

From: [DNR RE Public Disclosure](#)
To: [BrownScott, Jennifer](#)
Subject: RE: [EXTERNAL] FW: Dungeness Bay Aquaculture Lease
Date: Thursday, February 14, 2019 10:32:54 AM
Attachments: [20-003926 Release.pdf](#)
[20-003926.pdf](#)
Importance: High

Dear Jennifer Brown-Scott:

The Washington State Department of Natural Resources received your public disclosure request on January 29, 2019. You requested the following:

- All shellfish aquaculture applications and leases within S23, T31 R4W, Dungeness Bay prior to 2005.

Attached are the application and Commissioner Order for aquatic lease #20-003926. After speaking with DNR staff, we found additional aquatic leases for the area that you are requesting, but they have met their retention and are at the State Archives, see list below. You will need to contact them to arrange to view the records. The State Archives can be reached by telephone at 360-586-1492, by email research@sos.wa.gov, or visit the [website](#). Information for retrieval from the archives are listed with the aquatic leases below.

- #20-010047 – Archived 6-15-2015, AR-20150528-04, Box #247
- #20-010924 – Archived 5-15-2015, AR-20150604-02, Box #7
- #20-011241 – Archived 3-23-2016, AR-20160414-02, Box #57
- #20-012729 – Archived 3-23-2016, AR-20160414-02, Box #61
- #20-012893 – Archived 5-15-2015, AR-20150604-04, Box #28
- #20-013038 – Archived 3-23-2016, AR-20160414-02, Box #24

Thank you for allowing us to help you with your request. Please click the link below to answer three questions about DNR's public disclosure process.

[DNR Public Disclosure Survey](#)

Should you have any questions, please contact our office.

Thank you,

Julia Jackson

Public Disclosure Coordinator

Washington State Department of Natural Resources (DNR)

Julia.Jackson@dnr.wa.gov

www.dnr.wa.gov

From: BrownScott, Jennifer <jennifer_brownscott@fws.gov>

Sent: Thursday, January 31, 2019 12:17 PM

To: DNR RE Public Disclosure <publicdisclosure@dnr.wa.gov>

Subject: Re: [EXTERNAL] FW: Dungeness Bay Aquaculture Lease

Thank you for your assistance.

Hope your year is off to a good start,

Jennifer

Jennifer Brown-Scott
Refuge Manager
Washington Maritime NWRC
715 Holgerson Rd

Sequim, WA 98382

office: (360) 457-8451 ext.22

fax: (360) 457-9778

~~Dungeness NWR~Protection Island NWR~San Juan Islands NWR~~

~~Copalis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~

On Thu, Jan 31, 2019 at 9:51 AM DNR RE Public Disclosure

<publicdisclosure@dnr.wa.gov> wrote:

Dear Jennifer Brown-Scott:

The Washington State Department of Natural Resources received your public disclosure request on January 29, 2019. You requested the following:

- All shellfish aquaculture applications and leases within S23, T31 R4W, Dungeness Bay prior to 2005.

Please be advised that, pursuant to RCW 42.56.120, DNR uses the default fee schedule. If DNR uses an outside vendor for the duplication service, the charge to you will be the cost charged by the vendor, plus the cost of shipping. However, records may also be viewed in person at our Olympia office for no fee.

We are in the process of researching your request. We anticipate we will be able to send you the records by March 1, 2019. If the records become available sooner, we will certainly forward them to you.

Thank you,

Julia Jackson

Public Disclosure Coordinator

Washington State Department of Natural Resources (DNR)

Julia.Jackson@dnr.wa.gov

www.dnr.wa.gov/publicdisclosure

From: Carlson, Sean (DNR) <Sean.Carlson@dnr.wa.gov>

Sent: Tuesday, January 29, 2019 1:50 PM

To: BrownScott, Jennifer <jennifer_browns cott@fws.gov>

Cc: DNR RE Public Disclosure <publicdisclosure@dnr.wa.gov>

Subject: RE: Dungeness Bay Aquaculture Lease

Hello Jennifer,

Our office doesn't have copies of the older leases in-house. I've cc'd our Public Disclosure Office so that they are made aware of your request and can respond accordingly. This will take some time to compile given that most, if not all, of the responsive documents are likely to be in state archives.

