

**CALIFORNIA DEPARTMENT OF FISH AND GAME
DECLARATION OF FISHERIES CLOSURE
DUE TO A PUBLIC HEALTH THREAT
CAUSED BY AN OIL SPILL INTO MARINE WATERS**

Amendment 2

I.

Pursuant to Fish & Game Code section 5654, in consultation with the Office of Environmental Health Hazard Assessment (OEHHA), on October 30, 2009, I issued an order prohibiting the take of all fish and shellfish in the vicinity of the Alameda County shoreline between the San Francisco-Oakland Bay Bridge and the San Mateo Bridge, during an investigation to determine and establish the degree and nature of the public health threat posed by a marine oil spill.

II.

Thereafter, on November 4, 2009, in consultation with OEHHA, I issued an order limiting the extent of the closure to the Alameda County shoreline of San Francisco Bay between Alameda Point (at the northwest corner of Alameda Naval Air Station) and the southern boundary of the Oakland Airport. The modified closure was based on actual oiling data rather than projections of shoreline oiling. The prohibition applied to fishing (inclusive of finfish and shellfish) from the shoreline and did not apply to fishing from boats.

III.

After further consultation with OEHHA and based on expedited testing of shellfish in the closure area, a determination has been made that no likely significant health threat is posed by the take of finfish in any closed areas. However, take of shellfish from certain areas still may pose significant health threats.

IV.

THEREFORE, I hereby order that the closure originally issued on October 30, 2009 and subsequently modified on November 4, 2009 be modified further as follows:

1. All areas previously closed are hereby opened for fishing and the consumption of finfish and the taking and consumption of shellfish, with the following exception.
2. Crown Memorial State Beach shall remain closed to mussel and other shellfish harvesting.

Though not a part of this order, OEHHA advises the public to avoid harvesting and consuming mussels from the shoreline adjacent to Ballena Boulevard due to another source of contamination unrelated to the Dubai Star oil spill.

Attached hereto is a map of the current closure area.

V.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.

John McCamman, Acting Director
California Department of Fish & Game

Date / Time



Calif. Dept. of Fish and Game
Office of Spill Prevention and Response



Data Source: OSPR Scientific Branch
Requestor: J. Yamamoto
Author: J. Muskat
Date Created: 11/25/09

California (Teale)
Albers Projection
NAD 83

T/V Dubai Star Incident Shellfish Closure 11/25/09

