Equity Institute Non-profit/Organization
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: Dear Point Reyes National Seashore:

Thank you for the opportunity to submit comments on the DEIS for the Drake's Bay Oyster Company's Special Use Permit to harvest oysters and other shellfish from protected wilderness in Drakes Bay.

I am writing to support Alternative A, the "no action" alternative that would restore wilderness protections to Drakes Estero. This is the "environmentally preferable alternative" and for the reasons below, I strongly encourage the National Park Service and Secretary Salazar to support wilderness protections for Drakes Estero in 2012.

I have a special connection to Drake's Bay, and not only professionally: I have recreated in the area for over 10 years, and the experiences were so enriching that my wife and I decided to be married at Drake's Beach in 2008. I write these comments with this connection to the land in mind.

The Wild Equity Institute unites the environmental justice and grassroots conservation movements in campaigns that redress inequity, both across our human communities and towards the lands in which we live. Wilderness is about equity: it is an attempt to leave some places on Earth where our demands and our taste buds and our business plans don't have a role.

Why might that be desirable? Because the rest of the planet has been transformed into a reflection of ourselves. Our influence is pervasive, and wilderness is one of our last attempts to craft a more humble relationship with the planet: to create a space where western civilization isn't extracting some product from the Earth. To look at our wilderness areas as a place to operate even more human activity is to ignore the wanton destruction that has occurred throughout the rest of society. Therefore eliminating, reducing, or modifying wilderness protections without a concomitant change in the relationship we maintain with the land outside of wilderness areas destroys the delicate moral balance the Wilderness Act attempts to create with the Earth.

Of course, changing civilization's overall relationship with the land is outside the mandate of the National Park Service, and certainly outside the scope of this project. That is probably why the DEIS defines modest project objectives, including managing natural and cultural resources to support their maximum protection, restoration, and preservation; and managing wilderness and potential wilderness areas to preserve the character and qualities for which they were designated.

These project objectives may serve to protect the delicate moral balance that the Wilderness Act attempts to strike, but only if the Seashore ensures that (a) extractive business activities in National Parks are not a "cultural resource" deserving maximum protection and restoration, and (b) the character for which Drake's proposed wilderness was established does not include "businesses and resource extraction activities" that could just as easily be conducted elsewhere.

That this balance is threatened should be obvious, but to make it abundantly clear: the Seashore already provides for extensive agricultural practices within its boundaries. Livestock ranching is the predominant activity within the West and Northwest areas of the park. This in itself is unusual, and should serve as an example of how far conservationists and the Park Service have gone to accommodate agricultural businesses.

There would be an equitable way to farm oysters locally, but proponents of this lease extension choose expedience over equity. Indeed, the history of the Drake's Bay Oyster Company and its attempt to alter long-held understandings about land use at Point Reyes is perhaps the most direct affront to the Wilderness Act's moral balance in many years. When the Seashore was established by some of the nation's most thoughtful conservationists, they created a transition period for some activities within the Seashore's boundaries to buffer the impacts the designation would bring on people and companies that occupied the land. Standing alone, this concession reminds me of the great empathy these conservationists retained for people even as they were

working to reduce the impacts people impose on the land.

Decades later, the new owners of the company are trying to restructure that deal--in a sense, taking advantage of the empathy given to them-- primarily through political force. It is a cold, calculated attempt to expand a business regime across time, based on political expediency: there are many other places to grow shellfish in California, but each has its challenges, and the challenges posed by wilderness were seen as the easiest to overcome.

Fighting the act that established this park--and more importantly the park and wilderness ideal--rather than fighting, for example, to restore estuaries that have been dredged and filled is a classic act of political expediency. There are alternatives for Drake's Bay Oyster Company: indeed, there are oyster farms outside of wilderness areas within 10 miles of Drake's Bay as the crow flies. Moreover, there are opportunities to restore estuaries lost to infill development for the purposes of agricultural productivity. These restored areas would be far better as an oyster farm than a flood-prone vacation home, but because the owners of these infilled lands seem like a more intractable opponent than the contemplative people who created Pt. Reyes in the first place, the fight is taken to the park. This is no act of an environmentalist: it is political thuggery.

But restoration is of course too difficult, the argument would go: it would be more expensive, more time consuming, more wrought with failure than challenging the aged conservationists who made this deal in the first place or the contemplative individuals who find the appropriate balance has already been struck. Yet no one likes bullies, and this is the role the local food movement has placed itself in in Marin County. This is a tragedy, because being cast in this role will undoubtedly undermine the local food movement nationwide, as people recognize the misuse made of the movement by business interests who wear it like sheep's clothing. This impact, and the opportunity to grow oysters elsewhere, should certainly be considered as the Park Service considers the alternatives available in the DEIS: and it is clear to me in reviewing the document that this black eye given to the local food movement, combined with the opportunity to conduct oyster harvesting elsewhere, is enough reason to select Alternative A in the final EIS and Record of Decision. If it is not, then the Park Service must explain why.

Alternative A should be selected for another reason: the context of the debate. Again, wilderness is an attempt to redress the unsustainable exploitation our civilization wrecks on the land by keeping some small fraction of the lands around us as free as possible from human disturbance. It is this context that must be kept in mind in selecting alternatives that the National Parks Service considers during the project: wilderness is a reaction to the inequitable relationship we maintain towards the landscape in nearly all other places we interact with the land. To undermine its protection here will set back our ability to maintain a sustainable relationship with the land here, and will also alter the context of every other wilderness designation across the nation.

Respectfully,

Brent Plater Executive Director Wild Equity Institute

Correspondence ID:	51506	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 13:49:40				
Correspondence Type:	Web Form				
Correspondence:	The science in the draft EIS is badly flawed. The document should be reworked to remove the errors caused by reliance on speculation and "potential" results. It is clear that the Becker seal study should never have been included in the draft EIS, since that paper does not show causality. A scientific paper that purports nothing more than a correlation does not deserve serious consideration. The EIS must be substantially reworked to remove all discussions based on scientific speculation.				

Correspondence ID:	51507	Project:	33043	Document:	43390
Name:	chang, kyung				
Outside Organization:	ecofarm Unaffiliated Individual				
Received:	Dec,09,2011 13:57:45				
Correspondence Type:	Web Form				
Correspondence:	Hi, I would like to support Oyster farm's effort to maintain current operation.				

Correspondence ID:	51508	Project:	33043	Document:	43390
Name:	bartlett, julia				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 13:59:43				
Correspondence Type:	Web Form				
Correspondence:	I trust and love the Park. And believe it would erode the whole wilderness deal in the US to start letting pvt companies do business on wilderness or anything that was planned to be wilderness. Kevin Lunny paid a price for the business which reflected the short life remaining to it. Much as I support local agriculture, in this case the importance of wilderness wins out! Yours, Julia Bartlett				

Correspondence ID:	51509	Project:	33043	Document:	43390
Name:	Wertz, Louis S				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Please respect the collaborative, mixed use heritage of the Point Reyes National Seashore.

Correspondence ID: 51510 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:02:08
Correspondence Type: Web Form
Correspondence: The EIS fails to include a viable alternative. The so-called no-action alternative calls for the removal of the oyster farm, and as such is not a valid no-action alternative. None of the other alternatives meet the requirements of the legislation that started this process (Section 124), which clearly calls for an alternative that issues a permit with the same features as the current authorization. For this reason, the EIS should be revised to include a new alternative, the Collaborative Management Alternative, which would include a 10-year Special Use Permit with the option for extension, the rehabilitation of existing facilities, and the construction of new processing facilities, ideally with a new visitor center.

The alternative should permit DBOC to continue to use onshore facilities within the PRNS pastoral zone to support shellfish cultivation in Drakes Estero in keeping with its leases from the California Department of Fish and Game [CDFG].

Under this alternative, the oyster farm would collaborate with relevant organizations, including the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies to develop interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative should provide educational opportunities about the ecology of the estuary and the science and practice of mariculture for people of all ages, including Seashore visitors, students and researchers.

This alternative would allow the continued support of the local economy by the oyster farm, and the ability of the oyster farm to continue to attract thousands of ethnically diverse visitors to West Marin every year. It would also allow the oyster farm to continue to provide over half of the San Francisco Bay Area's sustainably farmed shellfish.

The new alternative would protect desperately needed affordable housing for farmworkers on remote Point Reyes ranches.

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

The Collaborative Management Alternative supports ecologically and economically sustainable growth. It is in keeping with the natural resource management provisions in the PRNS General Management Plan, and would allow PRNS to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive sense of place and character.

Correspondence ID: 51511 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:09:38
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS.

Correspondence ID: 51512 **Project:** 33043 **Document:** 43390
Name: Robbins, Janet S
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:12:18
Correspondence Type: Web Form
Correspondence: I have been following the DBOC permit process for a long time. I have written several letters, expressing my support for the continuation of DBOC in Drake's Estero. I have read nothing in the NPS scientific reports that convinces me that the oyster farm operations are harmful to seal populations. During my years as an NPS seal monitor volunteer I never even saw an oyster boat in the estero where the seals haul out, let alone seeing them disturb the seals. It was always kayakers, hikers, small airplanes, sometimes birds that from time to time disturbed the seals. Saying there is a correlation between the oyster farm activities and the seals could as easily be said about kayakers, hikers, planes. To try to make that the be all and end all reason to shut DBOC down makes no sense. Furthermore, nowhere in the draft EIS is there any mention of the 250,000-odd photographs that were secretly taken in the estero -- that show no evidence that the oyster farm activities disturb the seal population.

With this letter, I would like to add that the comments by the members of the Marine Mammal Commission, attached as an addendum to the report, are rational, reasonable, and should be heeded to the letter.

Finally, I totally support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. It allows this historic treasure to continue to provide sustainable food, employment and housing for local workers, educational programs for the public on the ecology of oysters and of the entire Estero.

PLEASE DO NOT SHUT DOWN DRAKE'S BAY OYSTER COMPANY.

Respectfully, Janet Robbins

Correspondence ID: 51513 **Project:** 33043 **Document:** 43390
Name: Philbrook, Curtis
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 14:17:16
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51514 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:22:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51515 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:23:12
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS:

- 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture
- 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT : Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward.
- 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS.
- 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS.

5) Dr. Sarah Allen's own studies

1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds

a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft."

b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?."

2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which

a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site."

b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs.

Correspondence ID: 51516 **Project:** 33043 **Document:** 43390
Name: clarke, Richard P
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:28:13
Correspondence Type: Web Form
Correspondence: Dear Sir "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS." thank You Rich Calrke

Correspondence ID: 51517 **Project:** 33043 **Document:** 43390
Name: Mayfield-Chapin, Shannon
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 14:30:56
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51518 **Project:** 33043 **Document:** 43390
Name: Palmer, Debbie
Outside Organization: CAFF Unaffiliated Individual
Received: Dec,09,2011 14:31:17
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations. PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again, calling the removal of the oyster farm the "environmentally preferable" alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

Correspondence ID: 51519 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:32:27
Correspondence Type: Web Form
Correspondence: I support the colabritive agreement for Drakes bay!!

Correspondence ID: 51520 **Project:** 33043 **Document:** 43390
Name: Manning, Susan
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 14:32:37
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51521 **Project:** 33043 **Document:** 43390
Name: hales, jil
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:43:42
Correspondence Type: Web Form
Correspondence: After thoughtful consideration of both sides of the issue, I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Drake's has proven its commitment to sustainable business practices in this ecologically sensitive area which has supported the same historical use of the seabed. To allow them to continue is win win for a community that cares equally about protection of the coastal waters and supporting sustainable food production that contributes to our local economy and extends our precious food traditions.

Correspondence ID: 51522 **Project:** 33043 **Document:** 43390
Name: Pint, Rebecca
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 14:45:16
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51523 **Project:** 33043 **Document:** 43390

Name: Faber, Phyllis M

Outside Organization: Marin Agricultural Land Trust Unaffiliated Individual

Received: Dec.09,2011 14:45:33

Correspondence Type: Web Form

Correspondence:

1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture need to be included 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. Needs to be included 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. These need to be included. It is the Park's own work. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. 6) There is inadequate consideration of either social justice or community economic issues 7) There is no consideration of the filtering effects of oysters for cleansing the estero. There is data available showing water quality near the oyster beds versus away from the beds. 8) There is no discussion of the source for replacing oysters grown in Drake's Estero. 40% of CA's oysters. There are few waters clean enough and available, growers in Tomales Bay have to import oysters already. 9) Please report accurately the percentage of Marin's agriculture income that the aquaculture represents. 10) You need to have a renewable lease alternative. Each of the alternatives in the existing EIR puts the lunny's out of business. You need a no project alternative and that would include a renewable lease as they have now.

Correspondence ID: 51524 **Project:** 33043 **Document:** 43390

Name: Berner, Robert

Outside Organization: Marin Agricultural Land Trust Non-profit/Organization

Received: Dec.09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: December 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:

We respectfully submit the following comments regarding the DBOC SUP Draft EIS.

Marin Agricultural Land Trust (MALT) was founded in 1980 to preserve Marin agricultural land for agricultural use. Over the past 31 years, MALT has invested over \$50 million to permanently preserve the agricultural utility and natural resources on 68 Marin farms and ranches totaling 44,000 acres. We also work with agricultural landowners and public and private partners to support and enhance agriculture viability and sustainability in Marin. One-third of Marin County is in productive agricultural use, including the approximately 33,000 acres in PRNS and GGNRA. These family farms and ranches and the agricultural landscape they occupy are fundamental parts the extraordinary and unique history, culture, environment, economy and character for which West Marin, Marin County and PRNS are known regionally and nationally.

Socioeconomic Resources

We believe the Draft EIS (DEIS) conclusion that the closure of DBOC (Alternative A) would result in long-term minor adverse impacts on regional socioeconomic resources is unfounded, and that Alternative A would result in major adverse impacts to socioeconomic resources.

1. Shellfish Production. While acknowledging that the relevant socioeconomic study area for the DEIS is Marin County, the DEIS discusses shellfish production in terms of statewide totals "because such data are not readily available at the county level." (p. 241) County data is readily available and shows that DBOC's production exceeds 50% of total Marin County oyster production in recent years. Even from a statewide perspective, DBOC's production is at least 25% (by weight) of California shellfish production. In its cumulative impact analysis, the DEIS speculates that the loss of shellfish production from the closure of DBOC could be mitigated by expansion of shellfish production in Humboldt Bay. Whether shellfish production might in the future expand in Humboldt Bay is unknown and is in any case irrelevant to impacts resulting from the cessation of shellfish production in Drakes Estero. The closure of DBOC would result in the loss of 50% of Marin County's and over 25% of the total shellfish grown in the state. This would be a significant long-term socioeconomic impact. The dollar values of DBOC shellfish production are equally significant.

2. Employment. While the effect of the loss of employment for 32 people is not significant in county-wide terms, the market for

DBOC's employees is primarily West Marin, not county-wide. DBOC also provides housing for half of its employees. As one of the largest employers in West Marin, the employment effect of the closure of DBOC would be significant.

3. Agriculture. The DEIS fails to consider the impact of Alternative A on other agricultural operations in PRNS and GGNRA and on agriculture in Marin County. Agriculture in PRNS and GGNRA represents 17% of Marin County's agricultural land base and 17% of the County's agricultural production. As such, agriculture in PRNS is an essential part of the "critical mass" of agriculture in the County, which is, in turn, a fundamental part of the socioeconomic character of Marin County and the region. These agricultural land uses are an essential part of the economy, social character, history and culture of PRNS and Marin County. Any action that could increase pressure on or threats to the continuation of agriculture in PRNS represents a threat to the viability of agriculture in the County, and to the economic, environmental, social, cultural and historic values of agriculture in PRNS and Marin. Drakes Bay is surrounded by land that has been in active agricultural use for at least 150 years. The cessation of the 90-year tradition of oyster cultivation in Drakes Estero and its designation as full Wilderness will inevitably lead to claims that the working farms and ranches bordering Drakes Estero are incompatible with its wilderness character. For example, in the 1980 PRNS GMP adopted after designation of Drakes Estero as potential wilderness, and as recently as the last decade, shellfish cultivation in Drakes Estero was identified as an important and compatible activity in PRNS. The DEIS fails to consider the effects of Alternative A--the closure of DBOC and the designation of Drakes Bay as "wilderness"-- on the agricultural operations surrounding Drakes Estero, agriculture in PRNS, and agriculture in Marin County. What might be the short- and long-term impacts on agricultural land uses bordering and surrounding Drakes Bay, and consequently on agriculture and agricultural land uses in Marin County, under Alternative A?

Visitor experience and Recreation

1. Although the 50,000 people who visit DBOC annually represent only 2.5% of total park visitors, 50,000 annual visitors is not minor. There are National Park units that receive less visitation than DBOC, and the visitor experience at those units is not considered minor. How does DBOC visitation compare to visitation to other points of interest in PRNS? 2. Drakes Estero is bordered by land in active agricultural use. As a result, it is unclear to what extent Alternative A would "increase the opportunity for solitude and primitive, unconfined recreation" as claimed by the EIS. 3. The DEIS refers to NPS Management Policies that prefer "forms of visitor enjoyment? that are uniquely suited to the superlative natural and cultural resources found in the parks," and cites the absence of services being offered to the visiting public at the DBOC site as resulting in no visitor experience and recreation impacts under Alternative A. However, the Park Service has chosen to not use shellfish cultivation in Drakes Estero and its historical and cultural history as an educational and visitor experience opportunity. Contrary to the DEIS, Alternative A would result in the loss of the opportunity to use oyster cultivation in Drakes Estero as part of visitor experience and enjoyment.

Cultural Resources and Cultural Landscapes

1. Cultural Resources. The DEIS dismisses from further analysis Cultural Resources because the property is ineligible for the National Register of Historic Places, at the same time acknowledging that "the oyster-growing facility in Drakes Estero is significantly associated with the rebirth and development of the California oyster industry in the 1930s." Why is eligibility for the National Register the sole criterion for cultural significance? The history of oyster cultivation in Drakes Estero is an essential and important part of the history and cultural landscape of the Point Reyes peninsula. The DBOC facilities are merely a small part of the current manifestation of that history, which will be lost if oyster cultivation ceases. It is disingenuous to dismiss the cultural and historical values of oyster cultivation in Drakes Estero as represented by the current operation on the ground that the current land-based structures and facilities lack the historic integrity to warrant preservation under the NHPA.

2. Cultural Landscapes. According to NPS-28: Cultural Resource Management Guideline (NPS 2002b), a cultural landscape is a reflection of human adaptation and use of natural resources, defined both by physical materials and "by use reflecting cultural values and traditions". (emphasis added) An NPS publication states that "a range of historical and cultural legacies at Point Reyes also contribute to its significance and popularity as an NPS site?" and "resource managers, ecologists, and historians viewed humans as a widely recognized element of any landscape they once inhabited or visited." (Managing a Land in Motion: An Administrative History of PRNS, Sadin 2007) Nevertheless, against all reason and common sense, based on a report apparently commissioned by the Park Service (Caywood and Hagen 2011), the DEIS concludes that no eligible cultural landscapes have been identified in the project area. How can a 90-year food production tradition with pre-historic precedents that continues today and attracts 50,000 people a year not be a significant cultural resource and an integral part of a larger significant cultural landscape?

Oyster cultivation and the working ranches in PRNS (and those in GGNRA managed by PRNS) are an integral part of an extraordinary regional landscape and its history, culture, environment, and economy. Our overarching concern is that the DEIS fails to identify and analyze the potential impacts of the cessation of oyster cultivation in Drakes Estero on this regional landscape and its history, culture, environment, and economy.

As to DBOC, shellfisheries are an important economic, historical and cultural resource for the people of the Bay Area and California. DBOC produces 25% of the oysters harvested in California and more than 50% of shellfish produced in this area. Shellfish growers are significant contributors to the economic health and historical and cultural legacy of PRNS and local communities as a whole. Continuation of prior nonconforming uses in wilderness areas and potential wilderness areas is not infrequent and does not itself encourage the spread of new nonconforming uses because they are by definition preexisting. In fact, allowing prior nonconforming uses in wilderness or potential wilderness encourages the establishment or enlargement of designated wilderness by enabling creation of wilderness areas without destruction of beneficial preexisting uses. In addition, there is ample evidence in the legislative history and public record of PRNS, including the 1980 PRNS General Management Plan, that continuation of oyster shellfish production in Drakes Estero was contemplated and supported both before and after the

designation of Drakes Estero as potential wilderness.

We urge consideration of an alternative based on a renewable SUP that would allow continuation of shellfish cultivation in Drakes Estero.

Sincerely,

Robert Berner Executive Director

Cc: MALT Board of Directors

Correspondence ID: 51525 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 14:47:52
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS:

1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture

2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward.

3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS.

4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS.

5) Dr. Sarah Allen's own studies

1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds

a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft."

b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?."

2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which

a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site."

b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs.

Correspondence ID: 51526 **Project:** 33043 **Document:** 43390
Name: Dougherty, Burnett
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec.09,2011 14:48:47
Correspondence Type: Web Form
Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources,

as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51527 **Project:** 33043 **Document:** 43390
Name: wilson, david
Outside Organization: point reyes national seashore association Unaffiliated Individual
Received: Dec,09,2011 14:49:09
Correspondence Type: Web Form
Correspondence: Re: L7617

My family came from Ireland to West Marin County in 1890, and has lived in the County ever since. That is why I am very pained by the passion aroused by the application of the Drakes Bay Oyster Company (DBOC) to extend its current leaseback and use permit beyond 2012. I had not intended to comment on the EIS. Unhappily the untruths and half truth surrounding the application force me to speak out.

I support Alternative 1 as described in the EIS. This would allow the original intent of Congress to be carried out and for the subject property (about 5 acres of onshore land and 1363 acres of water) to revert to wilderness.

My reasons are two:

1. DBOC never had a reasonable expectation that its permit and leaseback would be extended. When the predecessor (Johnson Oyster Comapny) sold its onshore holdings (the offshore property has always been public property) the 40 year limitation was clearly stated. The enabling legislation in 1976 directed NPS to manage the property as potential wilderness and "to remove obstacles" to final conversion. When DBOC bought out Johnson in 2004, it paid a very modest price which reflected the short term nature of the leaseback and use permit. Its attempt to turn a 7 year remiander into permanent occupation may be financially profitable to it, but it is hardly in the interest of the public which has already paid public funds for wilderness conversion.

2. Contrary to the comments of some, the future of the oyseter operation has no- thing to do with the future of the ranches which now operate in parts of the park which were never designation as p[otential] wilderness. That is a strawman argument designed to stir up public anger, rather than to enlighten decision makers.

The larger issue here is a nationwide effort to allow private concessionaires to harvest natural resource, and derive private gain from public lands. While I agree that some public lands may be appropriate for timber, mining and simimlar operations, that is not the case where, as here, Congress has explicitly chosen wilderness status and the taxpayers have provided the funds needed to achieve such status.

Thank you for your consideration.

David M. Wilson

Correspondence ID: 51528 **Project:** 33043 **Document:** 43390
Name: Graham, Tracey E
Outside Organization: Our Local Food - Twin Rivers Unaffiliated Individual
Received: Dec,09,2011 14:55:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Please.

Correspondence ID: 51529 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 14:58:40
Correspondence Type: Web Form
Correspondence: We are permanent residents of West Marin and have been for the past three decades. We strongly support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS, which would provide for a 10-year Special Use Permit with an option for extension, as well as rehabilitation of existing facilities and construction of new processing facilities. In addition, we would like to point out that there are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture; 2) the publication by the NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007) This NPS publication profiled Kevin Lunny and DBOC as an outstanding example of stewardship within a National Park; 3) the 281,000+ photos taken by and in the possession

of NPS, but inexplicably excluded from the draft EIS; 4) reference and incorporation of the analysis and reports from Dr. Corey Goodman, critical of the NPS studies and conclusions. His work and criticisms should be cited in the final EIS; 5) Dr. Sarah Allen's own studies, including Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds "causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft ? the number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?."; and Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals, which found that harbor seals acclimatized to "construction-related disturbances ? attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges nearthe haul-out site," whereas, in contrast, DBOC boats are approximately 750 yards away from harbor seal haul-out sites and do not come anywhere near them.

Correspondence ID: 51530 **Project:** 33043 **Document:** 43390
Name: Chapon, Jade
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 14:59:23
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51531 **Project:** 33043 **Document:** 43390
Name: Chapon, Jade
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 15:00:01
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51532 **Project:** 33043 **Document:** 43390
Name: leithold, melinda
Outside Organization: tomares bay association Unaffiliated Individual
Received: Dec,09,2011 15:03:23
Correspondence Type: Web Form

Correspondence:

p. 75. Existing conditions paragraph 4 cites lack of data on linear boat travel route....I understand that the park possessed 281,000 photos secretly taken by hidden cameras over a period of 2 years which clearly show the DBOC boats travelling to and from the oyster racks...no disturbance to harbor seals. Why does the dEIS not include this as data? p. 81 top paragraph. Why shouldn't water from the estero be discharged back into the waterbody from which it came? Why would a special permit be needed for this procedure? DEIS fails to date identify photo. DBOC regularly reduces stored shell mounds donating them to two habitat restoration projects (Snowy Plover and native oyster) in San Francisco Bay pp.170-175 The dEIS treatment of dboc impacts on eelgrass beds inadequate and misleading. Eelgrass at this time is flourishing in Drakes Estero. Eelgrass beds shrink and expand with seasonal light and temperature fluctuations. Further the representing "propellor cuts" in bright orange ink creates the illusion of damage when in fact there is no damage. Eelgrass and oysters may be mutually benefited, since the propellor pruning allows more light penetration and oysters filter the water for a clean eelgrass habitat. Under the Heading "Terrestrial Setting" the dEIS mentions roads, commercial activity(including tourism?) agriculture etc have had a dramatic effect on the landscape. Why then does the PRNSS refer to the area as Wilderness? In general: the dEIS fail to follow the conclusions of the Natl. Academy of Sciences and the legislation instructing NPS to do so? Why is it that none of the Special status species mentioned in the dEIS are likely to experience negative impacts? Answer: Red-legged frogs don't live in salt water, 'vehicle strikes' are a stretch of imagination given the half mile of road and the unlikelihood of mentioned species being present. Harbor seals are neither threatened nor "Endangered"

Since the General Management Plan for the PRNS (1980) strongly supports the continuing operation of the oyster farm, the California Fish and Game Commission designates (2010) Drakes Estero a State Marine Conservation Area in which mariculture pursuant to CDFG leases are permitted. Drakes bay oyster Co has infrastructure which facilitates a research and education collaboration between DBOC and the PRNS as envisioned by local food security advocates and national policies aimed at alternatives to large scale industrial agriculture which may prove inadequate to the demands of climate disruptions. The dEIS fails to take into account the dramatic climate shifting times in which we live today. DBOC provides around 40% of Oysters consumed in California including the major proportion of those consumed in San Francisco. If DBOC were to be eliminated California and the greater Bay Area would be importing from as far away as Japan and Canada...this would raise the carbon footprint of oyster consumption greatly...In addition oyster cultivation produces 10 times the protein per acre that of meat animals, dairy, poultry etc. (another benefit unaddressed in the dEIS)

I support and strongly urge the PRNS to adopt a Collaborative Management Alternative inclusive of a Ten Year Special Use Permit with option for further extensions at 10 yr. intervals. This Alternative most closely follows Alternative D of the dEIS.

Correspondence ID: 51533 **Project:** 33043 **Document:** 43390
Name: Carter, Mary Kate
Outside Organization: CAFF Unaffiliated Individual
Received: Dec.09,2011 15:04:34
Correspondence Type: Web Form
Correspondence: Please keep the oyster farm open and functional.

Correspondence ID: 51534 **Project:** 33043 **Document:** 43390
Name: Miller, Jeff
Outside Organization: Center for Biological Diversity Non-profit/Organization
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: December 9, 2011

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

Support Alternative A, Wilderness Protection for Drakes Estero

Dear Superintendent Muldoon,

The Center for Biological Diversity offers these comments on the National Park Service's draft environmental impact statement evaluating whether to issue a new special use permit for Drakes Bay Oyster Company to operate a commercial shellfish operation within federally designated potential wilderness in the Point Reyes National Seashore. We strongly urge the Park Service and the Secretary of Interior to uphold federal law and policies by selecting Alternative A, the environmentally preferable alternative, and allowing the expiration of the existing special use permit and restoring Drakes Estero to wilderness.

The Center for Biological Diversity is a national, nonprofit conservation organization that works to protect endangered species and wild places through science, policy, education, citizen activism and environmental law.

Point Reyes National Seashore is a significant public asset and wildlife refuge with rich natural diversity and numerous endangered species. Drakes Estero is an ecological treasure within the Seashore: this wildlife-rich estuary is a critical stop on the Pacific flyway, providing resting and foraging habitat for resident and migrating birds; is essential habitat for marine mammals and a nursery for native fish; and contains extensive native eelgrass habitat.

The Center finds that the DEIS presents a thorough analysis of many of the environmental impacts of keeping commercial, non-native shellfish production in Drakes Estero for 10 more years. If anything, the DEIS actually understates the adverse impacts of the action alternatives allowing continued mariculture, by failing to assess the risks and impacts of the oyster farm's non-

compliance with permitting requirements and permit conditions established to protect the environment. The DEIS relies upon and accurately summarizes the best available science on the ecological impacts of mariculture operations. The Center agrees with the conclusions of the DEIS that continued mariculture operations would have significant long-term adverse impacts to the Drakes Estero environment, wetlands, wilderness and the national park experience, and would limit or reduce the value of the estuary for birds, fish, harbor seals, native mollusks, endangered species and eelgrass beds.

The Center supports the no action alternative, Alternative A, which is the environmentally preferred alternative. Selection of this alternative would allow protection of the estuary as wilderness in 2012, as Congress intended and as the public has been promised since the 1970s. Alternative A is the only alternative supported by federal law, sound science and National Park Service policies. In contrast, the action alternatives B, C, or D would allow industrial-scale commercial mariculture operations that have significant adverse impacts to Drakes Estero and to the ecological and public interest values of the Seashore. These alternatives are a direct attack on the Wilderness Act of 1964, run counter to the 1962 Point Reyes enabling legislation and the 1976 Point Reyes Wilderness Act, and would set a dangerous precedent for future commercialization of National Parks and wilderness areas around the county.

The Park Service and Secretary of Interior must select Alternative A and reject Alternatives B, C, and D for the following environmental, legal and policy reasons:

The Best Available Science Supports Wilderness Protection

The DEIS makes clear that the "no action" alternative ? allowing the commercial oyster lease to expire in 2012 and establishing full wilderness protection to Drakes Estero ? is the best alternative for the environment. Extending the lease through any of the three "action" alternatives would have long-term adverse environmental impacts on Drakes Estero that "would be clearly detectable and could appreciably affect individuals or groups of species, communities, or natural processes" (DEIS at 120, 250, 252, Chapter 4). The DEIS found impacts from these alternatives to:

Wilderness, due to non-native shellfish cultivation, maintenance of human-made infrastructure (including 5 miles of racks), motorboat travel 8 hours per day for 6 days a week (3,700 motorboat trips per year), and human-caused noise;

Harbor seals, due to the potential for human disturbance and resulting displacement from multiple motorboat trips and bottom bag cultivation on sandbars and mudflats adjacent to harbor seal protection areas;

Shorebirds, due to flushing from motorboats which causes avoidance of normal foraging and resting, inability to access food in the five miles of intertidal area occupied by oyster bags, and impacts to Black Brant, which feed on only eelgrass as they migrate from Alaska to Mexico;

Eelgrass habitat, due to boat propeller scaring, boat wake erosion, the invasive tunicate (*Didemnum vexillum*) that is attaching to and smothering eelgrass, and continued introductions of non-native species;

Wetlands and wetland functions, due to placement of bottom bags in wetland habitat;

Soundscapes, due to the use of heavy machinery and repeated use of motorboats;

Native fish, due to displacement of habitat and continued attraction of fish communities that would not naturally be found due to perpetuation of non-native habitats; and

Benthic fauna, due to non-native oysters competitively excluding native species, introduction of diseases, and introduction of other harmful non-native species.

In addition to these impacts is the well-documented spread of litter and debris from the mariculture operation, which litters remote Point Reyes beaches with thousands of pieces of plastic trash.

The Draft EIS is conservative in its scientific conclusions because it asserts that impacts from mariculture on eelgrass, shorebirds, wilderness values, as well as the proliferation of plastic and invasive species, are "moderate" long-term adverse impacts when in fact these should be considered "major" long-term adverse impacts.

Applicable Laws and Policies the Interior Secretary Must Base the Decision On Require Wilderness Protection in 2012

The 2010 Interior appropriations bill rider that prompted the current review allows, but does not require, a new special use permit for the oyster operation (Public Law 111-88, Section 124). The Secretary of Interior is bound to use wilderness laws, Park Service management policies, and all applicable environmental laws, as well as the conclusions in the Final EIS, as the basis for making the decision.

The Seashore was created "to save and preserve, for the purposes of public recreation, benefit, and inspiration" a portion of the

nation's diminishing seashore (16 U.S.C. ' 459c). The Seashore's 1962 authorizing legislation requires the Park Service to administer the Seashore "without impairment of its natural values" and in a manner that is "supportive of the maximum protection, restoration, and preservation of the natural environment" (16 U.S.C. ' 459c6).

The Wilderness Act of 1964 recognizes and defines wilderness as "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain" (16 U.S.C. ' 1131c). Wilderness is further defined as an area of "Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions" (16 U.S.C. ' 1131c).

The 1976 Point Reyes Wilderness Act reaffirmed the 1962 and 1964 laws and added language to the Seashore's authorizing legislation which "underscores the intention that the Seashore is to be managed for the protection of its natural environment and values" (House Report No. 94-1680 (1976)). The Point Reyes Wilderness Act designates the waters of Drakes Estero and the adjoining intertidal land as "potential wilderness."

The term "potential wilderness" is defined in legislative history as "a category of lands which are essentially of wilderness character, but retain sufficient non-conforming structures, activities, uses or private rights so as to preclude immediate wilderness classification" (Senate Report No. 94-1357 (1976) at 3). The legislative history provides an explicit statement of Congressional intent regarding the importance of removing all non-conforming uses ? including the oyster operation in Drakes Estero ? from areas designated as potential wilderness:

"As is well established, it is the intention that those lands and waters designated as potential wilderness additions will be essentially managed as wilderness, to the extent possible, with efforts to steadily continue to remove all obstacles to the eventual conversion of these lands and waters to wilderness status" (House Report No. 94-1680 (1976); see also Senate Rep. No. 94-1357 at 7 (1976) (potential wilderness "will automatically gain wilderness status" when nonconforming uses are eliminated).

Congress chose to designate Drakes Estero as potential wilderness with full knowledge of the presence of the oyster company and its non-conforming use in the Estero (See Hearing Before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, February 5 and 9, Mar. 2, 1976). This knowing designation and the contemporaneous legislative history make it clear that Congress intended that the non-conforming use must end when the current lease expires. There is no support in the legislative history for continuing oyster operations after expiration of the current lease in 2012.

During a 1976 Congressional hearing on the Point Reyes Wilderness Act, then Representative John L. Burton wrote that the "potential wilderness" designation would allow Drakes Estero to "be classified as wilderness upon the removal of certain presently existing temporary conditions, without the need to come back to Congress again" (Statement of the Honorable John L. Burton, Democrat, 5th District, California, Before the Subcommittee on National Parks and Recreation of the House Interior Committee in H.R. 8002, September 9, 1976 (emphasis added)). Congressman Burton recognized that Drakes Estero was one of "three particularly fragile areas" in urgent need of protection:

"Drakes and Limantour Esteros are refuges for harbor seals, leopard sharks, egrets, herons, migratory fowl, rare species of clams, cockles, and snails. They are also native Indian sites. Their permanent protection is urgently needed, at the very least by 'potential (or reserve) wilderness" (Id.)

Congressman Burton also testified that potential wilderness designation was critical to ensure that these areas would not be "destroyed by incursions of speedboats and motor-type boats" (Oral Testimony of the Honorable John L. Burton, Democrat, 5th District, California, Before the Subcommittee on National Parks and Recreation of the House Interior Committee in H.R. 8002, September 9, 1976). A recent letter to the Secretary of the Interior from former Congressman Burton and others offers a new interpretation of the purported legislative intent behind creation of the Seashore and designation of Drakes Estero as "potential wilderness" that is at odds with the contemporaneous legislative history (Letter to Secretary Kenneth Salazar from John Burton, William Bagley, and Paul McCloskey (August 11, 2011). Neither Mr. Bagley nor Mr. McCloskey participated in the legislative debate on the Point Reyes Wilderness Act). As a matter of law, a legislator's post-hoc interpretations of legislation carry no special weight; only statements made contemporaneous with passage of legislation are to be considered (Sullivan v. Finkelstein, 496 U.S. 617, 632 (1990) ("views of a legislator concerning a statute already enacted are entitled to no more weight than the views of a judge concerning a statute not yet passed").

National Park Service Management Policies prioritize management of natural resources for maximum protection and restoration and require conservation and resource protection in the face of scientific uncertainty or conflicts between conservation and use (National Park Service Management Policies 2006 " 1.5. 4.1, 6.2.2.1, 6.3.1, 6.3.4.3, 6.3.5; Point Reyes General Management Plan (1980)). The Park Service is also required to manage wilderness, including potential wilderness, "for the preservation of the physical wilderness resources" and "planning for these areas must ensure that the wilderness character is likewise preserved."