Public Disclosure,

I just spoke with the requester, and she would like to request copies of the applications in addition to copies of the leases. To be all inclusive, and since there are numerous leases dating back decades, the requester is asking for copies of all shellfish aquaculture leases and their respective applications within Section 23, Township 31, Range 4 West.

Sean Carlson

Washington State Department of Natural Resources (DNR)

From: BrownScott, Jennifer <jennifer_browns cott@fws.gov>

Sent: Tuesday, January 29, 2019 10:41 AM

To: Carlson, Sean (DNR) <Sean.Carlson@dnr.wa.gov>

Subject: Dungeness Bay Aquaculture Lease

Good Morning Sean,

I am still trying to get a better understanding of the history of aquaculture on the Dungeness Bay tidelands and was wondering if you could provide copies of past DNR leases in the Bay. I have the 2005 lease and the 2015 renewal, but I was hoping to look at the leases prior to 2005. I am trying to figure out the process that was used to issue the leases and what activities they allowed.

Hope you are having a great week.

Thanks for your help,

Jennifer

Jennifer Brown-Scott

Refuge Manager

Washington Maritime NWRC

715 Holgerson Rd

Sequim, WA 98382

office: (360) 457-8451 ext.22

fax: (360) 457-9778

~~Dungeness NWR~Protection Island NWR~San Juan Islands NWR~~

~~Copalis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

*
In re: Application No. 3926 by E. W. *
Steffen to Lease Second Class Tidelands *
in Clallam County, Cancellation of *
Tidelands Lease No. 1842 and Issuance *
of a new Lease. *

O R D E R

It appearing to the Commissioner of Public Lands that under and pursuant to Application No. 3926, Tideland Lease No. 1842 was issued to E. W. Steffen for a term of ten (10) years from February 18, 1953 at an annual rental of \$150.00 for the tidelands of the second class in front of the easterly side of Lots 1, 2 and 3, Section 23, and the westerly side of Lots 1 and 4, Section 24, all in Township 31 North, Range 4 West, W.M., in Clallam County; and

It further appearing that said Tideland Lease No. 1842 was assigned to Dungeness Oyster Co., Inc., February 4, 1956 and that said assignment was approved February 16, 1956; that Dungeness Oyster Co., Inc., has requested that Tideland Lease No. 1842 be canceled and a new lease issued covering in addition to the tidelands now included in said lease, tidelands in front of the southeasterly side of Lot 1, Section 22, and in front of portions of Lots 2, 3, and 5, Section 24, Lot 5, Section 25 and Lot 3, Section 26, all in Township 31 North, Range 4 West, W.M.; that as a result of conferences with representatives of the Dungeness Oyster Co., Inc., special report of Mr. M. E. Bowler, Supervisor, Civil Engineers Division, and report of inspection received, it appears that the best interests of the State would be served by granting the request of Dungeness Oyster Co., Inc.; that it has been determined that the tidelands have a rental value of not less than \$625.00 per annum for a term of ten (10) years from February 18, 1963 and the Commissioner being fully advised, it is therefore

ORDERED and DETERMINED (1) that Tidelands Lease No. 1842 as hereinbefore set forth be and the same is hereby canceled as of February 18, 1963; (2) that the annual rental for the tidelands hereinafter described be and the same is hereby fixed at \$625.00; (3) that the first year's rental together with the statutory fee for issuance of a lease has been paid and

that a new lease be issued to Dungeness Oyster Co., Inc., for a term of ten (10) years from February 18, 1963 on the following described tidelands in Clallam County:

The tidelands of the second class, owned by the State of Washington, situate in front of, adjacent to or abutting upon the southeasterly side of Government Lot 1, Section 22 and Government Lots 1, 2, and 3, Section 23, all in Township 31 North, Range 4 West, W.M., with a frontage of 117.27 lineal chains, more or less; also

