

From: [Dietz, Kirk P](#)
To: [BrownScott, Jennifer](#)
Subject: Re: 1986 Dungeness Management Plan?
Date: Thursday, October 7, 2021 12:32:45 PM
Attachments: [DUNG.1986.MGMT.PLAN.pdf](#)

Here you go.....

From: BrownScott, Jennifer <jennifer_brownScott@fws.gov>
Sent: Thursday, October 7, 2021 12:25 PM
To: Dietz, Kirk P <kirk_dietz@fws.gov>
Subject: Re: 1986 Dungeness Management Plan?

Not today.

Jennifer Brown-Scott
Project Leader
Washington Maritime National Wildlife Refuge Complex
715 Holgerson Road
Sequim, WA 98382
(360) 457-8451

[~~Dungeness NWR](#)~[Protection Island NWR](#)~[San Juan Islands NWR](#)~[Copalis NWR](#)~[Flattery Rocks NWR](#)~[Quillayute Needles NWR](#)~~

From: Dietz, Kirk P <kirk_dietz@fws.gov>
Sent: Thursday, October 7, 2021 9:42 AM
To: BrownScott, Jennifer <jennifer_brownScott@fws.gov>
Subject: Re: 1986 Dungeness Management Plan?

Hey there,

We're having numerous problems with the network. I scanned and sent the 1986 plan to you earlier. Did you receive it?

I just scanned it a few minutes ago and sent it to myself, nothing has arrived from WMNWRC Scanner.

Trouble call is in to IT Services.

From: Dietz, Kirk P <kirk_dietz@fws.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: BrownScott, Jennifer <jennifer_brownScott@fws.gov>

Subject: Re: 1986 Dungeness Management Plan?

I'll get a copy there now, you should have a copy from the scanner - I sent it awhile ago.

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

Sent: Thursday, October 7, 2021 9:18 AM

To: Dietz, Kirk P <kirk_dietz@fws.gov>

Subject: Re: 1986 Dungeness Management Plan?

How about scan and save to S:Dungeness/Historical Pubs?

Jennifer Brown-Scott

Project Leader

Washington Maritime National Wildlife Refuge Complex

715 Holgerson Road

Sequim, WA 98382

(360) 457-8451

~~[Dungeness NWR](#)~[Protection Island NWR](#)~[San Juan Islands NWR](#)~[Copalis NWR](#)~[Flattery Rocks NWR](#)~[Quillayute Needles NWR](#)~~

From: Dietz, Kirk P <kirk_dietz@fws.gov>

Sent: Thursday, October 7, 2021 8:34 AM

To: BrownScott, Jennifer <jennifer_brownScott@fws.gov>

Subject: Re: 1986 Dungeness Management Plan?

Scan and send???

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

Sent: Thursday, October 7, 2021 8:27 AM

To: Dietz, Kirk P <kirk_dietz@fws.gov>

Subject: 1986 Dungeness Management Plan?

Could you please look in the office (library or conference room), as soon as possible, for a 1986 Dungeness Management Plan?

Thanks,
Jennifer

Jennifer Brown-Scott

Project Leader

Washington Maritime National Wildlife Refuge Complex

715 Holgerson Road
Sequim, WA 98382
(360) 457-8451

[~~Dungeness NWR](#)~[Protection Island NWR](#)~[San Juan Islands NWR](#)~[Copolis NWR](#)~[Flattery Rocks NWR](#)~[Quillayute Needles NWR](#)~~

REFUGE MANAGEMENT PLAN

DUNGENESS
NATIONAL WILDLIFE REFUGE
OLYMPIA, WASHINGTON

U.S. FISH AND WILDLIFE SERVICE

September 1986

DUNGENESS MANAGEMENT PLAN
NISQUALLY NATIONAL WILDLIFE REFUGE COMPLEX
Olympia, Washington

Prepared by: Willard B. Hesselbart

Submitted by: *Willard B. Hesselbart*

Date: 9/29/86

Reviewed by: _____

Date: _____

Reviewed by: _____

Date: _____

Concurred: *Stanford R. Wilbur*
Refuge District Supervisor

Date: 10/7/86

Approved: *W B Champfair*
Acting Assistant Regional Director
Wildlife Resources

Date: 10/7/86

INTRODUCTION

The Management Plan for Dungeness National Wildlife Refuge (NWR) sets forth a program of action for the field station to pursue in order to achieve Refuge Objectives. Dungeness NWR has not been Master Planned so the Management Plan will serve to identify or document long-term program needs and form the basis for additional funding requests. The Management Plan for Dungeness NWR should contain sufficient information to serve as a complete guidance document. The Management Plan also provides the following:

- A clear, concise document which enables management decisions to be communicated to higher levels.
- Provides for continuity in the strategies outlined to achieve Refuge Objectives.
- Provides an integrated and coordinated approach to document the total program of work to be undertaken.
- Excellent orientation for volunteers or new employees of the Refuge Complex.