This policy further states that potential wilderness shall "be managed as wilderness to the extent that existing nonconforming conditions allow" and the Park Service shall determine "the most appropriate means of removing the temporary, nonconforming conditions that preclude wilderness designation from potential wilderness" (National Park Service Management Policies 2006 ' 6.3.1. In evaluating the environmental impacts of proposals that may impact wilderness resources, the Park Service "will take into account (1) wilderness characteristics and values, including the primeval character and influence of the wilderness; (2) the preservation of natural conditions (including the lack of man-made noise); and (3) assurances that there will be outstanding opportunities for solitude, that the public will be provided with a primitive and unconfined type of recreational experience, and that wilderness will be preserved and used in an unimpaired condition." Id. ' 6.3.4.3 (Wilderness Resource Management,

Environmental Compliance). The zoning for Drakes Estero under the Point Reyes General Management Plan calls for the Estero's conversion to wilderness where no mechanized equipment or development is to occur (Point Reyes General Management Plan (1980)).

In 2004, the Department of the Interior Solicitor's Office advised the Park Service that it is "mandated by the Wilderness Act, the Point Reyes Wilderness Act and its Management Policies to convert potential wilderness, i.e., the Johnson Oyster Company tract [now the Drakes Bay Oyster Company tract] and the adjoining Estero, to wilderness status as soon as the non conforming use can be eliminated" (Memorandum Opinion from the Department of the Interior Office of the Solicitor to the Superintendent of Point Reyes National Seashore, February 26, 2004). Indeed, the Park Service is "required to actively seek to remove from potential wilderness the temporary, non-conforming conditions that preclude wilderness designation" (Id., citing 6.3.1 Wilderness Management, General Policy). The Drakes Bay Oyster Company operation is the only remaining obstacle to full wilderness protection.

Federal law and policy require full wilderness protection for Drakes Estero in 2012 and prohibit the Park Service from issuing a new special use permit. Any decision by the Secretary other than wilderness would violate the public trust agreement made in 1976 and would set a dangerous precedent for management of federal public lands.

Issuance of a New Special Use Permit Results in Significant Risk of Violation of Permit Conditions and Environmental Regulations

The DEIS improperly ignores the abysmal record of Drakes Bay Oyster Company (DBOC) in failing to comply with permit conditions and requirement. This record must be considered when analyzing impacts of continued operations. There has been no time during DBOC's ownership when it has been in compliance with its permit conditions or permitting requirements. DBOC's predecessor, the Johnson Oyster Company, had a similarly long history of environmental violations. These violations have caused ? and continue to cause - harm to the environment. There is nothing to suggest that these problems will be rectified if DBOC is granted a new special use permit. This history of constant non-compliance must be evaluated and considered in assessing the potential impacts of any of the action alternatives. Ignoring this long history produces an inaccurate and unrealistically positive assessment of adverse impacts. Since its purchase of Johnson's Oyster Company, DBOC has operated in violation of California Coastal Commission, National Park Service, and U.S. Army Corps of Engineers permit conditions and requirements. DBOC was most recently cited for violations of its California Coastal Commission permit in September 2011. For example:

December 2004: DBOC purchased the remaining seven years of the existing mariculture lease, knowing that it will expire in 2012, and assumed responsibility for complying with the cease and desist order issued to the prior owner, the Johnson Cease and Desist Order No CCC-03-CD-12 (Consent Cease and Desist Order CCC-03-CD-12; November 29, 2007 Staff Report and Findings for Cease and Desist Order; Draft EIS Ch. 1 at 19).

May 2005: The California Coastal Commission advised DBOC that it still was not in compliance with the Johnson Cease and Desist Order and that it must obtain a coastal development permit (May 11, 2005 Letter from the California Coastal Commission to DBOC).

March 2006: The California Coastal Commission again advised DBOC that it is not in compliance with the Johnson Cease and Desist Order, that it is in violation of the Coastal Act, and that it must obtain a coastal development permit for additional new and unpermitted development (March 21, 2006 Letter from the California Coastal Commission to DBOC).

June 2007: The California Coastal Commissions again advised DBOC that it is not in compliance with the Johnson Cease and Desist Order and that it is also may require a coastal development permit and permits from the U.S. Army Corps of Engineers and the Park Service (June 5, 2007 Letter from the California Coastal Commission to DBOC).

October 2007: The California Coastal Commission advised DBOC that it intends to commence Cease and Desist Order Proceedings due to DBOC's continued unpermitted offshore and onshore operations and facilities (October 3, 2007 Letter from the California Coastal Commission to DBOC).

December 2007: The California Coastal Commission issued a Consent Cease and Desist Order to DBOC regarding unpermitted activities carried out in connection with DBOC oyster operations in Drakes Estero. The related November 2007 staff report stated that DBOC is not in compliance with the Johnson Cease and Desist Order and that DBOC has constructed additional development and engaged in unauthorized uses without the required permits (e.g., refrigerated storage units installed, second leach field constructed, parking area paved, boat transit outside established channels) (Consent Cease and Desist Order CCC-07-CD-11, December 12, 2007; November 29, 2007 Staff Report and Findings for Cease and Desist Order; Draft EIS, Ch. 1 at 19).

February 2009: DBOC began harvesting Manila clams without a Park Service permit and 10 months prior to review and approval by the California Fish and Game Commission. DBOC declined to provide information on cultivation to assist the Park Service in evaluating this expansion of species cultivation. Manila clam cultivation has never been approved by the Park Service (Draft EIS, Ch. 1 at 20).

September 2009: The California Coastal Commission advised DBOC of numerous ongoing violations of the 2007 Cease and Desist and Consent Order, including provisions developed to protect the Estero from invasive species, to impose appropriate

restrictions on new construction, and to protect water quality (September 16, 2009 Letter to DBOC from the Coastal Commission).

December 2009: The California Coastal Commission fined DBOC \$61,500 for numerous ongoing violations of five separate provisions of the Cease and Desist and Consent Order issued to DBOC in 2007 and advised DBOC that the fines will continue to accrue until DBOC comes into compliance. Violations include operating in areas of Drakes Estero that are off limits during the crucial harbor seal pupping and rearing season (December 7, 2009 Letter to DBOC from the Coastal Commission).

November 2010: The U.S. Army Corps of Engineers advised the Park Service that the DBOC aquaculture activities require a Corps permit but that the Corps does not have either a current permit application or permit on file (Draft EIS, Ch. 2 at 130, Table 2-6; November 16, 2010 Letter to the Park Service from the Corps of Engineers).

September 2011: The California Coastal Commission advised DBOC to "aggressively and comprehensively" address significant amounts of plastic and other marine debris from DBOC operations that pose "a hazard to the marine environment and natural resources of Drakes Estero" and address "adverse impacts from the boats and DBOC personnel on the sensitive harbor seals and their habitat during the breeding and pupping season" (September 29, 2011 Letter to DBOC from the Coastal Commission). Individually, each of DBOC's violations of permit conditions and permitting requirements is cause for concern. Cumulatively, they significantly undermine the ability of the Park Service, the California Coastal Commission, and the U.S. Army Corps of Engineers to administer the activities of DBOC in accordance with federal and state law and policy and in a manner that will protect and enhance the Seashore's natural resources. Issuance of a new Special Use Permit to DBOC includes a significant risk that DBOC will continue to violate conditions attached to the new permit and other applicable regulations designed to protect the environment. While the Draft EIS summarizes DBOC's history of non-compliance, it assumes that DBOC will comply fully with all permitting conditions and requirements if a new Special Use Permit is issued pursuant to any of the three action alternatives. Given the long history of non-compliance with permit conditions and terms, the assumption that the conditions attached to a new Special Use Permit and other permitting conditions would be strictly complied with presents a false picture of the impacts of issuing a new Special Use Permit. The EIS must consider the impacts of the likely failure of DBOC to comply with permit conditions and requirements on the ecological health of Drakes Estero and the many sensitive species that utilize the Estero. These impacts extend to all the impacts evaluated in the Draft EIS, including the impacts to Park Service operations.

DBOC's continuous failure to comply with all terms of its special use permit, its repeated violations of California Coastal Commission regulations, and its failure to secure appropriate permits from federal and state agencies prior to developing the Estero precludes an "adaptive management" alternative and requires the Secretary to deny a new SUP for DBOC.

In conclusion, although the DEIS is conservative in its assessment of the many impacts to Drakes Estero from continued mariculture operations, the best available scientific information shows multiple adverse impacts from mariculture operations causing impairment to the ecology of Drakes Estero and impacts to wildlife. We request that the Interior Secretary defer to the very clear mandate of federal laws and policies and the overwhelming public opinion in favor of wilderness, and grant Drakes Estero the intended wilderness status in 2012.

Sincerely,

Jeff Miller Conservation Advocate Center for Biological Diversity

Correspondence ID: 51535 **Project:** 33043 **Document:** 43390
Name: Greco, Claudia
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 15:06:55
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51536 **Project:** 33043 **Document:** 43390

Name: Kiesling, Carolyn
Outside Organization: CAFF Unaffiliated Individual
Received: Dec,09,2011 15:07:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS

Correspondence ID: 51537 **Project:** 33043 **Document:** 43390

Name: Jurgensen, Joshua W
Outside Organization: Individual Unaffiliated Individual
Received: Dec,09,2011 15:10:14
Correspondence Type: Web Form

Correspondence: I am a 36 year old California Native and taxpayer. For over 40 years my family has celebrated the beauty and bounty of California's Point Reyes National Sea Shore. Every September, since before I was born, my family purchased oysters from Johnson's Oyster Farm and now Drakes Bay Oyster Farm. With oyster's in tow, we headed to shell beach ('70-'82) or Drakes Beach ('83-'90) or North Beach ('91-present). The focus of our annual visit is, and always has been, two-fold; Oysters and beauty of the natural environment. We have always had a great sense of respect and responsibility for the seashore. If the NPS forces Drakes Bay Oyster Farm to close, I would be surprised if this many-decade old tradition could continue. The responsibly harvested, locally sourced food, we look forward to all year long, would be gone... because of the Government's blunt and spiritless laws. At some point, as human beings, we must understand that not all aspects of life need to be controlled by our government. With simple oversight, the NPS should extend Drakes Bay Oyster Farm, and all citizens, the trust to work the natural resources. All the while, they should be able to protect the native flora and fauna. We intentionally support the Oyster Farm because of its history as a legacy oyster farm which pre-dates the NP.

For me and my family, for our traditions, and for the reasonable and responsible businesses that deserve to be trusted, I Support A Renewable Special Use Permit for Drakes Bay Oyster Company. Regards, Joshua Jurgensen

Correspondence ID: 51538 **Project:** 33043 **Document:** 43390

Name: Shulzitski, Jennifer
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 15:11:46
Correspondence Type: Web Form

Correspondence: I completely support protecting the Wilderness Act. Motorboats do not belong in the Wilderness. There are infinite numbers of locations where humans can do anything they want, including food production. There are very few places left to protect native species and wide open places. Please discontinue the lease for the Drake's Bay Oyster Company. There is ample production in Tomales Bay.

Correspondence ID: 51539 **Project:** 33043 **Document:** 43390

Name: LaBelle, Mark E
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 15:16:48
Correspondence Type: Web Form
Correspondence: Greetings:

1. Environmental stewardship: The National Park Service, in its 2007 Report, "Stewardship Begins with People, An Atlas of Places People and Handmade Products" profiled Kevin Lunny as a rancher and farmer who was "practicing a stewardship ethic and demonstrating a commitment to sustainability." Oystering in the Estero has no significant, demonstrable adverse environmental impacts, as found by NPS and third party studies alike. No demonstrated causative relationship exists between oystering and purported declines in populations of harbor seals, eel grass or any other flora or fauna at the Estero, all of which are thriving populations after nearly a century of oystering. 2. DBOC has always practiced the Holy Grail of Environmentalism: Sustainable, organic, symbiotic relationship and harmony with Nature. 3. Society value, historical, cultural heritage and community support: Oystering is an integral thread in the long and cherished fabric of West Marin's cultural and agricultural heritage. DBOC is a bedrock community member whose proposed elimination by the NPS (Alternative A) would profoundly disrupt and adversely impact the entire region's agricultural community and identity. Mixed use of park lands is a laudable goal, and oystering is a vital contributor to and stakeholder in that pursuit. 4. DBOC provides public with environmental stewardship and educational experiences, while sustaining jobs, food production, tourism and public and family outings. 5. California state support: The State of California, in the Shellfish Protection Act of 1993, declared, "commercial shellfish harvesting is a beneficial use of the waters of the state and, in addition, benefits the economy of the state through the creation of jobs." Drakes Estero waters are regulated by the state, not the federal government, and the state supports and permits continued DBOC oystering operations. 6. Legislative intent supports lease renewal. All three congressmen (McCloskey, Burton, and Bagley -- all lifelong, ardent conservationists and environmentalists), who jointly authored legislation to establish Pt. Reyes National Seashore, adamantly reiterate their original intentions to preserve oystering operations at the Estero.

Thank you,,,,Mark LaBelle

Correspondence ID: 51540 **Project:** 33043 **Document:** 43390

Name: Stark, Emma
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec,09,2011 15:19:06
Correspondence Type: Web Form

Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American

public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51541 **Project:** 33043 **Document:** 43390
Name: Jinishian, John F
Outside Organization: Northeast Wilderness Trust Unaffiliated Individual
Received: Dec,09,2011 15:19:31
Correspondence Type: Web Form
Correspondence:

I am in full support of the full wilderness delegation for the Drakes Estero area of Point Reyes National Seashore. As stated in the 1976 Point Reyes wilderness act, "the seashore is to be managed for the protection of its natural environment and its values." The true value of wilderness cannot be measured by the monetary achievements of individual industries to exploit the natural functions of ecosystems. Upholding the commitments of the Point Reyes Wilderness Act of 1976 will possess implications far beyond tangible assets of pecuniary compensation. Designating this area as an operationally protected marine wilderness will bring serenity and enjoyment to individuals of all ages, from all over the world, for centuries to come. Out of the proposed options for use in the coming year, the only one that will sufficiently protect the estuary habitat for natural reconstruction is Alternative A. This would involve that the secretary of the interior not exercise discretion granted under Section 124 of PL 111-8 and not facilitate the extended use of the area through the proposed special use permit. This action or rather inaction would prevent further degradation of the surrounding ecosystems and insure a more timely rehabilitation to the areas of Drakes Bay that have been damaged due to prior oyster farming operation.

As it stands, due to non-conforming structures (Drakes Bay Oyster Company (DBOC) mariculture equipment), the Parks service list the Drakes Estero area as a "potential wilderness." The only obstacle that stands in between full wilderness protection for Drakes Bay is the presence of company whose purpose is to manipulate a pristine environment to achieve an economic advantage. The chance for full wilderness protection cannot be surrendered for the benefit of a single industry. The Point Reyes national seashore remains as the west coasts only marine wilderness and the mariculture activity of the Drakes Bay Oyster Company has been continuously compromising the natural values of this area. Proper management of this unique configuration of ecosystems should include the preservation of the natural environment. Federal congressional legislation and policy mandate that the DBOC should vacate the Drakes Estero wilderness area with the completion of their lease on November 30th 2012. The National Parks Service (NPS) has stated that full wilderness protection is the best option for preserving this environment, which can be most easily achieved by letting the DBOC's lease expire as planned. The NPS is not alone in their opinion of protection as the most beneficial action for this ecosystem, and scoping has shown that the majority (77%) of public comments submitted call for full wilderness protection. The areas used by the DBOC's operations are currently positioned on public land in a part of the Federal Phillip Burton Wilderness. Public desire for the land use should be given substantial consideration due to the fact that all Americans ultimately own the land area for the proposed special use permit.

A personal concern lies in the fact that the DBOC has been and continues to operate in violation of mandates set by the California Coastal Commission, National Parks Service and the Army Corps of Engineers. There violations have included pollution of plastic and marine debris, as well as threats to water quality through non-point source releases. The effects of this pollution have the potential to pose a threat to the environment as well as the flora and fauna that inhabit the surrounding ecosystems. The DBOC has also ignored restrictions that guard against invasive species introduction and have constructed additional developments without acquiring proper permits. Despite 2 years of cease and desist notices, they have continued there unapproved practices which resulted in a \$61,500 fine in 2009. I beg to inquire why the secretary of interior would consider exercising discretion to extend a special use permit to a company that has been in conscious violation of mandated policies positioned to protect the environment?

It is beyond argument that once pristine marine environment surrounding Drakes Bay has been degraded over the past forty years during which the Drakes Bay Oyster Company has held their lease. There is considerable concern that the adverse environmental effects on the ecosystems have been a product of non-native shellfish cultivation. Drakes Estero serves as a vitally important wildlife area for a multitude of species, 7 of which are listed as federally endangered. The greatest threats to biodiversity for the ecosystem are invasive species introduction and habitat destruction, both of which are accentuated by oyster farming practices.

The habitat serves as a residence for hundreds of species of shore and migratory birds that are dependent on this estuary setting for survival. The Bay provides a location that is crucial for the protection and growth of young native coastal fish species in addition to a variety of benthic fauna both of which may be disrupted by mariculture practices. One of the most noted animals that relies on this refuge for birth and rearing stages of life is the pacific harbor seal. The Marine Mammal commission has stated that oyster-farming practices could potentially be harmful to the haul out sites used by this community that represents

20% of the mainland breeding population in California. These populations should be actively protected to perpetuate their essential roles within the greater functional ecosystem.

The protection of the Drakes Bay wilderness area is not solely important as an asset to countless species of marine flora and fauna, but also has a long-standing historical significance. The seashore harbors indigenous archeological sites for the federally recognized Graton Rancheria tribe that should be preserved for future generations to enjoy. There are substantial economic opportunities to be uncovered in Drakes Bay for the state of California that would not require compromising the integrity of its only marine wilderness. In 2009, visitors spent nearly \$86 million during visits to the shore (DEIS) and that number could only be extrapolated by refining the less developed eco-tourism industry in the area.

Point Reyes represents an irreplaceable series of interconnected ecosystems that exists in a single location on the planet. The primary concern for this wilderness area should not be oyster cultivation that can be easily produced elsewhere. The only action that will adequately protect this fragile ecosystem would be to enforce Alternative A. This would enable the NPS to delegate the area with full wilderness protection to allocate the land back to the American public as a serene place to be enjoyed by generations to come. As an individual who gains pleasure in the enjoyment of America's natural, unfettered wilderness areas, I urge you to protect California's only remaining marine wilderness for the sake of the American people.

Correspondence ID: 51542 **Project:** 33043 **Document:** 43390
Name: Scott, Dylan
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 15:24:29
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51543 **Project:** 33043 **Document:** 43390
Name: Kuiper, Ted
Outside Organization: World Aquaculture Society Unaffiliated Individual
Received: Dec,09,2011 15:27:03
Correspondence Type: Web Form
Correspondence: Oyster farming is a sustainable form of agriculture that should be permitted and supported on Drakes Bay. The EIS does not contain data that is statistically significant to support the conclusion of potential negative impacts on endangered species. Specifically, the EIS does not contain data on impacts to harbor seals or red legged frogs. I do not support any of the alternatives in the EIS, while I do support a renewal of the special use permit for Drakes Bay Oyster Company and a rewritten "collaborative management alternative" that takes advantage of the historical oyster farm to provide an opportunity of public education and sustainable agriculture in the Pt Reyes region. This would be consistent with private companies that now operate within the NPS, such as the recent train I took with my family at Grand Canyon NP and the visit we made to Lake Placid where private services enhance the public access to Adirondack NP. In addition, during a recent fishing trip, I learned that there are 78 oil and gas units operating within the Padre Island National Seashore. Continued operation of an over 80 year old oyster farm at Pt Reyes is consistent with NP policy.

Correspondence ID: 51544 **Project:** 33043 **Document:** 43390
Name: Henderson, Jack
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 15:29:59
Correspondence Type: Web Form
Correspondence: The entire bay area benefits from having Drakes Bay oysters. Considering the scandalous manipulation of facts in previous reports from the NPS, they ought to back off and allow the continued production of excellent, sustainably-raised oysters.

Correspondence ID: 51545 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 15:38:58
Correspondence Type: Web Form
Correspondence: More research is necessary to establish the impact of the oyster operation on the seals of the estero. However, coorelational evidence there and studies at other harbor seal sites suggest that the seals in the estero may be displaced from preferred haulouts by the operation.

The question before us is ultimately whether such an operation is consistent with the mission of the park service to promote and maintain wilderness. Sometimes grazing or other practices may be necessary to retain coastal prairie or promote other wilderness conditions. In this case, there are very few estuaries along the California coast and none like Drake's Estero. I ask what would best promote wilderness in this rare environment?

Correspondence ID: 51546 **Project:** 33043 **Document:** 43390
Name: Steele, David
Outside Organization: Rock Point Oyster Company, Inc. Business
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: December 9, 2011

Point Reyes National Seashore ATTN: DBOC SUP DEIS 1 Bear Valley Road Point Reyes Station, CA 94956

Re: Comments from Pacific Coast Shellfish Growers Association on the National Park Service Draft Environmental Impact Statement for Drakes Bay Oyster Company Special Use Permit

Dear Sir/Madam:

I am a shellfish grower in Puget Sound, Hood Canal, Washington State and thank you for providing an opportunity to comment on the Draft Environmental Impact Statement ("DEIS") prepared for the Drakes Bay Oyster Company Special Use Permit. Rock Point Oyster Company, Inc., founded in 1921, is the first company to import Japanese oyster seed into Washington and was instrumental in facilitating the proliferation of that oyster, renamed the Pacific oyster. We have partnered with nature and pushed back the damage to the marine environment from paper mill waste, livestock waste, and failing septic systems for decades.

As stewards of the tidelands, shellfish farmers fundamentally understand the presence of shellfish improves water quality and multi-dimensional habitat, thereby contributing to the health of bays and estuaries in which shellfish farms are located. As filter feeders, shellfish remove bacteria, excess nutrients and suspended sediment from the water, resulting in improved conditions for sub-aquatic vegetation. The three-dimensional structure created by shells and shellfish aquaculture gear provides important habitat for other aquatic species. And the mosaic of habitats provided by a combination of shellfish aquaculture gear, shells, sub-aquatic vegetation and mudflats is superior to any one of those features alone. These ecological realities are not only observed by shellfish farmers on a daily basis, but are acknowledged in the growing body of science on shellfish aquaculture.

I have deep concerns regarding the conclusions of the Draft Environmental Impact Statement issued by the National Parks Service on the proposed Drakes Bay Oyster Company Special Use Permit. The DEIS is flawed for the many reasons described in the comment letter submitted by the Pacific Coast Shellfish Growers Association. I agree with the PCSGA's comments on and analysis of the DEIS. I do not want to repeat the PCSGA's comments here. However, I do wish to emphasize some of the key issues raised in that letter.

The DEIS is defective because it fails to recognize the environmental benefits of oyster aquaculture. Shellfish aquaculture provides many unique ecosystem services. Removing the Drakes Bay Oyster Company aquaculture operations would eliminate these valuable ecosystem services and potentially harm the environment. For example, oysters are filter-feeding animals that remove excess nutrients and algae from the water. This filtering function improves water quality and clarity, allowing more light penetration, which in turns helps eelgrass thrive. Removal of shellfish may in fact have a negative impact on the surrounding environment, particularly when cattle are present in the watershed. Another example of an ecosystem service provided by oyster aquaculture is three-dimensional habitat. Fish and other wildlife prefer the diverse habitat offered by a mix of eelgrass, aquaculture gear, shellfish and mudflats, compared to any one of those habitat-types alone. Elimination of this habitat mix could adversely impact the wide range of fish and other wildlife that use it for rearing, refuge and feeding. A salmon run migrates through our farm in Tarboo Bay and we have managed that farm for over 70 years. The salmon were decimated by Tribal overfishing and our farm has played a major role in helping rejuvenate that run.

The erroneous conclusions reached in the DEIS have the potential to migrate into the decision making processes of other agencies, affecting other growers up and down the West Coast. The shellfish industry is heavily regulated. Establishing a new shellfish farm involves obtaining permits and approvals at the local, state and federal levels. Small companies already have difficulty navigating this regulatory maze. The current difficulty of obtaining approvals will only increase if shellfish growers also have to debunk the erroneous conclusions made in the DEIS. Even a small expansion of our farm will cost from \$20,000-\$30,000 and take several years for approval, resulting in delayed creation of new jobs and possibly making the expansion uneconomical. Our farm is in a depressed county and any new jobs are greatly needed. Our products are healthful and are produced in an environmentally sustainable manner. For this reason, the Monterey Bay Aquarium's Seafood Watch and the

Food and Water Watch Smart Seafood Guide recommends U.S. farmed oysters, mussels and clams to conscientious consumers. Our farm is also a part of the Washington Department of Natural Resources' Natural Area Preserve and the Nature Conservancy holds a conservancy easement on a spit that we own. I am proud that we can produce a quality product at the same time that we co-manage and protect an area for its unique habitat.

Further, the DEIS's disregard for science demonstrating the positive interactions between shellfish aquaculture and the surrounding environment is inconsistent with NOAA's Marine Aquaculture Policy, released in June 2011. That policy recognizes the inherent compatibility of shellfish aquaculture with the environment when done sustainably. Among other things, that policy advocates making unbiased aquaculture management decisions based upon the best scientific information available. By failing to discuss the ecosystem services provided by the existing shellfish farm and the negative consequences of removing the farm, the DEIS does not contain the best scientific information available.

I ask that the National Parks Service reanalyze Drakes Bay Oyster Company's proposal based on the existing ecosystem functions that are provided by the existing shellfish farm. When properly analyzed in light of the best available science, the better conclusion is that removal of the farm will have adverse environmental and economic impacts.

Sincerely, David Steele, CFO Rock Point Oyster Company, Inc. 8043 68th Loop SE Olympia, WA 98513
dave.steele@centurylink.net

Correspondence ID:	51547	Project:	33043	Document:	43390
Name:	Moore, Thomas O				
Outside Organization:	retired CDFG Unaffiliated Individual				
Received:	Dec,09,2011 15:49:59				
Correspondence Type:	Web Form				
Correspondence:	DBOC Special Use Permit Draft EIS Comments by Tom Moore, December 9, 2011				

General comments: 1- The DEIS is a document that represents what happens when working relationships fall apart and the parties who need to work together in a cooperative manner no longer talk to each other. I was continuously involved in local and state aquaculture for over 20 years as a CDFG marine biologist and Marine Aquaculture Coordinator. I met former PRNS Superintendent John Sansing in 1988 and his first words concerning JOC where, "it is an Oakie encampment in my Park". Even then there were concerns about the shore based operations and some issues with offshore aquaculture practices. The shore based portion of the oyster farm was outside of CDFG legal purview. However, Marine debris was a big issue and one that CDFG could act on and immediate steps were taken to clean-up and prevent further releases. Another issue that came to light in the early 1990s was possible impacts to marine mammals, specifically harbor seals. NMFS was brought in to review the PRNS allegations of a "take" under the Marine Mammal Act. There was found to be no take by JOC in their normal aquaculture operations in Drakes Estero. However, NMFS recommended that PRNS and JOC establish working protocols to address concerns about JOC/harbor seal interactions in the Estero, especially during pupping season. This resulted in the 1992 harbor seal protocols. It needs to be noted that JOC was founded and ran by Charlie Johnson, from Oklahoma, who was a unique individual and self-made man. His early experience with Indian reservations in Oklahoma left him with the impression that his federal Reservation status in PRNS put him outside the jurisdiction of some agencies, notably County and CCC. Charlie passed and his Son took over JOC management. The shore-based facilities were a long-standing and ongoing issue which could have been potentially resolved in 1998 when PRNS did an EA for rebuilding these facilities and bringing into them into compliance (as described in this DEIS). However, with Charlie's death the financial health of JOC began to decline and the work and effort of PRNS at creating a new oyster plant complex could not be funded by JOC. To me, this seemed to be a turning point for PRNS and concerned local environmental groups. With the change in ownership to the Lunny's I thought things would change and a new working relationship would be forged but apparently a tipping-point had been passed and it brought matters to where they are today. 2-The DEIS is not unbiased environmental review, it represents how re-interpreting history and the legislative intent of the original authors of Seashore legislation can be used to further an agenda. 3- I support and urge PRNS to select a Preferred Alternative that provides for a return to a collaborative management process and continued operation of DBOC. This is recommended by both the NAS and MMC and represents a unique opportunity to do collaborative research to inform the adaptive management and would be consistent with the National Shellfish Initiative of 2011. 4- The Alternatives presented in this DEIS, aside from the No-Project Alternative, are Sure-To-Fail Alternatives. As the former CDFG Marine Aquaculture Coordinator very familiar with aquaculture permitting issues and an expert on the state aquaculture practices, given the 10-year maximum time period allotted for an SUP for DBOC, all the alternatives presented in this DEIS will put DBOC out of business. Only a cooperative management alternative will allow DBOC secure the necessary permits and to remain in operation. 5- The DEIS makes an inadequate case for any significant long-term adverse impacts that require an immediate shut down of aquaculture in Drakes Estero. Limantour Estero, a Marine Reserve now, is an example of a former aquaculture growing area farmed by JOC. Rather a Collaborative Management Alternative, which is consistent with the PRNS General Management Plan, would allow PRNS to collaboratively integrate ecosystem science and natural and cultural resource management while DBOC continues to operate.. 6- These are tough times for many Americans. Eighty percent of our seafood is imported and 50 percent of that is from foreign aquaculture. The loss of this historical seafood business which sustainably provides local seafood and supports the local economy and local jobs would be significant. The DEIS is biased in that it goes to great lengths to downplay these potential significant losses and their impacts. Specific comments by page: Page XXIII, bullet point 5- DBOC would have to apply to the Fish and Game Commission for consideration of "abandonment" of the state water bottom leases in Drakes Estero. This will require action by the FGC to declare the lease abandoned. Page 4, paragraph 3- It should be noted that at the time of Park formation and subsequent state legislation, that aquaculture was defined by the FG Code as commercial fishing. This changed with the passage of the Aquaculture Act in the late 1970s and was reflected in Code in the early 1980s. The intent of the State authors of the legislation preserving fishing rights has been obscured by this change which should be noted in the legislative history and wording of the FG Code presented in the DEIS. Page 7, paragraph 4- The DEIS needs to state that the CDFG continued to manage aquaculture in Drakes Estero because it was agreed in correspondence with CDFG and the PRNS Superintendent the 1970s that CDFG would continue to do so. Page 17, paragraph 4- In 1979 the leases in Drakes Estero were renewed for 25 years without any comment from PRNS. In 1998 PRNS completed an Environmental Assessment for a new JOC

onshore facility with a finding of no significant impact (FONSI). As per comments on page 220, CDFG corresponded with the PRNS Superintendent in the early 1970s and it was agreed that CDFG would continue to manage the shellfish operations as was done previously (CDFG has copies of this correspondence). It would seem that for almost 30 years there was little confusion and little inconsistency.

Page 18, paragraph 2- History of this issue is incomplete as written in DEIS. DEIS needs to include the more recent December 10, 2009, action by the FGC action correcting the earlier mistake of adding clams as an authorized species to lease M-430-02 and changing that to the requested M-430-01 lease. Page 18, paragraph 5- First sentence in DEIS should state requested lease extensions from the "FGC" and both leases were renewed for the 25-year maximum term allowed. Page 20, paragraph 2- It should be noted that prior to about 1994, Kumamoto oyster were considered a variety of the Pacific oyster, *Crassostrea gigas*, and were known as *Crassostrea gigas* var. *sikamea*. Work done by Banks, et.al. 1994, (Gametic incompatibility and genetic divergence of Pacific and Kumamoto oysters, *Crassostrea gigas* and *C. sikamea*, *Marine Biology* (1994) 121: 127-135). pretty much resolved this issue to the satisfaction of the scientific community. Leases written in the 1970s and 1980s did not include Kumamoto oyster as a separate species and as such the lease JOC had renewed in 1979 allowed importation of this variety of Pacific oyster. Due to the scientific controversy as to speciation, as leases were renewed more recently, this species was requested to be added to the list of approved species by most but not all growers on state water bottoms (Kumamoto oysters may grow significantly slower than Pacific oysters in some waters). Most certified and approved sources of shellfish seed for importation into California offer both Pacific and Kumamoto oyster seed for sale.

Page 20, paragraph 3- The location of lease M-430-02 was chosen because it was deep enough to hang lantern bags, the method JOC wanted to use for scallop culture. Lack of financial resources prevented JOC from beginning to grow clams and they said they would ask that the clerical mistake by the FGC be corrected later if they decided to attempt clam culture.

Page 20, paragraph 4- The DEIS states, " A review of the documents indicates that there was intent to limit clams to the area of Lease M-438-02". A thorough review of the documents would have found the original request by JOC, dated August 3, 1993 and received by the FGC on August 9, 1993, clearly requesting to have Manila clams added to lease M-430-01. The DEIS claims there was intent to limit clam culture but this goes against the expressed intent of the request letter from JOC. The FGC took the requested action, amend the lease M-430-01 for Manila clams to be added to the list of approved species, but through clerical error noticed it in their meeting agenda incorrectly. There was no intent by the FGC or CDFG to change the leases since they were only acting on this agenda item at the request of JOC whose expressed intent was to add clams to lease M-430-01. This was a consent calendar item and no discussion or action by the FGC was needed other than to approve the action. All issues are worked out between the requestee, CDFG and the FGC before an item is placed on the Consent Calendar. If there had been any intent to limit clams to lease M-430-02, JOC would have been notified of the change to a Discussion Item Calendar and given a chance to appear and present testimony on their original request at the FGC meeting.

Page 20, paragraph 4- The FGC had already approved Manila clams as an approved species for culture in Drakes Estero, albeit mistakenly on lease M-430-02, not M-430-01 as requested by JOC. The correction of a clerical error was determined to be a "ministerial" action and therefore under CEQA no environmental review was needed.

Page 21, paragraph 1- The first sentence should say FGC not CDFG. No review by CDFG was needed since the paper trial clearly showed that a clerical error had occurred with FGC noticing the action in their agenda. Manila clams are widely grown in California and a number of certified and fully approved seed sources exist for importation. Review of the request to correct this error took place at the FGC.

Page 21, paragraph 1- CDFG was contacted by DBOC when they determined they wanted to move the clam bags to avoid an enforcement action. DBOC asked for assistance in determining the location of lease m-430-02 and to provide latitude and longitude coordinates in a format suitable for use in a hand-held GPS. On October 19, 2009, CDFG provided DBOC with a best estimate of the location of the corners of the lease shape polygon. This polygon contained the growing structures used to grow scallops but there had been no previous need to define the corners of lease M-430-02. Lat-Long coordinates for the four corners were provided in the NAD83 datum CDFG was using at the time. Use of a wrong datum, such as the common datum WSG84, with coordinates in another datum can result in what is known as "datum shifts". This "datum shift" can then cause problems in terms of navigation and/or in trying to locate a specific place or object as a user of the wrong datum can sometimes be hundreds of meters from their desired position (see About.com, geography, geodetic datums, GPS uses NAD83 and WSG84). Given the location of lease M-430-02, a datum shift of hundreds of meters could very well place clam bags inadvertently in a protected area.

Page 62, paragraph 3- It should be noted that prior to about 1994, Kumamoto oyster were considered a variety of the Pacific oyster, *Crassostrea gigas*, and were known as *Crassostrea gigas* var. *sikamea*. Work done by Banks, et.al. 1994, (Gametic incompatibility and genetic divergence of Pacific and Kumamoto oysters, *Crassostrea gigas* and *C. sikamea*, *Marine Biology* (1994) 121: 127-135). pretty much resolved this issue to the satisfaction of the scientific community. Leases written in the 1970s and 1980s did not include Kumamoto oyster as a separate species and as such the lease JOC had renewed in 1979 allowed importation of this variety of Pacific oyster. Due to the scientific controversy as to speciation, as leases were renewed more recently, this species was requested to be added to the list of approved species by most but not all growers on state water bottoms (Kumamoto oysters may grow significantly slower than Pacific oysters in some waters). Most certified and approved sources of shellfish seed for importation into California offer both Pacific and Kumamoto oyster seed for sale.

Page 72, paragraph 2- In 1988 CDFG, responding to letters from PRNS, who was responding to letters from concerned citizens to PRNS, started working with JOC to clean-up aquaculture debris in Drakes Estero. Winter storms and tidal scouring continue to unearth buried debris in the Estero, many years after control measures and clean-up operations were put in place. This evidenced by the continuing finds of aquaculture growing materials. Recently unearthed plastics, like poly pipe, look like new

because fouling organisms have not had time to colonize their surfaces.

Page 82, paragraph 5- DEIS states, " Certain interpretive activities are subject to NPS approval and may require a separate SUP". Those certain interpretive activities should be identified in this DEIS to allow public review of those that may be contained in this SUP and therefore fully disclosed rather than to be left out of this review if determined at a later date to not need an additional SUP and not be reviewed under this SUP.

Page 88, paragraph 4- It should be noted the JOC grew shellfish in Estero Limantour for many years until 1965 prior to Park formation. This allowed the creation of the Marine Reserve and provides a real example of a former aquaculture area in very close proximity. This former aquaculture area was used as the control area for PRNS funded study looking at potential impacts of aquaculture on fish populations in Drakes Estero (Wechsler 2004).

Page 161, first paragraph- DEIS states " Further, Harbin-Ireland detected a significant difference in sediment texture between racks and nearby samples, suggesting that erosion was taking place around the racks (2004x), as discussed above (Everett, Ruiz, and Carlton 1995)". However, Dumbauld, et al. (2009) cite Everett, et.al. (1995) study in Coos Bay as a contrast to Drakes Estero and Harbin -Ireland work. .R. Dumbauld et al. / Aquaculture 290 (2009) 196-223 "Harbin-Ireland (2004) found no difference in percent organic matter in areas directly below and those adjacent to a single set of subtidal oyster racks in Drakes Estero, California, nor was there any difference in overall infaunal community indices. The relative abundance of amphipods was higher under racks while other taxa like B bivalves and ostracods were less abundant. In contrast, experimental deployment of oyster stakes and racks in Coos Bay, Oregon, resulted in biodeposition within the stake plots and erosion and reduction of carbon content of the sediments below rack plots (Everett et al.,1995)."

