

**From:** [BrownScott, Jennifer](#)  
**To:** [Stenvall, Charlie](#)  
**Subject:** Re: ACOE / Jamestown S'Klallam Letter - Oyster farming Dungeness NWR  
**Date:** Thursday, May 16, 2019 1:35:22 PM

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Just in case Mary or Robyn bring it up - we do not think that the state would take issue with using the South Bay Parcels (i.e., Cline Tracts) because the operator would be required to follow NMFS regulations regarding forage fish no matter which site is chosen. Both the current and alternate sites have forage fish resources, but the South Bay Parcels would protect the migratory bird resource which should be looked on beneficially by the state. I know we don't mention the South Bay Parcels specifically in this letter, but they were mentioned in the previous comment that is now updated and Robyn seemed concerned that the State would be upset if we offered them for use (because of forage fish resources).

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~~Dungeness NWR~Protection Island NWR~San Juan Islands NWR~~  
~~Copalis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~

On Thu, May 16, 2019 at 1:16 PM Stenvall, Charlie <[charlie\\_stenvall@fws.gov](mailto:charlie_stenvall@fws.gov)> wrote:

----- Forwarded message -----

From: **Stenvall, Charlie** <[charlie\\_stenvall@fws.gov](mailto:charlie_stenvall@fws.gov)>  
Date: Thu, May 16, 2019 at 1:15 PM  
Subject: ACOE / Jamestown S'Klallam Letter - Oyster farming Dungeness NWR  
To: Kevin Foerster <[kevin\\_foerster@fws.gov](mailto:kevin_foerster@fws.gov)>, Mary Abrams <[mary\\_abrams@fws.gov](mailto:mary_abrams@fws.gov)>

Mary and Kevin

Here's the redo of the comment letter to ACOE. I believe this letter is clear in that we are not providing comments with a regulatory attitude but as input for consideration to the Corps regulatory process. The "unacceptable level of impact" statement which created such consternation is no longer used. We also used the opportunity to provide a synopsis of the literature and associated citations that back up our concerns as there was some question about the validity of previous comments in that regard. Please let me know if Jennifer has permission to forward the revised comments.

Charlie