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To: [Bledsoe Downes, Ann M](#); [Krakoff, Sarah A](#)
Cc: [Peterson, Lynn](#); [Wilson, Frank S](#); [Morrison, Hugh R](#)
Subject: Dungeness information
Date: Thursday, October 14, 2021 2:29:40 PM

This is a little choppy but I'm putting haste ahead of neatness....here is additional info re: Dungeness. Please continue to ask us more about these points or others...we appreciate your very helpful engagement.

Robyn

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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.

Is this an "old lease" (around 60 years old?) that is getting renewed/revised again (and with each renewal the terms change somewhat)? The key issue here might be "leased area" (not bag on bottom operations)...is this a long-standing but perhaps un-used shellfish lease?

History of state leases:

The Tribe operated a commercial oyster farm on-site between 1990 and 2005, although different production methods were used at that time. The refuge manager issued a letter to the state identifying the area as an important area for waterfowl. The operations plan tied to the lease identified seasonal activity for seeding and harvesting to reflect the need for waterfowl management. Operations ceased in 2005 because of concerns over water quality, including fecal coliform, in Dungeness Bay.

The second lease issued by WADNR (Washington Department of Natural Resources) to the Tribe replaced the expired 1990 lease and was issued on October 24, 2007 (Lease #20-A13012) from WADNR to JST. It permitted 60 aqua purses on a 100x100 foot area for oyster cultivation and a 50x100 foot geoduck test plot. To reduce impacts to waterfowl, Exhibit B of the lease required the Tribe to plan onsite work from May 15 – July 30 and confer with the Service if it was necessary to work outside that window, conditions in line with refuge purpose (closure). Within the footprint of the ~50 acre lease area, JST was allowed: "60 aqua-purses. The size, location, and culture methods used to grow oysters will be discussed and approved by DNR and USFW prior to establishment. The Tribe will strive to recognize and plan work in the Bay from May 15 through July 30 when cultivation activities will be least disruptive to use of the Bay by Brant and other waterfowl. The Tribe will confer with USFW before conducting activities on the lease outside this window."

The 2007 lease expired July 31, 2017 and was then entered into a holdover status until permits could be obtained by JST.

The third lease issued by WADNR to the Tribe was issued on August 19, 2021, Aquatic Lands

Oyster Aquaculture Lease No. 20-B13012.

Has anybody set up bag on bottom oyster farming in Dungeness Bay, anywhere in the bay?

Not to our knowledge.

Has the Tribe ever used that leased area for oyster operations of any kind that isn't bag-on-bottom (and didn't require access during seasonal closure)?

See response above for history of state leases.

We were asked about the 22 season, and whether we could work with the tribe for opportunities at the refuge. No need to speak to that today – just letting you know that seems to be an olive branch DOI is considering, to help assuage the tension.

If our stipulations are in place, yes. We've always said this from day one. We are willing to work with them to make their request compatible with refuge purpose.

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