This contradicts the DEIS statement suggesting erosion is taking place around racks in Drakes Estero. The hydrodynamics of Coos Bay would appear to be different than that of Drakes Estero and inference of similar impacts by aquaculture structures would be unwarranted given these findings.

Page 160, paragraph 3- DEIS cites Ruiz et.al. 1995 concerning rack culture implying that rack culture in Drakes Estero is also causing significant erosion or sedimentation. While this may be true in Coos Bay it has not been found to be true in Drakes Estero as noted in PRNS funded study by Harbin-Ireland (2004).

Page 172, last paragraph- DEIS cites NAS (2009) for 50-acre propeller damage estimate. This estimate was made by PRNS staff and provided to NRC members and should be cited as such. The DEIS states "Due to the large variability among the widths of scars, this analysis method was not suited for calculating a comparable quantity for comparison with the 50-acre quantity reported by NAS (2009)". PRNS staff calculated the original 2009 estimate they attribute to NAS, and their "loosely quantified estimate" due to low image resolution likely greatly overestimated the extent of scarring (50 acres). DBOC vessels have a propeller diameter less than 1-ft. However, assuming a 1-ft propeller diameter, the 50-acre estimate translates to 425 linear miles of scarring. The DEIS states that there are 45,031 linear feet of scarring (8.5 linear miles), which translates to just slightly over 1-acre (43,650 square feet) given a 1-ft propeller diameter. Using the PRNS total of 738 acres of eelgrass in DE, this represents a potential impact to about 0.1 percent of the eelgrass total area. Additionally, no distinction is made between scarring and cropping. Aerial photography of eelgrass is done at low tide heights to allow for greater visibility of deeper eelgrass beds in turbid conditions. The lower tides that present these conditions are in the early part of the year and are before the eelgrass biomass maximum that occurs in late summer- early fall. Cropping of eelgrass in light density areas in the early part of the year (low biomass) would look like scarring yet re-growth from rhizomes at peak biomass would fill-in the cropped/mis-characterized scarring areas. Thus, stating that the 8.5 linear mile estimate is likely an overestimate, may not be a correct characterization. Page 175, last paragraph- DEIS states Olympia oysters are designated a special status species throughout their range. DEIS does not mention by what agency they are given this designation. In California, Olympia oysters are designated a sport fishery species for harvest in C DFG sport fishery regulations. The DEIS cites work done by Trimble et.al. (2009) relating to factors limiting native oyster recruitment is from areas where Pacific oysters do indeed establish natural breeding populations, unlike Drakes Estero, and really doesn't apply there. Recent work in Tomales Bay and SF Bay has found that Olympia oysters are substrate limited in these bays and Pacific oyster shell is being used, from Drakes Estero, to provide additional habitat in small-scale enhancement projects. Page 176, paragraph 3- DEIS states " The Pacific oyster, which is the species of oyster cultivated by DBOC, is not native to the west coast of North America (Trimble, Ruesink, and Dumbauld 2009). As such, there is potential for this species to develop naturally breeding populations in Drakes Estero, which would directly compete for food and space with native species". While there is potential, the DEIS should note recent research into the location in California of established (successful breeding) populations of Pacific oysters. Morro Bay appears to be the northern extent of established populations in California. Scattered instances of Pacific oysters in SF Bay were found not be established but were most likely single event introductions through ballast water releases.

Pacific oysters have been grown in Drakes Estero for over 80 years and have had plenty of opportunity to establish natural breeding populations. It should also be noted that in my 21 years of work in both Drakes Estero and Tomales Bay that I never found any natural breeding populations of Pacific oysters. This is consistent with the findings of XXXXX 2000 which looked at oyster distribution in California.

With regard to Manila clams, the DEIS fails to mention that the non-native Manila clam is naturalized throughout California and populations exist where suitable habitat exists. Drakes Estero with its predominantly mudstone/siltstone habitat is not good habitat for both the native Pacific littleneck clam or the exotic Manila clam with a very similar life history since both littleneck clams rely on attachment by byssal thread to small rocks or gravel when settling from the water column larval phase to benthic phase. Thus the absence of any large numbers of the native Pacific littleneck clams in Drakes Estero. Page 177, paragraph 2- In western North America, *D. vexillum* was first documented in San Francisco Bay, California in 1993, and it has since appeared in additional locations in California, Oregon, Washington and British Columbia (Lambert 2009), Richard Emlet, personal

communication, Sarah Cohen, unpublished data) in Discovery and significance of the colonial tunicate *Didemnum vexillum* in Alaska. C. Sarah Cohen^{1*}, Linda McCann², Tammy Davis³, Linda Shaw⁴ and Gregory Ruiz⁵, Aquatic Invasions (2011) Volume 6, Issue 3: 263-271. There has been no aquaculture in SF Bay in over 80 years and while aquaculture associated activities have been identified as a vector elsewhere, shipping and ballast water introductions have been shown to be a major method of introduction of exotic species in SF Bay. All importations of juvenile live oysters, or live oysters on cultch that were placed in Drakes Estero were visually inspected by CDFG personnel prior to planting (this I can vouch for since I was responsible for this work from 1988 to 2009, records exist for earlier inspection history), since a planting certificate was needed for each shipment/importation to place these oysters in the waters of the state. Importation of oyster seed, as separate oysters, comes from highly controlled hatchery environments and contains no epiphytic growths or organisms.

Page 181, paragraph 3- Why did PRNS authorize the expenditure of time and money on a poorly designed undertaking in a clearly data-poor environment? It was pointed out in 2009 by the MMC panel that a photographic study would be a good tool in assessing marine mammal behavior in Drakes Estero yet no mention was made by PRNS of this undertaking at that time. It is possible that if PRNS had discussed this effort with the MMC, this effort could have provided photographs that would have met the Department's standard for a scientific product and helped resolve the present marine mammal controversy.

Page 183, paragraph 3- The DEIS notes decreasing abundance of black brandt within their historic range and cites Davis and Deuel (2008). The DEIS then provides a one-day high count from 1985 and cites a decline from a 1991 publication. This is data from 20 years ago, are there no more current data on this important species in Drakes Estero that would support the suggested continued decline in Drakes Estero ?

Page 219, paragraph 2- The last sentence should read, " All aquaculture businesses in the state, whether on public or private water bottoms are required to register annually as aquaculturists with the state."

Page 220, paragraph 1- The DEIS states, " In the case of Drakes Estero, the CFGC has issued, and CDFG administers, state water bottom leases to DBOC despite the fact that the underlying tidelands and submerged lands have been owned by the United States since 1965." It should be noted that questions concerning management came-up after the park formation and CDFG corresponded with the PRNS Superintendent at the time and it was agreed that CDFG would continue to manage the shellfish operations as was done previously (CDFG has copies of this correspondence).

Page 220, paragraph 1- The DEIS cites "The Made In Humboldt" website for state wide oyster consumption percentages. This promotional website may be one of the least credible references in the DEIS. As is brought out further along in the DEIS, obtaining good factual information, with known conditions, is difficult but credible sources are available.

Page 221, paragraph 2- The last sentence should also include Pt. Reyes Oyster Company, Marin Oyster Company, Cove Mussel Company and Brothers Bernal.

Page 222, last paragraph- The DEIS states, "In Humboldt Bay, all information reported to CDFG has been in pounds". This is not a correct statement. Coast Seafoods, the largest oyster grower for consumption in Humboldt Bay and in some years the largest in the state, provides CDFG with production of: 1) shucked gallons and 2) production of single shell stock dozens. This is provided annually for two species, Pacific oysters and Kumamoto oysters. For the period 2003-2007, single Pacific oysters were converted to gallons using 100 oysters/gallon except for 2003 when 104/gallon was used. Kumamoto single oysters were converted to gallons using 576 oysters/gallon for all five years. The conversion factor used to convert gallons of oysters to pounds was 9 pounds/gallon for both species as per the spreadsheet provided to CDFG. The 9 pounds/ gallon conversion factor results in a 6 percent increase when converting gallons to pounds compared to the DBOC conversion which uses 8.5 pounds per gallon. The conversion factor of 100 oyster/gallon was used for estimating pounds of Pacific oysters except in 2003, which resulted in a 4 percent increase in gallons of Pacific oysters for that year.

The state requirement to use 100 oysters/gallon for computing the privilege tax on harvest of shellfish on state water bottoms is legislated and only can be changed through new legislation. The oyster industry has changed to reflect consumer preference which is for smaller oysters. The reporting of production is thus complicated by the industry trends, individual business practices and markets for shellfish. The change to 140 oysters/gallon in 2002 reporting for Tomales Bay growers was made after CDFG interviews of growers and attempting to develop a better conversion factor to allow a better estimate of production for that bay. CDFG also interviewed JOC and Tom Johnson felt at that time his (JOC) oysters were harvested larger (cluster culture) than Tomales Bay oysters (singles) and that 100 oysters/gallon was still a good conversion number for estimating gallons.

Page 223, paragraph 2- The DEIS states" the CDFG data are not calculated consistently" and presents a lot of confusing statics in the text of the paragraph. The change for calculating oyster production using 140 oysters /gallon began in 2002, why didn't the PRNS simply just ask CDFG to provide the data using 100 Pacific oyster/gallon conversion?

Page 223, paragraph 2- The DEIS provides a plethora of varying percentages of production estimates by different areas and sectors (public or private water bottoms) which tends to obscure the basic facts which are: 1) DBOC and Coast Oyster are the largest producers of oyster for consumption in the state, followed by the Tomales Bay growers as a group, 2) other growers in other areas of the state are minor contributors to overall state production, 3) As explained above in the comment for Page 222, last paragraph, both DBOC and Coast have been using the same 100 oyster/gallon conversion for Pacific oysters for recent years, with the noted exception. Valid direct comparisons can be made.

Correspondence ID: 51548 **Project:** 33043 **Document:** 43390

Name: N/A, N/A

Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 15:55:14

Correspondence Type: Web Form

Correspondence: Support Wilderness as long planned! I believe Alternative A is the best choice for the Secretary. Oyster can grow elsewhere. Please follow the NPS policies and do the right thing by selecting Alternative A, which is the environmentally preferred alternative.

Correspondence ID: 51549 **Project:** 33043 **Document:** 43390

Name: Bry, William

Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 15:58:08

Correspondence Type: Web Form

Correspondence: I have been going to Drakes Estero for 3 decsdes to kakay and enjoy the oysters at Johnson's, now Drakes Bay Oysters The staff there has always been respectful of their environment. They even rescued one of our paddlers who tired fighting the wind back to the put in. I support their ongoing presence on the estero..

Correspondence ID: 51550 **Project:** 33043 **Document:** 43390

Name: johnson, Wendy

Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 15:58:35

Correspondence Type: Web Form

Correspondence: As a long time friend and supporter of the NPS and of our local sustainable farming community of which I have been an active and loving member for almost 40 years, I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. Thank you for registering my participation. Let's continue to work together for healthy conservation and a strong and sustainable farming presence in our beloved and shared community.

Thank you very much.

Sincerely, Wendy Johnson

Correspondence ID: 51551 **Project:** 33043 **Document:** 43390

Name: N/A, N/A

Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: I support Alternative A, and urge the Secretary to create the West Coast's only marine wilderness for all American's to enjoy!

I also support the findings of the Marine Mammal Commission report that there is a relationship between an increase in mariculture activity and a decrease in seal haul-out use in the Estero. The MMC report concludes that DBOC's commercial operations in the estuary "do disturb harbor seals."

Here are 10 reasons why the Secretary should choose Alternative A, the Environmentally Preferred Alternative.

1. A DANGEROUS PRECEDENT FOR NATIONAL PARKS & WILDERNESS A decision to allow a private enterprise to continue within a federally protected wilderness for another decade could set the course for how America's national parks and wilderness will be managed in the future. Industry interests behind Drakes Bay Oyster Company are pushing to set a precedent that would weaken protection for our national parks and wilderness areas and open them to commercialization.
2. A DEAL IS A DEAL Congress voted in 1976 to extend wilderness protection to Drakes Estero. The Drakes Bay Oyster Company bought the business at a discount in 2005, knowing there were only seven years remaining on the operating permit. The oyster company is now pushing to extend the permit for ten more years, until 2022. It is not fair to change the rules in order to make a profit from a public asset funded by taxpayers.
3. PUBLIC LANDS BELONG TO THE PUBLIC America's National Parks belong to all of us, not private business. Commercial interests hope to weaken the federal Wilderness Act of 1964 and gain access to our public lands in order to exploit them for profit.
4. A RESPONSIBILITY TO PROTECT OUR PUBLIC LANDS The oyster company expanded its operations without any permits or environmental review into critical wildlife protection areas in unverified anticipation of having the special use permit renewed. The California Coastal Commission fined the oyster company over \$61,000 for these violations, but the damage to the fragile habitat is already done.
5. DRAKES BAY IS SCIENTIFICALLY IMPORTANT Drakes Bay is a beautiful and unique place, rich in natural diversity. It's the only marine wilderness on the West Coast, and is increasingly significant to scientific understanding of complex marine

ecosystems, environmental restoration, and as a habitat refuge in the face of climate change.

6. **DRAKES BAY IS A CRUCIAL WILDLIFE HABITAT** Drakes Bay is a crucial resting and foraging area for resident and migrating birds. It provides habitat for numerous plant and animals species, including endangered coho salmon and steelhead trout. It is also one of the largest breeding sites for harbor seals in California. The recent Draft Environmental Impact Statement shows that the oyster operation adversely impacts this fragile habitat.

7. **FEDERAL LAW EXISTS FOR A REASON** Congress recognized Drakes Estero's scientific and natural significance by designating it for protection under the National Wilderness Preservation System, the highest level of land protection possible under federal law. The Wilderness Act prohibits commercial uses or mechanization in designated wilderness, and the 1976 legislation that conferred wilderness protection to Drakes Estero held that commercial uses were to end when the private rights expire in 2012 in order to preserve its unique and fragile ecosystem.

8. **IT IS EXPENSIVE FOR TAXPAYERS** The oyster company has made baseless allegations against the National Park Service, forcing the government to spend taxpayer dollars to uphold the law. These important and limited public resources should be used to maintain the park and provide much-needed visitor services.

9. **COMMERCIAL MARICULTURE POLLUTES THE SEASHORE** Thousands of pieces of plastic "aqua trash" used to grow nonnative clams and oysters litter beaches and wilderness areas at Point Reyes National Seashore. The State Coastal Commission recently reprimanded the oyster operation for widespread plastic pollution. Additionally, the racks on which the oysters are grown provide habitat for a highly invasive nonnative organism that is adversely impacting the Estero.

10. **WILDERNESS IS THE HIGHEST & BEST USE OF DRAKES ESTERO** Congress voted to designate Drakes Estero as Wilderness in 1976 because members of the House and Senate recognized it was the highest and best use of this fragile and ecologically rich estuary. As the Wilderness Act says, "A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and community of life are untrammelled by man, where man himself is a visitor who does not remain."

Correspondence ID: 51552 **Project:** 33043 **Document:** 43390
Name: Russell, Edward
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:04:29
Correspondence Type: Web Form
Correspondence: The Drakes Bay Oyster Farm serves an important ecological role, is a favorite local place to buy shellfish, and appears to do no tangible harm to the seashore.

There are dairy effluents entering the Bay which may be partially mitigated by the presence of the oysters, with their ability to use nitrogenous waste for anabolism, as opposed to the eutrophication that might otherwise occur.

It is because of the aforementioned reasons that I support the Collaborative Management Alternative proposed by the Oyster Co. for the final Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement.

Thank you for the opportunity to comment on this issue.

Ed Russell, UCD M.S.

Correspondence ID: 51553 **Project:** 33043 **Document:** 43390
Name: Gates, Nancy
Outside Organization: Marin County Farm Bureau Unaffiliated Individual
Received: Dec,09,2011 16:04:46
Correspondence Type: Web Form
Correspondence: December 9, 2011 National Park Service Attention: Point Reyes National Seashore Superintendent Cicely Muldoon Submitted via the National Park Service website

Re: DEIS on Drakes Bay Oyster Company Special Use Permit

Dear Superintendent Muldoon,

I strongly support, as the preferred alternative in the final DBOC SUP EIS, adoption of a Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension; rehabilitation of existing facilities; and construction of new processing facilities.

I further support that Drakes Bay Oyster Company's Special Use Permit should be renewable not only to the current owners but to subsequent owners, including heirs and successors.

I am a member of the Marin County Farm Bureau and serve on its board of directors. I'm also a member of the California Cattlemen's Association, California Woolgrowers Association, Western United Dairymen, Marin Organic, the Sierra Club, the Environmental Action Committee of West Marin (EAC), and the Marin Conservation League. I submit my comments, however, as a private citizen who supports the renewable continuation of commercial agriculture in the Point Reyes National Seashore, and who supports the comments submitted by the Marin County Farm Bureau, the California Farm Bureau Federation, and the University of California Cooperative Extension's Community Development Advisor and Agricultural Ombudsman.

The DEIS is a flawed document in that it does not offer an Alternative that would allow for the renewable continuation of oyster farming in the PRNS. It also misrepresents the environmental impacts and presents no scientific fact to justify any negative impacts. It fails to adequately address the beneficial economic impacts, and minimizes DBOC's important historic cultural role. Also, it ignores policies and ordinances in federal, state and county regulatory documents, including the current General Management Plan for Point Reyes National Seashore adopted in 1980, the Marin County Local Coastal Program Unit II certified by the California Coastal Commission in 1981 and the Marin Countywide Plan adopted in 2007, all of which are supportive of the continuation of mariculture in the PRNS.

As an owner of a sheep and cattle ranch in Marin County, I am concerned that if DBOC is forced out, not only will California's largest shellfish producer be eliminated but there will be a clear roadmap for eradicating the rest of agriculture in the PRNS pastoral zone, and as the farming dominoes fall, so will a critical mass of agricultural infrastructure, putting the future of agriculture, mariculture, organic food, agritourism and open space at risk in Marin County, in California and beyond.

As a consumer of food and a wearer of clothing, I am concerned about overarching governmental regulations and restrictions placed on agricultural producers that inhibit their ability to sustainably and profitably produce food and fiber for our country and for export.

As a taxpayer, I'm dismayed that the federal government must be spending inordinately wasteful amounts of money in its attempt to oust Drakes Bay Oyster Company. It's also unfortunate that DBOC's owners are having to spend what must be considerable resources in this fight, that they could otherwise be using more productively and positively.

As a citizen of the USA, I am especially concerned with governmental abuses of power and actions that represent takings of private property - in this case a lease that is the property of DBOC's owners - as infringing on rights set forth in the U.S. Constitution's Fifth Amendment.

Thank you for your consideration.

Respectfully submitted,

Nancy Gates

Correspondence ID:	51554	Project:	33043	Document:	43390
Name:	Livingston, Douglas S				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 16:06:44				
Correspondence Type:	Web Form				
Correspondence:	I have studied the facts about DBOC/NPS and am familiar with both NPS policies and the operation of the oyster farm. Of all the issues weighed over the last four years, I strongly believe that a viable food supply is the most important issue we face today. The environmental and legal consequences of a continuation of the oyster farm operation are known to be minor in relation to the urgency of a healthy planet with good food sources.				

None of the alternatives in the dEIS are acceptable to me. I support a Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. To oversee the closure of such a rich food producer would be a terrible mistake, locally, nationally, and globally.

Correspondence ID:	51555	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Defenders of Wildlife Non-profit/Organization				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	December 9, 2011				

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

Submitted online and via USPS

Re: Drakes Bay Oyster Company Special Use Permit ? Support Alternative A

Dear Superintendent Muldoon:

Thank you for the opportunity to comment on the Drakes Bay Oyster Company Special Use Permit Environmental Impact Statement: Draft Environmental Impact Statement.

Defenders of Wildlife ("Defenders") is a non-profit, conservation organization with more than one million members and supporters nationwide, more than 100,000 of which reside in California. Defenders is dedicated to protecting all wild animals and plants in their natural communities. To this end, Defenders employs science, public education, media, legislative advocacy, litigation, and proactive on-the-ground solutions in order to impede the accelerating rate of extinction of species, loss of biological diversity, and habitat alteration and destruction.

Drakes Estero is a national treasure long-destined for wilderness protection in 2012. The Estero is the ecological heart of Point Reyes National Seashore and a refuge for migrating birds, fish, and marine mammals. It is home to 20 percent of California's mainland breeding population of harbor seals and is used by tens of thousands of shorebirds and waterfowl.

Defenders strongly supports Wilderness designation for Drakes Estero and urges you to adopt Alternative A, the No Action Alternative, since it is the Environmentally Preferred Alternative and the only alternative that is wholly supported by federal law, policy and best available science. Alternative A upholds the intentions of the Point Reyes Wilderness Act to ensure that all Americans have access to a wild marine environment. The Point Reyes enabling legislation, the Wilderness Act, the Point Reyes Wilderness Act, National Park Service policies and a long list of other federal and state laws and policies direct the National Park Service to protect, conserve and restore natural resources and ecosystems and prevent their degradation by incompatible uses and invasive species.

To allow a private, commercial use to retain control over this public treasure would set a terrible precedent for publicly owned, national park and wilderness lands throughout the United States. The Park Service and the original oyster operation owner made a legal agreement that oyster production would cease on November 30, 2012. The Park Service must select Alternative A and provide full wilderness protection for the Estero as intended by the Point Reyes Wilderness Act of 1976.

The peer-reviewed science used in the DEIS to illustrate impacts to harbor seals from mariculture operations was recently validated by the Marine Mammal Commission Report. The negative impact on harbor seals is only one of the numerous long-term adverse environmental impacts from non-native oyster and clam cultivation. Other significant adverse impacts include to eelgrass, birds, native fish, benthic fauna, endangered species, overall ecological integrity, and to the resilience of Drakes Estero in the face of climate change.

The oyster operation also generates untold volumes of PVC plastic that litters local beaches, literally trashing the wilderness and the visitor experience. Our oceans have been significantly impacted by plastic debris as demonstrated by the Plastic Trash Vortex in the North Pacific Gyre. The National Park Service should end the contribution of plastic marine debris made by Drakes Bay Oyster Company and cease the company's operations at the end of its current permit.

Defenders respectfully urges you to select Alternative A, which will restore the benefits of this national public resource for wildlife and the American people for generations to come. Thank you for the consideration of these comments.

Sincerely, Kim Delfino California Program Director

Correspondence ID:	51556	Project:	33043	Document:	43390
Name:	Laws, Robert				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 16:14:38				
Correspondence Type:	Web Form				
Correspondence:	As a long time summer resident of the area (Inverness), I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. For residents and visitors, an oyster company at that location has been and continues to be a life enhancing activity. -- Robert H. Laws				

Correspondence ID:	51557	Project:	33043	Document:	43390
Name:	Stompe, Susan S				
Outside Organization:	Marin Conservation League Non-profit/Organization				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	December 9, 2011				

Department of Interior Point Reyes National Seashore Attn: DBOC SUP DEIS 1 Bear Valley Road Point Reyes Station, CA 94956

Dear Secretary Salazar and National Park Service:

The Marin Conservation League has a long history of promoting the preservation of open space in Marin County and has written previously on this issue. The EIS, and supplemental material from the National Academy of Science earlier study, have been used to evaluate the impacts to a potential continuation of the Drakes Bay Oyster Company Special Use Permit (SUP) for ten years. Although the "no project" alternative as described in the EIS has some environmental benefits over other uses, the Board of Directors of the Marin Conservation League recently voted to support a ten-year extension of the permit at the current footprint, or Alternative B.

The prevailing sentiment was that the estero will not be a "wilderness" even without the oyster farm because it is impacted by the dairy farms and the road that surround it. The historic use of oyster farming has become a resource in the close by Bay Area community with a world renowned culinary tradition. Although the EIS claims only 2.5% of the Park visitors visit the oyster facility (or, presumably, eat them at the Drakes Bay Visitor Center) for many local visitors it is an important reason to visit Seashore.

This is not to say that the habitat values of the estero should not be protected or enhanced even with the oyster facility. Since assuming responsibility for the oyster farm from the Johnsons, the current owner has improved the operations considerably. There are more improvements to be made and we encourage developing a partnership that will identify and implement ways to improve the operation. Two of the issues addressed in the EIS were invasive snails and protection of eelgrass. The eelgrass has improved and expanded over the years which the National Academy of Science suggested could be as a result of the oysters. The Park Service and the DBOC should explore ways to continue the benefits and reduce the negative impacts such as the trails carved by boats servicing the oysters. Perhaps cages around the propellers would help.

The invasive snails will be an ongoing problem with or without the oyster facility. We recommend that more stringent protocols be set up for importing the oyster seed without invasive snails. The EIS did not consider any mitigation measures for reducing the impacts of the oyster farm, other than for removing their facilities at the termination of their permit.

Canoeing and kayaking have been facilitated by the launching area and parking lot at the on shore oyster buildings. More informational signs should be placed there with reminders for boating visitors to keep away from seals. In addition, signage could also educate visitors about the science of oyster development.

Instead of being a thorn in the side of potential wilderness, DBOC should be considered a low-key historic use with an extended lifespan if permitted for another ten years. Just as the dairy farms are part of the historic Seashore landscape, the oyster farm is part of the important local food production tradition of the Point Reyes peninsula.

Sincerely,

Susan Stompe, President

Correspondence ID: 51558 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:17:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51559 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:21:08
Correspondence Type: Web Form
Correspondence: re: EIS informing Secretary Salazar's decision to support Plan A: The 'no action' alternative achieves the most effective management of resources. The merits of precedent, simplicity, best fit to institutional mission and project objectives, equity, and achievability all recommend only Alternative A. Property management of adversarial tenants is not the mission of NPS or PRNS. PRNS enabling legislation privileged prior owners for 50 years. DBOC is not eligible for said privilege on several counts. Undeserved treatment as a privileged party violates fair principles of legitimate administration.

Any alternative action (to permit access for use and occupancy of property) must be preceded by: - a fully disclosed budgetary and personpower assessment of costs required to formulate, implement, and continually supervise the ongoing expansion of commercial mariculture in Drakes Bay, as well as the 'fair standard' precedent implied to all other potential tenants of the Department's prime properties. A progress report on the administrative burden to date should be included. - any such assessment must begin by establishing standards for tenant eligibility: - An inquiry into whether Department's management decisions since 2004-5 are grounded in correct evaluation of the circumstances of tenure transfer from JOC to DBOC. Public knowledge of said transfer was limited, under terms of the extensive contract between purported heirs of JOC and principals now known as DBOC. Was such information similarly withheld from the Department? Was that proper under pre-existing terms of occupancy? Whether or not there was subterfuge, how are the Department's subsequent obligations affected? - The current occupant of Drakes Estero operates by fiat, under the erroneous assumption that Johnson Oyster Company's ROU was a properly transferred interest. The full administrative record may demonstrate no legitimate interest lies with DBOC, as JOC likely failed to make a

bona fide offer to the US authorities, required by Item#14 of the original sale contract by which the ROU was established. The Department must explore and disclose the legal theory supporting the irregularities of the current, let alone continuing, tenancy by DBOC. - Since the effective lapse of JOC's use of their contracted ROU, circa 2004-5, has the Department relied on error or full, frank disclosure by present occupant of some equivalent to the Pastoral Zone's regulatory controls like grazing management plans? The administrative record supporting good faith cooperation of any prospective tenant with the Department's management goals for the property, must be included as part of the decision-making process. Reference to the extensive record of regulatory violations by DBOC is well known to the Department; any decision to expand engagement with a flawed partnership must be justified with extensive documentation behind such a detrimental decision. - A robust mechanism for rating the assurance of compliance and costs of remediation in case of purposeful non-compliance, or partial/full failure to comply for any reason. A performance bond adequate to ensure full cleanup of current as well as prospective and potential impacts, must be included in addition to liability insurance. Performance standards, with procedures to ensure ready compliance and/or enforcement, is the duty of the Department, as manager of public property. Any alternative selected must be judged on the evidence as likely to be attainable by the Department under reasonably foreseeable 'worst expected conditions'. Any adaptive management scheme is doomed with a tenant inclined to and incentivized by tendentious procedural abuse. Undertaking a long-term management plan for an expanding mariculture enterprise of any nature is needlessly complicated by choosing to participate with a partner who cannot be relied on to bargain and comply with agreements in good faith. Past behavior and stated intents regarding expansion and diversification demonstrate a pattern of maximizing opportunity to exploit the margins of effective control by procedural policy. The principal motive of extracting profit from a public resource is inconsistent with the intent of original enabling legislation for PRNS, in 1962.

Clauses of that PRNS originating legislation define a special class and its unique privileges: Fifty-year maximum potential for owner-occupyer graziers who sell property and choose to remain under tenancy agreement regulated by policy and staff of NPS. That privilege ends for all in 2012. Conditions for meeting that privilege, which ends in 2012, exclude the current occupant of the facilities on Drakes Estero. Proper supervision of that property would never have allowed such extensive and longstanding abuse of the terms of tenancy. No act to continue and expand the Departments understandably flawed response to predatory practices on the part of their tenants. That alone is justification to demand a quit before November, 2012. No transferable right exists! Charled Johnson, and his former business Johnson's Oysters, are out of operation. Any deed executed by Mr. Johnson's heirs is subject to terms of the original agreement. Best management practice would support the Department's right to terminate occupancy for cause. Disputes between tenant and Department are determined by the Secretary.

Correspondence ID: 51560 **Project:** 33043 **Document:** 43390
Name: King, Jennifer
Outside Organization: Sierra Club Unaffiliated Individual
Received: Dec,09,2011 16:25:04
Correspondence Type: Web Form

Correspondence: I am writing to urge the National Park Service to protect Drakes Estero wilderness next year as long-intended. The American public deserves to have the West Coast's only marine wilderness protected for future generations to enjoy. Drakes Estero is a rare wildlife refuge where migrating birds stop over, harbor seals give birth, and fish spawn. It deserves the highest level of protection as Congress long-intended. As someone who enjoys our nation's spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

I urge the National Park Service and the Department of the Interior to select alternative "A", which protects marine wilderness and is the environmentally preferred alternative. The NPS is mandated to provide maximum protection to the natural resources, as stated in the Seashore's legislation, and selecting this alternative is the most consistent with the laws and policies affecting this park. Our national parks are for the people and wildlife protection, not commercial exploitation. The environmental review shows that alternative "A" best protects harbor seals, fish, birds and other wildlife and plants. Drakes Estero is our only marine wilderness on the West Coast, and it is irreplaceable, while oysters can be grown elsewhere.

National Parks and wilderness areas are treasured by the majority of Americans and are for the public interest, not for private commercial exploitation. By protecting wilderness, the National Park Service will set a positive policy example while commercializing it will set a negative example and help others seek their special exemptions from national park laws.

Correspondence ID: 51561 **Project:** 33043 **Document:** 43390
Name: Noble, Elisa
Outside Organization: CA Farm Bureau Non-profit/Organization
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: December 9, 2011

DBOC SUP EIS c/o Superintendent Muldoon Point Reyes National Seashore 1 Bear Valley Road Point Reyes Station, Ca. 94956

Submitted via: parkplanning.nps.gov/pore

Dear Superintendent Muldoon:

The California Farm Bureau Federation ("Farm Bureau") appreciates the opportunity to comment on the Draft Environmental Impact Statement (EIS) for the Drakes Bay Oyster Company (DBOC) Special Use Permit (SUP). Farm Bureau strongly supports the continuation of DBOC because of the many beneficial social, economic, and environmental impacts the farm

provides, including a healthy, sustainable, safe, fresh supply of local protein.

Farm Bureau specifically supports the Collaborative Management Alternative, which was developed by the Marin community. (See <http://www.alsamarin.org/pdfs/CollaborativeMgmtAlt.pdf>).

Farm Bureau represents more than 30,000 farmer and rancher members, and strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources.

Background DBOC owners' Kevin and Nancy Lunny have proven themselves as excellent stewards of the land. Both the Lunnys and DBOC are important contributors to sustainable agricultural production and the local community and economy. The Lunnys have spent immense time and money restoring the land, buildings, and management practices on this property. It is clear that the Lunnys have a vested interest in the business, environment, and community of Drakes Estero.

The NEPA process requires an analysis of how the continuance of DBOC would impact the human environment. The human environment is interpreted broadly to include "the natural and physical environment and the relationship of people with that environment, including economic and social effects." DBOC is a rare situation where all aspects of the human environment benefit. It is extremely uncommon for a project of such limited environmental impact ? in fact, we would argue the beneficial impacts outweigh the negative impacts ? to provide such important economic, cultural, and social benefits to both the local community and the state.

It is worth noting that a diverse variety of organizations support the continued operation of DBOC in Drakes Estero. Some of these diverse groups include Roots of Change, EcoFarm, Slow Food USA, Committee to Save the F.A.A.R.M., and many others.

Jurisdiction Issue It is not clear how National Park Service (NPS) jurisdiction over DBOC's oyster operations compares to jurisdiction held by the State of California. The State of California has leased the bottomlands in Drakes Estero for shellfish cultivation since the 1930's. As required by the California Constitution, the Legislature retained fishing rights ? including the issuance of aquaculture and mariculture permits ? in these tidelands when it transferred them to the National Park Service in 1965. The State leases for shellfish cultivation in Drakes Estero continued and were renewed in 2004 for 25 years.

The California Supreme Court recognized early in the 1900s that for purposes of California laws, the State's "fishing rights" include shellfish cultivation. The State's fishing rights are the source for the State's right to lease, and to collect fees for leasing, the bottomlands in Drakes Estero for shellfish cultivation. For this purpose, "fishing rights" are a form of property interest; DBOC's leases from the State Department of Fish and Game are evidence that the State's fishing rights include the right to grant leases for shellfish cultivation. Therefore, the jurisdiction of the federal government (NPS) versus the state government (Department of Fish and Game) is unclear in matters regarding DBOC's operations. This is an issue that needs to be considered.

Specific Comments on the EIS 1. 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.

2. NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations. PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again, calling the removal of the oyster farm the "environmentally preferable" alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS.

3. 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.

4. 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.

5. NPS must fully address the historical cultural role of oyster farming in Drakes Estero - the draft study is inadequate. The EIS

should assess the cultural impacts of eliminating an institution that has been in operation for generations and that is important to park visitors, local restaurants, and the local foodshed.

6. 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.

7. 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.

8. 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.

Consideration of Public Lands Management Both national parks and wilderness areas have land management directives that allow for human presence and use, even though the primary mandate is preservation and environmental protection. We understand that public land management can be a difficult balance of mandates and ideologies. However, Marin's rural communities, like many around the state, depend largely on the sustained management of renewable resources, both on private and public lands.

Fifty-percent of the land in California is owned by the state or federal government. Specifically, California currently has 137 wilderness units, comprising 14 million acres. Rural communities, where many of our members live and work, depend on the science-based multiple-use functions of these lands.

It would be unwise to ban DBOC's farming on the ideological belief that it should not exist in a national park or wilderness area. Rather, the science - both physical and social - should be carefully analyzed for benefits and consequences. Specifically, the EIS needs to utilize the 2009 National Academy of Sciences' report titled, "Shellfish Mariculture in Drakes Estero, Point Reyes National Seashore, California."

Thank you for the opportunity to submit comments. Please contact me with any additional questions at 916-561-5618.

Sincerely,

Elisa Noble Director, National Affairs and Research

Correspondence ID:	51562	Project:	33043	Document:	43390
Name:	Rudnick, Peter				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 16:26:12				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative for the final DBOC SUP EIS.				

Thank you

Correspondence ID:	51563	Project:	33043	Document:	43390
Name:	Leon, Venta M				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 16:30:42				
Correspondence Type:	Web Form				
Correspondence:	December 9, 2011 To Whom It May Concern: I am not a scientist, nor a lawyer. As a layman, it is impossible to analyze and respond in a meaningful way to the massive data contained in the DBOC EIR. But I am a lifelong environmentalist. I live in Tomales, and I've been a regular visitor to Point Reyes National Seashore and a customer of the oyster farm since 1978. Until				

this issue arose several years ago and I began to closely follow all related news reports, I was a staunch supporter of the National Park Service. Since then, I have been shocked by many disturbing reports of abuses by Parks management, with the help of radical environmental purists, to try to enforce their position - misuse of science, slanted or concocted evidence, data unfavorable to NPS concealed (including thousands of photographs from a years-long spying mission)? in short, a long pattern of misconduct, harassment and dishonesty. NPS has launched a sophisticated, incredibly costly campaign, based on stubborn abstract principle, drawing on but not telling the whole story to distant environmental groups from all over the US. These well-meaning supporters are too far away to be exposed to the arguments of the major local grass-roots opposition, and to the full truth and logic of the matter. As a result, I am now very skeptical of NPS and challenge their position in this matter: 1. I support a renewable Special Use Permit for Drakes Bay Oyster Company. 2. From my reading of the legislation which established Point Reyes National Seashore, I do not believe the original legislation mandates the total restoration to wilderness. It is stated as a goal, as potential, encouraged, but not required. 3. The NEPA process mandates the consideration of a "no-action alternative", but none are offered that qualify as "no-action." None of the proposed alternatives are appropriate. 4. The fact that the authors of the original legislation have come out in opposition to the interpretation of that legislation by NPS is hugely important. They have stated that closure of oyster and other farming and loss of fishing rights was never their intention. 5. In terms of water quality and general environmental health, the scientific community has come out very largely in favor of the continuation of this operation, but positive reports and results have been shelved, ignored, and only data favorable to NPS has been presented. 6. Shutting down a successful, clean, well-run farming operation of a high-protein food source in a time of global crisis is totally unwise. 7. In a time of global financial crisis, the economic impact of such an action has not been adequately considered. The list could go on, but for me it is simple: Monitor the operation to make sure it continues to be run well, and let Drakes Bay Oyster Company continue farming, under a renewable Special Use Permit. Thank you, Venta Leon PO Box 212 Tomales CA 94971 e:mail venta.leon@gmail.com

Correspondence ID: 51564 **Project:** 33043 **Document:** 43390
Name: Brait, Andrew E
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:31:10
Correspondence Type: Web Form
Correspondence: To whom it may concern: I'm writing to comment on the Draft Environmental Impact Statement of Drakes Bay Oyster Company Special Use Permit. I write as a farmer, consumer and concerned citizen. I am very concerned that the DEIS does not adequately address the important economic, social and cultural impacts of the oyster farm, therefore, none of the proposed alternatives offered by The National Park Service are acceptable. I support the Collaborative Management Alternative as the preferred alternative.