Dungeness NWR has been a Refuge since 1915 and the operational program is well established and some excellent interpretive facilities (self-guided) have been installed. No approved set of Refuge Objectives have been completed for

Dungeness NWR. Operational goals have been drafted and tentatively approved. The output production history will be used as a basis to formulate the objective levels for Dungeness. The assessment of current output production, review of policies, establishment authorities and Regional Resource Priorities may cause a shift in management activities or strategies at Dungeness NWR. In other words we are ground-truthing what we have been doing and testing whether or not our current program needs correction or changes in emphasis.

PART I: BACKGROUND INFORMATION

It is essential to the planning process that all background information that has impact on the programs or strategies at Dungeness NWR be fully explained or disclosed.

1. Location

Dungeness NWR is located on the southern side and near the eastern end of the Strait of Juan de Fuca approximately 15 miles east of Port Angeles, Washington. The Refuge consists primarily of a sand spit extending into the Straits along an extension of a line of sea cliffs to the west. All Refuge lands are within the 2nd Congressional District of Washington. The nearest town to the Refuge is Sequim, Clallam County, Washington.

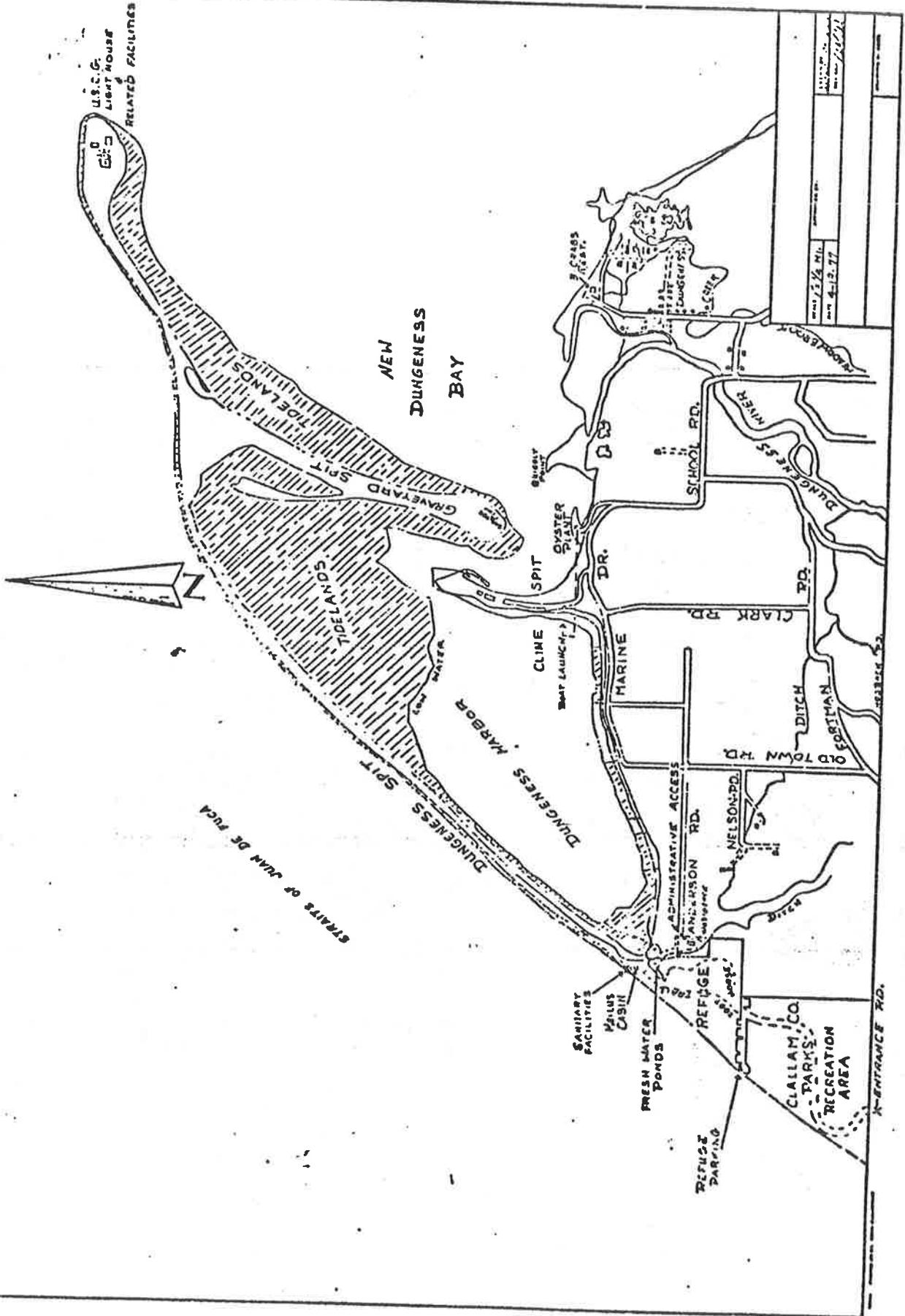
Dungeness Spit, which is approximately 5.5 miles in length, has about 20 miles of sandy beach, is one of a few such geological formations in the world. It has the claim of being the longest natural spit in the United States. The Spit is quite narrow and is elevated only a few feet above mean high tide line (Figure 1).

