



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON MARITIME NATIONAL WILDLIFE REFUGE COMPLEX
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San Juan Islands NWR - Flattery Rocks NWR - Copalis NWR - Quillayute Needles
NWR Dungeness NWR - Protection Island NWR

In Reply Refer To:
FWS/RI/NWRS/FF01RWMT00

February 27, 2019

Pamela Sanguinetti
P.O. Box 3755
Seattle, WA 98124-3755

Dear Ms.Sanguinetti:

We appreciate this opportunity to provide comments on the US Army Corps of Engineers (Corps) and WA Department of Ecology (WADOE) permit application NWS-2007-1213 submitted by Jamestown S'Klallam Tribe.

We recognize Jamestown S'Klallam Tribe's efforts to reduce impacts from a proposed commercial aquaculture farm on State owned tidelands within the boundary of Dungeness National Wildlife Refuge (Refuge) through a variety of management practices (e.g., no dredging, pesticides or frosting, and providing a 25' eelgrass buffer). Even with implementation of the best management practices, the operation of a commercial oyster farm within the area that supports the highest abundance of waterfowl and shorebirds within the Refuge (Complex, Unpublished Data 2010-2018), will cause an unacceptable level of impact. A description of the importance of this area, as well as potential impacts to wildlife and habitats was provided to Clallam County in April of 2018, and is provided as Attachment A.

The number of on-bottom bags requested in this application (80,000) is a reduction in the number requested in the previous application submitted to Clallam County in April of 2018 (SHR 2017-00011). However many of our previously stated concerns regarding the location of the operation; the large number of bags; the number of people and amount of access necessary for setup, planting, transplanting, maintenance and harvest activities; and anticipated disturbance of refuge wildlife and habitat remain the same. As such, we request that you consider the attached comment (Attachment A) in your assessment of the current application in addition to the amendments described below.

Attachment C of the letter to Clallam County provided recommended Refuge specific conservation measures to reduce impacts to wildlife, habitats, and the public. After further assessment of impacts from human disturbance to migrating and wintering waterfowl and

shorebirds, we have further refined the dates provided in Recommendation #3. In accordance with Exhibit B of the lease agreement signed in 2007 (20-A13012), which is currently in holdover status and outlines shellfish activities that are primarily experimental in nature, the recommendation should read: "Human activity in the area should be limited to May 15 – July 30, when cultivation activities are least disruptive to waterfowl and shorebirds." Please disregard the access periods provided in the original recommendation.

In addition to unacceptable levels of human disturbance, Refuge wildlife (e.g. brant), would also be negatively impacted by limiting eelgrass regrowth within the site. Eelgrass excluded from the site due to past aquaculture practices, has started to recolonize the lease area. Even though activities will occur outside of the larger patches of eelgrass, additional plants have been identified within the area of farming activity. On-bottom and on-beach oysters will eliminate these individual plants and prevent the thickening and expansion of eelgrass further into the lease site (Attachment B). On-bottom and on-beach oysters could also change substrate composition and the associated benthic communities (e.g., reduction in diversity). Cascading impacts from these habitat changes would negatively impact forage fish, Threatened salmonids, seabirds and other Federal Trust species.

Comments pertaining to frosting/graveling and pesticides can be disregarded since it appears that use of these practices are not proposed.

We recognize Jamestown S'Klallam Tribe's continuing efforts to balance growth and development with the health of the environment. Since a commercial aquaculture farm of this size, in this location will impact wildlife and habitats within the Refuge, it may be mutually beneficial to identify an alternate lease area that provides an economically viable commercial aquaculture farm in a culturally acceptable location, outside of this important wildlife area. DNR tideland areas along the southern shore of Dungeness Bay and USFWS owned tidelands within Sequim Bay could be assessed for their ability to provide such an opportunity.

We greatly appreciate the opportunity to comment on this application and we are committed to assisting with finding the least impactful approaches to this potential use. Please feel free to contact us with any questions at jennifer.brownscoff@fws.gov or (360) 457-8451.

Sincerely,



Jennifer Brown-Scott
Project Leader

Attachments:

A: USFWS Comments Re: SHR 2017-00011

B: Eelgrass Growth Map

Cc: Jamestown S'Klallam Tribe