The oyster farm makes significant contributions to the local economy. Eliminating jobs and agricultural operation will adversely affect the local economy. As a significant West Marin employer, the oyster farm not only provides local jobs, but also creates economy for a network of food businesses in the region. The economic impact of eliminating the production of nearly 40% of California's oyster was not adequately addressed in the DEIS. In addition to the loss of jobs, the oyster farm positively contributes to the diverse agricultural landscape of the area. Eliminating an agricultural operation negatively impacts the social and cultural resources of West Marin.

Drakes Bay Oyster Company should be considered in light of environmental benefits. The DEIS misrepresents facts when calling for removal of the farm as the "environmentally preferable alternative". The farm is in my estimation, not only a model of stewardship, but also an ecologically sustainable local food producer. Removing the oyster farm and it's ability to supply local product has serious negative impacts on the carbon footprint. The DEIS did not adequately address this point.

Please consider my comments and support of the Collaborative Management Alternative.

Sincerely yours, Andrew Brait

Correspondence ID: 51565 **Project:** 33043 **Document:** 43390
Name: mellen, linda d
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:37:56
Correspondence Type: Web Form
Correspondence: keep pt reyes and all protected areas & species protected. do not sell out to development.

Correspondence ID: 51566 **Project:** 33043 **Document:** 43390
Name: Orlandi, Lea
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:45:15
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS:

1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture

2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT:

Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward.

3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS.

4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS.

5) Dr. Sarah Allen's own studies

1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds

a. "Causes for disturbance at Drakes Estero ... birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft."

b. "The number of disturbances ... remains similar to previous years and no trends are detected...hikers and boaters remain the two most frequent sources of disturbance"

2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals..." in which

a. "Construction-related disturbances,,were attributed to ... watercraft ... and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site."

b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs.

Correspondence ID: 51567 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:49:53
Correspondence Type: Web Form
Correspondence: As long as the Drakes Bay Oyster Co is practicing sound environmental practices in the farming of its oysters, as it now does, then their business should be viewed as an asset to Point Reyes National Seashore. Unless you can point out specific examples of ways in which the Drakes Bay Oyster Co. is harmful to the Point Reyes National Seashore, then the removal of the Oyster Co. is unnecessary.

Thank you, Debra Abbott Chico, CA 95973

Correspondence ID: 51568 **Project:** 33043 **Document:** 43390
Name: Pontacq, Jeanette
Outside Organization: WEBEDITING.NET Unaffiliated Individual
Received: Dec,09,2011 16:53:10
Correspondence Type: Web Form
Correspondence: I live within a stone's throw of Point Reyes National Seashore. I want Drakes's Oysters to stay here to support our local sustainability plan.

The Park itself has been a bad neighbor lately, giving false testimony on harm supposedly to seals by the oyster outfit. That is a lie, just as other things they have lied about over the Neubacher era.

LOCALS WANT THE OYSTER COMPANY TO STAY. PLEASE HELP US

Correspondence ID: 51569 **Project:** 33043 **Document:** 43390
Name: Wing, Judith
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 16:55:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the Final DBOC SUP EIS.

thank you

Correspondence ID: 51570 **Project:** 33043 **Document:** 43390
Name: Lino, James
Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: I support the Drakes Bay Oyster Farm and the continuation of their use permit. The questions and comments below address most of my concerns regarding the PRNS and the DBO Farm. Historically, the oyster farm has been a plus to the Estero regarding the oysters cleaning the water. With good management practices the Lunny's have also cleaned up the land area where the workers live and the retail area. The original intent of Point Reyes National Seashore was to have the Farmers, Dairymen and oyster farmers continue working the land and water while living in a National Park. To get rid of them goes against the very core that created this park.

1. All proposed alternatives put the oyster farm out of business - NPS should create a new alternative that supports oyster farming and maintains the renewal option. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives here that qualify as "no-action." Alternative A forces DBOC out of business next year and the other alternatives shut DBOC down in ten years. The draft EIS fails to provide a valid status-quo baseline, which would include a lease with a renewal option. A new set of alternatives must be created that meet the actual criteria for this process. 2. NPS should support a renewable permit. Please support the issuance of a renewable permit for Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses pursuant to the existing California Department of Fish and Game leases in place since 1934. 3. NPS should adhere to its existing management policies, which support the continuation of the oyster farm. The current NPS General Management Plan for Point Reyes National Seashore, adopted in 1980, supports the continued operation of the oyster farm, as do all of the relevant Marin County planning documents. The draft EIS does not include justification for the decision to overturn the existing General Management Plan and Marin County's planning processes. The failure to address these issues is unacceptable. 4. NPS must consider the environmental benefits of the oyster farm and correct the misrepresentations. PRNS has misrepresented the facts about the environmental benefits of oyster farming. The draft EIS misrepresents those facts again, calling the removal of the oyster farm the "environmentally preferable" alternative. This fails to address the important ecological services provided by oysters, including filtering water. It also fails to address the environmental impacts of replacing a local, sustainable food source with the alternative of importing oysters in order to meet the current demand. The nation currently suffers a \$10 billion seafood deficit; any loss in domestic production correlates to an increase in international imports. Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the EIS. 5. NPS must fully address the economic impacts of the oyster farm - the draft study fails to provide a complete analysis. The draft EIS mentions that removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but does not provide a complete analysis of these impacts, nor does it include these impacts in the overall analysis. Further, it does not analyze the impacts of eliminating one of the largest employers in West Marin County and the last remaining oyster cannery in California. The EIS must address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. 6. NPS must fully address the socioeconomic 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 foodshed. 8. NPS must properly assess impacts (both actual and potential) on wildlife - the draft study makes claims of harm based on weak or non-existent evidence. The draft EIS claims that removing the oyster farm would benefit harbor seals; that claim is not supported by science. This issue has been reviewed by various agencies and individuals, including the National Academy of Sciences and many prominent scientists, with the conclusion that the impact of the oyster farm on the harbor seals cannot be determined. What is known, however, is that Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and that the population seems to be stable. 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.

Respectfully, James Lino

Correspondence ID: 51571 **Project:** 33043 **Document:** 43390
Name: Glenn, William K
Outside Organization: CAFF Unaffiliated Individual
Received: Dec,09,2011 16:57:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the DBOG SUP EIS.

Correspondence ID: 51572 **Project:** 33043 **Document:** 43390
Name: Richard, Dominique
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:01:29
Correspondence Type: Web Form
Correspondence: From: Dominique M. Richard To: Cicely Muldoon, superintendent, Point Reyes National seashore. Dear Superintendent Muldoon: I believe that if, as our politicians liked to repeat during the Clinton's impeachment proceedings, the US is a country living under the rule of law, then of all the alternatives proposed in the EIS, alternative A is the ONLY acceptable one! At the time of the park inception, congress designated the Estero as potential wilderness out of respect for the Special Use Permit already granted to the Johnson Oyster Company that was due to expire in 2012. Despite contrary interpretation, this permit remained in effect after Drakes Bay Oyster Company took over the mariculture operation in 2005. So under the rule of law this potential must now be realized. Beyond legal arguments, the conclusion that alternative A should be the preferred choice is also

supported by the science that NPS conducted. Indeed, the scientific reports NPS produced have been repeatedly peer reviewed and heavily (sometimes unfairly) criticized. Yet, in the end, they always were vindicated and their major conclusions concerning the nature of the interactions between mariculture and wilderness prevailed. I was privileged to participate in the latest review of this work and, as a professional in the field of mathematical modeling and statistical analysis, I recognize the robustness and sophistication of the research as well as the generosity that NPS scientists demonstrated in opening the doors to their own process. Despite many ad hominem attacks, which should NEVER belong to scientific debate, the scientists as well as the numerous volunteers that support their work chose skepticism as an antidote to arrogance and let the community of scientists judged for themselves. Granted the result of NPS scientific analysis can "only" be assigned an 85% probability, The NPS should direct its resource managers to adopt the "Precautionary Principle" and Drakes Estero should be afforded the very highest protection of any area in the entire country.

Would alternative A not be selected (and obviously the next best choice would be Alternative C then B. Emphatically Alternative D, with a production level exceeding the maximum level of harvesting over the past 28 years by at least 75% IS UNACCEPTABLE), I would urge NPS, with appropriate enforcement, to establish a structure to guarantee the possibility for the adaptive management that the Marine Mammal Commission report recommends.

Ultimately this long drawn out discussion raises a fundamental ethical injunction: "You shall love your neighbor as yourself." But in that injunction the question remains: who is your neighbor? I believe that, as human beings, we have the responsibility toward our fellow non-humans, our neighbors (closer maybe than our nearest human neighbor) and we have a tremendous opportunity to be faithful to this commitment by allowing Drake's Estero, as a community of non-humans, to finally determine its own natural equilibrium.

Dominique M. Richard, Ph.D.

Correspondence ID: 51573 **Project:** 33043 **Document:** 43390
Name: Slattery, Peter
Outside Organization: Moss Landing Marine Laboratories Unaffiliated Individual
Received: Dec,09,2011 17:05:48
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS." I have worked with CAFF and farmers here in Monterey County, and I know that CAFF is a very ethical and environmentally proactive organization. They should be excellent to bridge the needs and interests of the Park Service and the oyster company. I agree that their alternative, the Collaborative Management Alternative is workable, sustainable, and proper - good for both sides. Drakes Bay is one of the many areas in California and the Pacific that I have as a marine ecologist studying benthic communities, including the sediments within the oyster farming activity. It is true that farming influences some natural processes, but it is not true that it does much harm. The Parks needs to allow the farm both as an historic activity that remains appropriate, and as one is greatly more beneficial than damaging. If Park's standards are to be applied equally, then all the dairy farms should have been shut down decades ago due to their environmental destruction. Moreover, the farms should long ago have taken action to allow at least token areas of restoration of native plant and animal communities, and implement some erosion control measures. Comparatively, this oyster farm fits into natural processes with little or no damage. Parks should allow continued operation of the oyster farm. Thank you.

Correspondence ID: 51574 **Project:** 33043 **Document:** 43390
Name: Dale, Phillip G
Outside Organization: Coast Seafoods Company/PCSGA/CAA Business
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: As a shellfish farmer in California this document and project troubles me deeply. The shellfish industry has spent the last two decades working with researchers, agencies and concerned citizens to develop and use science to identify and address both positive and negative impacts resulting from shellfish culture. This EIS has failed to use widely recognized and peer reviewed science that shows the positive environmental benefits of shellfish culture. Shellfish culture benefits the ecology of the bays and estuaries it occurs in by providing multiple water quality benefits and ecosystem services and has done so for nearly 100 years in CA. With out the benefit of shellfish farmers fighting for good water quality and a healthy environment many of the bays around the nation would be in much worse shape.

Please reanalyze the Drakes Bay Oyster Company's proposal using the best available science.

Sincerely,

P. Greg Dale

Correspondence ID: 51575 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:07:21
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51576 **Project:** 33043 **Document:** 43390
Name: Orlandi, Lea
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:08:22
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51577 **Project:** 33043 **Document:** 43390
Name: Steinmetz, Liana
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:08:56
Correspondence Type: Web Form
Correspondence: The Lunny family and Drakes Bay Oysters are long time stewards of the land. They operate with a deep respect for the earth and the waters of the Point Reyes ecosystem. Their farms provide jobs, housing, and income to many local families, and are a significant part of the history and diversity of Marin County's thriving agricultural community. I am so happy to have them be a part of my community. They are a wonderful company with a business model full of integrity. PLEASE help keep them thriving! Thank You!

Correspondence ID: 51578 **Project:** 33043 **Document:** 43390
Name: Baum, James j
Outside Organization: Marin Community Farm Stands & CSA Unaffiliated Individual
Received: Dec,09,2011 17:10:21
Correspondence Type: Web Form
Correspondence: December 9, 2011

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

Attention: Superintendent

This letter is in response to the National Park Service request for comments on it's Environmental Impact Statement concerning a renewable Special Use Permit for Drakes Bay Oyster Company. My name is James J. Baum. I am the owner of Marin Community Farm Stands & CSA, a Marin County produce market for local and sustainable agriculture. My business slogan is: Seasonal, Organic and Locally grown. I conduct business throughout Marin County California in the Communities of San Anselmo, Fairfax, San Geronimo, Woodacre and Mill Valley. I have known the Lunny Family and conducted business with Drakes Bay Oyster Company for several years. The most important issue before my customers is local production of high quality organic farm produce and seafood. The communities I serve have identified and supported the local economy of Marin County because they are able to purchase incredible produce that is of exceptional quality. The Drake Bay Oyster Company produces amazing sea food that has no equal, anywhere. It is cultivated under a major commitment to sustainable methods and land use management. The Lunny Family has documented their commitment to these business practices on their websites, newsletters and public statements. My voice must be added to the din of outrage that the Marin Community has already begun to show to a Federal agency, the National Park Service, seeking to displace a local business that does what the community it serves wants. The government is misguided in it's efforts to withdraw the Special Use Permit for the following reasons.

Under Alternative A, restoring the area to "wilderness" status is extremely costly in economic terms. The destruction of infrastructure already in place will have unforeseen consequences such as pollution. Removing from seed beds all the infrastructure will cost money. Who is to fund this? In fact, the EPS itself may be subject to Federal Budget cuts in order to reduce the federal deficit. This effort therefore will result in a needless loss of jobs, reduced economic growth and local commerce, loss of sustainability and good land management. It will also put in place a bureaucratic management process that could not possibly be funded for maintaining, inspecting, managing, certifying, documenting a new restored so called wilderness. So, therefore, the Alternative A solution as proposed is unworkable and will inflict damage to the local economy by removing infrastructures that are already in place and have a useful economic purpose. Moreover, the wilderness designation does not guarantee a positive result for the West Marin communities. It will inhibit tourism, economic activity, commerce, investment. etc. and may well result in pollution and damage to the environment during the removal process, cause severe economic hardship to DBOC and may force DBOC into limbo with a possible bankruptcy filing in order to protect its assets.

Oyster cultivation in these pristine waters has been an historical industry for this region. Man is also part of nature and has rights to survive. When you weigh out the pros and cons to the preservation of natural lands and habitat and the balance of shell fish production and how this closure would affect the sea food industry as a whole, we have to be extremely careful. Our oceans are over fished every year. This closure would further weaken our food chain. Shell fish production is a necessity for a stable seafood industry. Closure of the last canary in California along with 40% of California's oysters, just seems the wrong way to go. I support the issuance of a renewable permit for Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses pursuant to the existing California Department of Fish and Game leases in place since 1934.

Sincerely,

James J. Baum Marin Community Farm Stands and CSA Po Box 134 San Geronimo, CA 94963
www.communityfarmstands.com james@communityfarmstands.com 415.497.9496

Correspondence ID: 51579 **Project:** 33043 **Document:** 43390
Name: Dev, Uma
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:13:13
Correspondence Type: Web Form
Correspondence: Please save the Environment and the Oceans and don't hurt any animals..tks U~

Correspondence ID: 51580 **Project:** 33043 **Document:** 43390
Name: Downey, Peter
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:14:08
Correspondence Type: Web Form
Correspondence: I support the: COLLABORATIVE MANAGEMENT ALTERNATIVE: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities.

Drakes Bay Oyster Company (DBOC) has proven itself to be a great steward of natural resources and their oyster aquaculture activities help the environment by providing clean water and habitat for a host of key species. If this lease is not renewed, I believe that the negative environmental effects will far outweigh any potential benefits.

The social and economic impacts from not renewing the lease will also have a negeative effect on the local community. DBOC has positive effects on local food supply, employment, environmental awareness and in adding to the local culture of west Marin County. Renew the lease!

Correspondence ID: 51581 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:21:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51582 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:22:03
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51583 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:22:20
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51584 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:22:36
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51585 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:22:51
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51586 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:23:09
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51587 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:23:24
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51588 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:23:39
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51589 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:23:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51590 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:24:14
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51591 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:24:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51592 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:24:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51593 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:24:58
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51594 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:25:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51595 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:25:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51596 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:25:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51597 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:25:44
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs.

Correspondence ID:	51598	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:25:59				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51599	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:26:16				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51600	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:26:33				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51601	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:26:45				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51602	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:26:58				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51603	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:27:17				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51604	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:27:34				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51605	Project:	33043	Document:	43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:27:47
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51606 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:28:05
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51607 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could

also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

the California Department of Fish and Game Least Tern Habitat Enhancement Project.

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51608	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:28:19				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51609	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:28:38				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51610	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for

Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51611	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:28:54				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51612	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:29:11				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51613	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:29:25				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51614	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns

live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support

shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51615	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:29:43				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51616	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:29:57				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51617	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:30:10				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51618	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				

Correspondence Type: Web Form

Correspondence:

1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider

these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51619	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:30:25				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID: 51620 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:30:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

I strongly feel aligned with CAFF as they not only speak up for the farmer, they also care about California's health and respect for the land. Because of their recommendation I encourage your support to keeping this ecologically environmentally friendly Drakes Bay Oyster Farm open, as well as open for ecology education.

Correspondence ID: 51621 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:30:39
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51622 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:30:55
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51623 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:31:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51624 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:31:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51625 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:31:42
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51626 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:31:54
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51627 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:32:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51628 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:32:23
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51629 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:32:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51630 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:32:53
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51631 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:33:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51632 **Project:** 33043 **Document:** 43390
Name: Pittaway, Lori
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 17:33:21
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51633 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:33:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51634 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It

concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51635	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:33:45				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51636	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:34:03				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51637	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:34:19				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID: 51638 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 17:34:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51639 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

character."

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51640 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:34:52
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51641 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:35:08
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51642 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS.

The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

of all ages, including Seashore visitors, students, and researchers, relating to estuarine ecology and mariculture.

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51643	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:35:22				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51644	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:35:41				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51645	Project:	33043	Document:	43390
---------------------------	-------	-----------------	-------	------------------	-------

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:35:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51646 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the

existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative

proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51647	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:36:10				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51648	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:36:27				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51649	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:36:45				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51650	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:36:59				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51651	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:37:13				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51652	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:37:27				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51653	Project:	33043	Document:	43390
Name:	Bowen, L				
Outside Organization:	NRDC Unaffiliated Individual				
Received:	Dec,09,2011 17:37:28				
Correspondence Type:	Web Form				
Correspondence:	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.

Correspondence ID:	51654	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland

therefore, these job losses would be anything but minimal. The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed. The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. The California Least Tern is a U.S. federally listed endangered species. The Snowy Plover is in decline due to habitat loss. If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations. The importance to Park visitors? Local restaurants? Local food shed? I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. 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 include any reasons for, or discussion of, this decision to bypass the existing General Management Plan and Marin County's planning processes. The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." Alternative A forces DBOC out of business next year. The other alternatives force it to shut down in 10 years. The dEIS fails to provide a valid status-quo baseline. A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West

Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farm workers on remote Point Reyes ranches.

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51655	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:37:42				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51656	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:37:55				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51657	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat

nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

COLLABORATIVE MANAGEMENT ALTERNATIVE: A Ten-Year Special Use Permit with Option for Extension;

Rehabilitation of Existing Facilities; and Construction of New Processing Facilities

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51658	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:38:11				

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51659 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:38:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51660 **Project:** 33043 **Document:** 43390
Name: rosen, nancie
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:38:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. The Drakes Bay Oysters Farm should be allowed a ten year special use permit WITH AN OPTION FOR EXTENSION!

The Drakes Bay Oyster Farm is an asset to the area for many reasons. It produces local, sustainable, low carbon footprint, high protein, shellfish. It is a local employer and economic booster. It attracts visitors to remote West Marin. It is a historical enterprise. It has low impact on the environment. The shellfish may indeed improve water quality. The proprietors have shown willingness and ability to respect and steward their local natural environment and THAT is the crucial factor for the high quality of their products. Farming shellfish is so successful here because of the near pristine nature of the vibrant natural ecology. To bar shellfish farming here, in effect, compels this activity to be done in more polluted, overused, heavily trafficked waters.

Please consider allowing the shellfish farming activity to continue with provisions for monitoring the environment and the operation to ensure that it is sustainable and low impact. The permit should be renewable in perpetuity unless significant environmental damage is proven.

Correspondence ID: 51661 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:38:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51662 **Project:** 33043 **Document:** 43390
Name: Diangson, Xavier J
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:38:44
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. thank you

Correspondence ID: 51663 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:38:58
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51664 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species

mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Rehabilitation of Existing Facilities; and Construction of New Processing Facilities

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51665	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:39:15				

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51666 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:39:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51667 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:39:46
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51668 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local

habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51669	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:40:01				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51670	Project:	33043	Document:	43390
Name:	Pipkins, Daniel D				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:40:10				
Correspondence Type:	Web Form				
Correspondence:	The folks at Drakes Bay Oysters have a long standing history of treating the bay as if it were a member of it's family. I.E. with respect, care and dignity. It is my hope that they continue to be stewards of the Bay and to farm local oysters.				
Correspondence ID:	51671	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:40:18				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51672	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:40:35				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51673	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:40:54				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51674	Project:	33043	Document:	43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department

of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et

al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51675 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 17:41:06
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51676 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 17:41:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51677 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 17:41:38
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51678 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world

population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51679	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:41:55				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51680	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:42:10				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51681	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				

Correspondence:

1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative

Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5)

Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51682 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:42:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51683 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:42:39
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51684 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:42:55
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51685 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately

addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative

research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero.

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51686	Project:	33043	Document:	43390
Name:	morse, thomas a				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:43:11				
Correspondence Type:	Web Form				
Correspondence:	I support a Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities				

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the

goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID:	51687	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:43:13				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51688	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:43:27				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51689	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the

largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

management of Drakes Estero.

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51690	Project:	33043	Document:	43390
Name:	Flett, Mary Anne				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:43:44				
Correspondence Type:	Web Form				
Correspondence:	I am in favor of the no-action alternative as described in the DEIS and strongly support expiration of the Drake's Bay Oyster Company lease in November of 2012.				

I am a wildlife biologist with over 30 years of experience. As a consultant, I work mainly with birds and also with exotic species in the Point Reyes National Seashore and the neighboring Golden Gate National Recreation Area. I live in Point Reyes Station. Through my work as well as my interests in terrestrial and aquatic life and as a hiker, birdwatcher, horseback rider, kayaker, scuba diver, and tide pooler, I am deeply familiar with the Point Reyes National Seashore.

There are many reasons why it is inappropriate to continue raising oysters in Drake's Bay. Following are some of my concerns about the continued operation of the Drakes Bay Oyster Company (DBOC):

- Noise and disturbance related to operation of a commercial mariculture business most certainly impacts waterbirds. Eelgrass beds in the Estero support black brandt, a bird species of special concern in California. The black brandt is small goose that is closely tied to, and dependent on, eel grass in coastal bays. They are present in this area during spring and fall migration as well as during the winter. Brandt have declined in numbers along the California coast due to hunting pressure and to a decrease in the amount of eelgrass on which they forage. Flocks of black brandt have traditionally rested and foraged in Drake's Estero and are susceptible to human presence and boat disturbance associated with operation of the oyster company.

- If Kevin Lunny claims that the oysters he grows in Drake's Estero help filter and clean the water in the Estero, and his cattle

operation is located in this watershed, above the Estero, and rainfall runs off of his land into the Estero, does this mean that the runoff from his ranch is unclean and therefore adversely affecting the water quality in Drake's Estero?

- Oysters are not native in Drake's Bay. I think that it is highly likely that importing "seed" (or other life stages for growing oysters) from out of the area raises the risk of inadvertently introducing other exotic species that could be invasive, problematic, and expensive and/or impossible to eradicate or control.

- DBOC says that it is cleaning up oyster operation-related refuse including plastic pipes and plastic mesh nets. It has been documented that they have been unable to complete this job, and in addition, are adding to the refuse.

- The oyster racks are built using pressure-treated wood. It is known that this wood has been treated with material that is toxic, and to me, it seems highly likely that this material is adding toxins into Drake's Bay.

- Everywhere I go on beaches around Tomales Bay, and particularly around DBOC, there are oyster shells littering the beaches. This is unsightly (at best). Although these shells are not plastic or another substance that is traditionally considered to be litter, they do not belong around this or any other bay (i.e., San Francisco Bay). To say that they are valuable as a source of substrate to be used for creating habitat elsewhere (as DBOC claims) is a guise to justify how DBOC can dispose of shells from their operation and in the process, litters other places with DBOC refuse. There must also be a carbon cost associated with transporting and dumping the oyster shell trash in other locations out of this area.

Kevin Lunny signed a lease fully knowing that it was to expire in November 2012. He needs to abide by the conditions of this lease. He has cost us taxpayers an enormous amount of money in his efforts to change the terms of his lease. His lease should not only expire, he should reimburse us for what it has cost us to defend our land from his commercial enterprise. A deal is a deal, and he needs to honor it.

It was the intent of the hard-won Wilderness Act to protect the land, biota, and the diminishing area of our seashore and natural areas; it was established with great foresight for the greater good of the American people. The Wilderness Act specifically states that it is the National Park Service's responsibility to protect and preserve the wilderness character of the area (Wilderness Act, September 1964, Section 3b). It also says that no commercial enterprises shall be located within any wilderness area designated by the Wilderness Act. A single individual and his local followers should not undermine the intent of the Act. It is completely inappropriate for a commercial enterprise to continue to operate within an area that is designated to return to wilderness when its lease expires, and I fear that allowing DBOC to continue operations in this area will set a precedent for other commercial enterprises to demand land within wilderness and National Parks elsewhere. It is totally unjust and unfair for a commercial, for-profit business to operate and make a profit on land that belongs to me - to all of us.

People are currently very interested in raising local food. Given this zeal for sustainable agriculture, I am concerned that the value of preserving and protecting wild places like Drake's Estero will be marginalized or forgotten. The DBOC touts itself to be a provider of locally produced protein. Oysters are a luxury item, not a source of protein that most people eat on a daily or even weekly basis to nourish themselves or their families. If people want to purchase oysters from this area, there are two other local oyster operations where locals and visitors can go to purchase oysters. Neither of these is situated in an area that is designated by law to become wilderness.

Ultimately, I do not feel that the National Park Service should have to provide scientific justification for choosing whether to renew or not renew the oyster company's lease; wilderness and the natural world sustain us in ways that cannot be studied or measured. The discussions and the decision about whether to preserve wilderness are far beyond science or business; wild places must be preserved for their own innate value and for the value of the native biota within them, for their natural beauty, and for the opportunity they provide for us humans to remain connected with the natural world. There is precious little wilderness remaining, and what is left should be protected and preserved. That's why the Wilderness Act was passed, and that's why it should be upheld and honored in the face of threat by Drake's Bay Oyster Company.

I strongly believe that Drake's Estero should revert to wilderness when the Drake's Bay Oyster Lease expires on November 30, 2012. Thank you for considering my comments.

Correspondence ID:	51691	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:43:45				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51692	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:43:57				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID: 51693 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:44:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51694 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:44:30
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51695 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The

Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

the California Department of Fish and Game Least Tern Habitat Enhancement Project.

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51696	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:44:43				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51697	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:45:00				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51698	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:45:14				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51699	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It

concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51700	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				

Received: Dec,09,2011 17:45:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51701 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:45:47
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51702 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster

Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource

management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51703	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:46:05				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51704	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:46:24				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51705	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS

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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the

UC SeaGrant program, and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students, and researchers, relating to estuarine ecology and mariculture.

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51706 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:46:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51707 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:46:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51708 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 17:47:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51709 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

character."

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51710 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:47:24
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51711 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:47:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51712 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS.

The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

of all ages, including Seashore visitors, students, and researchers, relating to estuarine ecology and mariculture.

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51713	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:48:04				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51714	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:48:21				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51715	Project:	33043	Document:	43390
---------------------------	-------	-----------------	-------	------------------	-------

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:48:38
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51716 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the

existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative

proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51717 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:48:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51718 **Project:** 33043 **Document:** 43390
Name: Bessier-Downey, Robin
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:48:57
Correspondence Type: Web Form
Correspondence: The NPS' DEIS regarding a special use permit for the Drakes Bay Oyster Company is a severely flawed document that cherry-picks "facts" and disregards the best available science. It is entirely unreasonable to expect the public or policy makers to develop appropriate policy based on the information contained in this document.

The National Academy of Science report (2009) addressed many of the issues contained in the NPS DEIS, yet the NPS continues to maintain assertions of environmental damage which has been consistently countered by the best available science presented in the NAS report.

Further, the NPS failed to consider NOAA's new Aquaculture policy or local sustainable food production goals. Shellfish aquaculture is widely considered by a long list of highly qualified scientists and specialists in marine ecology to be an optimally sustainable form of food production that is unparalleled by any other form of agriculture. These same scientists also recognize the significant importance of molluscan shellfish as a keystone species that is critical in maintaining ecological balance in estuarine systems. Yet the NPS does not acknowledge these facts in the DEIS.

Of the options listed as possibilities in the DEIS, the "Collaborative Management Alternative" is certainly the most appropriate, allowing a 10 year special use permit to allow Drakes Bay Oyster Company to continue to operate. I would argue that a minimum of 25 years for a permit would be far more appropriate.

Thank you for the opportunity to provide comments.

Correspondence ID: 51719 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:49:09
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51720 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:49:22
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51721 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:49:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51722 **Project:** 33043 **Document:** 43390

Name: N/A, N/A

Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing

management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51723	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:49:52				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51724	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:50:08				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51725	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:50:21				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51726	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:50:36				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51727	Project:	33043	Document:	43390
Name:	Brogan, Sharon l				
Outside Organization:	Center for biological diversity Unaffiliated Individual				
Received:	Dec.09,2011 17:50:40				
Correspondence Type:	Web Form				
Correspondence:	I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places				
Correspondence ID:	51728	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				

Received: Dec,09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 DEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy

camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51729	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:50:52				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51730	Project:	33043	Document:	43390
Name:	Brogan, Sharon I				
Outside Organization:	Center for biological diversity Unaffiliated Individual				
Received:	Dec,09,2011 17:51:07				
Correspondence Type:	Web Form				
Correspondence:	I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places				
Correspondence ID:	51731	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:51:11				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51732	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:51:27				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51733	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management

Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:51:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51735 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:51:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51736 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could

also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

the California Department of Fish and Game Least Tern Habitat Enhancement Project.

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51737 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:52:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51738 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:52:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51739 **Project:** 33043 **Document:** 43390
Name: Christiansen, John K
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:52:30
Correspondence Type: Web Form
Correspondence: I support the collaborative management alternative as the preferred final DBOC SUP EIS.

I harbor a great disregard for extremists of any stripe, and those opposing oysters in the estuary seem to fit that description.

John Christiansen Novato

Correspondence ID: 51740 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:52:41
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51741 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:52:57
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51742 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a

renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS

General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51743 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:53:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51744 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:53:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51745 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:53:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51746 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:53:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51747 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based

assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 The historic cultural role of the oyster farm in West Marin is not adequately addressed. The dEIS must assess ? The cultural impacts of eliminating an institution that has been in operation for generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The dEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services

provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51748	Project:	33043	Document:	43390
Name:	Kettunen Zegart, Margaret				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:54:07				
Correspondence Type:	Web Form				
Correspondence:	December 9, 2011				

United States Secretary of the Interior % Superintendent, Point Reyes National Seashore 1 Bear Valley Road Point Reyes

National Seashore Point Reyes Station, CA 94956

RE:Drakes Bay Oyster Company Extended Permit

Dear Superintendent:

Until mid October when I visited the site of the Drakes Oyster Bay Company,I had thought a 5th alternative E might have been to incorporate as a demonstration a small business business similar to other National Parks (i.e. taverns in historical parks, etc. or like in Marin, China Camp. Obviously a large scale commercial operation.

The current Drakes Bay Oyster Company is operated on an interim with full knowledge of Kevin and Nancy Lunny when they wa transferred/ purchased at market rate the Reservation and Use Occupancy RUO from Charles Johnson (1979) that this oyster - shellfish commercial operation for pacific and Flat European Oysters cultivation- would terminate on November 30, 2012.

This site with a single information board of the process of oyster cultivation and a rack with seeding bags were the only visitor accommodations (excepting a cylindrical toilet). The small structure no longer sold sample / cocktail serving size for oysters, but by the pound for \$20. Unless one had refrigeration or intended to picnic (no provisions for this). Several trailers and one small cottage across the road from the expansive oyster shell "flat areas" extending to the water.

Not only was there appropriate vegetation, but a large, high pile up of commercial asphalt slabs was there, a short distance from the shore. A parked pickup truck with Lunny Grading and Paving was the only other vehicle than mine.

I then obtained and read 56 pages of the National Park Service Environmental Impact Report - and letters published praising Mr. Lunney / fresh oysters. This document confirmed for me that Wilderness conversion is the correct A alternative. No alternative B - 10 years of operations (moved up to one stated figure of present use for the tax able use he has submitted) and the misuse of this lease changed my mind. His Lunny Grading and Paving (17300 Sir Frances Drake) is a close neighbor of Drakes Bay Oyster Company (17171 Sir Frances Drake). Th is semi industrial use changed my mind.

There are four other oyster cultivation areas. The have a range of pricers, picnic areas, shucking alternatives and are truly the reasonable source for those many people who are swayed by friendships, loves of oyster, or politics versus knowledgeable persons concerned with the process of reasonable acquisition and care for public lands.

The sea lions Report assumes a cooperation between Mr.Lunny and the National Park Service to continue more studies. This extended option B nor C should occur. Sincerely, Margaret Kettunen Zegart.

Correspondence ID: 51749 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:54:22
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51750 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based

assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 The historic cultural role of the oyster farm in West Marin is not adequately addressed. The dEIS must assess ? The cultural impacts of eliminating an institution that has been in operation for generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The dEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services

provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51751	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:54:40				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51752	Project:	33043	Document:	43390
Name:	Christophersen, Finn				

Outside Organization: Private Unaffiliated Individual
Received: Dec,09,2011 17:54:48
Correspondence Type: Web Form
Correspondence: There is only one way to go on this issue. DO NOT CLOSE DRAKES BAY OYSTER COMPANY (DBOC) There are more than 30 people working at DBOC. I know at least 1 who has worked at the Oyster Company for over 30 years. What about the oysters. At the Estero one have the cleanest ocean water in the whole Pacific Ocean.

Every time I have visitors from out of state and from the Scandinavian countries, I take them to DBOC. Why? Because we get the freshest oysters and professional service.

Listen to Kevin Lunny. He should not have to shut down a very good business.

Thanks very muc, Finn Christophersen

Correspondence ID: 51753 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:54:55
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51754 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job

losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential

for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51755	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:55:07				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51756	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:55:19				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51757	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:55:35				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51758	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:55:51				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51759	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				

Received: Dec,09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 DEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy

camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51760 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:56:04
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51761 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:56:18
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51762 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs,

and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51763 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:56:30
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51764 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:56:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51765 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under

the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The dEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51766 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:56:59
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51767 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:57:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51768 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:57:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51769 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job

losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential

for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51770	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:57:47				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51771	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate

without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC

would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51772	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09.2011 17:58:00				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51773	Project:	33043	Document:	43390
---------------------------	-------	-----------------	-------	------------------	-------

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:58:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51774 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 17:58:26
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51775 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could

also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

the California Department of Fish and Game Least Tern Habitat Enhancement Project.

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51776	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:58:43				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51777	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 17:58:59				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51778	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management

Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51779	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 17:59:14				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51780	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				

Received: Dec,09,2011 17:59:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51781 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51782 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 17:59:50
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51783 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 18:00:03
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51784 **Project:** 33043 **Document:** 43390
Name: Wimpfheimer, David
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 18:00:07
Correspondence Type: Web Form
Correspondence: "From Humboldt in the north, south to San Diego, there are many bays along California's coast, but very few esteros. The word, Spanish for stream or estuary, seems to attach even more mystery to this place. Although Drakes Estero is within a two-hour drive of millions, few people really understand its wild nature. Of the major estuaries along the state's coast, Drakes Estero is the only one whose fringes are not traversed by a road and vehicles. This wild and incredibly rich meeting of land and sea is the largest estuary in Point Reyes National Seashore."

The paragraph above is how I started an article on Drakes Estero that I wrote for Bay Nature magazine in the fall of 2008. I have lived in West Marin for over thirty years.

As a biologist and naturalist I have explored almost every part of Point Reyes National Seashore. There are few places like Drakes Estero. It is a priceless, unique national treasure that should be preserved in the most protected sate forever.

I am in full support of Alternative A.

Alternative A is "the alternative that causes the least damage to the biological and physical environment.

Eelgrass beds in Drakes Estero would benefit from removal of shading by oyster racks and damage by motorboat propellers. These special aquatic ecosystems, functioning as habitat, nursery grounds, and food for numerous species of fish, waterfowl, and other marine species, would not be disrupted on a daily basis under alternative A.

Control of the invasive tunicate Didemnum would be more manageable under alternative A. Removal of cultivated nonnative species under alternative A would best protect the natural ecosystem of Drakes Estero.

Alternative A would eliminate 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.

Wetland functions and values would be restored through natural processes under alternative A. Fringe wetland habitat and eelgrass beds are susceptible to impacts from continued wave action (such as that caused by boat wakes) and placement of fill

material. Alternative A would eliminate from Drakes Estero the daily motorboat traffic and the oyster growing bags, allowing these natural habitats to reestablish.