2. History

Dungeness NWR was established by Executive Order on January 20, 1915 (Appendix A). The original decree stated that the land should be reserved and administered by the Department of Agriculture as a refuge preserve and breeding ground for native birds.

FIGURE 1.

DUNGENESS NATIONAL WILDLIFE REFUGE
CLALLAM CO., WA.



One of the primary purposes that has evolved for Dungeness NWR is to protect extensive eelgrass beds and to allow brant and other migrating and wintering waterfowl and birdlife unmolested use of the area for their requirements.

In March of 1971, the FWS purchased the Haugland tract 11,a,b totalling 45.44 acres as an addition to the Dungeness NWR. In January, 1972 the FWS optioned the Mellus tract 10 and 10a totalling 29.18 acres as an addition to the Dungeness NWR. Both of these purchases were uplands to assure access to the Spit. The wooded uplands added to the wildlife diversity of the area. Dungeness NWR was administered from Willapa NWR until 1974 when it was transferred under the administration of Nisqually NWR. Dungeness was staffed with a seasonal employee beginning in 1974 and was staffed with a permanent employee in 1978.

Dungeness Spit constitutes one of the last stretches of natural beach remaining in public ownership for many miles in either direction. There is considerable support for maintaining the Spit in its natural state as a sanctuary for migrating birds and site for wildlife-oriented recreation. The 39th regular session of the Washington State Legislature in 1964 passed a joint memorial and sent it to the President of the United States urging that the Department of Interior be aware of the significance of Dungeness Spit to this

region and that this property be continued in public ownership, available and preserved for use and enjoyment by all citizens (Appendix B).

Relevant Acts of Congress and regulations which apply to establishing and managing National Wildlife Refuges are found in section 1 RM 5.4 of the Refuge Manual. Included among these are the following summaries which provide a partial background of managing authority.

Fish and Wildlife Act of 1956 (16 U.S.C. 742a-743j)- Under this Act, the Secretary of Interior is authorized to take such steps as may be required for the development, advancement, management, conservation and protection of fish and wildlife resources including but not limited to research, development of existing facilities, and acquisition by purchase or exchange of land and water or interior therein.

National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee)-defines the National Wildlife Refuge System and authorizes the Secretary to permit any use of an area provided such use is compatible with the major purpose for which such area was established.

Title 50 of the Code of Federal Regulations-implements the various Federal laws and Executive Orders concerning wildlife including administration of National Wildlife Refuges.

3. Environment

a. Climate

The climate is unique in western Washington with respect to precipitation. Annual rainfall is 16.81 inches. This area lies in a "rainshadow" northeast of the Olympic Mountains and receives slightly more sunshine and has less cloudiness than other localities near Puget Sound; however, frequently in summer and fall, fog or low clouds form over the lowlands and water during the night, then disappear by afternoon.

The prevailing wind is from the south or southeast in winter, and west or northwest in summer. During the winter season, strong northeasterly winds through the Straits of Juan de Fuca are common. In summer, winds are light and on most afternoons a fresh westerly breeze is experienced.

b. Geology

Dungeness Spit is developed on gravel outwash deposits left from the Vashon Age Glacier. The pre-Vashon surface was far below the present sea level. The log of a well drilled at the new Dungeness lighthouse reported clam shells at 329' below ground level.

The materials at the lighthouse site are stream-laid silts, sands, and gravels formed from the reworking of glacial outwash by the Dungeness River and other streams in the area. The terrace

deposits which formed the steeply cut cliff immediately west of the site are also stream-laid silts, sands and gravels.

The Spit had its inception following the last glaciation in the Vashon Era ten - twenty thousand years ago. After the withdrawal of the glacier, the coastline of the Straits of Juan de Fuca was characterized by prominent headlands and embayments. In the course of time tidal currents and waves filled the embayments with material eroded from the headlands. A dominantly eastward flowing longshore current aided by prevailing westerly and northwesterly winds caused an eastward drift of material which formed the sand spit as we see it today.

Comparison of the earliest known hydrograph map of the Spit published in 1853 with a more recent map shows that in the interim of 100 years, the general features of the Spit have remained relatively unchanged, but the Spit has lengthened approximately 1300 feet. As far as recorded observations are concerned, the Spit has been breached only a few times when violent gale winds from the northwest forced the sea through the Spit.

c. Traditional Uses

The area around Dungeness Spit is very popular for recreational fishing, clamming, etc. One of the provisions in the lease for the second-class tidelands with Washington Department of Natural Resources is that the traditional recreational uses be allowed to continue. Refuge visitations are approximately 150,000 visits per year.