The tidelands of the second class, owned by the State of Washington, situate in front of, adjacent to or abutting upon those portions of Government Lots 1, 2, 3, 4, and 5, Section 24; Government Lot 5, Section 25; and Government Lot 3, Section 26, all in Township 31 North, Range 4 West, W.M., measured along the government meander line as follows:

Beginning at the west meander corner on the north line of said Section 24 and running thence S 36° E 7.15 chains, S 21° E 7.50 chains, S 30° 15' W 9.80 chains, S 24° 30' W 23.00 chains, S 49° 30' W 2.00 chains, N 62° 30' W 0.90 chains, N 8° 30' W 11.00 chains, N 6° 15' E 7.00 chains, N 19° 45' E 17.00 chains, N 66° W 3.00 chains, N 13° W 3.00 chains, S 68° 30' W 1.00 chain, S 24° W 5.00 chains, S 15° 30' W 4.00 chains, S 10° W 2.50 chains, S 0° 30' W 10.00 chains, S 4° 30' E 24.00 chains, S 12° 15' W 18.50 chains and thence S 20° W 14.00 chains to the west meander corner on the north line of said Section 25, thence S 36° 45' W 5.80 chains, and thence S 15° 30' W 4.00 chains to the most northerly meander corner on the east line of said Section 26, thence S 65° 45' W 3.50 chains and thence S 14° E 1.50 chains to the south meander corner on the east line of said Government Lot 3, Section 26, thence S 24° 30' E 4.33 chains and thence S 65° 30' E 4.30 chains to an angle point in said government meander line and terminal point of this meander line description with a frontage of 193.78 lineal chains, more or less.

Subject, however, to the rights acquired in the hereinbefore described tidelands by the United States Fish and Wildlife Service through Use Easement Deed issued May 29, 1943 under Application No. 10585.

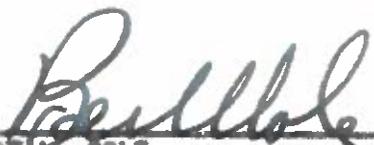
and

It is further provided that this lease will be subject to the following special stipulations:

- (1) Oyster beds to be confined to areas outside of the eelgrass beds.
- (2) Methods of harvesting oysters to be determined by agreement between the lessee and United States Fish and Wildlife Service.
- (3) Harvesting of oysters will be permitted only during those times which, in the judgment of the United States Fish and Wildlife Service, will not unduly interfere with waterfowl use of these areas.
- (4) There will be no conflict with permitted public use of fishing, crabbing or clamming.

- (5) All operations to be so conducted as to avoid interference with waterfowl use of the Dungeness Refuge.
- (6) A copy of this lease to be furnished to the United States Fish and Wildlife Service.
- (7) The lessee to furnish the United States Fish and Wildlife Service by June 30 with an annual record of the amount of oysters planted and amount harvested each year.

Dated this 26th day of March, A. D., 1963.



BERT L. COLE
Commissioner of Public Lands

jr
App. No. 3926

GROUP HEAD ym/102

Application to Lease Tide, Shore or Oyster Lands

To the Commissioner of Public Lands, Olympia, Washington:

I, E. W. Steffen, of Seattle, Wash., do hereby apply to lease that certain tract of Tide land of the Second class situated in Clallam (55) County, Washington, particularly described as follows, to wit:

Lots 1-2-3 Sec 23 } Twp 31 - 4W
1-4 Sec 24 }

Except portions covered by eel grass
See letter from U.S. Fish & Wildlife Service

Subject: Use deed issued Fish & Wildlife Service
5-29-'43 under App. 10585

Located in Dunce Pass Harbor about 5 miles north of
Sequim in northeastern Clallam County.

For what purpose are the lands wanted? Oyster Cultivation

For how many years is the lease desired? 10 Yrs (F.W.S. rec. recommend 5 Yrs. max. 10 Yrs.)

Are you the owner of the abutting uplands? No

If not, give name and last known P. O. address of such owner

Are there any oysters or clams on these lands? No

Are there any improvements on the lands covered by the application? No

If so, state character and value of same.