Atmospheric and underwater 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.

For the reasons I've mentioned and the ones below I strongly encourage the National Park Service and Secretary Salazar to support wilderness protections for Drakes Estero in 2012.

Wilderness protection should not be rolled back to benefit one private commercial operation that jeopardizes wilderness protection laws and policies. This would set a terrible precedent and must not be allowed to prevail.

Point Reyes National Seashore was created "to save and preserve, for the purposes of public recreation, benefit, and inspiration" a portion of the nation's diminishing seashore. The Seashore's 1962 authorizing legislation requires the Park Service to administer the Seashore "without impairment of its natural values" and in a manner that is "supportive of the maximum protection, restoration, and preservation of the natural environment."

The 1976 Point Reyes Wilderness Act reaffirms the 1962 and 1964 laws and added language to the Seashore's authorizing legislation, which "underscores the intention that the Seashore is to be managed for the protection of its natural environment and values." The Point Reyes Wilderness Act designates the waters of Drakes Estero and the adjoining intertidal land as "potential wilderness."

Congress chose to designate Drakes Estero as potential wilderness with full knowledge of the presence of the oyster company and its non-conforming use in the Estero. This knowing designation and the contemporaneous legislative history make it clear that Congress intended that the non-conforming use must end when the current lease expires. There is no support in the legislative history for continuing oyster operations after expiration of the current lease in 2012.

During a 1976 Congressional hearing on the Point Reyes Wilderness Act, then Representative John L. Burton wrote that the "potential wilderness" designation would allow Drakes Estero to "be classified as wilderness upon the removal of certain presently existing temporary conditions, without the need to come back to Congress again." Congressman Burton recognized that Drakes Estero was one of "three particularly fragile areas" in urgent need of protection:

The National Park Service Draft Environmental Impact Statement (Draft EYES) makes clear that the "no action" alternative ? allowing the DBOC lease to expire in 2012 and establishing full wilderness protection to Drakes Estero ? is the best alternative for the environment and for managing the park in conformance with law and policy. Extending the DBOC lease through any of the three "action" alternatives would have long-term adverse environmental impacts on Drakes Estero that "would be clearly detectable and could appreciably affect individuals or groups of species, communities, or natural processes"

The two greatest threats to biodiversity are habitat loss and invasive species. Both of these causes to biodiversity loss will intensify with climate change and both will be aggravated by continued Mariculture operations in Drakes Estero.

In conclusion, all applicable law, policy and best available science call for full wilderness protection for Drakes Estero in 2012. The issuance of a new 10-year special use permit would roll back wilderness protection to benefit a single business at the expense of the public trust and the ecological heart of Point Reyes National Seashore. It is time to return Drakes Estero to all Americans as the West Coast's only marine wilderness.

Select Alternative A!

Correspondence ID:	51785	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:00:17				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51786	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast

and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The dEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the

existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In

contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51787	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:00:36				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51788	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:00:49				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51789	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:01:01				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51790	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:01:16				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51791	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:01:34				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51792	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the

water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

of all ages, including Seashore visitors, students, and researchers, relating to estuarine ecology and mariculture.

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51793	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:01:51				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51794	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:02:07				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51795	Project:	33043	Document:	43390
---------------------------	-------	-----------------	-------	------------------	-------

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:02:23
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51796 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form

Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the

existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative

proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51797	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:02:41				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51798	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for

Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51799	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:03:00				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51800	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:03:13				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51801	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative

Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the

existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In

contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51802 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:03:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51803 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:03:43
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51804 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the

existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects

desperately needed affordable housing for farm workers on remote Point Reyes ranches.

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51805	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:03:56				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51806	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:04:10				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51807	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca

Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Rehabilitation of Existing Facilities; and Construction of New Processing Facilities

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51808	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:04:27				

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51809 **Project:** 33043 **Document:** 43390
Name: Harms, Sheri
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 18:04:33
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51810 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:04:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51811 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:04:55
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51812 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS

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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the

UC SeaGrant program, and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students, and researchers, relating to estuarine ecology and mariculture.

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID: 51813 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:05:11
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51814 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:05:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51815 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 18:05:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51816 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, ".on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

character."

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,..were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51817	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:05:53				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51818	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:06:07				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51819	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS.

The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year, ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

of all ages, including Seashore visitors, students, and researchers, relating to estuarine ecology and mariculture.

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51820	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:06:21				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51821	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:06:34				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51822	Project:	33043	Document:	43390
---------------------------	-------	-----------------	-------	------------------	-------

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department

of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et

al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51823	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:06:51				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51824	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:07:07				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51825	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:07:23				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51826	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:07:39				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51827	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.				

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing

California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The dEIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The dEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

and construction work would be as described in the discussion of Alternative D.

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51828	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 18:07:55				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51829	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				

Received: Dec,09,2011 18:08:14
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51830 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:08:33
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51831 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: 1 I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2 Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3 I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. The dEIS includes much discussion about special-status species It concludes that the oyster farm could potentially negatively impact these species NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! ? NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) ? NO Red-legged frogs live in the project area: salt water kills them ? NO Ca Coho Salmon live in project area (dEIS pg 189) ? NO Central Ca Steelhead live in project area (dEIS pg 190) ? NO Leatherback Turtles live in project area (dEIS pg 191) ? NO Western Snowy Plovers live in project area (dEIS pg 192) ? NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat. The final document should reconsider all wildlife issues and provide a data based assessment. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 4 Environmental benefits are misrepresented and/or missing. PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following: ? Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate ? Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. ? The dEIS fails to consider world population food needs. o 1960 world population 3 BILLION PEOPLE o 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5 Economic impacts are not adequately addressed. The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but ? The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! ? The dEIS does not include these impacts in the overall analysis. ? The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 6 Socioeconomic impacts are not properly addressed furthermore the analysis is flawed. Geographic parameters used throughout this chapter ? Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. ? This switching of parameters is used to argue that the job losses would be minimal. Considered properly: ? DBOC is one of the largest employers in the area. ? West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 7 Impacts to local habitat restoration efforts and endangered species are not addressed ? The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. ? The California Least Tern is a U.S. federally listed endangered species ? The Snowy Plover is in decline due to habitat loss. ? If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. ? The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. ? The dEIS should correct these flaws. I support a renewable Special Use Permit for Drakes Bay Oyster

Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 8 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 generations ? The importance to ? Park visitors ? Local restaurants ? Local food shed I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 9 Existing management policies are not considered. ? 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 d EIS does not include any reasons for, or discussion of, this decision to bypass ? The existing General Management Plan and ? Marin County's planning processes The existing management policies must be considered and addressed. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 10 National aquaculture policies are ignored. 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 dEIS should consider these policies. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 11 None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action." ? Alternative A forces DBOC out of business next year. ? The other alternatives force it to shut down in 10 years. ? The DEIS fails to provide a valid status-quo baseline. ? A new set of alternatives must be created that meet the actual criteria for this process. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT: Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource

management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 13

There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs. I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

Correspondence ID:	51832	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:08:51				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51833	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:09:08				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51834	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:09:26				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51835	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:09:45				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51836	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:10:00				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				
Correspondence ID:	51837	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 18:10:13				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID: 51838 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:10:25
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51839 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:10:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51840 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:10:52
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51841 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:11:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51842 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:11:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51843 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:11:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51844 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:12:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51845 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:12:13
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51846 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:12:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51847 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:12:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51848 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:13:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51849 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:13:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51850 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:13:32
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51851 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:13:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51852 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:14:06
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51853 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:14:13
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51854 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:14:20
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51855 **Project:** 33043 **Document:** 43390
Name: Foster, Crystal
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 18:14:25
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51856 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:14:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51857 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:14:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51858 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:15:04
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51859 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:15:17
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51860 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:15:34
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51861 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:15:51
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51862 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:16:05
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51863 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:16:20
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51864 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:16:38
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51865 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:16:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51866 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:17:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51867 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:17:24
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51868 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:17:38
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51869 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:25:04
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51870 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:25:20
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51871 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:25:36

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51872 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:25:48
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51873 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:26:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51874 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:26:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51875 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:26:38
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51876 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:26:52
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51877 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:27:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51878 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:27:24
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51879 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:27:40
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51880 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:27:53
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51881 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 18:28:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51882 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:28:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51883 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:28:46
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51884 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:28:59
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51885 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:29:16
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51886 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:29:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51887 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:29:47
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51888 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:30:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51889 **Project:** 33043 **Document:** 43390
Name: Bishop, Kathleen
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:30:07
Correspondence Type: Web Form
Correspondence: None of the proposed alternatives are appropriate. I support a renewable Special Use Permit for Drakes Bay Oyster Company.

Correspondence ID: 51890 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:30:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51891 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:30:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51892 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:30:41
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51893 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:30:56
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51894 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:31:12
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51895 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:31:28
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51896 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:31:46
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51897 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:32:01
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51898 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:32:19
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51899 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:32:37
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51900 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:32:54
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51901 **Project:** 33043 **Document:** 43390

Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:33:11
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51902 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:33:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51903 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:33:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51904 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:34:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51905 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:34:15
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51906 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:34:29
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51907 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 18:40:30
Correspondence Type: Web Form
Correspondence: Drakes Bay Oyster Company should be allowed to continue operations. Our family has been a customer of this business for several years. They provide quality natural food to residents of the SF Bay Area. Small businesses should be supported as a benefit to the community.

Drakes Bay Oyster Company represents a relatively small operation with minimal impact to the environment. Without their production, local families and restaurants would need to purchase elsewhere. This would hurt local businesses forced to buy from corporations.

Point Reyes National Seashore has several other areas where local families can enjoy the environment. Federal funds for improvement would be better spent enhancing these areas that exist currently. Stopping at Drakes Bay Oyster Company is a highlight of our visits.

Any alternative except for the Alternative A would be acceptable.

Correspondence ID: 51908 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: Nicole Walthall Nicole Walthall Attorney at Law 452 Kentucky Ave Berkeley, CA 94707 T (510) 528-1865
nwalhall@yahoo.com

December 9, 2011

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

Re: Draft EIS, Drakes Bay Oyster Company Special Use Permit Support for Alternative A ? Wilderness in Drakes Estero

Dear Superintendent Muldoon:

As a life-long Bay Area resident, a former federal attorney with the Department of Interior, and a member of the "future generations" to which Congress granted in 1916 the right to enjoy federal park lands "unimpaired," I submit the following comments in support of Alternative A in the National Park Service's (NPS) Draft Environmental Impact Statement (DEIS) regarding Drakes Bay Oyster Company's (DBOC) commercial shellfish operation within federally designated potential Wilderness in the Point Reyes National Seashore (Park or Seashore). All applicable laws and policy direct the NPS to restore Drakes Estero to full wilderness, as long-intended. A simple legislative rider tucked into an appropriations act cannot undo -- legally or rationally -- 35 years of Congressional intent and legislative directives to include Drakes Estero in the Seashore's important wilderness areas. Accordingly, the Seashore, the NPS, and the Secretary of Interior must uphold decades of established federal law and policy and support Alternative A.

The NPS derives its authority to authorize special uses on park lands through law and policy, some dating back to 1916:

[The National Park Service] shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified . . . by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (16 U.S.C. ' 1)

Putting this law into practical policies, NPS Guidelines explain:

The "fundamental purpose" of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment, and so applies all the time, with respect to all park resources and values, even when there is no risk that any park resources or values may be impaired. NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values... (NPS Management Policies, Sec. 1.4.3, emphasis added)

Some units of the NPS have special legislative authorities to permit uses otherwise not typically allowed on park lands. (E.g., commercial grazing in Grand Teton National Park, Golden Gate National Park, and others, see 16 U.S.C. " 406d-2, 460bb-2) More typically, park land often is subject to additional legal protections that mandate an even greater level of protection than the NPS laws, regulations, and policies alone. Important federal environmental laws, including the Endangered Species Act, the Marine Mammal Protection Act, the Clean Water Act, and the Wilderness Act, provide an overlay of protections that can strictly limit allowable uses of park lands. The NPS is legally obligated to apply these laws before permitting any special uses of park land.

The Seashore is subject to both types of these laws -- having special authority to allow historic dairies to operate on designated areas of the park lands, and, on other areas, subject to more restrictive federal laws that specifically limit the uses of the park lands. The Seashore was created in 1962 "to save and preserve, for the purposes of public recreation, benefit, and inspiration" a portion of the nation's diminishing seashore. 16 U.S.C. ' 459c. The Seashore's 1962 authorizing legislation requires the Park Service to administer the Seashore "without impairment of its natural values" and in a manner that is "supportive of the maximum protection, restoration, and preservation of the natural environment." 16 U.S.C. ' 459c?6.

The Seashore's natural resources are spectacular -- worthy on every level of the protections they enjoy. It bears repeating:

The Seashore lies within an area recognized locally, nationally, and globally as a center of biodiversity. The Seashore hosts more than 800 native plant species, over 490 resident and migratory bird species, anadromous fish, rare and elusive amphibians, and a unique assemblage of mammals such as tule elk (*Cervus canadensis*), elephant seal (*Mirounga angustirostris*), mountain lion (*Puma concolor*), harbor seal (*Phoca vitulina*), bobcat (*Felis rufus*), and Point Reyes mountain beaver (*Aplodontia rufa*). Drakes Estero is an exceptional nursery that provides abundant food, resting habitat, and shelter for a wide array of marine organisms and migratory waterbirds, including brant and North American species of pelicans. . . . Marine and land boundaries are shared with the Gulf of the Farallones National Marine Sanctuary, Golden Gate National Recreation Area, and Tomales Bay State Park. In 1988, the United Nations Educational, Scientific, and Cultural Organization Man in the Biosphere program designated the Central California Coast Biosphere Reserve (CCCBR) under the International Biosphere Program; CCCBR includes the entire Seashore, the Golden Gate National Recreation Area, and other public lands in the region. Four state designated "Areas of Special Biological Significance" are located within the Seashore: Bird Rock, Point Reyes Headlands, Double Point, and Duxbury Reef. In addition, the Philip Burton Wilderness Area is unique in that it is the only wilderness area

between Canada and Mexico that includes marine waters. (DEIS, Ch. 1, page 11.)

In enacting the law establishing the Seashore, Congress specifically recognized the dairying and ranching operations by limiting the use of eminent domain within an area known as the "pastoral zone" and specifically defined "ranching and dairying purposes" as "such ranching and dairying, primarily for the production of food, as is presently practiced in the area" (PL 87-657, section 4, September 13, 1962, 76 Stat. 538). (DEIS, Ch. 1, page 13-15) Though the oyster farm in Drakes Estero was present at the time of this Congressional Act, no similar exception to park uses was granted by Congress for the oyster farming. The current use of Drakes Estero as an oyster farm is not on a similar legal footing with the historic dairy farms at the Seashore.

Acknowledging the important natural setting of the Seashore, in 1976, Congress saw fit to overlay additional protections on certain portions of the Seashore, including Drakes Estero. The National Wilderness Preservation System was established by Congress in 1964 to ensure that some lands of the United States would be preserved and protected in their natural condition for the permanent good of the people. Such federally owned areas are designated by Congress as "wilderness areas." The Point Reyes Wilderness Act designates the waters of Drakes Estero and the adjoining intertidal land as "potential wilderness" -- to be "managed as wilderness, to the extent possible, with efforts to steadily continue to remove all obstacles to the eventual conversion of these lands and waters to wilderness status." (House Report No. 94-1680, 1976)(PL 94-544, October 18, 1976, 90 Stat. 2515 and PL 94-567, October 20, 1976, 90 Stat. 2695).

And so it is in this context -- a context that had been in place since 1976 -- that, in December 2004, DBOC purchased the assets of the existing Johnson's Oyster Company (JOC), assuming the remaining 7 years of the Reservation of Use and Occupancy (ROU) and Special Use Permit (SUP) that NPS had issued to JOC for the well and septic leach field. There were no changes to the terms of the ROU or to its expiration date. In April 2008, DBOC and NPS signed an SUP (NPS Permit No. MISC- 8530-6000-8002) that would allow the oyster operation in Drakes Estero to remain, with provisions, until November 30, 2012, when it would expire concurrently with the ROU. It cannot reasonably be said that DBOC has been caught by surprise or unfairly treated. As a competent business negotiator, DBOC must have completed due diligence regarding underlying land ownership and applicable law and must have negotiated a purchase price commensurate with the 7 years remaining under the current use permit. To assume otherwise is untenable. NPS correctly concluded in 2004 that it was mandated to convert the potential wilderness in Drakes Estero to full wilderness as soon as the nonconforming use could be eliminated. The commercial shellfish operation in Drakes Estero is authorized under the 40-year ROU that Charles Johnson had retained when he sold his 5-acre parcel to the NPS in 1972. The ROU expires on November 30, 2012, making this date the earliest on which the NPS, in keeping with Congress's intent, could remove the obstacle to full wilderness designation. (DEIS, Ch. 1, page 16).

Seeking a different outcome, DBOC secured from Congress alternative authority for NPS to consider the continued use of Drakes Estero as a commercial shellfish farm for an additional 10 years. This special legislative authority, placed in section 124 of the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2010, grants the Secretary of Interior discretionary authority to extend the existing SUP for a period of 10 years. PL 111-88, section 124, 123 Stat. 2904 [2009] (Rider). In pertinent part, the Rider states that: "...notwithstanding any other provision of law, the Secretary of the Interior is authorized to issue a special use permit with the same terms and conditions as the existing authorization...for a period of 10 years from November 30, 2012..." Id. This legislation falls far short of DBOC's apparent goals. The Rider does not shield DBOC or the NPS from the significant laws and policies that mandate resource conservation and strict protection in this area of the Seashore. Moreover, the courts are clear when interpreting legislation attached to an appropriations bill -- all riders are subject to especially narrow interpretation.

Congress sometimes underscores statutory directives by requiring that they be undertaken "notwithstanding any other provision of law." This phrase seldom aids interpretation. "We have repeatedly held that the phrase 'notwithstanding any other law' is not always construed literally . . . and does not require the agency to disregard all otherwise applicable laws." Oregon Natural Resources Council v. Thomas, 92 F.3d 792, 796 (9th Cir. 1996). In Firebaugh Canal Co. v. U.S. Dep't of Interior, 203 F.3d 568 (9th Cir. 2000), the Court reiterated the "'cardinal rule'. . . that repeals by implication are not favored." Id., quoting Morton v. Mancari, 417 U.S. 535, 549 (1974) See also Tennessee Valley Authority v. Hill, 437 U.S. 153, 189 (1978). Rather, "[t]he intention of the legislature to repeal must be clear and manifest," id. (quoting Posadas v. National City Bank of N., 296 U.S. 497, 503 (1936)). This doctrine of disfavoring repeals by implication "applies with full vigor when . . . the subsequent legislation is an appropriations measure." Firebaugh, 203 F.3d 568 (internal quotation omitted). The legislative history of the Rider additionally supports the interpretation that the Secretary is intended to consider all applicable laws and policies in determining whether to issue an extension of the SUP. The DEIS explains:

Section 124 [the Rider] vests the Secretary with discretion in the decision as to whether to issue a permit, because the phrase "is authorized" is permissive rather than prescriptive. The legislative history of section 124 confirms this interpretation. When the bill was reported out of the Senate Appropriations Committee, it provided that "the Secretary of the Interior shall extend the existing authorization [to Drakes Bay Oyster Company]" (emphasis added) (see Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010, H.R. 2996, 111th Congress, section 120 [as reported by Senate Committee on Appropriations, July 7, 2009]). This provision was later amended on the Senate floor, and the mandatory language was changed to the current discretionary language (see 155 Congressional Record Section 9769 [September 24, 2009]). The House Conference Report on the final bill summarizes the amendment from the Senate, explaining that it "modifie[d] language included by the Senate providing the Secretary discretion to issue a special use permit" (emphasis added) (H.R. Report No. 111-316, at 107 [2009] [Conference Report]). (DEIS, Chapter 1, page 36).

By changing the legislation to a discretionary act, Congress acknowledged that the Secretary would use otherwise applicable law to guide such discretion. To do otherwise, would subject the Secretary to claims of arbitrary and capricious actions in violation of the Administrative Procedures Act (APA) (5 U.S.C. ' 706(2)(A), prohibition against decision-making that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law."). Accordingly, the Rider merely granted

limited, discretionary special use authority to the Secretary -- the Rider did not effect a repeal of the any otherwise applicable federal, state, or local laws, regulations or guidelines as they apply to the Seashore and the Drakes Estero, all of which must be applied in exercising such discretion, in accordance with the APA.

Thus, the NPS correctly concluded in the DEIS:

Although the Secretary's authority under section 124 is "notwithstanding any other provisions of law," the Department has determined that it is appropriate to prepare an EIS and otherwise follow the procedures of NEPA, as amended. The requirements of NEPA as implemented by the Council on Environmental Quality (CEQ), as well as NPS regulations and guidance for NEPA implementation and decision-making (Director's Order 12 and Handbook: Conservation Planning, Environmental Impact Analysis, and Decision-making [DO-12]) (NPS 2001b), will therefore guide this environmental review process. (DEIS, Ch. 1 ,page 21)

Another federal agency, the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) Office of Ocean and Coastal Resource Management (OCRM), agrees. In authorizing the California Coastal Commission (CCC) to conduct a consistency review under Section 307 of the Coastal Zone Management Act (CZMA), the agency determined:

In light of established rules of statutory construction and the legislative history of Section 124 [the Rider], OCRM does not believe that Section 124 bars the CCC from reviewing the permit application for federal consistency. This interpretation is consistent with the plain language of the statute. The statute does not mandate issuance of a permit. Rather, it simply "authorizes" the National Park Service to issue a new permit if, in the exercise of its discretion, it chooses to do so. That discretion is informed by other environmental reviews conducted under other statutes. To eliminate the application of these statutes, including the CZMA, would deprive the National Park Service of the information it would need to make an informed decision. This interpretation avoids the implied repeal of other applicable statutes, allowing relevant statutes such as the CZMA to have continued application. (Letter from NOAA OCRM to CCC, March 30, 2011, page 6)

In addition to NEPA and the NPS NEPA Guidance, more than 20 other federal and state laws, regulations and policies pertaining to the NPS and to management of federal lands still apply to Drakes Estero and all of the uses therein. These include, but are not limited to, the Endangered Species Act, the Marine Mammal Protection Act, the NPS Organic Act, the Wilderness Act, the Point Reyes Wilderness Act of 1976, the Clean Air Act, the Migratory Bird Treaty Act, the Coastal Zone Management Act, the Clean Water Act, the Rivers and Harbors Act, the National Historic Preservation Act, Executive Order 12898, NPS Management Policies 2006, Director's Order 41: Wilderness Stewardship, Director's Order 77-1: Wetland Protection, Director's Order 77-2: Floodplain Management, Director's Order 47: Soundscape Preservation and Noise Management, NPS-28: Cultural Resource Management Guideline, as well as state laws including the California Coastal Act.

Alternative A is the only alternative fully supported by applicable federal laws and NPS policies. Evaluating the Project Alternatives in the context of the applicable law, the DEIS correctly identifies Alternative A, no action, as the only alternative that has beneficial environmental effects and complies with all applicable laws. The evaluation presented in the DEIS need not be repeated here -- it is hardly surprising that commercial shellfish farming runs afoul of the myriad of natural resource protections found in the laws and policies governing the use of national park land in a designated wilderness area along a pristine portion of a ecologically significant coastline.

Continued use of this park land and waters as a commercial shellfish farm is plainly inconsistent with the applicable law and policies. The DEIS clearly shows that the Seashore, its visitors, wildlife, and coastal resources will suffer an additional 10 years, and likely far longer, should the SUP be extended. (DEIS, Ch. 2, Table 2-6 and Ch. 4) It is inconceivable that the NPS could make such a determination only to benefit an individual business owner.

Moreover, the DEIS grossly underestimates the full extent of potential adverse impacts by failing to consider the true existing conditions. Since its purchase of JOC, DBOC has operated in knowing violation of California Coastal Commission, National Park Service, and U.S. Army Corps of Engineers permit conditions and requirements. Any DEIS must take into consideration actual existing conditions. Existing conditions in this case means assessing the risks and impacts of perpetual non-compliance by the permit applicant with the existing RUO and SUP, and other agency permits. There has been no time during DBOC's ownership when it has been in compliance with its permit conditions or permitting requirements. DBOC's predecessor, the JOC, had a similarly long history of environmentally destructive violations. These violations have caused ? and continue to cause -- significant harm to the environment and there is nothing to suggest that these problems will be rectified if the SUP is extended. This history of constant non-compliance must be evaluated and considered in assessing the potential impacts of any of the action alternatives. Ignoring this long history produces an inaccurate and unrealistically positive assessment of adverse impacts. Notably, any suggestion that "adaptive management" could resolve future adverse impacts is farcical in this context.

I look forward the NPS's decision document under this NEPA process, including a full disclosure of legal basis for its alternative of choice in the Final EIS. At its most fundamental level, the NEPA process is essentially a federal agency public disclosure statute. The EIS, but more importantly, the decision document ensures that there is full public disclosure of the considerations and the basis for any agency decision. In choosing any alternative other than Alternative A, NPS must disclose how single a commercial business interest reigns above park resources and values, including impacts to wetlands, wildlife habitat, marine mammal breeding grounds, special status species, water quality, wilderness area, and visitor experience.

Claims by anti-wilderness advocates that the DEIS is "biased" fail to acknowledge the simple fact that the commercial shellfish operation -- which cultivates non-native species on an industrial scale -- is inherently inconsistent within waters legally

designated to be part of our nation's most pristine, natural areas. It is the applicable federal and state law and policy that is "biased" against a commercial shellfish operation in a National Park. This process is not a contest to determine what is "fair" -- such a consideration is found nowhere in the governing laws, regulations or policies. Nor is this a forum for discussion for how things should be, as the NPS has no legal grounds to make these determinations. Rather, the NEPA process and NPS permitting decisions are governed by existing law only. Here, over the past 95 years, from the creation of the National Parks in 1916, to the designation of Wilderness Areas, to the designation and protection of special status species and marine mammals, Congress has created the framework under which land is managed in the Seashore. Here, within that framework, nothing points to continued use of Drakes Estero as a private commercial use. This is a designated wilderness area with a national park, it is time to realize the purposes for which this land was set aside -- 35 years in coming -- to become the highest, purest use of our country's natural places.

Thank you for your consideration of these comments.

Sincerely,

/s/ Nicole Walthall Attorney

Correspondence ID:	51909	Project:	33043	Document:	43390
Name:	Popper, Marcia&Robert				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	We support the Collaborative Management Alternative as easily the most appropriate response to the DBOC EIS.				

This ten year Special Use Permit, with option for extension, is sensible, sustainable, and effective.

As population increases and pressures increase in many ways on our natural areas and resources, along with needs for well managed food resources, employment, education, closing down a responsible entity like DBOC is a step backward.

We quote below from the Collaborative Management Alternative proposal, which expresses the goals more succinctly and carefully than we can.

"Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project."

We urge you to make this your responsible decision.

Marcia and Robert Popper

Correspondence ID:	51910	Project:	33043	Document:	43390
Name:	Meier, James				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 19:03:14				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

The Drakes Bay Oyster Farm is one of the very few sustainable, local, environmentally BENEFICIAL, and historically significant

operations available on the west coast. The NPS should be helping the DBOF with operations and management of their aquaculture, rather than attempt to hinder or kick them out.

keeping in mind that I, and many others believe that the DBOF, meets all of my aforementioned positive attributes. It would only seem reasonable that the mission of the NPS as stated online "The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world." would encourage the continuation of this lease.

and the THE NATIONAL PARK SERVICE ORGANIC ACT states that the Secretary of Interior may, under the NPS, among others, administer leases that do not contradict the following statement :which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (from The National Park Service Organic Act (16 U.S.C. 123, and 4)).

I support the extension of this lease based on the full analysis of NPS founding guidance, stated mission, environmental documentation and personal observation of the project site.

James Meier, PG

Correspondence ID:	51911	Project:	33043	Document:	43390
Name:	Hanft, Julie				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 19:11:59				
Correspondence Type:	Web Form				
Correspondence:	Thank you for the opportunity to comment on the National Park Service ("NPS" or "Service") Draft Environmental Impact Statement ("DEIS") reviewing Drakes Bay Oyster Company's ("DBOC") request for issuance of a Special Use Permit to enable DBOC to continue to use the land and facilities within the Point Reyes National Seashore ("PRNS" or the "Seashore").				

The DEIS should have considered, and failed to consider in its entirety, the substantial contributions of DBOC to the education of the public. DBOC staff routinely share information about (1) the historical reliance on shellfish by native peoples and the cultural history of the Point Reyes Peninsula and (2) sustainable agriculture and other related topics. Nowhere in the DEIS generally, or within the section "Impact Topic: Visitor Experience and Recreation" specifically, are the educational efforts of DBOC mentioned. 1. The DEIS Failed To Take Into Consideration DBOC's Substantial Efforts In Visitor Education.

I support the issuance of a renewable Special Use Permit for the DBOC, which will allow it to make necessary building repairs and/or replacements, because of both its commitment to education and the uniqueness of the farm (including its role as a sustainable food producer, California's last operating oyster cannery, and the region's only oyster seed setting hatchery).

On a typical school day, the PRNS Kenneth C. Patrick Visitors Center at nearby Drakes Beach greets weary visitors with locked doors and a lone Coke machine. The Center offers nothing for a group of visiting children other than a place to use the restroom. There are no NPS staff members there to greet them, and the few posters hanging outside the building fail to engage students who quickly turn away in search of something that appeals to their senses.

A few miles away lies the treasure that the children are seeking. DBOC is an educational resource standing at the ready for the group of children and adults brave enough to make the substantial trek on windy roads from eastern Marin County and beyond. Friendly DBOC staff members make sure that every visitor to DBOC has the opportunity to learn about the history of oyster farming at Point Reyes, either by interacting with DBOC's hands on educational display or more directly through information provided by staff members. Tours are available, and DBOC is a popular educational resource for organized groups from university, high school and elementary schools. My understanding is that several colleges currently include trips to the DBOC as part of their marine biology course work and that it has also partnered with a number of post-graduates in their work concerning Drakes Estero. As a teacher myself, I have taken several classes of elementary school children to DBOC, and they have received a wonderful educational experience there. I believe that the EIS must investigate the positive effects of the educational program provided to the public by DBOC.

2. The DEIS Should Have Considered DBOC's Unique Role in Educating Visitors About the Past Through Experiences in the Present.

DBOC brings the past alive in the present by allowing visitors to use all of their senses to grasp the history of oyster farming at Point Reyes. A day's field trip to DBOC brings children back to a time when the Coast Miwok used the oyster as a protein resource and actively farmed shellfish along the shores of the Estero. The children can view the shell middens and understand why oysters were such an important source of protein to the region's native peoples, and how they carefully managed the oysters for millennia. Holding an oyster shell in their hands, the children can learn how oysters grow, what they eat, what eats them, and how modern oyster farm culturing techniques have changed since the time the native peoples cultured oysters. DBOC is the only farm within the PRNS that is permitted "for the purpose of the interpretation of shellfish cultivation of the visiting public."

Sitting down at a picnic table with their friends and tasting an oyster offered by DBOC staff, the children can imagine Sir

Francis Drake and his crew's first interactions with the Miwok and how delicious a meal of oysters and other local foods must have been after a long journey by ship right here in the same area that Drake explored. Allowing DBOC to stay at the site and create a state-of-the-art educational facility would greatly serve its substantial efforts in creating a sense of place by connecting students to the history of Drakes Bay and the Point Reyes Peninsula in general. 3. The DEIS Should Have Considered DBOC's Contribution to Sustainable Agriculture and its Efforts to Educate the Public About the Importance of Ecologically Sensitive Food Production.

DBOC's sustainable practices within the aquaculture industry generally should have been thoughtfully explored and championed in the DEIS. It is well documented that it is critically important that we transition to models of sustainable agriculture to avoid the damaging effects of conventional agriculture on the Earth. Aquaculture done properly, as it is at DBOC, is one such model of sustainable agriculture.

DBOC's operation uses relatively small amounts of fossil fuels and fresh water, compared to other food producers. DBOC is growing a fresh, healthy, local food source that has an extremely low protein-conversion ratio. Oyster shells are recycled, and the species grown are not invasive. DBOC's contributions to water quality and marine stewardship set a standard for other participants in the aquaculture industry to follow.

DBOC is stewarded by the Lunny Family, a fourth generation Point Reyes Peninsula ranchers and farmers. The Lunny Ranch holds the State of California's first Salmon-Safe Certification. Salmon-Safe works to keep our urban and agricultural watersheds clean enough for native salmon to spawn and thrive. Additionally, the Lunny Ranch was the first beef ranch in Marin County to be certified organic.

DBOC's commitment to educating the public about the importance of sustainable agriculture and its leadership as a creator of food independence and resiliency in Marin County were not taken into account by the DEIS. Further, DBOC's oyster shell contributions to native oyster and threatened and endangered species habitat restorations were insufficiently analyzed.

In summary, the DEIS should have taken DBOC's substantial contributions to education, sustainable agriculture, habitat restoration and community involvement into consideration. The final EIS must address and analyze each of these important impact topics.

Correspondence ID:	51912	Project:	33043	Document:	43390
Name:	Bowman, Armita				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 19:21:05				
Correspondence Type:	Web Form				
Correspondence:	Please issue a Special Use Permit to allow Drakes Bay Oyster Company (DBOC) to continue operations at Drakes Estero. The oyster culture operation is an integral part of the economic, social, and natural environment of Point Reyes National Seashore (PORE). DBOC is a fine example of a non-polluting, sustainable, chemical-free, family owned and operated agricultural operation. DBOC provides a unique contribution to what makes Point Reyes be Point Reyes, and the area would be poorer in all respects if the oyster company is removed.				

The NPS needs to develop a more rigorous discipline and place higher value on the living cultural and economic needs of the local economy and residents. Many people drive from the Bay Area to Point Reyes with the specific desire to visit DBOC, as they have for several generations. There is nothing more enjoyable than enjoying the scenery and having a special destination. Establishments such as DBOC are part of the living culture of the area and are just as important an icon to maintain as historic military structures. How much better to have real oyster farms than simply an interpretive center talking about the way it used to be.

The "scientific" arguments against DBOC will stand as a permanent embarrassment to NPS scientific and administrative personnel. The NPS has tarnished its reputation and lost the trust of many throughout the Bay Area because of misconduct like this and that in the GGNRA. I'm perplexed and wonder about the true motives and special interests behind the attempted closure of DBOC.

Correspondence ID:	51913	Project:	33043	Document:	43390
Name:	Spargo, Thor A				
Outside Organization:	Marin County Farm Bureau Unaffiliated Individual				
Received:	Dec,09,2011 19:23:32				
Correspondence Type:	Web Form				
Correspondence:	I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51914	Project:	33043	Document:	43390
Name:	Ducci, David				
Outside Organization:	NRDC Unaffiliated Individual				
Received:	Dec,09,2011 19:31:49				
Correspondence Type:	Web Form				
Correspondence:	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.

Correspondence ID: 51915 **Project:** 33043 **Document:** 43390
Name: Lynn, Candice
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 19:34:58
Correspondence Type: Web Form

Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51916 **Project:** 33043 **Document:** 43390
Name: Kettunen Zegart, Margaret J
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 19:37:13
Correspondence Type: Web Form
Correspondence: December 9, 2011

United States Secretary of the Interior % Superintendent, Point Reyes National Seashore 1 Bear Valley Road Point Reyes National Seashore Point Reyes Station, CA 94956

December 9, 2011

United States Secretary of the Interior % Superintendent of the Point Reyes National Seashore 1 Bear Valley Road, Point Reyes Station, CA 9495

RE:Drakes Bay Oyster Company Special Use Permit Extension; Drakes Estero Wilderness Designation

Dear Secretary of the Interior:

Until mid October when I visited the site of the Drakes Oyster Bay Company, I had thought a 5th alternative E might have been to incorporate as a demonstration a small business business similar to other National Parks (i.e. taverns in historical parks, etc.) or like in Marin, China Camp. Obviously Mr. Lunny envisions a large scale commercial operation adding a new variety of

oysters and some of those exotic species may prove invasive and an adverse impact to all of the Drakes Estero's four bays.

The current Drakes Bay Oyster Company is operated on an interim lease with full knowledge of Kevin and Nancy Lunny when they transferred/ purchased at market rate the Reservation and Use Occupancy RUO from Charles Johnson (1979) that this DOBC oyster - shellfish commercial operation for pacific and Flat European Oysters cultivation- would terminate on November 30, 2012.

On my visit the site had a single information board of the process of oyster cultivation and a small rack with seeding bags were the only visitor accommodations (excepting a cylindrical toilet). The small structure no longer sold sample / cocktail serving size oysters, but those by the pound for \$20 - unacceptable unless one had refrigeration or intended to picnic (no provisions for this). Several trailers and one small cottage were across the Sir Frances Drake Road from the expansive oyster shell "flat areas" extended to the water.

Not only was there no appropriate vegetation as noted in the Environmental Statement (EIS), but instead a large, high pile up of commercial asphalt slabs was on the oyster shell surface, a short distance from the shore. A parked pickup truck signed with Lunny Grading and Paving was the only other vehicle than mine.