The Washington State Parks Commission loosely maintained a small State Park on the end of Graveyard Spit. The area was abused and overrun with people. Careless campers left fires unattended resulting in habitat damage. There was also a direct conflict with wildlife using the area. State Parks abandoned the site in the early 80's.

The USCG has maintained a lighthouse and residence on the Spit since 1857. The facility is fully automated but the USCG still has personnel residing in the residence. The FWS is presently negotiating with USCG to have FWS volunteer(s) in the lighthouse. The USCG has indicated preliminary approval of this concept. It would be a plus for both agencies.

As a result of public hearings conducted by the Service in the mid-seventies the Refuge is open to horseback riding. There are very specific regulations in place regarding the access and

control of this activity.

The Spit is open during daylight hours to foot access or boat access for the entire length year round. At one time there was a seasonal closure of portion of the Spit to avoid disturbance to resting birds.

Private hunting clubs are active on the periphery of the Refuge and may be detrimental to our primary purposes.

4. Resources

a. Wildlife

Approximately 250 species of birds have been recorded at Dungeness NWR throughout various times of the year. The Refuge serves primarily as a resting and feeding area for migratory birds. There is a special emphasis on protecting eelgrass beds and providing brant unmolested use of the area. Brant use occurs throughout the fall and winter with some ^{SIGNIFICANT} staging occurring in the spring.

Bald eagles and peregrine falcons have nesting areas not far from the Refuge. During certain times of the year primarily fall and winter, these birds can be observed perching on the Refuge or on the bluff overlooking the Refuge.

Harbor seals can frequently be observed in the harbor and regularly haul-out on Graveyard Spit.

Pupping also occurs on Graveyard Spit. ← CLIVE SPIT →

Peak populations up to 30,000 waterfowl usually occurs in December, with the primary species being wigeon.

The large area of tidal mudflats is attractive to several species of shorebirds during the fall and spring migrations.

Some shorebird and seabird nesting occurs on the Spit.

b. Habitat

The Refuge consists of four major habitat types including: forested uplands, sandy beaches, salt marsh and tidal mudflats.

Following is a breakdown of the acreage by habitat type:

Forested Uplands	75 acres
Sandy Beaches	159 acres
Salt Marsh	15 acres
Tidal Mudflats	<u>382 acres</u>
Total	631 acres

One of the most critical and sensitive habitats are the beds of eelgrass in Dungeness Harbor. This plant is an important food source for the wintering and staging black brant. There are provisions in a commercial oyster-lease for protection of the eelgrass beds. The lease is issued by Washington Department of Natural Resources.

c. Cultural Resources

The area of Dungeness NWR is thought to be rich in cultural artifacts. A dugout canoe surfaced on Graveyard Spit and has been donated to the Sequim Dungeness Museum. The canoe was not eligible for the National Register. Present management strategies would not be conflicting or disruptive to cultural artifacts.

