

From: [Thorson, Robyn](#)
To: [Peterson, Lynn](#)
Subject: FOR YOU: Dungeness: a few comments
Date: Saturday, October 16, 2021 3:34:57 PM

Sharing with you only: My candid comments to Martha (with re-send note appreciative of Sarah and Ann Marie).

Robyn Thorson, Regional Director
U.S. Fish and Wildlife Service
Legacy Region One
Interior Regions 9 and 12
Idaho, Oregon, Washington, Hawaii & Pacific Islands
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I live and work in the traditional homelands of the Chinook, Clackamas, Cowlitz, Kalapuya, Kathlamet, Molalla, Multnomah, and Wasco people who have made their homes along the lower Columbia River for thousands of years.

Sent from my iPhone

Begin forwarded message:

From: "Thorson, Robyn" <robyn_thorson@fws.gov>
Date: October 16, 2021 at 8:50:11 AM PDT
To: "Williams, Martha M" <martha_williams@fws.gov>
Cc: "Arroyo, Bryan" <bryan_arroyo@fws.gov>, "Morrison, Hugh R" <hugh_morrison@fws.gov>
Subject: Fwd: Dungeness: a few comments

Weird glitch: this went to your old iOS.gov address. Here you go....

BTW: I can't praise Sarah and Ann Marie enough: they have handled this matter with excellence and lots of support for FWS. Their concerns about breakdown in communications and relations are spot on. Just making sure I don't imply any criticism— just the opposite.

Robyn

Sent from my iPhone

Begin forwarded message:

From: "Thorson, Robyn" <robyn_thorson@fws.gov>
Date: October 16, 2021 at 8:44:46 AM PDT
To: "Williams, Martha M" <martha_williams@ios.doi.gov>,
"Arroyo, Bryan" <bryan_arroyo@fws.gov>
Cc: "Morrison, Hugh R" <hugh_morrison@fws.gov>
Subject: Dungeness: a few comments

If you would like to ask questions/talk about the Dungeness NWR issue, I am available 8:00 to 11:00 Eastern Monday morning (yes, that's 5:00-8:00 am Pacific!)... just let me know.

I am also available over the weekend — again, just let me know (so I don't miss your call). Hugh is standing ready as well — we'll make ourselves available for you.

I am so sorry this situation deteriorated so much, and so quickly, and now will burden your schedule in the coming week. It's very tough finding a way forward.

A few comments to share, to try and give context to the crisis coming at you:

Refuge has been involved in the tribe's plans/lease application for around 4 years, with periodic RD office involvement. The current "crisis" elevated to me and Hugh around Labor Day, after the Refuge realized the State DNR issued the tribe the shellfish lease without specifying the refuge's seasonal closure (there's a Savings Clause that says applicable laws and restrictions still apply).

With their DNR lease, the tribe expected to proceed this autumn with operations on Refuge tidelands. In conversation with Sarah and Ann Marie Thursday and Friday, Chairman Allen expressed his surprise (outrage) that FWS would now issue a Compatibility Determination denying the shellfish operation. He criticized particular FWS individuals.

"How could this be a surprise? What were the reasonable expectations of the tribe? What did FWS say to the tribe, and when?"
According to what was shared with me and Hugh last night, those questions about a communications breakdown are drivers for Sarah and Ann Marie to ask FWS (you) to take a policy look at this. "It's not the legal/SOL review that's needed now; it's policy" (I am paraphrasing).

Teeing up for Monday:

Review of issue (Refuge, closure, tribe's lease, tribe's oystering).

Timeline (Chairman Allen shared one with DepSOLs; we'll work off

that with additions, comments). This will focus on the communications concerns.

Steps ahead (Compatibility Determination, other aspects).

Why the urgency? I think it's driven by Chairman Allen's remarks, and his expectation to proceed this fall. We were told Friday night that FWS HQ needs to address this Monday.

I included Cynthia on all the updates to you. Also, last month (Labor Day-ish) I asked her to help the region's Refuges office with this issue, and I am grateful for her help (our Refuges ARD is on family leave). Cynthia will need to be the FWS point-person Monday re: Compatibility Determination process and policy (Sarah Krakow signaled focus on the CD after her talk Friday with Chairman Allen).

I don't want my Refuges team to speak to the "CD rules/policy" because they are writing the CD — this needs arm's length scrutiny on CD policy, grounds, etc (no criticism implied at all: the draft CD might be perfect in process, timing and content; the arm's length is for full perspective and credibility).

Scott Aikin has strong attachment to this matter. I am copying him on updates to you. He contacted me Friday with a Self-governance approach to the lease; Scott earnestly wants to find a way for the tribe to proceed with their oyster farming, so his views don't align with the Refuge on this. He is great to work with — just advising you of perspectives.

Could this get noisy/political? It's volatile. Local interests that are pro-bird (perhaps anti-tribe) could mobilize more, expand their voices. No Congressional inquiries.

I hope this is helpful. This message isn't a briefing — it's more like "color commentary". I will say again I am so sorry this lands on you Monday. I plan to keep decisions out here (to avoid putting you on the spot, and because we own it), and will proceed per policy discussion Monday.

Thank you both.
Robyn

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