

From: [Peters, Josh \(DNR\)](#)
To: [BrownScott, Jennifer](#)
Subject: RE: Dungeness Bay Lease Follow-up from Friday
Date: Thursday, July 23, 2015 8:53:08 AM
Importance: High

Hello Jennifer:

Yes, it was nice to connect at the SAC meeting last week, and I'm glad that we're in touch. What I referenced was a subproceeding of the Boldt case. It's a 2007 settlement agreement in conjunction with United States of America, et al vs. State of Washington, et al, case number C70-9213-RSM, Subproceeding No. 89-3 (Shellfish). I looked for it on the web and couldn't find the final, executed settlement agreement. I emailed the Case Administrator to ask about it. If and when it turns up, I'll send a link your way. The settlement agreement, among other things, sets up rules around how "covered leases" are handled. These covered leases, so long as they maintain that status, are not subject to Treaty shellfish harvesting right under the Revised Shellfish Implementation Plan. The Dungeness lease is one of the original 22 covered leases.

Regards,

Josh

Josh D. Peters, AICP

Aquatic District Manager

Aquatic Resources Division, Orca-Straits District

Washington State Department of Natural Resources (DNR)

360-732-0013

josh.peters@dnr.wa.gov

www.dnr.wa.gov

From: BrownScott, Jennifer [mailto:jennifer_brownscott@fws.gov]

Sent: Wednesday, July 22, 2015 12:42 PM

To: Peters, Josh (DNR)

Subject: Dungeness Bay Lease Follow-up from Friday

It was great meeting you at the SAC meeting on Friday. I sure am glad that we have experts to figure out the tangled confusion that is property law. I really have no idea where it might all end up, but there is no doubt that your office and mine will be working closely together as it all moves forward.

I was just wondering if the legal decision you were mentioning was the Bolt decision, or if there was some other decision that called out this lease specifically as being reserved for the Tribe.

Jennifer Brown-Scott
Refuge Manager
Washington Maritime NWRC
715 Holgerson Rd
Sequim, WA 98382
office: (360) 457-8451
fax: (360) 457-9778

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

~~Copolis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~