5. Administration

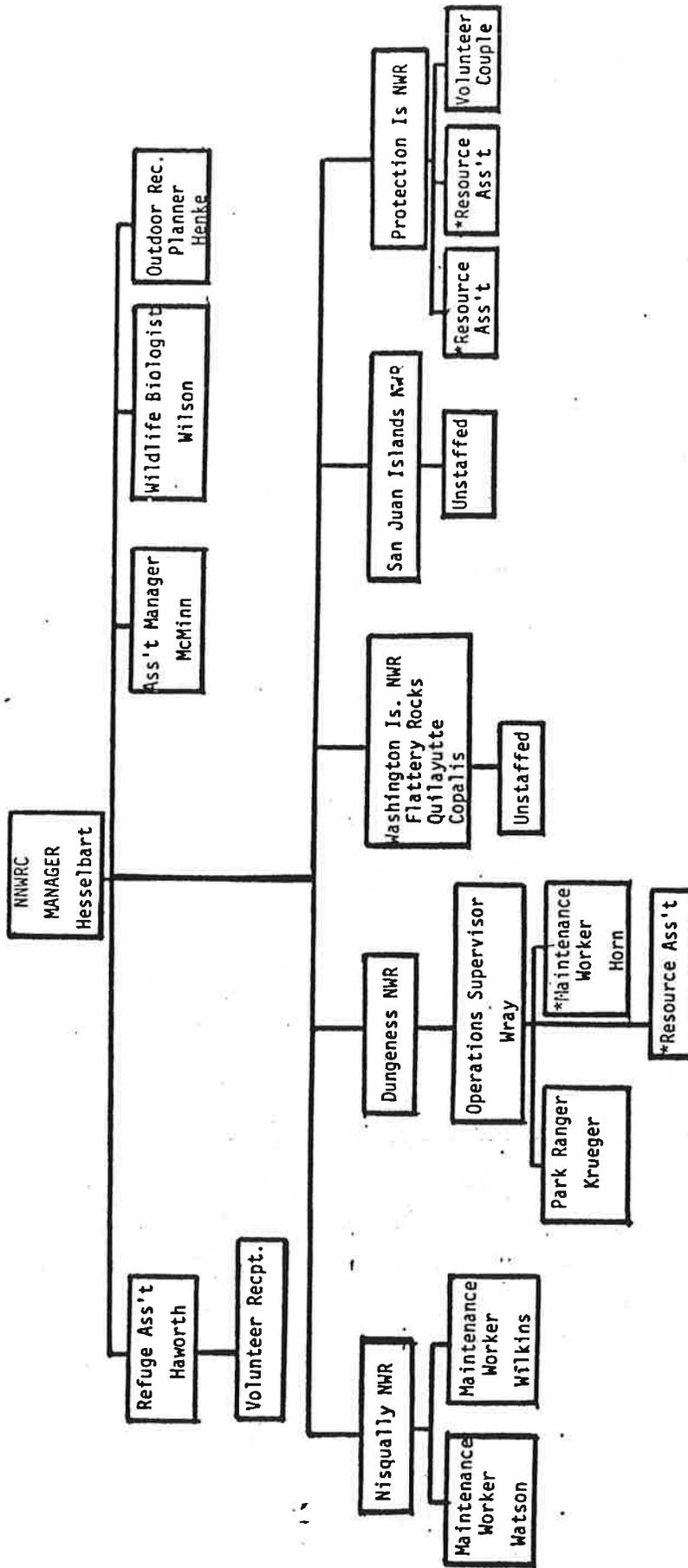
Dungeness NWR is an unfunded satellite within the Nisqually NWR Complex, which consists of 4 other refuges (Figure 2). The FWS has recently purchased an administrative site (Coastal Refuges Office) near Sequim, Washington which will serve as Refuge headquarters for Refuges in the northern portion of the Complex. The Coastal Refuges Office is located approximately 6 miles from Dungeness NWR.

6. Land Status

The land status for Dungeness NWR is rather complex. The USCG retains primary jurisdiction on 32 acres at the New Dungeness Lighthouse. The FWS has a lease on 321+ second class tideland acres from Washington State DNR for Refuge purposes. The FWS has primary jurisdiction on 203 acres of the Spit. The remaining acreage (two upland parcels) totaling 75 acres were purchased in fee title by FWS with Land and Water Conservation Fund money.

The mineral rights on the second-class tidelands are

NISSAQUALLY NWR COMPLEX



*Temporary

FIGURE 2

reserved by Washington Department of Natural Resources forever. On the two upland parcels, the grantor on the Haugland tract (11,a,b) reserved oil and gas exploration rights for 20 years (expires 1991) from date of deed to FWS and on the Mellus tract (10,a) all mineral rights are held by FWS, the exception being mineral rights held by State DNR on second class tidelands which Mellus owned. The mineral rights on the land which the FWS has primary jurisdiction on are held by FWS.

One parcel within the approved refuge boundary remains to be acquired. The landowner has some access rights which have been the cause of several controversies. The "Action Plan" that was drafted for Dungeness NWR in January of 1977 identifies acquisition of H.G. Wood property and his rights as soon as possible.

There are two boat launch sites immediately south of the Spit which are maintained by Clallam County.

7. Current Management Direction

The primary emphasis on management has been to protect resources and habitat from within and outside the Refuge boundary.

There has been emphasis on interpretation/education of the Refuge visitor. Several interpretive panels have been installed to explain management of fish and wildlife resources.

Because of the intense seasonally concentrated use the staffing pattern provides for coverage 7 days a week

from March - October.

A fair amount of effort goes into monitoring the wildlife population and providing maintenance of public use facilities ie: trails, parking lot. The censusing is done by aircraft and boat.

The output production history for Dungeness is presented in Table 1.

8. Agreements and Permits

The USCG has personnel stationed in the lighthouse at the end of the Spit. A special use permit has been issued to cover access to and from the Lighthouse.

The FWS has had a cooperative agreement with Clallam County for the past ten years to cover maintenance of the parking lot and restroom facility, which are not on FWS property. Recent negotiations and an attempt to revise the agreement, which expired April 15, 1986 have met with some resistance on the part of Clallam County due to financial problems. Negotiations continue as of this writing. The FWS is pursuing a long-term lease of the land encompassing the parking lot and restroom facilities.

