



United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181



In Reply Refer to:
FWS/R1/NWRS/068133

MAY 30 2018

W. Ron Allen, Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, Washington 98382

Dear Chairman Allen:

Thank you for your May 12, 2018 letter regarding the Tribe's interest in shellfish and harvesting operations within Dungeness Bay and the Dungeness National Wildlife Refuge (Refuge). We share your satisfaction at the improved water quality within Dungeness Bay that has occurred since 2005, as those improvements benefit the ecosystem and the resources that the Refuge was established to protect.

Our involvement regarding the proposed effort to re-establish a commercial shellfish operation within the boundaries of the Refuge has focused on providing input on ways to minimize or eliminate impacts to important Refuge resources. Our jurisdiction in this matter is narrow, with regulatory oversight and permitting being in the purview of the State of Washington, the U.S. Army Corps of Engineers, and the Clallam County. Refuge Manager Jennifer Brown-Scott is our Agency Point of Contact and will continue to work with all parties to find a timely solution for the Tribes' proposed shellfish growing and harvesting operation within Dungeness Bay.

I would be happy to meet with you to discuss further. We will contact your office as requested to find a suitable time and date.

Sincerely,

Robyn Thorson
Regional Director



United States Department of the Interior



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911 NE 11th Avenue
Portland, Oregon 97232-4181

In Reply Refer to:
FWS/R1/NWRS/068133

W. Ron Allen, Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, Washington 98382

Dear Chairman Allen:

NAME	DATE
Holm	5/29/18
Foster	5/29/18
Stemval	5/29/18

S Gray 5/29/18

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Sincerely,

Robyn Thorson
Regional Director

May 12, 2018

Director Robyn Thorson
Region 1, Pacific
US Fish and Wildlife Service
911 NE 11th Ave.
Portland, OR 97232

Re: Dungeness Bay Shellfish Needs of the Jamestown S'Klallam Tribe

Dear Ms. Thorson:

For the last three years our Tribe has been working in good faith with the U.S. Army Corps of Engineers (USACE), Seattle District and the U.S. Fish and Wildlife Service (USFWS), Dungeness National Wildlife Refuge. The Tribe has been attempting to re-establish its shellfish growing and harvesting operations that were suspended in 2005 due to years of declining water quality in Dungeness Bay. The Dungeness Bay tideland lease is covered by the settlement agreement arising from the Shellfish litigation, and USFWS is a party to that settlement. As you know, for several decades aquaculture activities occurred on the site of our DNR lease. At that time, Refuge managers had no objection to the size and scale of our aquaculture operation.

Dungeness Bay is central to a wide range of territory occupied by the S'Klallam people for thousands of years... since time immemorial. By signing the treaty at Point No Point the S'Klallams ceded millions of acres of land to the United States. But the S'Klallams reserved all of their rights to fishing and shellfishing. The Treaty established a long term relationship between the S'Klallam people and the United States. As trustee, the United States has many administrative responsibilities with regard to a long list of terms both parties agreed to in 1855.

Despite years of correspondence, the Tribe only learned about the determination for an Individual Permit this spring. The Tribe was able to meet with the USACE on April 18th, 2018 and it was only verified then that moving forward with the Individual Permit would be required citing Clean Water Act (40 CFR 230.40) regulations disqualifying the project from the General Permit due to project's proximity to the Refuge. This permit will require a Biological Assessment.

We would like your support and participation as a Federal trustee in finding a timely solution for our efforts related to shellfish growing and harvesting in Dungeness Bay. We are seeking the USFWS's active participation and contribution to the individual permit application's Biological Assessment now being required of the Tribe.

I, and our Tribal team, would like to meet with you personally to discuss the issue further. If your office would please coordinate scheduling with Ann Sargent, 360-681-4661, asargent@jamestowntribe.org. I look forward to meeting with you.

Sincerely,



W. Ron Allen, Chairman/ CEO

Cc: Jennifer Brown, Dungeness Refuge Manager



JAMESTOWN S'KLALLAM TRIBE

1033 Old Blyn Highway, Sequim, WA 98382

360/683-1109

FAX 360/681-4643

May 12, 2018

Director Robyn Thorson
Region 1, Pacific
US Fish and Wildlife Service
911 NE 11th Ave.
Portland, OR 97232

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Sincerely,

W. Ron Allen, Chairman/ CEO

Cc: Jennifer Brown, Dungeness Refuge Manager



EXECUTIVE CORRESPONDENCE

United States Department of the Interior



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911 NE 11th Avenue
Portland, Oregon 97232-4181

In Reply Refer to:
FWS/R1/NWRS/067646

W. Ron Allen, Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, Washington 98382

Dear Chairman Allen:

Thank you for reaching out regarding the Tribe's interest in shellfish and harvesting operations within Dungeness Bay and the Dungeness National Wildlife Refuge (Refuge). We certainly share your satisfaction at the improved water quality within Dungeness Bay that has occurred since 2005 as those improvements benefit the ecosystem and the resources that the Refuge was established to protect.

Our involvement with the Jamestown S'Kallam Tribe, the US Army Corps of Engineers (USACOE) and other regulatory entities regarding the proposed effort to re-establish a commercial shellfish operation within the boundaries of the Refuge has focused on providing input on ways to minimize or eliminate impacts to important Refuge resources. Our jurisdiction in this matter is narrow, with regulatory oversight and permitting being in the purview of the State of Washington, the USACOE, and the Clallam County. ~~We are not in a position to assist beyond our current effort of involvement.~~ We have asked Refuge Manager Jennifer Brown-Scott ~~to~~ ^{rests with} continue to be our Agency Point of Contact ~~and to work~~ ^{will} with all parties to find a timely solution for the Tribes' proposed shellfish growing and harvesting operation within Dungeness Bay.

~~I am happy to meet further.~~ Regarding a meeting, ~~I am happy to~~ ^{may} ~~Thank you for requesting the opportunity to meet with you.~~ ^{scheduled} Given the time constraints and travel considerations, I suggest we have a phone conversation about this issue. Please feel free to ^{is} ~~contact me at (503) 231-6119.~~ ^{very} ~~challenging~~ ^{this} ~~summer,~~ ^{I suggest} ~~we try to~~ ^{meet by} ~~phone.~~ ^{Please}

Sincerely,

*Suggest you sign
as Acting*

Robyn Thorson
Regional Director

DO NOT WRITE ON THIS COVER AS IT IS INTENDED FOR RE-USE
RETURN IT WITH THE FILE COPIES TO ORIGINATING OFFICE ^{contact} ~~SA Nicole T.~~ ^{to schedule}

Not taking a position but