By whom are the improvements claimed?

Are the lands located in front of, or within two miles of the corporate limits of any city or town? No

Are the lands located in front of any lands reserved by the United States for military, lighthouse or other public purposes? Fish & Wildlife Service Use Deed

Are the lands located within a Port District? Port of Port Angeles

Are you a citizen of the United States or have you declared your intention to become such? Yes

Dated at Olympia, Washington, this 31st day of Dec., 1952.

(Sign here)

E. W. Steffen
Ten dollars must accompany this application.

P. O. Address 1011 N. 47th
Seattle, Wash.
(City) (State)

No. 3926 \$

County of Clallam

Application to Lease TIDE
SHOALS
OF FORSTER Lands

E. W. STEFFEN

Seattle Applicant

Wash

1011 N. 4th

RECORDED

JAN 2 1933

COMMISSIONER OF PUBLIC LANDS

OFFICE No. 29022

10 00

APPLIED
MAY 6 1863

Ph.

Filed 1-5-33

DEPARTMENT OF PUBLIC LANDS

Office of Commissioner

.....
In re: Application No. 3926
by E. W. Steffen for Lease of
Second Class Tide Lands in
Clallam County.
.....

ORDER
February 18, 1953

It appearing to the Commissioner at this time that Application No. 3926 was filed in this office by E. W. Steffen for the lease of the second class tide lands within the Dungeness Game Refuge in front of the easterly side of Lots 1, 2 and 3, Section 23 and the west side of Lots 1 and 4, Section 24, all in Township 31 North, Range 4 West, W.M., in Clallam County; that all of the tide lands were included in a Use Deed issued May 29, 1943 under the provisions of Section 152, Chapter 255, Laws of 1927 to the United States Fish and Wildlife Service under Application No. 10585; and

It further appearing that the applicant desires to use the said tide lands for the cultivation of oysters and he submitted the matter to the Fish and Wild Life officials who have notified this office that they have no objection to the issuance of the lease provided that it does not conflict with certain uses to be made of the property by said agency; that a field examination discloses that the land to be actually included in a lease can be used for oyster cultivation without conflict with such other uses; and

It further appearing from the field examination that a fair rental for a lease on said tide lands is \$150.00 per year for the first five years of a ten year period, with the provision that at the end of said first five years the rental will be adjusted for the final term; that the first year's rental has been paid; and the Commissioner being fully advised it is therefore

ORDERED and DETERMINED that Application No. 3926 filed by E. W. Steffen, as aforesaid, be and the same is hereby granted and that a lease be issued to the said E. W. Steffen to run for a period of ten years, the annual rental thereunder to be \$150.00 per year for the first five years with rental to be adjusted at the end of the said five year period with a new rental to be determined for the last five years, the description of the tide lands to be included in the lease and the restrictions thereunder to be as follows:

The tide lands of the second class, owned by the State of Washington, situate in front of, adjacent to or abutting upon the easterly side of Lots 1, 2 and 3, Section 23 and the westerly side of Lots 1 and 4, Section 24, all in Township 31 North, Range 4 West, W.M., with a frontage of 149.40 lineal chains, more or less.

Subject, however, to any rights acquired by the U. S. Fish and Wildlife Service through use deed issued May 29, 1943, under application No. 10585; also

Subject to the following special stipulations:

1. Oyster beds to be confined to areas outside of the eelgrass beds.
2. No dredging to be used in the harvesting of the oysters - this to be done by hand.
3. Harvesting to be permitted only between February 1 and March 31.
4. There be no conflict with permitted public use or fishing, crabbing, or clamming.
5. All operations to be so conducted as to avoid interference with waterfowl use of the Dungeness Refuge.
6. A copy of this lease to be furnished to the Fish and Wildlife Service.
7. The lessee to furnish the Fish and Wildlife Service by June 30 with an annual record of the amount of oysters planted and the amount harvested each year.

Dated this 18th day of February, A. D., 1953

FOS:gh


OTTO A. CASE, Commissioner