FWS personnel have been trying to negotiate an informal agreement with San Juan Farms, Inc. for use of the garage/storage space at the base at Cline Spit. The building has been used for storage of boat and other supplies for Refuge support. It is in our best interest to continue to use a portion of the building

TABLE 1. FIVE-YEAR OUTPUT PRODUCTION HISTORY

DUNGENESS NWR

Outputs/units Resource Management	FY 80	FY 81	FY 82	FY 83	FY 84	5-Year Ave.
Endangered Species Maint. Peregrine Falcon (UD)	30	50	-	260	660	200
Threatened Species Maint. Bald Eagle (UD)	350	710	450	680	1600	758
Scientific Sites (EA)	-	1	1	1	1	1
Waterfowl Maint.*						
Dabbler Maint. (UD)	1,887,300	2,435,400	2,628,300	2,043,750	2,108,000	2,220,570
Diver Maint. (UD)	725,910	1,464,600	997,350	690,600	495,600	874,812
Brant Maint. (UD)	47,550	33,600	61,950	215,550	333,000	138,330
Waterbird Maint. (UD)**	45,565	58,050	28,685	64,350	74,000	54,130
Shorebird Maint. (UD)***	291,730	306,090	517,715	637,325	615,800	473,732
Marine Mammal Maint. Harbor Seal Maint. (UD)	23,000	18,250	18,000	-	7,000	13,250
Specimens Donated (EA)	-	-	-	-	-	-
Ecological Monitoring (EA)	-	-	2	2	2	2
Studies/Publications (EA)	-	-	-	1	1	5
Cooperative Programs (EA)	2	2	2	2	3	2
Natural Env. Preserved (AC)	631	631	631	631	631	631
Public Use Management						
Education - Students(AH)	-	-	800	1200	900	580
Interpretation SG (AH)	-	-	-	13,350	15,562	14,456
Rec. Wildlife Non Consump.						
Picnicking (AH)	5,100	11,350	9,350	9,150	13,150	9,620
Wildlife/Wildlands Observation (AH)	118,200	124,855	104,410	75,700	159,050	116,443
Photography (AH)	518	439	740	590	19,622	4,382
Rec. Wildlife Consump.						
Fishing (AH)	7,150	8,900	1,200	16,600	13,250	9,420
Clamming (AH)	6,740	8,000	5,700	-	22,650	8,618

* The dabbling duck maintenance total includes: mallard, gadwall, wigeon, pintail, shoveler, teal. Remaining ducks are included in divers.

** Waterbird maintenance includes common loon, G.B. heron, Double-crested, Brandts and pelagic cormorant

*** Shorebird maintenance includes all other birds listed on quarterly information report.

for on-site storage.

FWS has a Letter of Agreement with the Klallam tribes for conduct of their fishing on the Refuge (Appendix C). They have the right by the Point-no-Point Treaty to camp on the Spit and have fires. This is sometimes difficult to explain to Refuge neighbors.

An agreement has been negotiated with Olympic National Park to provide enforcement assistance in emergency situations.

9. Other Items

a. Staff Support

During the last couple years the volunteer program has been implemented at Dungeness NWR. With the FTE's being fairly tight we will continue to seek the help of volunteers to accomplish certain tasks.

Refuge personnel have used Northwest Youth Services from Port Angeles for several years to aid in performing maintenance work on the Refuge. The enrollees are paid but not with FWS funds.

In 1986, the first YCC camp was initiated at Dungeness NWR. Evaluation of the first year will determine the long-term need for this program.

b. Oil Spills

Dungeness NWR being located on the Strait of Juan de Fuca where considerable boat/shipping traffic occurs is subject to threats from oil spills. Oil tankers sometimes layover in Port Angeles 15 miles

to the west. Because of the shoreline drift to the east any oil spilled in Port Angeles Harbor is likely to end up at Dungeness Spit. Perhaps a basic supply of bird cleaning equipment and oil clean up materials is needed at the Refuge or close by.

c. Oyster Lease

Washington State Department of Natural Resources has leased a tidal area in the inner bay to an oyster company. The FWS must monitor the activity to assure compliance with the lease requirements. The eelgrass beds in the inner bay are not to be impacted by the oyster operation. There have been other pressures for commercialization of Dungeness Harbor and Bay by commercial clam harvesters and nori seaweed farming.

With increased boating traffic in the area and accelerating non-wildlife oriented recreation ie: wind surfing, it is not likely that the area will tolerate much more pressure from public use without the resource suffering. Compatibility of activities is becoming a serious issue at Dungeness NWR.

d. Cooperation with County

Clallam County Parks maintains a campground and day-use picnic area (Dungeness Recreation Area) immediately south of the Refuge boundary on the

former Voice of America tract. Through a series of meetings and public hearings the FWS ended up with the majority of Refuge visitor parking occurring on county lands and some sanitary facilities were constructed on county lands primarily for Refuge visitors. The FWS has been paying \$1,500/year for the last ten years to assist with maintenance of the restrooms and parking lot. The FWS is presently negotiating with the county a proposal that the area occupied by the parking lot and restrooms be leased to the Service. This would give the FWS a vested interest in the area and allow some improvements to be made in the parking lot. FWS personnel would also be required to maintain restroom facilities.

