

DEPARTMENT OF HEALTH SERVICES

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March 22, 1991

Ms. Sarah Allen
Research Associate
Point Reyes Bird Observatory
4990 Shoreline Highway
Stinson Beach, CA 94970

Dear Ms. Allen:

Thank you for the comments in your letter of March 19, 1991, regarding our draft Management Plan for Commercial Shellfishing in Drakes Estero, California. The information you provided about the harbor seal population there will be useful in completing the plan.

The mission of this Department's preharvest shellfish sanitation program is to ensure that shellfish harvested for human consumption are taken only from such areas and at such times that they will be a safe food. That is the purpose of the management plan.

Your concerns about the shellfish grower's impact on the seals should be directed to the Department of Fish and Game. It is that agency which administers the aquaculture lease made to the shellfish grower by the California Fish and Game Commission. For that reason, I am forwarding your comments by copy of this letter to Mr. Robson A. Collins, Marine Resources Supervisor. You may contact him by telephone at (916) 324-9676 if you wish to discuss this matter with him.

Sincerely,

A handwritten signature in cursive script, appearing to read "K. H. Hansgen".

Kenneth H. Hansgen
Supervising Public Health Biologist
Environmental Management Branch

cc: Robson A. Collins ✓
Department of Fish and Game
Marine Resources Division
1416 Ninth Street
Sacramento, CA 95814

Mr. Kenneth Hansgen
California Department of Health Services
Environmental Health Services Section
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Sacramento, CA 94234-7320
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March 19, 1991

Re: Management Plan for Commercial Shellfishing in Drakes Estero, California.

Dear Mr. Hansgen:

The above management plan was brought to my attention by the Point Reyes National Seashore (PRNS) because of my research on harbor seals within this estero and in Point Reyes over the past 15 years. My comments are directed at the inaccurate characterization of seal utilization of Drakes Estero.

First I will explain the current use of the estero by harbor seals. Harbor seals utilize a large portion of this estero year round for resting and pupping. The number of seals approaches 1000 during the spring pupping season and summer molt. From CDFG annual, state-wide aerial surveys, we know that this one colony represents about 5% of the state's population of harbor seals (see Hanan 1990). In other words, this is a significant pupping colony for the state population, producing around 250 pups.

The seals haul out on sand bars that extend into Barriex and Creamery Bays as well as around the main body of the estero. The PRNS will provide you with the specific locations of these haul out sites. During winter months the population remains high (700-800) compared to outer coastal sites probably because it provides a safe haven from winter storms. Additionally, seals regularly feed within the estero on locally abundant fish. During the pupping season, female seals concentrate in nursery areas in the upper reaches of the estero where the water is warmer and there is less current. These areas are particularly vulnerable to human disturbance.

Harbor seals, when onshore, are vulnerable to human activities within 100-300m. Causing seals to flush into the water is defined as a disturbance. In extreme cases, seals will abandon sites when excessive disturbance occurs. With chronic disturbance, reproductive success may be reduced and normal activities are altered.

Many of the proposed oyster beds and some of the existing ones are located either on top of seal haul out sites or within a disturbance distance of 300 m. Oyster beds of particular note are 6-7, 14-20, 38,40 and 10-13. Current oyster bed operations have been encroaching on seal haul out sites within the past 5 years but the present management plan will displace a large nursery groups of seals, and consequently would have a major negative impact on seal activities and reproductive success within Drakes Estero. Placement of these oyster beds on and near seal haul out sites would constitute a "take" under the Marine Mammal Protection Act of 1972, and additionally would require inclusion of an EIS under the California Environmental Quality Act (CEQA).

Thank you for your attention to my comments.

Sarah Allen

Sarah Allen
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Research Associate
4990 Shoreline Hwy
Stinson Beach, CA 94970

References:

Hanan, D. 1990. Harbor seal census in California, May-June 1989. NMFS Adm. Rpt. LJ-90-10.

cc:

James Lecky, National Marine Fisheries Service
Doyle Hanan, California Department of Fish and Game
Superintendent John Sansing, PRNS