I then obtained and read 56 pages of the National Park Service Environmental Impact Report - and letters published praising Mr. Lunney / fresh oysters and Marin Independent Journal articles from those familiar with the establishment of the Point Reyes National Seashore within the phased leased agricultural and grazing uses. The EIS document confirmed for me that Wilderness conversion is the correct A alternative choice. No alternative B: 10 years of operations (moved up to one re-stated figure of present use from the tax able use figures he has submitted) and the misuse of this lease changed my mind. His Lunny Grading and Paving (17300 Sir Frances Drake) is a close neighbor of Drakes Bay Oyster Company (17171 Sir Frances Drake). 50% of the Drakes Bay Oyster Company's (BDOC)'s present supports for seeding bags are in poor condition, and too near seal haul-outs. it seems wise to limit commercial motor boats and mariculture activities during pupping and molting seasons. BDOC past several years of "pushing the envelope" include adverse impacts in eel grass growing patterns (stripes) as intrusions into non-leased areas as seen from aerial views. Mr. Lunny may need fiscally to ask again for an opt-out of protective environmental concerns, expansion of leased areas and even a continuance permit for another 10 years.

There are four other nearby Marin mari-cultivation areas that provide oysters for families, neighbors and recreational visitors in addition to the businesses commercial year-round sales. These firms have a range of prices, picnic areas, shucking alternatives and are a reasonable fresh oyster source for those many people who are swayed by friendships, love of oyster, or politics to support a permit (alternative D extending permit under section 124 for BDOC), Knowledgeable persons concerned with the process of reasonable acquisition and care for public lands and those who do not want a model for National Park resources to be exploited or commercialized elsewhere as well as many conservationists who assisted in establishing the Point Reyes National Seashore support Alternative A.

The Marine Mammal Commission's Review of Harbor Seal and Human Interaction in Drakes Estero, California assumes a cooperation between Mr.Lunny and the National Park Service to continue more studies. Neither this extended option B nor C should occur.

Sincerely, Margaret Kettunen Zegart.

Correspondence ID:	51917	Project:	33043	Document:	43390
Name:	Parker, Kent				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 19:39:33				
Correspondence Type:	Web Form				
Correspondence:	"I support the Collaborative Management Alternative as the preferred alternative in the final Drakes Bay Oyster Co. SUP EIS."				

Correspondence ID:	51918	Project:	33043	Document:	43390
Name:	Reaven, Aaron				
Outside Organization:	multiple Unaffiliated Individual				
Received:	Dec,09,2011 19:41:00				
Correspondence Type:	Web Form				
Correspondence:	I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51919	Project:	33043	Document:	43390
Name:	Worsley, Peter F				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 19:47:34				
Correspondence Type:	Web Form				
Correspondence:	I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.				

Correspondence ID:	51920	Project:	33043	Document:	43390
Name:	minor, pat j				
Outside Organization:	drakes bay oyster farm fan Unaffiliated Individual				

Received: Dec,09,2011 19:48:32
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS." Please keep this wonderful resource open!!! We love Drakes bay oysters and support oyster farming in an area that the Miwok indians collected oysters from for over 150 years!!! Pat & family

Correspondence ID: 51921 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 19:50:00
Correspondence Type: Web Form
Correspondence: The Collaborative Management Alternative, as in the final DBOC SUP EIS, seems like a win-win to me. I support it as the preferred alternative.

Correspondence ID: 51922 **Project:** 33043 **Document:** 43390
Name: Wehrmeister, Wm J
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 19:56:39
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS

Correspondence ID: 51923 **Project:** 33043 **Document:** 43390
Name: Springs, Maggie
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 19:56:48
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51924 **Project:** 33043 **Document:** 43390
Name: Vo-Dinh, Hannah
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 19:58:39
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51925 **Project:** 33043 **Document:** 43390
Name: Vo-Dinh, Hannah
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 19:59:18
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51926 **Project:** 33043 **Document:** 43390
Name: Franz, Mary
Outside Organization: investor Nick's Cove and Cottages Unaffiliated Individual
Received: Dec,09,2011 20:03:27
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the alternative in the inal DBOC SUP EIS for Drakes Bay Oyster Company and the Drakes Bay Estero.

As a long time visitor to Drakes Bay, and as a family member and an investor at Nick's Cove and Cottages in Marshall, our family has enjoyed Drakes Bay Oysters for 30 years. The current owners have worked very hard to upgrade the area and provide the best oysters in the area. We have used them at the restaurant since it opened and have received great feedback on their freshness and taste.

I find it reprehensible that the Park Service and the Sierra Club have used faulty data to support the closing of the oyster farm. I find it very disturbing that a once stellar Park organization seems to have another agenda that does not use scientific data to make decisions that impact the whole park and the community that has been here for over 100 years. As a long time supporter of the Park Service and a substantial contributor of yearly funds to the Sierra Club, my husband and I can no longer support either organization. We urge you to look at this collaborative approach as a solution and a good beginning for continued relationships with the oyster company and the rest of the community.

Correspondence ID: 51927 **Project:** 33043 **Document:** 43390
Name: Franz, Mary
Outside Organization: investor Nick's Cove and Cottages Unaffiliated Individual
Received: Dec,09,2011 20:04:10
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the alternative in the inal DBOC SUP EIS for Drakes Bay Oyster Company and the Drakes Bay Estero.

As a long time visitor to Drakes Bay, and as a family member and an investor at Nick's Cove and Cottages in Marshall, our family has enjoyed Drakes Bay Oysters for 30 years. The current owners have worked very hard to upgrade the area and provide the best oysters in the area. We have used them at the restaurant since it opened and have received great feedback on their freshness and taste.

I find it reprehensible that the Park Service and the Sierra Club have used faulty data to support the closing of the oyster farm. I find it very disturbing that a once stellar Park organization seems to have another agenda that does not use scientific data to make decisions that impact the whole park and the community that has been here for over 100 years. As a long time supporter

of the Park Service and a substantial contributor of yearly funds to the Sierra Club, my husband and I can no longer support either organization. We urge you to look at this collaborative approach as a solution and a good beginning for continued relationships with the oyster company and the rest of the community.

Correspondence ID: 51928 **Project:** 33043 **Document:** 43390
Name: Franz, Mary
Outside Organization: investor Nick's Cove and Cottages Unaffiliated Individual
Received: Dec,09,2011 20:04:31
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the alternative in the inal DBOC SUP EIS for Drakes Bay Oyster Company and the Drakes Bay Estero.

As a long time visitor to Drakes Bay, and as a family member and an investor at Nick's Cove and Cottages in Marshall, our family has enjoyed Drakes Bay Oysters for 30 years. The current owners have worked very hard to upgrade the area and provide the best oysters in the area. We have used them at the restaurant since it opened and have received great feedback on their freshness and taste.

I find it resprehensible that the Park Service and the Sierra Club have used faulty data to support the closing of the oyster farm. I find it very disturbing that a once stellar Park organization seems to have another agenda that does not use scientific data to make descisions that impact the whole park and the community that has been here for over 100 years. As a long time supporter of the Park Service and a substantial contributor of yearly funds to the Sierra Club, my husband and I can no longer support either organization. We urge you to look at this collaborative approach as a solution and a good beginning for continued relationships with the oyster company and the rest of the community.

Correspondence ID: 51929 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 20:04:33
Correspondence Type: Web Form
Correspondence: I support adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51930 **Project:** 33043 **Document:** 43390
Name: Franz, Mary
Outside Organization: investor Nick's Cove and Cottages Unaffiliated Individual
Received: Dec,09,2011 20:04:45
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the alternative in the inal DBOC SUP EIS for Drakes Bay Oyster Company and the Drakes Bay Estero.

As a long time visitor to Drakes Bay, and as a family member and an investor at Nick's Cove and Cottages in Marshall, our family has enjoyed Drakes Bay Oysters for 30 years. The current owners have worked very hard to upgrade the area and provide the best oysters in the area. We have used them at the restaurant since it opened and have received great feedback on their freshness and taste.

I find it resprehensible that the Park Service and the Sierra Club have used faulty data to support the closing of the oyster farm. I find it very disturbing that a once stellar Park organization seems to have another agenda that does not use scientific data to make descisions that impact the whole park and the community that has been here for over 100 years. As a long time supporter of the Park Service and a substantial contributor of yearly funds to the Sierra Club, my husband and I can no longer support either organization. We urge you to look at this collaborative approach as a solution and a good beginning for continued relationships with the oyster company and the rest of the community.

Correspondence ID: 51931 **Project:** 33043 **Document:** 43390
Name: Franz, Mary
Outside Organization: investor Nick's Cove and Cottages Unaffiliated Individual
Received: Dec,09,2011 20:05:06
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the alternative in the inal DBOC SUP EIS for Drakes Bay Oyster Company and the Drakes Bay Estero.

As a long time visitor to Drakes Bay, and as a family member and an investor at Nick's Cove and Cottages in Marshall, our family has enjoyed Drakes Bay Oysters for 30 years. The current owners have worked very hard to upgrade the area and provide the best oysters in the area. We have used them at the restaurant since it opened and have received great feedback on their freshness and taste.

I find it resprehensible that the Park Service and the Sierra Club have used faulty data to support the closing of the oyster farm. I find it very disturbing that a once stellar Park organization seems to have another agenda that does not use scientific data to make descisions that impact the whole park and the community that has been here for over 100 years. As a long time supporter

of the Park Service and a substantial contributor of yearly funds to the Sierra Club, my husband and I can no longer support either organization. We urge you to look at this collaborative approach as a solution and a good beginning for continued relationships with the oyster company and the rest of the community.

Correspondence ID: 51932 **Project:** 33043 **Document:** 43390
Name: Eichstaedt, Ken e
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 20:08:24
Correspondence Type: Web Form
Correspondence: I am strongly in favor of allowing the operation of the Drakes Bay Oyster Company to continue in a lease operation format that is well-managed. My reasons are:

Its historical context of operation that is part of the community fabric of the area. It provides a local food source. The Marin County General Plan emphasizes sustainability and the DBOC is part of a key, unique and local sustainable food source.

Thank you for your consideration in this important matter.

Correspondence ID: 51933 **Project:** 33043 **Document:** 43390
Name: Miller, Donald
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 20:17:28
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51934 **Project:** 33043 **Document:** 43390
Name: Lunny, Kevin
Outside Organization: Drakes Bay Oyster Company Business
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: We submit this letter from CDFG to Drakes Bay Oyster Company. This is the text verbatim from the CDFG letter to DBOC re: DBOC's oyster shell donations.

State of California - The Natural Resources Agency Edmund G. Brown, Jr., Governor Department of Fish and Game Charlton H. Bonham, Director Bay Delta Region 7329 Silverado Trail Napa, CA 94558 (707)944-5500 www.dfg.ca.gov

December 2, 2011

Mr. Kevin Lunny Drakes Bay Oyster Company 17171 Sir Francis Drakes Boulevard Inverness, CA 94937

Dear Mr. Lunny,

This letter is to recognize and thank the Drakes Bay Oyster Company for donating oyster shells to the Department Fish and Game's (DFG) Napa Plant Site Restoration Project (located at the Green Island Unit, former Cargill Solar Salt Plant).

The oyster shells were placed on one of the islands to provide nesting habitat for threatened and endangered species, specifically the California least tern (LETE) and the western snowy plover (SNPL). In 2010, 32 out of 47 LETE nests for the

colony were located on the island with oyster shells (see attachment). The oyster shells proved to be beneficial for the nesting birds in 2010, so in anticipation of the 2011 nesting season, more shells were placed on the other two islands to provide more suitable habitat. As a result, all three islands were utilized and successful nesting occurred by both the LETE and/or SNPL.

Again, thank you for your efforts and responding to DFG's restoration needs by providing habitat substrate. We appreciate your support. If you have any questions or need additional information, please contact Ms. Karen C. Taylor, Environmental Scientist, at (707)944-5567; or Mr. Tom Huffman, Wildlife Habitat Supervisor, at (707)226-3641.

Sincerely,

Carl Wilcox Regional Manager Bay Delta Region

(Copies of this letter and its attachment can be made available to NPS upon request.)

Correspondence ID:	51935	Project:	33043	Document:	43390
Name:	Lunny, Kevin				
Outside Organization:	Drakes Bay Oyster Company Business				
Received:	Dec.09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	DBOC COMMENT 1. Page 228 Seashore staff have spent approximately 200 labor hours per year since 2008 for maintenance and custodial activities on facilities, including the Schooner Bay Road and vault toilet.				

1. Traditionally, Johnson Oyster Company ("JOC") managed the road leading into the oyster farm. NPS is calls it "Schooner Bay Road", but in fact, it is called "Oyster Company Road." (see MapQuest.com) 2. When DBOC got involved, DBOC managed the road for the first year. Subsequently, Don Neubacher, PRNS Superintendent, explicitly told DBOC not to "touch the road". 3. DBOC, holding a State general engineering license, offered to maintain the road for a \$1/year contract with PRNS. PRNS declined, and instead "have spent approximately 200 labor hours per year since 2008 for maintenance (of) the "Schooner Bay Road"(actually "Oyster Company Road"), and continues to needlessly spend taxpayer dollars. 4. Please correct the DEIS by stating the correct name of the road. The road leading into the oyster farm is "Oyster Company Road", not "Schooner Bay Road". Using the wrong name in the DEIS is misleading to the visiting public. GPS navigation systems lead visitors correctly to the Drakes Bay Oyster Company at 1 Oyster Company Road.

DBOC Comment 2. Page 228 Labor hours associated with administrative activities have exceeded 2000 hours per year, in association with SUP management and Freedom of Information Act responsibilities.

Please differentiate in the DEIS how many of the labor hours associated with "administrative activities" were associated with whether or not to allow DBOC to remain in PRNS. DBOC suspects that PRNS/NPS "self-imposed" these hours during its attempt to evict the farm. If a new SUP is issued in 2012, DBOC expects that these labor hours associated with "administrative activities" would not be expected to continue.

DBOC Comment 3. Figure ES-3 Re: "Facilities Not Approved by NPS" (outlined in orange)

Please clarify that all of the items designated as "Facilities Not Approved by NPS" were in existence prior to DBOC's most recent SUP, dated April 22, 2008.

The shipping containers that house the temporary cannery and dry storage (refrigeration) were discussed in correspondence with Superintendent Don Neubacher on August 17, 2005, September 2, 2005, and September 5, 2005. On August 17, 2005, Superintendent Neubacher stated: "NPS does not have an issue with the temporary structures except that the State of California Food and Agriculture Branch must approve the potential use of these facilities and the septic issues must be resolved with Marin County." He also requested a short site meeting before any of the temporary structures were placed on site, which was held on September 16, 2005.

Abandoned setting tanks, some picnic tables and shell piles existed before DBOC assumed operations. The oyster shell and abandoned setting tanks existed within the previous SUP area. The 2008 SUP inexplicably shrunk the area. NPS never notified DBOC that the NPS changed the boundary so that it bisected the shell pile. NPS has never provided any staking or other boundary identification that DBOC could have used to know that the new NPS boundary bisected the existing shell pile. The SUP boundary was supposed to include areas historically and currently used by the oyster company. Accordingly, it was a NPS error if it mislocated the boundary line through the traditional shell pile area.

By the same token, the setting tanks have been located and used in this location for roughly 30 years.

Picnicking existed even before DBOC assumed operation. NPS has never notified DBOC to inform it of a violation regarding the picnic area. The picnic areas are currently not limited to areas shown on Figure ES-3.

DBOC's 2008-signed SUP includes, in paragraph 3 ? j states: Picnic tables will be provided by the NPS at the adjacent parking

area. Clearly, NPS agrees that picnic tables are appropriate at the DBOC site as it promised to provide more tables for use by DBOC visitors. NPS failed to provide the picnic tables as agreed by the 2008 SUP. The picnic tables existed prior to 2005 when DBOC assumed operations. DBOC has replaced picnic tables and added more picnic tables. Picnic tables are located throughout the PRNS. Picnic tables are not prohibited in the RUO or in any oyster farm SUP. NPS has never told DBOC that the picnic tables must be removed or relocated.

Accordingly, please correct the DEIS to remove the assertion that DBOC is using unpermitted picnic tables. Furthermore, please correct the DEIS to remove any restriction whether picnic tables are used or where they are placed as no violation of NPS agreements have been committed and picnic tables are traditionally used at DBOC and are vitally important for visitor experience. Please also correct the DEIS maps and drawings to accurately show that DBOC has permitted picnic tables on site.

DBOC COMMENT 4. Figure ES-3

DBOC notes that Figure ES-3 does not show the live shellfish holding facility, including existing concrete, underground tank, and associated plumbing. Please correct the DEIS Figure ES-3 by adding this pre-existing feature, which DBOC will continue to use.

Correspondence ID: 51936 **Project:** 33043 **Document:** 43390
Name: Schwartz, Judy
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 20:28:33
Correspondence Type: Web Form
Correspondence: Drake's Bay Oyster Farm should be allowed to continue at its' present location. If anything, having edible oysters that come directly from the bay demonstrates how clear and clean the water actually is. I feel that the oyster farm is a wonderful addition to the Bay and the Point.

Correspondence ID: 51937 **Project:** 33043 **Document:** 43390
Name: Kennon, Paula
Outside Organization: National Wildlife Federation Action Fund Unaffiliated Individual
Received: Dec,09,2011 20:34:27
Correspondence Type: Web Form
Correspondence: Drakes Estero is the ecological heart of Point Reyes National Seashore and a treasure that belongs to all Americans. In 1976, Congress promised that the Estero would receive full wilderness protection when the current lease for commercial oyster operations expires in 2012. I urge the Park Service to honor the wilderness promise and protect Drakes Estero for future generations.

Drakes Estero is home to 20 percent of the mainland breeding population of harbor seals in California and is used by tens of thousands of shorebirds and waterfowl and dozens of species of native fish. Your draft environmental impact statement makes clear that the existing commercial oyster operation is causing extensive damage to Drakes Estero and the Seashore's beaches, and that allowing these operations to continue would cause even more long-term harm.

Your environmental review also shows that alternative "A"--no new permit for commercial oyster operations and protection of the Estero as full wilderness--is the environmentally preferred alternative and the one that best protects harbor seals, birds, fish and other natural resources.

I urge you to return Drakes Estero to all Americans by selecting alternative "A" and ensuring full wilderness protection for Drakes Estero in 2012. It is time to protect Drakes Estero as Congress intended and to create the West Coast's only marine wilderness for the benefit of people and wildlife.

Correspondence ID: 51938 **Project:** 33043 **Document:** 43390
Name: Lewis, David J
Outside Organization: UC Cooperative Extension University/Professional Society
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: To: Point Reyes National Seashore Superintendent From: David J. Lewis, UC Cooperative Extension Director and Watershed Management Advisor Subject: Draft Environmental Impact Statement for Drakes Bay Oyster Company Use Permit Date: December 9, 2011

The following comments focus upon Chapter 3 Affected Environment of the Draft Environmental Impact Statement for Drakes Bay Oyster Company Use Permit and specifically the Impact Topic: Water Quality on pages 196 to 201. The preponderance of water quality studies conducted in Drakes Estero, including those referenced in the Draft Environmental Impact Statement (DEIS), indicate that water quality is high and within the normal variability dictated by local climatic and tidal factors. However, the presentation of these studies within the DEIS is unclear with regard to water quality conditions in the Drakes Estero and potentially unrelated to the purpose of the DEIS.

The presentation of the Pollution Studies of Drakes Estero and Abbotts Lagoon (Anima 1990) could be improved by more fully

representing the author's findings and conclusions. One example is the conclusion that:

"Based on rates of sediment filling calculated using the three methods mentioned and comparing these rates of filling to other areas along the west coast, Drakes Estero and Abbotts appear to be filling at a rate like other west coast lagoons" ? page 90.

It can also be enhanced with the presentation of other sedimentation studies conducted in the region including those that document decreasing sedimentation rates from the 1950s on, as a result of on-farm conservation practice implementation*.

The remaining three pages of this section of the DEIS focus upon the California Department of Public Health (CDPH) role in protecting human health for oyster consumption including representation of two CDPH reports**. Here again the presentation of these reports provides a confusing context for the reader. By the very nature of its mandate, CDPH is required to identify "potential" sources of bacterial pollution for all California aquaculture waters. The implication from the way in which the DEIS relates these reports is that there is a significant problem from the identified sources. This could be resolved to better represent the CDPH reports if instead of writing:

"The 2006 report recognizes Drakes Estero as "one of the most pristine estuaries on the west coast," and concludes that the entire body of Drakes Estero has very good water quality. However, both Baltan (2006) and Zubkousky (2010) list five source types of bacterial pollution potentially affecting the water quality of Drakes Estero " ? page 198

the DEIS authors could have written:

Baltan (2006) and Zubkousky (2010) list five source types of bacterial pollution potentially affecting the water quality of Drakes Estero. However, Baltan (2006) recognizes Drakes Estero as "one of the most pristine estuaries on the west coast," and concludes that the entire body of Drakes Estero has very good water quality. Furthermore, results from Zubkousky (2010) indicate a continuation of those conditions.

Another opportunity to remove confusion and misleading statements is to revise the following three sentences:

"The primary source of pollution is from cattle waste originating from the six cattle ranches within the watershed. In 1991, Anima cites these ranches as having a total of 1,185 head of cattle (Anima 1991xxiii), whereas Press (2005) refers to 700 head of cattle. Bacterial pollution derived from wildlife and boaters was too difficult to measure, but was presumed to be limited (Zubkousky 2010)."

As written, it is implied that one or all of these studies used bacteria source tracking methods to differentiate microbial pollution and any contributions from the potential sources within Drakes Estero. At best Zubkousky (2010) makes a qualitative statement about the magnitude of the various potential sources but in no case were analytical tools used that can separate bacteria into sources groups. Also omitted from the course of discussion is the following statement in Zubkousky (2010) "Recently, CDPH and DBOC have not observed significant numbers of cattle on the shoreline adjacent to the station" page ? 1. Indicating that on-farm management is taking steps to reduce potential impacts represented by that potential source in that part of the watershed.

In sharing these comments, I recommend that this section be either removed entirely because of its lack of relevance for the purpose of the DEIS, or revised to provide a more comprehensive and balanced presentation of the studies and findings for Drakes Estero water quality conditions. * Ritchie, J.C., V.L. Finney, K.J. Oster, and C.A. Ritchie. 2004. Sediment deposition in the flood plain of Stemple Creek Watershed, northern California. *Geomorphology*, 31: 347- 360. ** Baltan, J. 2006 Sanitary Survey Report: Shellfish Growing Area Classification for Drakes Estero, California. California Department of Health Services, Division of Drinking Water and Environmental Management Technical Report #06-13. August. Zubkousky, V. 2010 2009?2010 Annual Sanitary Survey Update Report for Commercial Shellfish Growing Areas in Drakes Estero, California. California Department of Health Services, Division of Drinking Water and Environmental Management Technical Report #10-16.

Correspondence ID:	51939	Project:	33043	Document:	43390
Name:	Desai, Neal				
Outside Organization:	National Parks Conservation Association Non-profit/Organization				
Received:	Dec.09.2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	December 9, 2011				

Secretary of the Interior Ken Salazar c/o Superintendent Cicely Muldoon Point Reyes National Seashore 1 Bear Valley Rd. Point Reyes Station, CA 94956

Re: Support for "Alternative A", Marine Wilderness Protection at Drakes Estero, Point Reyes National Seashore

Dear Secretary Salazar:

The National Parks Conservation Association (NPCA) submits additional comments on the draft Environmental Impact

Statement (dEIS) that will decide whether Drakes Estero Wilderness protections are granted or rolled-back, the NPCA.

As stated in our other comments, this decision is a matter of law and policy, and its implications will span far beyond this legendary embayment. Indeed, selecting "Alternative A" and denying the permit request will allow you to create the West Coast's only marine wilderness as long intended and promised. Conversely, granting a permit for commercial operations in this estuary will break the policy threshold that prevents this private, commercial use of wilderness and will practically and indefinitely block wilderness designation from occurring. As well known, the Drakes Bay Oyster Company (DBOC) is seeking a renewable Special Use Permit and has stated no desire to end operations. Granting a permit will embolden other misguided efforts within the national park and public lands system for similar exemptions.

DEIS CONSISTENCY WITH THE BEST AVAILABLE SCIENCE, INCLUDING NATIONAL ACADEMY OF SCIENCES AND MARINE MAMMAL COMMISSION REPORTS:

We believe that the dEIS is consistent with the findings of the National Academy of Sciences and the Marine Mammal Commission studies on Drakes Estero. The DEIS analyzes the impacts (including those analyzed by the NAS report) that would occur under each scenario, finding that if the Special Use Permit is granted (under any of the proposed action alternatives ? B, C, or D), there would be short and long-term adverse impacts on wetlands, eelgrass, benthic fauna, fish, harbor seals, birds, listed species, coastal flood zones, water quality, soundscapes, visitor experience, and wilderness management and policy. Conversely, declining to extend the Special Use Permit and immediately removing infrastructure and activities associated with the nonconforming use would result in short and long-term beneficial impacts on the park's resources. NPS specifically found that DBOC's cultivation of nonnative shellfish, maintenance of infrastructure, motorboat use, and noise detract from the wilderness character of the area, and that "cessation of DBOC operations and removal of DBOC facilities would result in a readily apparent, widespread enhancement of wilderness character." The DEIS concludes that extending the Special Use Permit would have "long-term major adverse impacts" on wilderness.

Therefore, NPS is faced with the policy choice of whether to make a decision based on decades of conservation mandates and the best available science, or whether to abandon the framework that normally guides its decision-making process and technically allow damage to the resources of Drakes Estero for 10 years, but practically allow the damage to continue indefinitely due to the policy threshold being crossed and the permit being renewed indefinitely.

DEIS INCONSISTENCY WITH AVAILABLE RESEARCH ON ALTERNATIVE "A" IMPACT ON MARICULTURE INDUSTRY

The dEIS defines the "socioeconomic" impact criteria as:

Minor: Impacts may be detectable but would not affect the overall regional economy or the statewide production of shellfish.

Moderate: Impacts would be clearly detectable but would not considerably affect the regional economy or the statewide production of shellfish.

Major: Impacts would be highly noticeable and would substantially influence the regional economy or the statewide production of shellfish.

The dEIS' assessment on Alternative A's impact on the socioeconomic criteria is as follows: Alternative A could result in long-term major adverse impacts to California's shellfish market because DBOC produces 16?34 percent of the oysters harvested in California and 13?28 percent of the total shellfish grown in the state. The cessation of commercial shellfish operations within Drakes Estero would be highly noticeable and could substantially influence the production of shellfish in California. The cumulative impact on the California shellfish market would be long-term minor adverse, and alternative A would contribute a noticeable adverse increment to the cumulative impact.

The dEIS incorrectly and inappropriately determines that Alternative "A" would have a "long-term major adverse impact".

The dEIS fails to use the data available from a prior "unplanned" experiment when, from 2000-2004, the Johnsons Oyster Company was harvesting at levels roughly 1/25th of the current production levels. Indeed, five years of data from 2000-2004 (supplied by the Department of Fish and Game) show an average harvest of ~78,000 lbs of shellfish. During this time, we are not aware of any data (from individual customers, restaurants, or industry organizations) that shows the low, nearly in-existent production to have had any influence on the "regional economy or the statewide production of shellfish". We are not aware of newspaper articles or other publications that discuss this shortfall. Thus, the dEIS inappropriately assumes impact on the industry, which is not necessarily constrained by state or county lines. Oysters from other states are sold in California and contribute to the supply and demand models. Additionally, the recent increased mariculture production in Tomales Bay, along with the proposed expansion of mariculture in Humboldt Bay surely does not allow the dEIS to classify impacts as "long"-term, even when the dEIS inappropriately constrains itself to the inappropriately and narrowly defined "California shellfish market". The market is defined by supply and demand. The dEIS inappropriately assumes that a demand would stay constant if there was a drop in supply (removal of DBOC). Given the nature of the product (luxury) and the past history of supply drop not creating a noticeable impact on the market, we strongly urge the NPS to re-evaluate this section, and consider that an experiment from 2000-2004 has produced data that refutes the dEIS conclusions of major long-term impacts. If anything, the impacts are short-

term minor impacts.

Sincerely,

Neal Desai Associate Director, Pacific Region National Parks Conservation Association

Correspondence ID: 51940 **Project:** 33043 **Document:** 43390
Name: Desai, Neal
Outside Organization: NPCA, Sierra Club, NRDC Non-profit/Organization
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: HARD COPY TO FOLLOW

December 9, 2011

Secretary of the Interior Ken Salazar c/o Superintendent Cicely Muldoon Point Reyes National Seashore 1 Bear Valley Rd.
Point Reyes Station, CA 94956

Re: Support for "Alternative A", Marine Wilderness Protection at Drakes Estero, Point Reyes National Seashore

Dear Secretary Salazar:

The National Parks Conservation Association, the Natural Resources Defense Council, and the Sierra Club offer the following comments on the National Park Service's (NPS) draft Environmental Impact Statement (dEIS) regarding Drakes Bay Oyster Company's request for a Special Use Permit to operate a commercial shellfish operation within federally designated potential Wilderness in the Point Reyes National Seashore (Seashore). On behalf of our millions of activists, members and supporters, we urge you to select "Alternative A", which denies the permit request and grants Drakes Estero the wilderness protection long anticipated and desired. Our organizations and members have a long history supporting national parks, wilderness areas, and Point Reyes National Seashore, the crown jewel of the Bay Area. We have supported planning efforts to protect the natural and cultural landscape at the Seashore for the long-term. A critical component of managing for the long-term is honoring the Congressional and agency decisions forged decades ago as the restoration, protection and management of the Seashore was being planned. None is more important than Drakes Estero, called "the ecological heart of the park", for the reasons described further below. Drakes Estero: a matter of law and policy We believe the dEIS is a thorough and comprehensive document that uses the best-available science. In assessing the impacts of wilderness designation on the Estero (Alternative A), the dEIS correctly assigns significant beneficial outcomes to law, policy, and Seashore resources. Completing the Congressionally mandated Wilderness designation is correctly classified as the "Environmental Preferred Alternative" and should become the agency's "Preferred Alternative". Conversely, the dEIS assigns significant negative impacts to law, policy and Seashore resources by extending a permit for commercial mariculture operations. The peer-reviewed science used in the dEIS, supported by the research within the National Academies of Sciences Report and the recent Marine Mammal Commission Report, confirm numerous short-term and long-term adverse environmental impacts from commercial oyster operations on eelgrass, birds, native fish, benthic fauna, endangered species, overall ecological integrity, and national park and wilderness policy. While the dEIS contains many reasons why selecting "Alternative A" is the only appropriate option, we believe this decision is a matter of law and policy. This decision should honor the long-term vision and the nearly 40 years of conservation planning that brings us less than one year away from creating the West Coast's only marine wilderness. Indeed, we believe it is your duty to fulfill this promise to the public for a marine wilderness. In 1962, Congress established the Point Reyes National Seashore in order "to save and preserve for the purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped." Pub. L. No. 87-657; 16 U.S.C. ' 459(c). In 1972, the Johnson Oyster Company sold land to the federal government for inclusion in the National Seashore, but secured a terminable, non-renewable 40 year Reservation of Use and Occupancy. In 2005, the Johnson Oyster Company sold the remaining seven years of the reservation to the Drakes Bay Oyster Company (DBOC). The reservation is set to expire on November 30, 2012.

DBOC's commercial shellfish operation in Point Reyes' Drakes Estero is the only use that prevents conversion of these waters from designated potential Wilderness to designated Wilderness. In 1976, Congress designated acres within Drakes Estero as potential wilderness and directed that when "all uses thereon prohibited by the Wilderness Act have ceased" the area "shall" be designated as Wilderness. Pub. L. No. 94-567; Pub. L. No. 94-544. According to the Wilderness Act, there shall be no commercial enterprise and no permanent road within any Wilderness area and, except as necessary to meet minimum requirements for the administration of the area, there shall be no temporary road, no use of motor vehicles, motorized equipment, or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area. 16 U.S.C. ' 1133(c).

Thus, in establishing Point Reyes to protect "undeveloped" seashore, and in further designating Drakes Estero as potential wilderness that "shall" convert to Wilderness when nonconforming uses "have ceased," Congress has expressed its intent that the area not permanently be open for mariculture. Indeed, Congress made it clear over thirty years ago that NPS should be managing the area "as wilderness, to the extent possible, with efforts to steadily continue to remove all obstacles to the eventual conversion of these lands and waters to wilderness status." House Rep. No. 94-1680. See also Senate Committee Report on H.R. 13160 (enacted as Public Law No. 94- 567), designating certain lands within the NPS as wilderness: "National Park Service wilderness proposals have embodied the concept of "potential wilderness addition" as a category of lands which are essentially of wilderness character, but retain sufficient non-conforming structures, activities, uses or private rights so as to preclude

immediate wilderness classification. It is intended that such lands will automatically be designated as wilderness by the Secretary by publication of notice to that effect in the Federal Register when the non-conforming structures, activities, uses or private rights are terminated. See also NPS Mgmt. Policies ' 6.3.1 (2006) ("The National Park Service will take no action that would diminish the wilderness eligibility of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time, management decisions will be made in expectation of eventual wilderness designation. This policy also applies to potential wilderness, requiring it to be managed as wilderness to the extent that existing nonconforming conditions allow.").

Conversion of Drakes Estero from designated potential wilderness to designated Wilderness (as opposed to continued allowance of one private party to benefit from a nonconforming use) is also consistent with the NPS Organic Act of 1916, which directs the Service to manage units of the national park system, "to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 16 U.S.C. ' 1 (emphasis added). The 1978 Redwood Amendment reiterates this conservation mandate by stating that the NPS must conduct its actions in a manner that will ensure no "derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress." 16 U.S.C. ' 1a-1 (emphasis added).

Based upon this ample legal authority, the Department of the Interior took the position that NPS is mandated "to remove from potential wilderness the temporary, non-conforming conditions that preclude wilderness designation," such as commercial oyster operations within Drakes Estero, "as soon as the nonconforming use can be eliminated." See Department of the Interior Memorandum from Ralph G. Mihan, Field Solicitor, to the Superintendent of Point Reyes National Seashore, February 26, 2004.

That time when the nonconforming use can be eliminated is next year, in November 2012, when the 40 year non-renewable Reservation of Use and Occupancy expires.

Through a "rider" to the FY2010 Interior Appropriations bill, Congress recently provided you with discretion to protect the Estero's wilderness designation next year as long planned, or roll-back the protections and allow commercial use of this marine wilderness by the Drakes Bay Oyster Company.

Department of the Interior and the National Park Service has a duty to deny the permit. Denying the permit extension is consistent with existing laws and polices, including the FY2010 Appropriations Bill, the Seashore's enabling legislation and the National Park Service Management Policies.

We would like to underscore that denying the extension will ensure that present and future generations will be able to enjoy the remarkable benefits of this very special place in its full magnificence. That in itself is reason to select "Alternative A". In contrast, extending the permit will erode policy protections that prevent commercialization of wilderness areas. This matter should be decided as a law and policy issue and, in deciding it, you should bear in mind that denying the extension will set a positive policy example, whereas extending it will set a negative one.

Granting a permit will no doubt set a precedent and serve as an example for how to undermine protections across the public lands system. Granting a permit rejects the core values of our national parks that these special places are for the people and the public interest, not for the purpose of private, commercial use. Granting a 10 year permit crosses the wilderness policy threshold for the first time and facilitates the continued extension of permits, essentially blocking wilderness protection indefinitely. These reasons accentuate the need to protect wilderness and the long-term vision for not only for the benefit of Point Reyes, but for all our public lands.

Wilderness is rare in this country. Marine wilderness is rarer. The biologically rich Drakes Estero is one of the most populous harbor seal haul-outs on the California coast, is an important bird habitat and stop-over on the Pacific Flyway, and provides eelgrass beds used as a nursery for diverse fish. Unlike any other place on the West Coast, the opportunity exists at Drakes Estero to create a marine wilderness. The National Park Service already owns and manages the land and waters, and the Secretary retains the legal authority to designate the Estero as marine wilderness per the 1976 Point Reyes Wilderness Act. While other estuaries have suffered from extensive industrial and human use, Drakes Estero is relatively intact and is surrounded by National Seashore land. The ability to conserve a large estuary on the West Coast for the purposes of natural systems management is a legacy feat that should not be squandered. Indeed, it simply cannot be replicated. We urge you to honor the promise and fulfill your duty by denying the permit request and supporting marine wilderness protection. Current and future generations will thank you for providing the American public with the only marine wilderness on the West Coast.

Sincerely, Bruce Hamilton Deputy Executive Director Sierra Club

Ron Sundergill Senior Director, Pacific Region National Parks Conservation Association

Johanna H. Wald Senior Attorney Natural Resources Defense Council

Correspondence ID: 51941 **Project:** 33043 **Document:** 43390
Name: Hill, Janis
Outside Organization: NRDC Unaffiliated Individual

Received: Dec,09,2011 20:49:19

Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51942 **Project:** 33043 **Document:** 43390

Name: Paquette, Patrick

Outside Organization: Unaffiliated Individual

Received: Dec,09,2011 00:00:00

Correspondence Type: Web Form

Correspondence: To me, none of the DEIS alternatives are acceptable. I support the Collaborative Management Alternative (summary at end of comments) and recommend that you adopt it as the preferred alternative in the Final EIS.

1. Our family has been enjoying oysters from DBOC on a regular basis since the 1950s. This has also been educational and we would like to pass this experience on to future generations. This cultural role is not adequately addressed and the EIS must assess cultural impacts of eliminating this institution. A major source of sustainable local food should be protected in a time of economic and climatic uncertainty.

2. The environmental benefits are misrepresented when it calls the oyster farm removal as the "environmentally preferable" alternative. The DEIS fails to address the important ecological service that oysters perform by filtering water. It does not make sense to import oysters from out of state to replace oysters no longer produced at DBOC.

3. The DEIS does not adequately address the economic impacts, such as eliminating one of the largest small business employers in the area. Local jobs should be preserved, especially in our current recession.

4. There is no science upon which to base the supposed impacts. Currently, Congress is investigating PRNS officials accused of scientific misconduct. As a taxpayer, I object to supporting any kind of governmental misconduct. I expect PRNS employees to be held to a higher standard of conduct and accountability in spending taxpayer dollars.