*new lease
1988 - \$6,500/yr*

e. Log Salvage

Several rafts of logs are transported across the Straits from Vancouver, B.C. to Port Angeles during the fall and winter months. During storms, etc. the rafts sometimes breakup and logs of considerable quantity end up on the Spit. We issue special use permits to state licensed log salvagers to remove them. No vehicles are allowed on the Spit. The logs are snatched off the Spit from the seaward side by winch and cable.

f. Dawley Tract

The Annual Report of Lands Under Control by FWS

lists the acreage for Dungeness as 756. This total includes 125 acre donated parcel on which Cecil Dawley resides and has a life use. The property is located on Sequim Bay and has several improvements. ~~The area is not posted as Refuge and our profile is low key.~~

APPENDIX A

EXECUTIVE ORDER

It is hereby ordered that Dungeness Spit, an arm of land extending from the north shore of the State of Washington into the Strait of Juan de Fuca, as the same is shown upon the official plats of survey of townships thirty-one north, ranges three and four west of the Willamette Meridian, on file in the General Land Office, and as segregated by the broken line upon the diagram hereto attached and made a part of this order, be and the same is hereby reserved and set apart for the use of the Department of Agriculture as a refuge, preserve and breeding ground for native birds. This order is not intended to abrogate the orders creating military and lighthouse reservations located in part upon the same lands, nor shall it in any manner interfere with the use of the lands for military or lighthouse purposes, but rather, in addition to such uses, shall insure the protection of the native birds therein.

It is unlawful for any person to hunt, trap, capture, wilfully disturb or kill any bird of any kind whatever, or take the eggs of such birds within the limits of this reserve, except under such rules and regulations as may be prescribed by the Secretary of Agriculture.

Warning is expressly given to all persons not to commit any of the acts herein enumerated, under the penalties prescribed by Section 84 of the U. S. Penal Code, approved March 4, 1909 (35 Stat., 1088).

This reservation to be known as Dungeness Spit Reservation.

WOODROW WILSON

The White House,

20 January, 1915.

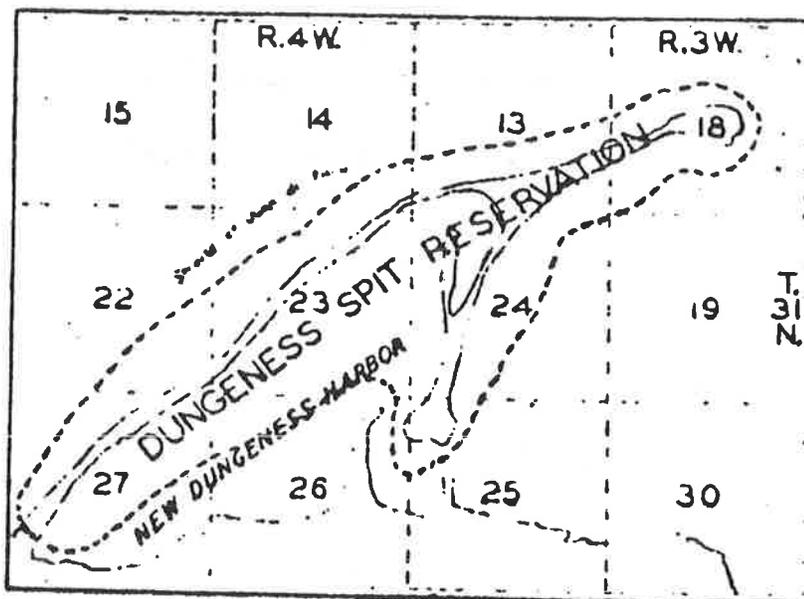
(No. 2123.)

DUNGENESS SPIT RESERVATION

FOR PROTECTION OF NATIVE BIRDS

WASHINGTON

Embracing an arm of land extending from the North shore of Washington into the Straits of Juan de Fuca, in T. 31 N., R. 3 W. and 4 West Willamette Meridian as appropriate by broken line and designated "Dungeness Spit Reservation" containing 27,000 acres.



DEPARTMENT OF THE INTERIOR

CENTRAL LAND OFFICE

Clay T. Johnson, Comm.

By Resolution May 7, Indefinitely Postponed.

HOUSE JOINT MEMORIAL NO. 9

State of Washington
39th Regular Session

By Representatives Conner and Traylor

Read first time January 27, 1965, and referred to Committee on
Natural Resources, Harbors, and Waterways.

