



DEPARTMENT OF FISH AND GAME

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DATE: November 29, 2007

TO: Dan Dunmoyer, Cabinet Secretary

**FROM: John McCamman, Acting Director,
Department of Fish and Game**

**SUBJECT: SAN FRANCISCO BAY OIL SPILL UPDATE:
FISHERIES SUSPENSION LIFTED**

SUMMARY: Pursuant to Executive Order S-14-07 (EO), the Department of Fish and Game (DFG), in consultation with the Office of Environmental Health Hazard Assessment (OEHHA) and the Department of Public Health (DPH) is lifting the fishing seasons suspension as of 3 p.m. Thursday, November 29, 2007. This action is based on the determination by OEHHA, in consultation with DPH, that there is no significant human health risk posed from human consumption of fish, crab and mussels (with exceptions noted below) caught in the area impacted by the COSCO BUSAN oil spill (Spill).

DISCUSSION: Pursuant to the EO, on November 14, and in consultation with the Office of Spill Prevention and Response (OSPR), DFG determined the geographic area impacted by the Spill. All fishing seasons that were either open or scheduled to be open between November 15 and December 1 were immediately closed. This included all recreational fishing in the Bay and surrounding areas and the commercial Dungeness crab season.

Immediately thereafter, OEHHA and DPH began to review the scientific information available to determine whether a human health risk was posed by the human consumption of marine life caught in the area impacted by the Spill. These entities, working with others, also collected samples of marine species from 23 sites both in and outside of the closure area for testing. Testing was designed to assess whether these marine species posed a human health cancer risk. The species tested included: Dungeness and rock crab, herring, shiner and black surf perch, and mussels. In addition, sensory (taste and smell) testing was done on Dungeness crab taken from within the spill zone. Samples were taken from outside the closure area for control testing.

This testing has shown that humans who consume fish and shellfish from the Spill area will not face significant health risks from exposure to oil-based contaminants.

Two concerns were identified during the risk-assessment process:

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Mussels from Berkeley Pier and Rodeo Beach did show contaminants. Pursuant to existing authorities, OEHHA is simultaneously amending their consumption advisory recommending that the public refrain from consuming mussels from those two areas until future tests show that the mussels no longer pose a health risk.

It is possible that residual oil may remain on the water over the next several months. Recreational and commercial fishers should avoid exposure of their take to these residual pockets.

The report from OEHHA is attached.

CONCLUSIONS AND ACTIONS:

1. The human health risk testing conducted by OEHHA and DPH has shown that there is no significant risk posed by human consumption of marine life caught in the area impacted by the Spill, with the exception of mussels caught at Berkeley Pier and Rodeo Beach in Marin County. OEHHA is simultaneously amending their consumption advisory recommending that the public refrain from consuming mussels from those two areas until future tests can confirm that the mussels no longer pose a health risk.
2. The recreational and commercial fishery closure that went into effect on November 14 has been lifted by DFG in all locations for all species. Specifically, the Dungeness crab season will immediately resume and the season for herring will open as previously scheduled. All pre-Spill seasons, limits and other legal requirements are now in place.
3. The prohibition in the Bay on the use of live wells or holding tanks that draw in water from the outside that are used to transport crab and other species is lifted.
4. Commercial bait operations that use holding pens or nets in the Bay may also resume.
5. While fish crab and mussels from the spill area (with the exception of mussels from the two locations cited above) are safe to eat, it is still possible for marine life to come into contact with pockets of oil over the next several months. OEHHA and CDPH recommend that sport fishers use common sense and avoid consuming fish or shellfish with an oily smell or taste, and that commercial fishers and crabbers take appropriate steps to ensure their catches do not contact any remaining floating oil and are free of signs of contamination. Furthermore, consumers should continue to follow pre-spill safety guidelines for mercury and other contaminant exposures from San Francisco Bay sport fish that are posted on the Office website at www.oehha.ca.gov.
6. In a cooperative agreement with the DPH, commercial oyster facilities remain closed in the affected area.