



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
911 NE 11<sup>th</sup> Avenue  
Portland, Oregon 97232-4181

In Reply Refer to:  
FWS/R1/

Colonel Mark A. Gerald  
District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Attn: Ms. Pamela Sanguinetti

Dear Colonel Gerald:

By this letter, we are withdrawing the U.S. Fish and Wildlife Service comment letters dated February 27, 2019, and May 22, 2019, regarding the Jamestown S'Klallam Tribe's application for a commercial oyster operation within Dungeness National Wildlife Refuge (Refuge). After participating in Government-to-Government Consultation with the Jamestown S'Klallam Tribe, we have a better understanding of their proposed aquaculture operation. Therefore please replace the previous two letters (referenced above) with this letter as the official comments from the U.S. Fish and Wildlife Service.

We recognize there is little site-specific research available on impacts of commercial, on-bottom bag aquaculture to bird species found on the Refuge and note that different parties can derive divergent conclusions from the same studies. Nevertheless, we are concerned about potential impacts to Refuge wildlife and habitat based on the proposed location for this activity. We recommend operations and monitoring activities occur outside of the migration and wintering periods for shorebirds and waterfowl, should a permit be provided. The attached reference list may be of assistance in understanding Refuge habitat, management, and wildlife use and assessing potential impacts from human disturbance and in-water structures.

We are committed to assisting with finding the least resource-disturbing approaches to this potential use. Thank you for accepting these comments in lieu of the aforementioned letters. If you have any questions regarding these comments, please contact Jennifer Brown-Scott at (360) 457-845.

Sincerely,

Robyn Thorson  
Regional Director

## Attachment: Reference List

- Davidson, N. C. and P. I. Rothwell. 1993. Disturbance to waterfowl on estuaries: the conservation and coastal management implications of current knowledge. *Wader Study Group Bulletin* 68: 97-105.
- Fox, A. D., D. V. Bell and G. P. Mudge. 1993. A preliminary study of the effects of disturbance on feeding Wigeon grazing on Eel-grass *Zostera*. *Wader Study Group Bulletin* 68: 67-71.
- Henry, W. 1980. Populations and behavior of black brant at Humboldt Bay, California. MS Thesis, Humboldt State University. <http://hdl.handle.net/2148/874>
- Kelly, J. P., J. G. Evens, R. W. Stallcup and D. Wimpfheimer. 1996. Effects of oyster culture on habitat use by wintering shorebirds in Tomales Bay, California. *California Fish and Game* 82: 160-174.
- Lewis, T. L., D. H. Ward, J. S. Sedinger, A. Reed, and D. V. Derksen. 2013. Brant (*Branta bernicla*), version 2.0. In *The Birds of North America* (A. F. Poole, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bna.337>
- Mori, Y., N.S. Sodhi, S. Kawanishi and S. Yamagishi. 2001. The effect of human disturbance and flock composition on the flight distances of waterfowl species. *Journal of Ethology* 19(2): 115- 119. <http://www.springerlink.com/content/f87fgcgvpl7grvaq/>
- Owens, N. W. 1977. Responses of wintering brent geese to human disturbance. *Wildfowl* 28: 5-14.
- Paulson, D. 1993. *Shorebirds of the Pacific Northwest*. University of Washington Press, Seattle, WA.
- Sanguinetti, P. 2003. Shorebird monitoring program assessment for North Olympic Peninsula, WA. Sequim, WA. 11 pp.
- Schmidt, P. E. 1999. Population Counts, Time Budgets, and Disturbance Factors of Black Brant at Humboldt Bay, California. Thesis. Humboldt State University, Arcata, California.
- Smit, C. J. and G. J. M. Visser. 1993. Effects of disturbance on shorebirds: a summary of existing knowledge from the Dutch Wadden Sea and Delta area. *Wader Study Group Bulletin* 68 (Special Issue).
- Townshend, D. J. and D. A. O'Connor. 1993. Some effects of disturbance to waterfowl from bait digging and wildfowling at Lindisfarne National Nature Reserve, northeast England. *Wader Study Group Bulletin* 68 (Special Issue).
- U.S. Fish and Wildlife Service. 2013. Dungeness National Wildlife Refuge Comprehensive Conservation Plan.

U.S. Fish and Wildlife Service. 2016. Biological Opinion - Programmatic Consultation for Shellfish Activities in Washington State Inland Marine Waters - Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, and Whatcom Counties, Washington (Ref. No. OIEWFW00-2016-F-0121). Prepared by the Western Washington Fish and Wildlife Office, Lacey, Washington. August 2016.

Wilson, U. W. and J. B. Atkinson. 1995. Black brant winter and spring-staging use at two Washington coastal areas in relation to eelgrass abundance. *Condor* 97: 91-98.

\* Unpublished refuge-specific wildlife data is available upon request