SUMMARY OF COLLABORATIVE MANAGEMENT ALTERNATIVE:

A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities.

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

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

This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State

Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero.

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farm workers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project.

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

Correspondence ID:	51943	Project:	33043	Document:	43390
Name:	N/A, N/A				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 20:53:27				
Correspondence Type:	Web Form				

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID:	51944	Project:	33043	Document:	43390
Name:	Hulls, John				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 20:54:56				
Correspondence Type:	Web Form				

Correspondence: The Draft EIS is simply not a meaningful document under NEPA. It turns the process into a national popularity contest, the situation that is analyzed is the current policy position, rather than the actual environmental and socio economic situation with the oyster farm continuing in operation. There is no real risk evaluation, just speculation on often self referential 'facts', and what purports to be the main scientific concern has been found by the Marine Mammal Commission to be based on overstretched, limited data that supports only the weakest statistical correlation, and even that is controversial. The MMC states that there is no establishment of causality.

In addition it is silent on environmental justice issues, with almost the entire burden falling on the Hispanic community in West Marin with the direct loss of jobs to the oyster farm and the loss of second jobs for many of the ranch families on the peninsula, which have enabled many of the families to provide for their children and send them on to college (personal experience

coaching in local soccer league)

It is the extreme in hypocrisy to claim that some job loss will be made up by Kayak tours, whose presence is already a major disturbance factor to the seal population, displacing a highly popular family attraction that, according to all the scientific studies such as the National Academy of Science, provides positive ecological value with no discernible harm.

In my opinion, the Point Reyes National Seashore and NPS are incapable of conducting a proper, impartial NEPA, and have used the process as a weapon against a valuable member of the community.

Therefore, I support the adoption of the Collaborative Management Alternative that includes a ten-year Special Use Permit with Option for Extension as the preferred alternative in the final DBOC SUP EIS

John Hulls

Correspondence ID: 51945 **Project:** 33043 **Document:** 43390
Name: Mitchell, Bruce C
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 20:55:52
Correspondence Type: Web Form
Correspondence: I support a renewable Special Use Permit for the Drakes Bay Oyster Company (DBOC) and urge the National Park Service to authorize the Superintendent of the Point Reyes National Seashore (PRNS) to collaborate with DBOC in creating the Collaborative Management Alternative proposed by the DBOC.

The claims made by PRNS that DBOC's mariculture activities in Drakes Estero have caused harm to the harbor seal population there have been proven false, yet PRNS scientists continue to make those bogus claims as justification for shutting down DBOC altogether. Among other positive benefits, oysters in Drakes Estero have acted as a filter that has helped to double the size of eel grass beds where the greatest variety of aquatic life forms can be found in the Estero. However, the dEIS doesn't acknowledge this essential fact. Additionally, none of the seven endangered species the dEIS claims would be threatened by the continuation of the oyster farm's lease even live there. PRNS scientist Sara Allen has declared in published papers and sworn testimony that harbor seals habituate to human activity once that activity is seen as non-threatening. Despite MS. Allen's position, the dEIS relies on the unproven claim in Becker 2011 that oyster mariculture activity has caused harbor seals to leave the Estero when in fact the opposite is true.

If DBOC is closed it will have an enormous economic effect on our community. The 30 families that work there will have to move out of our school district which will take away the state compensation per student the district receives. Not only will this have a negative impact on our schools, the families will no longer be here to spend there money on our local goods and services.

Thank you, Bruce Mitchell

Correspondence ID: 51946 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 21:00:58
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51947 **Project:** 33043 **Document:** 43390
Name: Chase, Sam L
Outside Organization: ECCM Associates Unaffiliated Individual
Received: Dec,09,2011 21:02:35
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51948 **Project:** 33043 **Document:** 43390
Name: GREENBERG, MICHAEL
Outside Organization: Alliance for Local Sustainable Agriculture Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the following: COLLABORATIVE MANAGEMENT ALTERNATIVE: A Ten-Year Special Use Permit with Option for Extension; Rehabilitation of Existing Facilities; and Construction of New Processing Facilities. This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and

researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID: 51949 **Project:** 33043 **Document:** 43390
Name: Barfield, John
Outside Organization: NRDC Unaffiliated Individual
Received: Dec.09,2011 21:18:01
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51950 **Project:** 33043 **Document:** 43390
Name: Barfield, John
Outside Organization: NRDC Unaffiliated Individual
Received: Dec.09,2011 21:18:23
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51951 **Project:** 33043 **Document:** 43390
Name: Seratti, Donald V
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 21:19:02
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

As frequent visitors to the Point Reyes National Seashore and committed environmentalists, campers and hikers, my wife and I strongly support the granting of a renewable Special Use Permit for the Drake's Bay Oyster Farm.

We feel that the Farm has been, and will continue to be, a genuine asset to the local economy and culture. We visit the Farm often and appreciate the opportunity to obtain fresh, locally produced oysters as opposed to oysters imported from other parts of the world. And, from our visits to the Farm, we are convinced that its owners and employees are truly concerned about the environmental impact of their operation.

The Oyster Farm is, like the dairy farms which are permitted to operate within the Seashore, an integral part of the scenery and culture of the National Seashore, and is not inconsistent with the essential purposes and goals of the Seashore.

We very much hope that the Oyster Farm will be preserved.

Correspondence ID: 51952 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 21:22:36
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative. I have visited Pt. Reyes National Seashore for the past 45 years. I have hiked, kayaked, camped, taken our kids on all of these activities, and cherished the environment - as well as the presence of agricultural, maricultural, and ranching businesses, stores and cafes. It is a unique mix.

I strongly believe that the harm done to the reputation of the Park Service by the conduct of some of its scientists and to the credibility of this critical agency (especially in these difficult times for parks) vastly exceeds any harm which might possibly (but as yet not demonstrably) be done by the oyster farm to the environment. The resolution of this issue needs to be mitigated by an openness to allow this business, which has roots in the community and in the area's history, to coexist with the National Seashore.

Equally important, the NPS needs to do what we all were taught - when you make a mistake, you apologize and then try to make it better. It is clear that reputable scientists strongly criticize the research, the manipulation of data, and the politicization of findings. While reasonable people can disagree, where there is this much smoke, there is fire. The NPS should put out the fire, rebuild trust, and work with strength, openness, and leadership to heal this situation. This alternative would allow time to do that.

Correspondence ID: 51953 **Project:** 33043 **Document:** 43390
Name: Ledel, Tracey
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 21:24:21
Correspondence Type: Web Form
Correspondence: I have been a customer of locally farmed oysters in the Point Reyes area for many years, therefore, I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS. It would be tragic for this historic, well managed source of local, sustainable food to go out of business.

Yours Truly,

Tracey Ledel

Correspondence ID: 51954 **Project:** 33043 **Document:** 43390
Name: Mone, Carol E
Outside Organization: CAFF Unaffiliated Individual
Received: Dec,09,2011 21:24:46
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51955 **Project:** 33043 **Document:** 43390
Name: Hemmingway, Nancy L
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 21:25:39
Correspondence Type: Web Form

Correspondence: I support a renewable Special Permit for Drakes Bay Oyster Co. (DBOC) and I support the Collaborative Management Alternative that DBOC has proposed to the Point Reyes National Seashore (PRNS) that follows the regulatory guidelines of the California Fish and Game Commission. None of the PRNS claims that the the oyster farm activities have caused harm to harbor seals in Drakes Estero have been proven by their own or any other data. This is reason enough for PRNS to end the fiction it has used to make the Lunny family appear to be an environmental pariah. Also, there are too many proven flaws in Dr. Becker's 2011 paper to use it to support any of the proposed policies in dEIS document.

Please consider the fact that closing DBOC would not only bring environmental harm to Drakes Estero it would put 30 families out of work. This loss would affect our schools and the local economy in a significant way, and California would lose the cleanest source of quality protein in the state.

Thank you Nancy Hemmingway

Correspondence ID: 51956 **Project:** 33043 **Document:** 43390
Name: Hamner, Sara
Outside Organization: NRDC Unaffiliated Individual
Received: Dec.09,2011 21:30:57
Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51957 **Project:** 33043 **Document:** 43390
Name: Lunny, Kevin
Outside Organization: Drakes Bay Oyster Company Business
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form

Correspondence: Chapter 1, page 16 This section contains numerous errors, omissions and misrepresentations. Below are additions and deletions to correct many of the errors. It is interesting that all errors contained in this terribly inaccurate and misleading section were to the detriment of DBOC. This section must be corrected in the final EIS. Deletions are shown between // Additions are shown between * Notes and explanations are bracketed

A "word" version of these corrections can be made available upon request by NPS.

OVERVIEW FROM 1930 TO 2004 Mariculture developers first planted oyster beds in the Tomales Bay area around the turn of the 20th century. Throughout the 1930s, CDFG conducted successful experimentation with nonnative species to create commercial shellfish aquaculture in the state. In a 1935 survey of the California oyster industry (Bonnot 1935), Bonnot stated regarding Drakes Estero: "No oysters were found growing there. Several small plants of Japanese seed oysters were made in 1932." *However, significant numbers of native oysters were harvested from Drakes Estero in the 1950s and 1960s. * Oyster growers, in an attempt to produce a faster- and larger-growing product, introduced nonnative species of oyster to several water bodies in California, including Drakes Estero. The success of the nonnative Pacific oyster (*Crassostrea gigas*) in Tomales Bay and Drakes Estero contributed to the establishment of new companies and the retooling of existing oyster businesses. In 1938, the original Drakes Bay Oyster Company (no relation to the present day DBOC) built a small "opening" plant on the banks of Drakes Estero near the head of Creamery Bay, selling their freshly shucked oysters in San Francisco. The plant operated within Drakes Estero until 1945. The 5-acre plant property was not owned by the oyster company but was part of a larger estate

(Caywood and Hagen 2011). Due to World War II, Pacific oyster seed shipments ceased and oyster operations declined. This interruption, coupled with other factors, caused some oyster operations in the area to dissolve. In 1946, the Drakes Estero oyster allotment was transferred to Larry Jensen (Caywood and Hagen 2011). During the Jensen tenure, the ownership of the 5-acre parcel containing the processing plant was integrated with the state water allotment lease in Drakes Estero. In April 1954, Larry Jensen entered into an "agreement COMMERCIAL SHELLFISH OPERATIONS IN DRAKES ESTERO National Park Service 17 of sale" with Van Camp Seafood for his oysters, state oyster allotments, and the 5 acres of upland real property that accompanied the state water bottom leases. In turn, it was quickly transferred to the Coast Oyster Company (Caywood and Hagen 2011; CDFG 1954, 1955). In 1958, Charles W. Johnson, a seed buyer for the Coast Oyster Company, settled in California and took over the oyster operation in Drakes Estero. He soon founded JOC. Charles Johnson cultured oysters in Drakes Estero and operated onshore processing facilities from 1961 through 2003. Johnson purchased 5 acres of onshore land where the existing processing facilities were located in 1961. He and his wife //developed anm//0** improved upon an** L-shaped processing plant. A frame building used for opening oysters, a dock, and five small cottages or cabins were preexisting. By 1963, the Johnsons had built two additions to the processing plant, one serving as a sorting room and the other for restrooms, and expanded one of the cabins for their residence (Caywood and Hagen 2011). Although the Seashore was established in 1962, the NPS did not acquire ownership of all lands and waters within the Seashore's boundary immediately. In 1965, the state-held water bottoms of Drakes Estero were conveyed to the NPS by the State of California. As of 1965, however, the NPS did not own the upland areas where the oyster processing facilities were located. The NPS purchased fee title to the 5-acre upland parcel from Johnson in 1972. As part of the purchase agreement, Johnson elected to retain a 40-year RUO over 1.5 acres of the 5-acre parcel. The RUO allowed for "processing and selling wholesale and retail oysters, seafood and complimentary food items, the interpretation of oyster cultivation to the visiting public and residential purposes reasonably incidental thereto" (NPS 1972a). //Even though the water bottoms in Drakes Estero were conveyed to the United States in 1965, the state has continued to issue state water bottom leases for shellfish cultivation in Drakes Estero. The continued issuance of state water bottom leases has created confusion and is inconsistent with the NPS's ownership and jurisdiction over Drakes Estero. Should the Secretary issue a new permit to DBOC under section 124, as a condition of receiving that permit, DBOC would be required to surrender its state water bottom lease to the CFGC prior to issuance of a new SUP by the NPS. In the interim, DBOC may continue to operate pursuant to its state water bottom leases and the SUP.// [This does not seem to belong in this history section.] In 1979, the state consolidated Oyster Allotment Nos. 2 and 72 into one Mariculture Lease (M-438-01) in conformance with a new standard numbering system. Lease M-438-01 was redescribed as two parcels.** leaving out the navigation channel between the two parcels.** (see figure 1-3): Parcel 1 contains 343 acres on the east side of Drakes Estero and Parcel 2 contains approximately 706 acres on the west side of Drakes Estero. A 1-acre parcel designated as Mariculture Lease M-438-024 lies within Parcel 2. Parcels 1 and 2 contain approximately 1,049 acres⁵ and together compose Lease M-438-01 (see figure 1-3). From 1979 to present, Lease M-438-01 was allotted for the purpose of culturing Pacific oysters and European flat oysters (*Ostrea edulis*). The authorized methods of oyster cultivation in 1979 included bottom, rack, and stake cultures (CDFG 1979a). The 1-acre Lease M-438-02 was allotted for the sole //3 Referred to as Lease M-438-01 in remainder of document. 4 Referred to as Lease M-438-02 in remainder of document. 5 Since the consolidation of several allotments into Lease M-438-01 in 1979, the lease language has specified that the lease area is made up of two parcels totaling approximately 1,059 acres; however, the GIS data provided by CDFG in 2011 for this lease area measures 1,049 acres. For the purposes of this EIS, all area calculations are based on GIS data. Therefore, the latter measurement is used to represent existing conditions throughout this EIS. CHAPTER 1: PURPOSE OF AND NEED FOR ACTION 18 Point Reyes National Seashore// purpose of culturing purple-hinged rock scallops (*Hinnites multirugosus*) (scallops) in accordance with provisions of section 6400 of the California Fish and Game Code. As permitted, scallops were to be confined and cultivated on racks and in trays. No other mode of operation or culture was authorized at the time (CDFG 1979b). In August 1993, JOC made a request to CDFG to begin the culture of Manila clams (*Tapes japonica*) in Lease M-438-01 (Studdert 1993viii). In an October 7, 1993, meeting, CFGC authorized JOC to cultivate Manila clams in an amendment to Lease M-438-02. The CFGC meeting minutes state "Lease M-438-02 is a small, 1-acre lease which has been previously used by the JOC in experimental culture of species other than oysters. Johnson Oyster Company would now like to investigate if conditions in Drakes Estero are suitable for culture of Manila clams" (CFGC 1993). This request was approved by the CFGC. CDFG sent a letter to JOC confirming that Manila clams had been added to Lease M-438-02, and JOC signed the lease amendment. **JOC and CDFG understood that the CFGC actually authorized Manila clams on M-438-01 and it was a CFGC error to have approved the clams on M-438-02. The one acre M-438-02 lease is located in deep water for rock scallops and is unsuitable for Manila clams. In a meeting on December 10, 2009, the CFGC agreed that the Manila clams were in fact authorized on M-438-01 in 1993 and corrected the clerical error made by CFGC. (CFGC letter dated 4/14/10)** In November 1989, the Marin County Planning Department contacted Charles Johnson regarding violations involving the enlargement of the processing plant and installation of mobile homes without appropriate permits. These activities were also inconsistent with the terms of the RUO. Failure to obtain a coastal development permit also placed JOC in violation of California Coastal Act provisions. Ultimately, //JOC //**DBOC later** removed the small second-floor addition to the processing plant and several mobile home units** in 2005 as required.** However, to bring JOC into compliance with federal, state, and local codes and regulations, a number of facility replacements and best practices were still needed, including an upgrade to the septic system (Caywood and Hagen 2011). The expanded septic system plans were eventually submitted to the NPS and evaluated for compliance as part of the 1998 Environmental Assessment (EA) which included several other activities, including removal of unpermitted mobile homes and construction of new facilities (NPS 1998a, 1998b). **The existing building removal and the new construction of a 7,600 square foot processing plant, a 3,500 square foot hatchery, two new piers and two new septic systems evaluated in the 1998 NEPA EA resulted in a finding of no significant impact (FONSI). JOC installed one of the septic systems. ** // The//** One **septic leach field system was the only element of the project that was constructed **before DBOC assumed operations in 2005**. While some progress was made by JOC in bringing facilities into compliance, there were still numerous California Coastal Act, county building code, and NPS approval violations left unresolved (Caywood and Hagen 2011). In 2003, the CCC issued a Cease and Desist Order (No. CCC-03-CD-12) to JOC that required the removal of some unpermitted development from the property, improvement of the wastewater system, and the submittal of a coastal development permit application for after-the-fact authorization for other unpermitted development (CCC 2003). **DBOC performed most of the demolition, site cleanup and installed the second septic system as studied in the EA and required by CCC. The final demolition and rebuilding of the buildings as studied in the EA has not yet been completed**. Prior to expiration of their 1979 leases, JOC requested lease extensions for a period of 25 years. In February 2004, a CDFG letter to JOC indicated that "the Department would require that a federal/National Park Service (NPS) lease be in effect concurrently with the state water bottom lease" (CDFG 2004aix). On March 15, 2004, the NPS conveyed legal opinions from the Solicitor's Office regarding the JOC RUO and relationship to wilderness (NPS 2004cx). On June 14, 2004, CDFG provided their recommendation to the CFGC stating "The Department recommends approval of the requested lease renewals for a period of twenty-five years,

contingent on there being a Federal Reservation for the land use within the Point Reyes National Seashore" (CDFG 2004bxi). On June 18, 2004, NPS sent a letter to **Since 1965, when the estero became part of PRNS, NPS had never required the oyster farm to obtain a NPS permit for its off shore operations that were permitted and regulated by CDFG. Nevertheless, NPS sent a letter to** CDFG reiterating that "The NPS still believes that any activity in the Estero must also be permitted by the NPS" (NPS 2004dxii). CFGC approved lease renewals to JOC on June 25, 2004, for both Lease M-438-01 and Lease M-438-02, for a 25-year period. This approval was contingent on a concurrent federal RUO for fee land in the COMMERCIAL SHELLFISH OPERATIONS IN DRAKES ESTERO National Park Service 19 Seashore. These renewals were for the express purpose of cultivating the Pacific and European flat oysters in the previously designated Lease M-438-01 and purple-hinged rock scallops and Manila clams in Lease M-438-02. A series of operational conditions accompany CDFG leases, including methods of cultivation, record keeping, requirements for requesting additional species, and requirements for providing a financial guarantee for cleanup (CDFG 2004d). [The CDFG document contains much more than this. Why would a section on history cherry pick these particular items? (emphasis added) The EIS must explain why it would include only this section.]

** Although the NPS letter suggested that a NPS permit would be required, NPS did not, however, require JOC to obtain a permit for its use of Drakes Estero. CDFG remained the sole permitting and regulatory authority over the shellfish production in Drakes Estero.** DRAKES BAY OYSTER COMPANY: 2005 TO PRESENT In December 2004, DBOC purchased the assets of JOC, assuming the remaining 7 years of the RUO and SUPs that the NPS had issued to JOC for the well and septic leach field (DBOC 2011fxiii). There were no changes to the terms of the RUO or to its expiration date. On March 18, 2005, the CDFG authorized the transfer of Leases M-438-01 and M-438-02 from JOC to DBOC, which is owned and operated by Kevin and Nancy Lunny (CDFG 2005a, 2005b). The acreages and the shellfish culturing provisions of the leases remained the same. Lease M-438-01, for approximately 1,049 acres of water bottoms within Drakes Estero, allowed for the cultivation of Pacific oysters and European flat oysters, with minimum production limits placed on the oyster harvesting (CDFG 2005a). Lease M-438-02, which is the 1-acre parcel on the west side of Drakes Estero inside the boundary of Lease M-438-01, allowed for the cultivation of purplehinged rock scallops and Manila clams (CDFG 2005b). When DBOC purchased the assets of JOC, it also assumed the compliance obligations arising from the CCC Consent Cease and Desist Order issued to JOC (CCC 2003). DBOC has worked with CCC staff to remove **all**// some// of the unpermitted developments **except the five seed setting tanks that have been used in this location for approximately 30 years. JOC built a structure over the setting tanks without a Coastal Development Permit. CCC required that the structure be removed. CCC expected that the tanks would be removed with the structure and therefore considered the setting tanks "unpermitted development" by CCC because the tanks remained in use. DBOC needed to continue to use the tanks for its seed production. The setting tanks are included in the DBOC application for a Coastal Development Permit from CCC. The tanks are not in violation of any NPS permit. DBOC obtained permission from NPS and obtained permits and permissions from the County of Marin and the California Department of Public Health for the placement of two 40' x 8' storage units, a second leachfield and an asphalt overlay (new paving over existing paving) as was required by CDPH. NPS and DBOC were unaware of the need for CCC approval of these improvements. CCC alerted DBOC of the CCC Coastal Development Permit requirements and their items are now included in the DBOC CDP application.**// However, not all of the unpermitted development had been removed when DBOC constructed additional development and established unauthorized practices on the property (e.g., refrigerated storage units installed, second leach field constructed, parking area paved, boat transit outside established channels)[there have been no violations of boat transit outside established channels] without either a coastal development permit or NPS approval. CCC and NPS alerted DBOC to the violations, and DBOC agreed to submit a coastal development permit application for all "onshore and offshore" development on the property that required a permit.// A second Consent Cease and Desist Order (No. CCC-07-CD-11/CCC-07-CD-04) was issued to DBOC that set time frames for submittal of the coastal development permit application, established agreed-upon **temporary** conditions of the operations, and identified activities to be avoided until CCC received and approved the application. The consent order furthermore directed DBOC to take actions and implement protective measures to ensure protection of coastal resources. On November 29, 2007, DBOC signed the consent order.// to work with the CCC and NPS to resolve the violations (CCC 2007b). DBOC has fulfilled some but not all of the required terms and conditions of the consent order. An after-the-fact plan for the second leach field was subsequently submitted to the NPS for review and approval.// [NPS recognized that the Marin County Environmental Health Services is the permitting authority for septic systems. DBOC obtained permission from NPS and necessary permits from Marin EHS. NPS asked to be notified by DBOC of inspections so that NPS could be present.] In April 2008, DBOC and NPS signed a SUP (NPS Permit No. MISC-8530-6000-8002) that would allow the commercial shellfish operation in Drakes Estero to remain, with provisions, until November 30, 2012, when it expires concurrently with the RUO. The SUP outlines the terms and conditions that apply to DBOC operations, including a limits on the amount of shellfish that may be cultivated** to 850,000 pounds of shellfish meats (current production),** limits on the types of facilities that may be constructed, and various measures designed to protect Seashore resources, modeled after** temporary, precautionary** mitigation measures defined in CCC Consent Cease and Desist Order (CCC 2007b). The SUP area includes the 1.1 acres of lands and improvements adjacent to the RUO (see figure 1-4) and the waters corresponding to Leases M-438-01 and M-438-02 (see figure 1-3). Additionally, the existing well site and septic field that support the onshore oyster operations were included in the permit. Consistent CHAPTER 1: PURPOSE OF AND NEED FOR ACTION 20 Point Reyes National Seashore with the RUO, the SUP was issued to allow for the cultivating, processing, and selling of oysters, as well as the interpretation of oyster cultivation. The conditions and special terms of both the RUO and the SUP can be viewed in appendix A. CDFG leases transferred to DBOC following their purchase of JOC, allowed cultivation of the Pacific oyster, European flat oyster, purple-hinged rock scallop, and Manila clam. The purple-hinged rock scallop and Manila clam //could only be cultivated//**were listed as an approved species** on Lease M-438-02 (CDFG 2005b). Although not approved, JOC also had Kumamoto oysters (*Crassostrea sikamea*) under cultivation. JOC did not report Kumamoto or European flat oysters separately, so the bulk of the reported harvest levels were recorded as the Pacific oyster. While included in Lease M-438-01, there is no record that DBOC has ever produced European flat oysters. DBOC **discovered the Kumamoto oysters, notified CDFG and removed the oysters under direct CDFG supervision.**// committed to removing the unpermitted Kumamoto oysters planted by JOC by 2008; on a field visit to the site, Mr. Lunny indicated that indeed the Kumamoto oysters were removed from Drakes Estero in 2008 (DBOC 2008cxiv).// Although small numbers of scallops were harvested by the Johnsons, tax reports do not indicate harvesting of any scallops to date by DBOC. **JOC made a request in 1993 to add Manila clams as an approved species on lease M-438-01. In this request, there was no mention of M-438-02.** While the CFGC authorized Manila clams, **it inadvertently placed the clams on**// in// Lease M-438-02 beginning in 1993, there is no record in the annual Proof of Use Reports or tax records of Manila clam harvest. M-438-02 was used for production of purple-hinged rock scallops. Beginning in February 2009, small numbers of Manila clams were harvested by DBOC from M-438-01. **DBOC requested CFGC to correct the 1993 clerical

error. On December 10, 2009, the CFGC agreed that clams were approved on M-438-01 in 1993 and the FGC corrected the leases to show the correct species on each lease.** //(unpermitted by NPS) 10 months prior to CFGC review and approval. The cultivation of Manila clams within Lease M-438-01 has not been approved by the NPS as required by section 4(b)(vi) of the 2008 SUP (NPS 2008b)//. [These were not new species added since the 2008 SUP was signed and therefore did not require separate NPS approval. Including the factually incorrect contents of this letter is misleading and should be stricken.]

In spring 2009, DBOC advised CDFG that it believed the 1993 CFGC decision to add Manila clams to Lease M-438-02 was a clerical error, and DBOC requested that Manila clams be added to their Lease M-438-01. In December of 2009, CFGC amended the leases to //allow cultivation of Manila clams within//**correct the clerical error.** Lease M-438-01 (not Lease M-438-02)//. DBOC did not submit a request for this expansion and modification of species cultivation to the NPS, as required by the 2008 SUP, because DBOC believed that it was a clerical error made by the CFGC, and that the cultivation of clams on Lease M-438-01 had been approved since 1993 on Lease M-438-01 (DBOC 2009cxv)//. [This was not an expansion or modification requiring approval. This section is factually wrong and should be deleted] // A review of the documents indicates that there was intent to limit clams to the area of Lease M-438-02. For example, meeting minutes from the 1993 CFGC meeting, the CDFG's approval letter, and the lease amendment and map all reference Lease M-438-02//. [This was part of the clerical error corrected by FGC. In 1993, FGC was never even asked to consider amending M-438-02. M-438-02 is a deep water area suitable for scallops and unusable for clams.] //JOC accepted and signed the lease amendment for Lease M-438-02 on October 8, 1993. This condition was accepted again in 2004 when the CFGC issued the Drakes Estero leases and in 2005 when the leases were transferred to DBOC. This was also the condition that existed at the time that the current SUP was signed in April 2008.// [CDFG informed DBOC of the clerical error and the need to correct it. DBOC followed the CDFG instructions. CDFG agreed that clams were approved on M-438-01 in 1993 and it was a clerical error made in 1993 The CDFG recommended that CFGC correct the error.] In a letter dated December 8, 2009, the NPS expressed concerns to the CFGC regarding the expansion of Manila clams within the Seashore's boundary. Specifically, NPS was concerned about the size of the expansion and lack of environmental review or analysis of risk, the potential for establishment of a nonnative species, and the potential to add substrate for the highly invasive nonnative tunicate, *Didemnum vexillum* (NPS 2009dxvi).** In fact, there was no expansion beyond what had been approved in 1993. CFGC formally concurred that Manila clams were authorized on M-438-01 in 1993 and corrected the clerical error at their December 10, 2009 meeting.** In a letter on December 22, 2009, NPS advised DBOC that additional information was required before NPS could determine whether to give final approval under the SUP, and that cultivation of clams on the larger lease could only occur subsequent to such approval (NPS 2009exvii). DBOC //declined to offer any additional information in their response to the NPS (DBOC 2009cxviii)//**informed NPS that the clerical error had been corrected and DBOC continues to cultivate clams on M-438-01 as authorized in 1993.**// The addition of Manila clam cultivation to the area of Lease M-438-01 and outside the boundaries of Lease M-438-02 is not authorized under the NPS SUP//. [Clams have been authorized on M-438-01 since 1993 and cultured by DBOC before the 2008 SUP.]

//THE NEPA PROCESS National Park Service 21// During the time CDFG was reviewing the request for Manila clams in Lease M-438-01, the CCC issued DBOC an enforcement notice on September 16, 2009, stating that DBOC was out of compliance with the 2007 Consent Cease and Desist Order because Manila clams were located outside Lease M-438-02 (CCC 2009bxix)// To avoid enforcement actions and respond to the CCC notice//**DBOC had already made the request to CFGC to correct the clerical error and had informed CCC of the pending action. Nevertheless, CCC directed DBOC to move the clams off of M-438-01 and place them on M-438-02 (a 1-acre lease within M-438-01) until the issue was resolved by CFGC.** DBOC agreed to move the Manila clams from Lease M-438-01 to Lease M-438-02. In early December 2009, NPS and CCC issued letters of violation to DBOC for placement of Manila clam bags within one of the harbor seal exclusion areas (NPS 2009cxx; CCC 2009axxi). In response, DBOC stated that clam bags had been placed within a harbor seal protection area because their global positioning system (GPS) coordinates were misread and the misplaced clams would be immediately removed (DBOC 2009axxii). From 2009 to 2011, DBOC submitted several requests to CCC, CDFG, and/or NPS for improvements and alterations to the commercial shellfish operation (DBOC 2009bxxiii, 2010fxxiv, 2010mxxv, 2011cxxvi, 2011exxvii, 2011gxxviii; Latham & Watkins, LLP 2010xxix). On March 30, 2010, CCC forwarded the DBOC proposals to NPS and requested a review of the list of proposed actions that were currently authorized under the DBOC SUP (CCC 2010axxx). Although some of the actions proposed in the development plans were authorized by the existing SUP, NPS was not able to fully evaluate the proposed development actions because supporting information such as design plans and other relevant data was not submitted. Several site drawings and development costs have been subsequently provided by DBOC, including an emergency storm damage mitigation request in March 2011 (DBOC 2011axxxi, 2011bxxii). These, along with recent requests for a lease boundary adjustment and an updated site plan, will be considered as requests under article 6 of the SUP (NPS 2008b). NPS has reviewed these requests, and many of the requests are considered as elements of alternatives presented in this EIS (see "Chapter 2: Alternatives").

Correspondence ID:	51958	Project:	33043	Document:	43390
Name:	Jonik, Philip				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 22:03:50				
Correspondence Type:	Web Form				
Correspondence:	Secretary of Interior and staff - I am in favor of an action alternative, which would allow the DBOC to continue closely monitored operations for a specified period of time, which would allow the NPS or other agency regulators to review the effects of the oyster operation, as well as other use factors, like kayaking in the estero. As a 25 year resident of Inverness, I have witnessed the tragic and severe community split, which has developed regarding the DBOC operation/seal population/Estero health. These are all good people, who have debated and studied the situation. I feel that the best decision should be one that gives some benefit to all parties (a win-win as they say). The Lunny Family is highly regarded by many local ranchers and residents, has long-time roots in this area, and provides important employment to many local Mexican-American workers. DBOC has acted as a good steward of the land and their operation cleaned up the shabby company that preceded them. The Park scientists and administrators are conscientious public employees trying to implement the environmental regulations, which will keep the marine mammals and Drakes Estero healthy. It seems that the designaed regulatory agencies involved could develop a comprehensive plan to monitor the DBOC operations and Estero.				

The critical thing here is not to make this community split worse by ruling totally in favor of one alternative, thereby creating continuing dissension and calling into question the integrity of persons and organizations. I realize that people around the USA have provided comments on this issue, but they don't have the intimate experience of living in the community affected. This is an opportunity to heal a fractured community with a creative solution.

Correspondence ID: 51959 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 22:07:07
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative. Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012. This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience. Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy. Drakes Estero is the only marine wilderness on the West Coast, and is irreplaceable, while oysters can be grown elsewhere. As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Sincereley, A California resident and Point Reyes visitor

Correspondence ID: 51960 **Project:** 33043 **Document:** 43390
Name: Peel, Thomas
Outside Organization: NRDC Unaffiliated Individual
Received: Dec.09,2011 22:07:58
Correspondence Type: Web Form

Correspondence: 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.

Correspondence ID: 51961 **Project:** 33043 **Document:** 43390
Name: Seratti, Rosanne H
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 22:18:28
Correspondence Type: Web Form

Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

This will allow the Drake's Bay Oyster Farm to make the necessary repairs and/or replacements needed to continue operating in an environmentally sound manner and consistent with the goals and objectives of the National Park Service, the California Department of Fish and Game, and other related agencies.

Other provisions which are important to me are restoring marine habitats (including efforts to restore native oysters to Drake's Estero); increasing domestic food production; supporting the local economy by creating sustainable jobs, attracting many visitors to West Marin, and providing much of the San Francisco Bay Area's sustainably farmed shell fish. Of most importance, the Drake's Bay Oyster Farm will work with the NPS and other related agencies to develop interpretive programs, research

projects, and educational opportunities for the many students and visitors to the Point Reyes National Seashore.

I believe that the presence of the Oyster Farm enhances the public appreciation of the history and culture of the Point Reyes National Seashore. People coming to the Drake's Bay Oyster Farm to visit or to purchase oysters can readily see the beauty that surrounds them. They are likely to be strong supporters of preserving and protecting the National Seashore and its environs from any future efforts at inappropriate developments.

Thank you very much for strongly considering the COLLABORATIVE MANAGEMENT ALTERNATIVE in renewing the permit for the Drake's Bay Oyster Farm.

Correspondence ID: 51962 **Project:** 33043 **Document:** 43390
Name: N/A, N/A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 22:18:36
Correspondence Type: Web Form
Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51963 **Project:** 33043 **Document:** 43390
Name: O'Leary, Anne
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs.

Correspondence ID: 51964 **Project:** 33043 **Document:** 43390
Name: Spinosa, Barbara
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 22:43:00
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID:	51965	Project:	33043	Document:	43390
Name:	Wolland, Scott				
Outside Organization:	Unaffiliated Individual				
Received:	Dec,09,2011 22:44:46				
Correspondence Type:	Web Form				
Correspondence:	December 9, 2011				

RE: Comments on the Lunny Commercial Oyster Operation Draft EIS

I am in favor of the no-action alternative as described in the DEIS with a lease sunset of the commercial oyster operation (DBOC) to be set November 30, 2012. If infractions continue to occur and the company continues to operate outside of the realm of what is described in the leases and the consent decrees, I believe the company's permit should be discontinued promptly and fines issued. I urge Secretary Salazar to closely evaluate this decision based on the merits outlined in the NPS Organic Act ("to conserve the scenery and the natural and historic objects and wild life therein ?.. unimpaired for the enjoyment of future generations: 16 U.S.C 1). I consider the DEIS listed violations to be "impairments".

Other Comments: 1. Lease: The Park has supported the commercial oyster company since the beginning of the park history. It has offered a very long sunset and notification has been over several decades. To change the terms based on one individuals disregard for a lease would encourage NPS lease holders to "demand" the same. (demand is the word DBOC has used in their talking points). It would encourage other companies to encroach on wilderness areas using the argument that they are "providing jobs". The role of the US Government here is to protect wilderness, and we should not be shy about doing so.

2. The Park Service System has a responsibility to stay on its mission regarding Wilderness Areas (or potential wilderness areas). The Park should not compromise the wilderness designation, this could be the test case where other units have lessees who follow suit with similar arguments.

3. Drakes Bay Commercial Oyster Operation History (DEIS page 19-21): DBOC has been a high maintenance lease (e.g. introduction of not approved, non-native species (Manila Clams) into the permit zone, and the continued disregard for the conditions of the RUO and SUP). The number of times the CCC and NPS have discovered violations makes me wonder what other violations are occurring that have gone unnoticed. The fact that DBOC has not fulfilled all of the required terms and conditions of the consent order (November 29, 2007) is very important to weigh. With the volume of violations - a trend of non-compliance is evident ? a fair question would be "Why he is continued to operate at all?". This is a burden to the agency that was not established to spend an inordinate amount of time and tax payer dollars managing and destructive and delinquent lessee activities.

4. Law and Policy: The Marine Mammal Protection Act (pg. 40) defines "take" as "harass, hunt?..any marine mammal." The cumulative effect of activities - daily movement of motorboats, placement of oyster racks, loss littering of plastic tubes and nets from the operation and DBOC's unreliable GPS system that prevents the them from being able to establish clam bags in authorized zones - equates to a "take" as I see it (i.e. illegal).

5. Pollution by operation: ? Has DBOC's discharge of wash from their operations into Drakes Estero been monitored? If so, does it comply with the Clean Water Act? ? How does monitoring for invasive introductions occur for this project site? I assume non-native species are potentially moving in on oyster seed shipments. ? Thousands of plastic tubes and debris have been collected on the shore of this operation. This debris appears to be produced since Lunny took over the lease. This litter is a significant byproduct of this facility that a sunset of November 2012 would (at a minimum) stop.