1 TO THE HONORABLE LYNDON B. JOHNSON, PRESIDENT OF THE UNITED STATES,
2 TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED
3 STATES OF AMERICA, IN CONGRESS ASSEMBLED, AND TO THE DIRECTOR,
4 BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE
5 SERVICE:

6 We, your Memorialists, the House of Representatives and Senate
7 of the State of Washington, in legislative session assembled, re-
8 spectfully represent and petition as follows:

9 WHEREAS, Dungeness Spit, Clallam County, State of Washington,
10 has for many years been widely used by citizens of the State of
11 Washington as well as by other citizens of our nation for various
12 forms of healthful outdoor recreation, including but not confined
13 to the following: recreational fishing, clam digging, beachcombing,
14 boating, hiking, swimming, camping and picnicking; and

15 WHEREAS, Activities of this nature are important to the econ-
16 omy of this region;

17 NOW, THEREFORE, BE IT RESOLVED, That the Senate and House of
18 Representatives of the State of Washington respectfully urge that
19 the Secretary of the Department of the Interior and the Director,
20 Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service,
21 be aware of the significance of Dungeness Spit to this region to
22 the end that this property will be continued in public ownership,
23 available and preserved for use and enjoyment of all our people.

24 BE IT FURTHER RESOLVED, That copies of this memorial be
25 immediately transmitted to the Secretary of the Department of the
26 Interior, to the Director, Bureau of Sport Fisheries and Wildlife,
27 Fish and Wildlife Service, and to each member of Congress from the

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State of Washington.

LETTER OF AGREEMENT
FOR MANAGEMENT OF THE TRIBAL FISHERY
ON DUNGENESS NATIONAL WILDLIFE REFUGE

Purpose

During the past few years there has been considerable confusion over the interpretation of treaty fishing activities of the tribes, which were parties of the Point No Point Treaty (PNPT), on Dungeness National Wildlife Refuge (NWR). The U.S. Fish and Wildlife Service (USFWS) is proposing this Letter of Agreement to clarify the areas of confusion and provide guidelines for the orderly management of the Tribal fishery on Dungeness NWR.

The USFWS recognizes that the Indian treaty fishing rights include the right of access to National Wildlife Refuge lands. This is a treaty right against land owned by the United States. The Tribes (Lower Elwha Klallam, Jamestown Klallam and Port Gamble Klallam) of PNPT have the right to fish, in Dungeness Bay and Harbor, by set nets or other traditional methods, or by modern or improved fishing techniques.

Principles of Agreement

To promote mutual understanding and cooperation between the USFWS and the Tribes (Lower Elwha Klallam, Jamestown Klallam, and Port Gamble Klallam) of the PNPT and to provide for orderly conduct of the fishery on the Dungeness NWR the USFWS is proposing the following principles:

1. During the prescribed fishing seasons, established by the Tribes and the Washington Departments of Game and Fisheries, the Tribes (Lower Elwha Klallam, Jamestown Klallam and Port Gamble Klallam) of the PNPT may conduct their fishery in Dungeness Bay and Harbor in compliance with tribal and applicable state regulations.

2. Access by tribal members and fish buyers to the Refuge areas, which are the usual and accustomed fishing grounds and stations of the Tribes (Lower Elwha Klallam, Jamestown Klallam and Port Gamble Klallam), is limited to boat and foot.
3. Leaving equipment (boats, nets, etc.) on the Refuge lands is discouraged. The owner assumes all risks associated with unattended equipment.
4. The Tribes (Lower Elwha Klallam, Jamestown Klallam and Port Gamble Klallam) of the PNPT may set fires for camping and curing fish and construct temporary shelters as has been done traditionally. Fires should not be left unattended. Camp sites should be totally removed and fire pits extinguished and covered with sand at the conclusion of the fishing season.
5. The USFWS prohibits firearms, pets, and littering while on Refuge lands.
6. The Tribal enforcement division will be responsible for assuring compliance with the above principles and with Tribal fishery regulations and will respond to complaints from USFWS personnel for reasons of non-compliance.
7. The Tribes will notify the USFWS of opening and closing dates of the fishing seasons on Dungeness NWR.
8. The USFWS agrees to discourage visitors to the Dungeness NWR from vandalizing fishing gear or otherwise disturbing Indian fishing activities on Refuge lands.

The above principles will provide for continuity, orderly conduct, and mutual understanding of the Tribal fishery on Dungeness NWR. This agreement will remain in effect until cancelled by either party. It is hoped that any points of disagreement that may arise in the future would be mutually worked out and added as amendments to this agreement rather than cancelling the document.

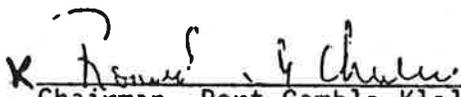
Both parties agree to the principles as stated.

Chairman, Lower Elwaha Klallam Tribe


Act. Assistant Regional Director,
Refuges & Wildlife Resources, USFWS

Chairman, Jamestown Klallam Tribe

12/9/83
Date of Agreement

X 
Chairman, Port Gamble Klallam Tribe

