

2013 Harbor Seal Report Shows Park Service Claims Are False

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Duplicity

By Sarah Rolph

What a ray of sunshine the new NPS seal-count data provides! The latest report tells us that 2013 has been a great year for seals, with one of the highest counts ever for seal pups, and more seals in Drakes Estero than anywhere else in Point Reyes. That should alleviate the fears of anyone who might have gotten the impression that seals could be in danger from Drakes Bay Oyster Company.

I was fascinated to see that the Park Service's seal-count report includes a disclaimer, saying that the data and related graphics "are not legal documents and are not intended to be used as such" and "The National Park Service gives no warranty, expressed or implied, as to the accuracy, reliability, or completeness of these data."

This disclaimer isn't found on any previous science reports from the Park Service at Point Reyes. I find it ironic that they would offer it now, given the clear deficiencies of many of their scientific efforts.

For example, the one paper the Park Service clings to as purported evidence for its false claims that the oyster farm disturbs seals, by Park Service scientist Ben Becker, doesn't even claim to find anything more than a correlation.

If there's one thing most of us learn about science, it's that correlation does not imply causation. Seems like the Park Service ought to have put a disclaimer on the Becker paper.

They should probably put a disclaimer on the Park Service's Environmental Impact Statement (EIS), too, since its claims about oyster-farm disturbance to seals are based largely on Becker. The EIS downplays that, pretending it has been sources by saying "the impact analysis in the EIS places emphasis on the data review, analysis, and interpretation of scientists in NAS (2009) and MMC (2011b)."

NAS (2009)? Isn't that the report by the National Academy of Sciences that found fault with the Park Service data? Indeed it is. Checking the EIS to see what data review, analysis, or interpretation they included from that NAS review, I found exactly one sentence, and it's very misleading: "Factors influencing the behavior of harbor seals within Drakes Estero have been review by NAS (2009)."

NAS did indeed review those factors. Here's what they found:

"NPS selectively presents harbor seal survey data in Drakes Estero and over-interprets the disturbance data which are incomplete and non-representative of the full spectrum of disturbance activities in the estero." And: "...research that has been conducted within Drakes Estero cannot be used either to directly demonstrate any effects of the oyster farm on harbor seals or to demonstrate

the absence of potential effects.”

So given that the Becker paper casts no light on the situation, and that NAS (2009) simply points out the scientific errors of the NPS, on what basis could the EIS possibly have found “long-term moderate adverse impacts on harbor seals due to the continuation of commercial shellfish operations”?

The only other thing cited in the EIS is the MMC report. Does it contain the evidence?

The scientific analysis for the MMC study was conducted by seven independent seal scientists. One can read their full verbatim reports in Appendix F of the report.

It’s eye-opening to do so. None of the scientists find the Becker paper convincing. Instead they point out that the design of the Becker study is entirely inappropriate for the issues it attempts to explore, and that everything that is known about harbor seals suggests that the concerns expressed by NPS about mariculture disturbing seals in Drakes Estero are unfounded. (Somehow, the executive summary of the MMC report manages to suggest otherwise, though just barely. It also suggests the Park Service continue funding MMC studies of the issue.)

The scientists on both the Academy panel and the MMC panel pointed out that the best way to learn whether the oyster farm operations disturbed seals would be with time-and-date-stamped photographs. It must have been a shock to later learn that the Park Service had been capturing exactly that data since May of 2007, but chose not to disclose it.

It certainly bothered Brian Kingzett. Kingzett is Deep Bay Marine Field Station Manager at the Center for Shellfish Research, Vancouver Island University, and one of the seven scientists who served on the MMC panel. Kingzett reports, “The panel even suggested to the Parks Staff while on site above the estero how easy it would be to put wildlife cameras on the estero to resolve some of the questions and staff looked at us and agreed that maybe it was an option worth considering when they had them up the whole time. We then spent the rest of the week discussing the lack of any good data.”

NPS has falsified the record to further its own agenda. The duplicity extends further: Interior is talking out of both sides of its mouth, claiming Secretary Salazar’s decision against the oyster farm was not based on the fraudulent EIS while also using that same EIS to argue in court against the oyster farm.

If left unchecked, this out-of-control Federal agency will destroy the livelihoods of dozens of people and eliminate a popular, historic, successful, and benign oyster farm.

And it will damage the California economy. The EIS itself clearly states that eliminating the oyster farm “could result in long-term, major, adverse impacts on California’s shellfish market.” That is a feature of the Park Service’s “preferred alternative.”

The scientific credibility of the Park Service at Point Reyes is in shreds. No disclaimer can save it.