6. CONSISTENCY: The National Park Service is an agency that serves the nation ? not just local fads or movements of the day. As such, it is an agency that should be resilient to the ebbs and flows of local politics. If the parks were reactive to local politics, there would be very little consistency across the country. If the parks were to respond to local politics there would be very little consistency between parks and render the entire idea of a national system defunct. Upholding intent and policy of the NPS is critical and the strength to fulfill the national policy is paramount, otherwise the world renowned agency (NPS) might as well be turned over to the counties to manage. 7. Mr. Lunny is taking advantage of the situation and is behaving irresponsibly; he

purchased a lease without clarifying whether the park had any interest in foregoing the Wilderness designation planning. He is responsible for leading this locally divisive attack campaign that could render his employees without a job, and the agencies attentions redirected. All this because he made assumptions about being able to convince the park to change their 30-year course.. The park has held upheld their responsibilities with the lease (and then some-if you consider the high maintenance of this situation) and Mr. Lunny has not. Extending his lease in any fashion would be rewarding this behavior. To offset the impacts related to the business's expired lease; I support Mr. Lunny moving outside the park to set up another business. He currently runs two other businesses (ranching on park land and gravel extraction) so I am assuming as an entrepreneur he should be able to anticipate (in fact he should have anticipated) the end of a lease and migrate accordingly. The employment transfer along with extenuating financial offers to move should make up for the transitional efforts. The expense is something that should have been taken into consideration when purchasing a lease (set at a low cost due to the nature of the time limit) . If Mr. Lunny were to take advantage of an extremely generous offer to move (that Feinstein supported), there would even be more employment locally to carry out the transition.

Correspondence ID: 51966 **Project:** 33043 **Document:** 43390
Name: Lunny, Kevin
Outside Organization: Drakes Bay Oyster Company Business
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: Deletions are between //

Additions are between **

Comments are bracketed []

The EIS must consider the errors pointed out below, prepare appropriate analyses and correct the EIS

No. Section / Appendix Page PROPOSED Draft EIS Text Revision Justification 1. Executive Summary xxiii A new SUP authorized under section 124 of PL 111-88 would be issued to DBOC for a period of 10 years. Because these alternatives include the authorization for DBOC to continue operating for 10 years, the NPS would delay conversion of congressionally designated potential wilderness to congressionally designated wilderness for //10 years//. The new SUP would expire on November 30, 2022. //No// **The decision to issue** extensions or renewals //would be issued/** to the new SUP would be considered at the end of the 10-year permit** because section 124 //only// authorizes the **Secretary to issue a**//one// 10-year permit **under the terms present in DBOC's existing SUP, which includes the possibility of renewal.** [Section 124 of PL 111-88 authorizes the Secretary of the Interior to issue a SUP for a 10-year term under the same conditions present in the existing SUP. DBOC's existing SUP does not prohibit renewal. See Attachments ES-1, 2008 SUP for DBOC; ES-2, PL 111-88, Section 124.]

1. Chapter 1 5 PROJECT OBJECTIVES ? Manage natural and cultural resources to support their protection, restoration, and preservation. ? Manage wilderness and potential wilderness areas to preserve the character and qualities for which they were designated. ? Provide opportunities for visitor use and enjoyment of park resources. ? **Operate an environmentally sustainable oyster farm** . [The Purpose and Need section must also consider the project applicant's needs and goals, in addition to the Service's. See Citizens Against Burlington, Inc. v. Busey, 938 F.2d 190, 196 (D.C. Cir. 1991) ("When an agency is asked to sanction a specific plan, see 40 C.F.R. ' 1508.18(b)(4), the agency should take into account the needs and goals of the parties involved in the application.")]

1. Chapter 1 6-8 The NPS's jurisdiction over DBOC's aquaculture operation is not limited by the rights the state retained when it conveyed the tide and submerged lands in Drakes Estero to the United States. The California Department of Fish and Game (CDFG) and CSLC have concluded, and the NPS agrees, that the "right to fish," as retained by the state, does not extend to aquaculture, such as DBOC's commercial operation (CDFG 2007biv; CSLC 2007v). In its official communications on this issue, CDFG explained that "fishing involves take of public trust resources and is therefore distinct from aquaculture, which is an agricultural activity involving the cultivation and harvest of private property" (emphasis in original) (CDFG 2007b). Because the right to fish does not extend to aquaculture, CDFG concluded that the NPS has primary management authority over DBOC operations (CDFG 2007bvi, 2008vii).

[and associated discussion through page 8] [When it conveyed the tide and submerged lands to the United States, the State of California retained the right to fish, which includes the ability to regulate DBOC's aquaculture operations. See Attachment 1-1, 2007 Memorandum Analyzing CDFG's Regulatory Authority Over Oyster Cultivation Activities in Drakes Estero.]

1. Chapter 3 228 Seashore staff have spent approximately 200 labor hours per year since 2008 for maintenance and custodial activities on facilities, including the// Schooner Bay// **Oyster Company** Road and vault toilet. [? Traditionally, JOC managed the road leading into the oyster farm (what NPS is calling "Schooner Bay Road"). ? When DBOC got involved, DBOC managed the road for the first year. Subsequently, Don Neubacher, PRNS Superintendent, explicitly told DBOC not to "touch the road". ? DBOC, holding a State general engineering license, offered to maintain the road for a \$1/year contract with PRNS. PRNS declined, and instead "have spent approximately 200 labor hours per year since 2008 for maintenance (of) the "Schooner Bay Road"?and is needlessly spending taxpayer dollars. ? The dEIS needs to correct the mistake in using an incorrect name for the road leading to the oyster farm. The road name is "Oyster Company Road", not "Schooner Bay Road". Giving the wrong name is misleading to the visiting public. Seashore visitors are correctly directed to 1 Oyster Company Road to find the oyster farm. Misstating the road name would confuse seashore visitors and deny them the opportunity to visit their desired destination.

See Yahoo Maps or MapQuest ? the road leading to the oyster farm is Oyster Company Road, not Schooner Bay Road.]

1. Chapter 3 228 Labor hours associated with administrative activities have exceeded 2000 hours per year, in association with SUP management and Freedom of Information Act responsibilities. [PRNS/NPS "self-imposed" these hours in their efforts to evict the farm. These hours would certainly not be expected to continue in the absence of their eviction efforts.]

Correspondence ID: 51967 **Project:** 33043 **Document:** 43390
Name: OYOUNG, GILBERT
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 22:48:31
Correspondence Type: Web Form
Correspondence: Dear NPS,

I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

DBOC should be granted the option to extend their SUP after 10 years if predefined conditions agreed upon between DBOC and Agencies have been satisfactorily met at the time of renewal. This option is fair and effective. It will ensure that our wildlife and environment are protected, while enabling DBOC to continue to farm healthy, delicious oysters to everyone in the Bay Area!

Thank you for your consideration.

Cordially, Gilbert

Correspondence ID: 51968 **Project:** 33043 **Document:** 43390
Name: Lucker, Kerrick A
Outside Organization: Unaffiliated Individual
Received: Dec.09,2011 00:00:00
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

I believe that oyster farming has been and should continue to be conducted sustainably in Drakes Estero. I seek out sources of sustainable local seafood, and the loss of Drakes Bay Oyster Company would significantly affect me. As an educator in marine conservation, I believe DBOC is a positive contributor to the estuarine ecosystem and should be preserved.

This alternative permits DBOC to continue to utilize onshore facilities within the Seashore (PRNS) pastoral zone to support shellfish cultivation in Drakes Estero pursuant to its leases from the California Department of Fish and Game [CDFG]. DBOC would pay "fair market value" for use of the on-shore facilities, which would take into account the value of interpretive services provided and the investment needed to rehabilitate existing facilities and construct new processing facilities. The rehabilitation and construction work would be as described in the discussion of Alternative D. Under this alternative, DBOC will collaborate with relevant organizations, including but not limited to the NPS, the CDFG, the UC SeaGrant program and other educational and research agencies and in developing interpretive programs and scientifically valid research projects as recommended by the NRC and MMC. This alternative provides educational opportunities for people of all ages, including Seashore visitors, students and researchers, relating to estuarine ecology and mariculture. This alternative is consistent with the "national interest" expressed in President Clinton's May 26, 2000 Executive Order 13158 directing the Departments of Commerce (DOC) and Interior to expand and strengthen the "Nation's system of marine protected areas." It respects the California Fish and Game Commission designation, effective May 2010, of Drakes Estero as a State Marine Conservation Area (SMCA), a protected area in which recreational clam digging and shellfish cultivation pursuant to CDFG leases are permitted. DBOC's operation within a SMCA and PRNS presents a unique opportunity for collaborative research that supports the policies of the National Shellfish Initiative [Initiative] announced by NOAA and DOC in June 2011, and responds directly and positively to NRC and MMC recommendations regarding collaborative efforts to inform adaptive management of Drakes Estero. This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs and restore marine habitats. It provides opportunities for research as called for by the Initiative, "?on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish. This alternative sustainably supports the local economy by continuing to attract thousands of ethnically diverse visitors to West Marin every year and continuing to provide over half of the San Francisco Bay Area's sustainably farmed shellfish. It protects desperately needed affordable housing for farmworkers on remote Point Reyes ranches. Under this alternative, DBOC will continue to provide essential oyster shell for environmental programs, such as the San Francisco Bay Native Oyster Restoration Project, the SF Bay Bird Observatory Snowy Plover Habitat Enhancement Project and the California Department of Fish and Game Least Tern Habitat Enhancement Project. This alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand and manage relationships among the physical, biological, and cultural elements of a working land and seascape, while maintaining its distinctive "sense of place and character."

Correspondence ID: 51969 **Project:** 33043 **Document:** 43390
Name: N/A, N/A

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 22:58:04
Correspondence Type: Web Form
Correspondence: There are a number of significant documents excluded from the draft EIS that should be included in the final EIS: 1) The PRNS General Management Plan from 1980, especially the sections that reference support for agriculture and mariculture 2) The book published by NPS Conservation Study Institute in 2007 entitled, "Stewardship Begins with People" (Citation: Diamont, Rolf, et al. Stewardship Begins with People: An Atlas of Places, People, and Handmade Products. Woodstock, VT: Conservation Study Institute, 2007.) This NPS publication profiled Kevin Lunny as an outstanding steward. 3) The over 281,000 photos (spy camera/wildlife camera) already in possession of NPS and arbitrarily excluded from the draft EIS. 4) The draft EIS references didn't include single document or report from Dr. Corey Goodman. His work and criticisms should be cited in the final EIS. 5) Dr. Sarah Allen's own studies 1. Harbor Seal Monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area Annual Report 2005 which finds a. "Causes for disturbance at Drakes Estero ? birds most frequent cause, followed by non-motor boats [kayakers], humans [hikers], aircraft." b. "The number of disturbances ? remains similar to previous years and no trends are detected?.hikers and boaters remain the two most frequent sources of disturbance ?." 2. Monitoring the Potential Impact of the Seismic Retrofit Construction Activities at the Richmond San Rafael Bridge on Harbor Seals?" in which a. "Construction-related disturbances,,were attributed to ? watercraft ? and construction activities such as jack-hammering, rivet work, hammering and the movement of cranes on barges near [within 20 yards of] the haul-out site." b. In contrast, DBOC boats are 750 yards away from harbor seal haul-out site and do not come anywhere near the seal haul-outs.

Correspondence ID: 51970 **Project:** 33043 **Document:** 43390
Name: Casey, Caroline W
Outside Organization: The Visionary Activist Show/Coyote Network News Unaffiliated Individual
Received: Dec,09,2011 23:02:41
Correspondence Type: Web Form
Correspondence: By the power of the waxing Full Moon ecipse and the stationing of the planet Uranus, representing authentic democracy, let's eclipse mis-directed, inappropriate harumphitude: honor this lovely little sustainable company and its owners who exemplify reverent stewardship and harmoniously coexist in the National Seashore (as was the original intent of the visionary founders who set this land aside for a national park).

Correspondence ID: 51971 **Project:** 33043 **Document:** 43390
Name: Taylor, Victoria A
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:03:32
Correspondence Type: Web Form
Correspondence: I believe there is a reasonable compromise to be reached between the Park Service and the oyster farm. I believe the jobs, families and revenue that Drakes Bay Oyster Company bring to our community need to be preserved. I value the blend of farming and nature that are special to Point Reyes. Please extend the lease and let DBOC continue has they have with reasonable controls and oversight to protect our environment and the estero.

Correspondence ID: 51972 **Project:** 33043 **Document:** 43390
Name: hopkins, jeff
Outside Organization: NRDC Unaffiliated Individual
Received: Dec,09,2011 23:13:43
Correspondence Type: Web Form
Correspondence: 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.

Correspondence ID: 51973 **Project:** 33043 **Document:** 43390
Name: O'Leary, Anne
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 00:00:00
Correspondence Type: Web Form

Correspondence:

I support a renewable Special Use Permit for Drakes Bay Oyster Company I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

2

Potential impact on wildlife is not properly assessed. The dEIS claims that removing the oyster farm would benefit harbor seals; that claim is false. Drakes Estero is currently home to one of the largest harbor seal populations on the California coast and the harbor seal population has remained constant for decades, according to Dr. Sarah Allen's Annual report on Harbor Seals at Drakes Estero. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

3

I support a renewable Special Use Permit for Drakes Bay Oyster Company, especially the Collaborative Management Alternative proposed by Drakes Bay Oyster Company.

The dEIS includes much discussion about special-status species. It concludes that the oyster farm could potentially negatively impact these species

NONE OF THE SEVEN Endangered species mentioned in the dEIS live in the project area! NO Myrtle Silverspot Butterfly live IN project area they make their habitat nearby, but not IN the project area (dEIS pg 187) NO Red-legged frogs live in the project area: salt water kills them NO Ca Coho Salmon live in project area (dEIS pg 189) NO Central Ca Steelhead live in project area (dEIS pg 190) NO Leatherback Turtles live in project area (dEIS pg 191) NO Western Snowy Plovers live in project area (dEIS pg 192) NO Ca Least Terns live in project area (dEIS pg 192) The dEIS fails to provide an accurate assessment of the oyster farm's proven ability to operate without harming wildlife or wildlife habitat.

The final document should reconsider all wildlife issues and provide a data based assessment.

I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

4

Environmental benefits are misrepresented and/or missing.

PRNS has been rebuked for misrepresenting the facts about the environmental benefits of oyster farming yet, the dEIS 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 and reducing nitrogen in the water. Drakes Estero is one of the most pristine estuaries IN THE COUNTRY DUE TO THE PRESENCE OF THE OYSTERS. The dEIS fails to address the environmental impacts of the following:

Replacing a local, sustainable food source with 35,000 pounds of oysters that would have to be flown in from Asia each week to compensate Comparisons of the carbon footprint of the existing food source with the replacement food source must be analyzed in the dEIS. The dEIS fails to consider world population food needs. 1960 world population 3 BILLION PEOPLE 2011 world population 7 BILLION PEOPLE, 2.33 times greater in 51 years I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority. 5

Economic impacts are not adequately addressed.

The dEIS states, removing the oyster farm would cause "major, long-term, adverse effects to the California shellfish market" but The dEIS does not provide a complete analysis of these MAJOR, LONG-TERM, ADVERSE IMPACTS! The dEIS does not include these impacts in the overall analysis. The dEIS does not analyze the impacts of eliminating one of the largest employers in West Marin. The dEIS must assess and address the economic impacts of eliminating the production of nearly 40% of California's oysters and the subsequent impact on the economy. I support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

6

Socioeconomic impacts are not properly addressed furthermore the analysis is flawed.

Geographic parameters used throughout this chapter

Switch back and forth from Inverness proper, to greater West Marin, to Marin in general, to Multi-County, to Statewide, and even to Nationwide. This switching of parameters is used to argue that the job losses would be minimal. Considered properly:

DBOC is one of the largest employers in the area. West Marin is a community isolated 20 miles away from the main population of the county by farms, ranches, open space and parkland therefore, these job losses would be anything but minimal The analysis presented here is insufficient. This section should be reformulated and corrected for the dEIS. support a renewable Special Use Permit for Drakes Bay Oyster Company. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

7

Impacts to local habitat restoration efforts and endangered species are not addressed

The oyster shell byproduct from the Drakes Bay Oyster Farm cannery is the sole, critical resource for reestablishing native oyster beds, and for restoring CA Least Tern and Western Snowy Plover habitat, in San Francisco Bay. The California Least Tern is a U.S. federally listed endangered species The Snowy Plover is in decline due to habitat loss. If Drakes Bay Oyster farm were shut down, the restoration operations could also be shut down. The d EIS does not address the impacts to wildlife or the environmental issues surrounding the loss of these restoration efforts. The dEIS should correct these flaws. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

8

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 generations The importance to Park visitors Local restaurants Local food shed I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

9

Existing management policies are not considered.

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 d EIS does not include any reasons for, or discussion of, this decision to bypass The existing General Management Plan and Marin County's planning processes The existing management policies must be considered and addressed. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

10

National aquaculture policies are ignored. 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 dEIS should consider these policies. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

11

None of the alternatives is appropriate. While the NEPA process mandates the consideration of a "no-action alternative," there are no alternatives presented in the dEIS that qualify as "no-action."

Alternative A forces DBOC out of business next year, The other alternatives force it to shut down in 10 years. The DEIS fails to provide a valid status-quo baseline. A new set of alternatives must be created that meet the actual criteria for this process. I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to

continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

12

I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

DRAKES BAY OYSTER COMPANY SPECIAL USE PERMIT:

Collaborative Management Alternative

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

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

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

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

This alternative supports the goals of the Initiative, which are to increase domestic seafood production, create sustainable jobs, and restore marine habitats. It provides opportunities for research as called for by the Initiative, "...on the interactions between shellfish and the environment in terms of climate change, ocean acidification, naturally occurring pathogens and parasites, and other factors . . ." This alternative supports DBOC's efforts to restore native oysters in Drakes Estero and to study the potential for native oysters to withstand the effects of global ocean acidification now beginning to affect all Pacific coast shellfish.

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

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

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

I support the Collaborative Management Alternative proposed by Drakes Bay Oyster Company. DBOC must be allowed to continue the existing uses under the existing California Department of Fish and Game leases and regulatory authority.

Correspondence ID:	51974	Project:	33043	Document:	43390
Name:	Yamagata, Donna				
Outside Organization:	Unaffiliated Individual				
Received:	Dec.09,2011 23:16:20				
Correspondence Type:	Web Form				
Correspondence:	Dear Superintendent Muldoon,				

The following comments are offered in response to the draft Environmental Impact Statement (EIS) for the Drakes Bay Oyster

Company (DBOC) Special Use Permit.

To provide context, the following quote from the National Environmental Policy Act (NEPA) Sec. 101 [42 USC ' 4331], which governs the EIS process is offered:

"(a) ... it is the continuing policy of the Federal Government, in cooperation with State and local government, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

It is against this backdrop that recognizes the role of humans in the environment that my comments are submitted.

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 almost 100 years, and that has served park visitors, local restaurants and the local food shed. To dismiss the topic of cultural resources from your analysis is a serious omission.

Socioeconomic impacts: The draft EIS fails to address the impacts on the oyster farm's approximately 50,000 visitors annually who enjoy the oysters and the interpretive services provided by Drakes Bay Oyster Company

As described in my Scoping letter, my observations from collecting signatures at the oyster farm for almost a year (2006-2007) are that the typical oyster farm visitor is not the typical National Park visitor. Oyster farm visitors are a diverse group and represent a wide range of incomes, races and ethnicities. I believe many of them might not otherwise have any connection to the National Park System, but they make the trip to DBOC because they value fresh seafood and relish the opportunity to sample it and buy it at the source. As the National Park Service actively searches for ways to increase access to the National Park System for underserved communities why then is this particular visitor population being dismissed as insignificant? If DBOC's Special Use Permit is denied, these underserved communities would be impacted. The draft EIS must address the subsequent impacts to these visitors and how these impacts will be mitigated.

Preferred alternative: None of the alternatives presented in the draft EIS are acceptable. I support the "Collaborative Management Alternative" in the final EIS as put forth by the Alliance for Local Sustainable Agriculture.

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

The Collaborative Management Alternative supports a landscape that is ecologically and economically sustainable. It is consistent with the natural resource management provisions in the PRNS General Management Plan, and enables PRNS to collaboratively integrate ecosystem science and natural and cultural resource management.

This alternative allows "man and nature (to) exist in productive harmony" while allowing the Seashore to collaboratively integrate ecosystem science and natural and cultural resource management to better understand the physical, biological, and cultural elements of a working land and seascape, while maintaining the Park's distinctive "sense of place and character."

Sincerely,

Donna Yamagata

Correspondence ID:	51975	Project:	33043	Document:	43390
Name:	Lunny, Kevin				
Outside Organization:	Drakes Bay Oyster Company Business				
Received:	Dec,09,2011 00:00:00				
Correspondence Type:	Web Form				
Correspondence:	In 2006, PRNS Superintendent approved a sign replacement plan for the oyster farm. Johnson Oyster Company had one large sign placed on Sir Francis Drake Blvd. with the farm name and information identifying that the farm had oysters for sale and hours of operation. When designing the replacement, PRNS notified DBOC that the required information would need to be separated into two signs to meet NPS signage codes. PRNS explained that only the farm name could be located on Sir Francis Drake and the remaining information would need to be placed on Oyster Company Road, facing Sir Francis Drake Blvd. The PRNS then made the signs and installed the signs. Sometime later, PRNS removed the sign that identified DBOC was open to the public and bad hours of operation. The unexplained removal coincided with the elevation of conflict between PRNS and DBOC over what DBOC believed were unsupported claims by PRNS of environmental harm caused by DBOC activities. DBOC asked for an explanation for the removal and PRNS did not provide an answer. The oyster farm is not visible from the intersection of Oyster Company Road and Sir Francis Drake Blvd. Without the critical information, the passing seashore visitor has no idea that the farm is open to the public. This is currently having a negative impact on the park visitor, as well as a negative impact on DBOC. The oyster farm and farm visitors had never been subject to these negative impacts caused by a lack of appropriate signage until this time. Replacing the sign would mitigate the negative impacts.				

DBOC again requests that the sign is replaced. This EIS should consider the impacts of replacing and not replacing the sign in its original location and include the sign replacement with any alternative that includes issuing a SUP for a continuation of current use.

A photo of the original JOC sign as well as a photo of the PRNS approved sign in its location has been provided to this EIS as an attachment to a letter submitted on December 9, 2011 by the DBOC farm manager, Ginny Cummings. Electronic copies of the photos can be made available upon request by NPS.

Correspondence ID: 51976 **Project:** 33043 **Document:** 43390
Name: Shuford, W David
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:19:17
Correspondence Type: Web Form
Correspondence: To National Park Service Staff:

I strongly urge that the National Park Service designate Alternative A as the Preferred Alternative so that Drakes Bay Oyster Company (DBOC) operations are terminated in Drakes Estero in November 2012, as originally mutually agreed upon by the terms of the lease agreement now in effect between DBOC and Point Reyes National Seashore (PRNS), and that this precious estuary finally be given the wilderness designation it has richly deserved but has been forestalled for far too long.

I came to live in the Point Reyes area in 1975, almost 40 years ago now and the year before legislation designated Drakes Estero as potential wilderness. During those formative years I roamed the Point Reyes estuaries conducting surveys and documenting the importance of all these areas to wetland birds, culminating in the publication of a monograph, with my co-authors from Point Reyes Bird Observatory, on the "Seasonal abundance of waterbirds at Point Reyes: A coastal California perspective" (Western Birds: Vol. 20, No. 4, 1989).

But far beyond the scientific knowledge gained through these endeavors, I came to value the beauty, quiet, and near-pristine character of the various Point Reyes estuaries. As a wetland biologist and ornithologist, I have traveled extensively to survey shorebirds and waterbirds throughout California and adjacent states. During this time I have witnessed the continuing encroachment of human activities on wildland and wetlands to the detriment of the natural inhabitants of these dwindling wetland ecosystems. There is hardly a lowland area in California that has not been extensively and irreparably altered by human activities. Virtually none of the wilderness areas designated in California or the rest of the United States occur at or near sea level, which is a travesty and a shame given most of the country's population is separated by distance and accessibility from pristine natural areas. This birthright to seek solace and respite in wilderness is one that is hard for most people to experience without substantial effort.

Legislators in 1976, however, had the foresight to identify Drakes Bay as potential wilderness and to set in motion the process that would culminate in true wilderness designation. They foresaw, and many of us now know, how unusual and valuable it would be to have the only wilderness estuary on the West Coast in PRNS, within relatively easy driving distance of the 7 million human inhabitants of the San Francisco Bay Area. Such an environmental, educational, and spiritual resource is, of course, also a national and international treasure.

The 1976 enabling legislation gave a generous long-term lease to the prior oyster operation at Drakes Estero but it is now time for the wilderness values of the estero to be given back to all U.S. citizens rather than to extend the lease to benefit the current owner of DBOC, who took over the prior lease with full knowledge that PRNS intended not to extend the lease when it expired in 2012. Under these circumstances there is no environmental justification to subvert the intent of the Point Reyes Wilderness Act and the National Park Service's policies toward minimum use and phasing out of non-conformities with wilderness lands by extending the lease for another 10 years. To do so would set a dangerous precedent by encouraging others to seek comparable exceptions to profit from resources that belong to the public and that have already been committed for wilderness, the highest conservation status given to lands in the United States.

The Draft EIS on the DBOC's Special Use permit provides extensive discussion of the environmental impacts of commercial operations within the estuary but I will not comment further on the details here. The crystal clear, bottom line is that the preferred environmental outcome for all alternatives is the ultimate removal of commercial and motorized activities from Drakes Estero so this estuary can be given official wilderness designation. We have been waiting for this righteous act for 40 years and the time to do it is now. I implore you to move with haste to declare Alternative A -- the no-action alternative -- the official preferred alternative of the final EIS. To do so is long overdue.

Sincerely,

Dave Shuford Inverness, CA

Correspondence ID: 51977 **Project:** 33043 **Document:** 43390
Name: Johns, Frances M
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:20:24

Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51978 **Project:** 33043 **Document:** 43390
Name: Ferraro, Nikola
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:22:51
Correspondence Type: Web Form
Correspondence: "I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS.

Correspondence ID: 51979 **Project:** 33043 **Document:** 43390
Name: Popper, Stephen
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:24:22
Correspondence Type: Web Form
Correspondence: I support the Collaborative Management Alternative as the preferred alternative in the final DBOC SUP EIS

Correspondence ID: 51980 **Project:** 33043 **Document:** 43390
Name: Campbell, Linda S
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:29:41
Correspondence Type: Web Form
Correspondence: The following is an email response that I sent to Mr. Desai, Associate Director, Pacific Region - on November 10, 2011. I support the NPS, but, I also support sustainable farming with respect to the environment. While this is an unjust attempt... factory farms continue their ill practices. The beauty of the land and wildlife in question is being cared for and enjoyed by those who live, work and visit the area. Respectfully, Linda S. Campbell Mr. Desai, I truly appreciate the work that you are doing. But I have been a supporter of the Drakes Bay Oyster Farm. It is a part of our visits to the area and an example of local, sustainable agriculture.

Have you ever even made a visit out to Pt. Reyes? It takes more than one visit... We camp, bird watch, owl watch, star gaze, visit the light house, take classes, mushroom forage, hike, hike, hike... Visitors enjoy going to Drakes Oyster Farm. I have never seen an unhappy person there. You can get a snack, pick up oysters for a BBQ and enjoy the view.

Point Reyes is a wonderful place to take in the natural world and appreciate it. Local agriculture, I feel, is a tremendous part of that appreciation, education, respect and health for the environment and humans. We visit all the shops at Point Reyes Station and buy the local produce, meat and cheeses. We even visit Tomales Bay Oyster Company.

So, my question is, what is the problem? Motorized boats? Is there some considerable damage to the local ecosystem if the farm continues? Are the harbor seals being injured, or worse, by the farm? Is there any common ground for existence? What is the short of the Environmental Impact Statement? Is Tomales Bay Oyster Company under scrutiny as well? Just some thoughts for consideration.

They are oysters, not crude oil. I feel that the land is protected by a sustainable family farm that is being aware.... There is a great history of family farming in Point Reyes. So, make a visit if you have not been there.

Peace, Linda S. Campbell Point Reyes Enthusiast

Correspondence ID: 51981 **Project:** 33043 **Document:** 43390
Name: Stenzel, Lynne
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:30:10
Correspondence Type: Web Form
Correspondence: I would like to express my support for Alternative A, the no-action, Environmentally Preferred Alternative. The objective of Wilderness designation for Drakes Estero planned by Congress four decades ago was extremely foresighted. Given the intense human pressure on coastal areas in the west, the value of this designation for coastal resources has not diminished in the intervening years. In many ways, this decision seems to me a matter of public trust. Policy decisions about mariculture both locally (in Tomales Bay) and for the entire state over the past four decade have been made with knowledge by state and federal agencies that Drakes Estero would be restored to an undeveloped state by 2012. If Congress's intent in creating this Wilderness with the Seashore is overturned, will these decisions be revisited? Our National Seashore is a natural treasure for our entire country and I believe is an inappropriate venue for commerce to trump preservation and protection of natural resources. As a biologist that has worked on waterbirds in the Point Reyes area, as well as in estuaries and other wetlands throughout the West, I am well acquainted with the species-rich avifauna of the Drakes/Limantour estuarine system. The EIS acknowledges the values of these resources, but does not discuss the role that Drakes Estero may play in maintaining or growing waterbird populations beyond providing foraging grounds. The estero system supports most waterbird species for more months of the year than these species occupy their breeding grounds. Since, for longer-lived species, annual survival is the demographic trait with the highest elasticity (highest impact on population growth rate; Sandercock 2006), the quality of non-breeding habitat, where these species spending most of their year, is critical for maintain or growing populations of birds. In the absence of information on the effect of disturbance from motorized boats and mariculture activities and habitat alteration due to physical structure in the estero on waterbirds, I believe the NPS should employ a precautionary approach to managing its lands and allow the estero to revert to its

natural state.

Sandercock, B. K. 2006. Estimation of demographic parameters from live-encounter data: a summary review. J. Wildl. Manage. 70: 1504-1520

Correspondence ID: 51982 **Project:** 33043 **Document:** 43390
Name: Page, Gary
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:35:46
Correspondence Type: Web Form
Correspondence: I am writing to express my support for Alternative A, the no-action, Environmentally Preferred Alternative. I strongly support the foresighted decision by Congress to protect the Drakes and Limantour Estero system as a wilderness area and see no reason that this decision should be revisited at this time. Drakes Estero hosts a species-rich avifauna, valuable eelgrass beds, harbor seal haul-out areas, and fish and benthic resources. Wilderness provides a unique opportunity for the public to experience the nation's natural resources and we are fortunate to have such an area close to the heavily populated San Francisco Bay Area. We have waited 40 years to see wilderness designation for Drakes Estero and it is a breach of public trust for this decision to be overturned at this late time in a very long process.

Correspondence ID: 51983 **Project:** 33043 **Document:** 43390
Name: Ruddock, Peter
Outside Organization: Slow Food Unaffiliated Individual
Received: Dec,09,2011 23:50:59
Correspondence Type: Web Form
Correspondence: National Park Service,

I have been a resident of Northern California for almost 29 years. I have been going to Point Reyes National Seashore for almost as long. It is a treasure. Part of what makes it a treasure is that it is a working landscape. Driving down Sir Francis Drake Blvd toward the lighthouse, I have always been struck by the historic farms and inspired by the fact that they are still working after all of these years, and within the framework of the Park. Especially within the framework of the Park.

We have many wonderful National Parks in the USA. Some of them protect outstanding wilderness (and Wilderness) and I applaud them. Perhaps we need more of these kinds of parks, although not all parks should focus on wilderness. Some of them provide recreational opportunities and I enjoy them, most especially Yosemite, despite the frequent crowds. We will probably need more of these kinds of parks, as our population grows. Some of them protect and showcase our history, which is a very important task. A few of them have multiple uses, overlapping wilderness, recreation and history, or even other unusual uses. I think we need a lot more of these, as the National Parks should represent a great diversity of lands, just as the population which it serves is greatly diverse. Point Reyes includes, wilderness, recreation, history and some special things, most especially its working farms.

There is a great opportunity here with these farms. As I mentioned, I have been struck - inspired - in driving by the working farms. I have been fortunate to visit a couple of them over the years, on private tours. Many of them are becoming sustainable, using organic practices, managing their lands holistically - doing things that the Parks want to do or should be doing. They are great assets for the Parks. It would be wonderful if more people could visit these farms. Granted, they are working businesses, but they already have contracts and covenants with the Park Service, in particular on how to manage their land and in their leases. Much could be done to solidify the sustainable practices of these farms, by writing sustainability into their contracts, and by partnering with them to get more people out to see what they are doing with the land. Given that they are working businesses, the National Park Service would probably want to arrange to provide tours of the farms, using Park Service interpreters - one of the NPS's best features! - on days when the farm wasn't too busy. Involve the public in the farms; involve the farms in the Park.

I had the great opportunity to mention this as part of recent Healthy Parks, Healthy People meetings, of which I am a continuing member. We talked about eating in the parks as part of the health of its visitors. I applaud the changes that have happened at Drakes Beach (and at Muir Woods and the Warming Hut, to name a couple of other places I know). It is important to showcase local food, and food that is otherwise sustainable. What more so than to showcase food that is grown within the parks, but strong partners of the parks. The ability for visitors to not only take a tour of the farm, but to eat its products in an NPS (or NPS-concessionaire) cafe, is very powerful. If this is done right, it really has a great potential to showcase health, both of the Park and of the people.

Drakes Bay Oyster Company should be a part of this program. It is a good citizen, exhibiting many sustainable practices. It is an important part of the community, with many devoted customers. It can be a significant partner for the park. And it should be. Work with the owners to bring them into partnership with the park, to continue to make their operations sustainable as need be, under conditions that are beneficial to them as a business, to the land and to the visitors of the park. This can be done.

A couple of notes: please consider longer term leases for your farms. Throughout the world, farmers who have to lease their property have the same problem: if the lease is too short they cannot make any infrastructure changes, even for the good, and still remain profitable. Most infrastructure changes have a multi-year payback. Part of sustainability is keeping business in business, letting the do well, while doing good.

Point Reyes National Seashore is an important part of the West Marin foodshed. Its farms are an integral part of the foodshed too. Removal of these pieces may have some unwanted effects in destabilizing this growing area of sustainable food. Any impacts on the foodshed should be considered when altering the terms of the farms within the park.

Finally, I do want to express sympathy with the Park Service on wanting a coastal estuary as Wilderness. We talk about having a bit of each type of landscape in Wilderness, to maintain it for the future (E.O. Wilson mentions 10%). This is vitally important. It is good that Abbott's Lagoon is protected within the park. It is probably not enough. However, I do not think that Drake's Estero is necessarily the best way to go about getting more, given everything else we have to consider. I think that it is better to have the goal of finding, acquiring if need be, and establishing a new Park unit, a better coastal estuary, somewhere else on the Pacific shore.

Thanks you,

Peter Ruddock

Correspondence ID: 51984 **Project:** 33043 **Document:** 43390
Name: Pollock, Janelle
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:54:00
Correspondence Type: Web Form

Correspondence: I support the wilderness designation for Drakes Estero within the Point Reyes National Seashore. I urge the National Park Service and Department of the Interior to uphold the 1976 Point Reyes Wilderness Act and select alternative A, which protects this important marine wilderness and is the environmentally preferred alternative.

Drakes Estero is a unique and ecologically significant wildlife area. It is an important stop on the flyway for migrating birds, a refuge and birthplace for harbor seals and a critical native fish nursery. Congress and the public have long intended that Drakes Estero be given the highest federal level of protection as a wilderness area when the commercial oyster lease expires in 2012.

This can only be accomplished by selecting Alternative "A" and ending commercial use of this sensitive wildlife refuge. Alternative A is the most consistent with National Park Service laws and policies. The Park Service's environmental review shows that alternative "A" best protects wildlife and the National Park experience.

Our national parks are for the people and wildlife protection, and wilderness areas with our parks should not prioritize commercial exploitation. The American public deserves to have this unique marine wilderness protected in a natural state for future generations to enjoy.

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

As someone who enjoys our spectacular national parks, I urge you to not undermine protections at Drakes Estero and succumb to special interests seeking to commercialize these special places.

Correspondence ID: 51985 **Project:** 33043 **Document:** 43390
Name: Roth, Jennifer
Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:54:19
Correspondence Type: Web Form

Correspondence: I strongly urge you to adopt Alternative A as the preferred alternative and allow the lease to the Drake's Bay Oyster Company to expire in November 2012.

Drake's Estero was designated as potential wilderness with the intention that it would become a fully-protected wilderness area at the end of the 40-year period agreed to in the lease. All parties were in agreement when the lease was signed, and no modifications were made to the existing lease when it was taken over by the current operator of the oyster farm.

Alternative A is the most environmentally-sound alternative. If granted a full wilderness designation, Drake's Estero will become the only fully-protected estuary along the West Coast and will provide important habitat to the many wildlife species that are increasingly threatened by development along other parts of the coast.

Protecting Drake's Estero will also benefit the many people in the San Francisco Bay Area and beyond who travel to Point Reyes National Seashore to enjoy the natural beauty of this remarkable area.

National Park lands are held in the public trust and should be managed for the benefit of all. I believe that Alternative A will best accomplish this goal.

Correspondence ID: 51986 **Project:** 33043 **Document:** 43390
Name: Engleby, Susan L

Outside Organization: Unaffiliated Individual
Received: Dec,09,2011 23:59:41
Correspondence Type: Web Form
Correspondence: National Park Service Point Reyes National Sea Shore, Superintendent,

I have been a resident of Marin county for over 35 years and still reside there during part of the year. I have read all the current work put forward in the form of Alternative E and find it a sterling example of how we may preserve and expand the function of Drakes Bay Oyster Company beyond its vital role within the National Sea Shore. The safety of our planet and of our food supplies depend on the exemplary management of natural resources and DBOC has been faithful to this goal.

Efforts such as DBOC need to be supported if we are to survive with grace as a species and foster conscious accord with and respect for the environment we share. As a restoration ecologist, I have always held that we, as a species, are truly defeated and utterly sunk if we view ma as separate from and harmful to the needs of the natural world. We are part of it. DBOC is part of the natural world and I urge you to support its very fine work by extending its lease within the National Sea Shore.
