

From: [BrownScott, Jennifer](#)
To: [Sylvia Pelizza](#)
Subject: Lease verbiage aside from jurisdiction
Date: Friday, December 4, 2015 3:11:48 PM

Just a reminder that the current lease requires approval of aquaculture activities regardless of jurisdiction. The lease also states that the tidelands are within the boundary of the refuge.

After reading the lease again, it does not appear that they have a lease for commercial activities (probably because the Bay was closed to commercial activity when the lease was let) The lease states that the goal of operations is to assist in assessment and monitoring of health and productivity of Dungeness Bay (not for commercial use). Here are some excerpts from the current lease:

Site Description: The lease area is located within the boundaries of the Dungeness National Wildlife Refuge.

Upland, Uses, and Ownership: The leased tidelands are within the boundaries of the USFW Dungeness Wildlife Refuge, which provides critical habitat for wildlife and allows seasonal and limited recreational activities. The U. S. Fish and Wildlife (USFW) retains a use deed with DNR for tidelands in the bay and has consultation rights for any activity that occurs on tidelands included in the use deed.

Past Use:The Jamestown Tribe has **paid commercial lease rates** [*emphasis added*], farmed and sold pacific oysters, and experimented with other types of oysters, clam and geoducks. The Tribe's commercial shellfish business was recently closed by economic infeasibility, health closures that affected the timing of harvest, increased costs associated with processing oysters that were marred by Denman's Island disease.....

Overview of Operations:The goal of the continued cultivation of shellfish for the near future on this lease will be to assist in assessment and monitoring of the health and productivity of Dungeness Bay....

...The size, location, and culture methods used to grow oysters will be discussed and **approved by DNR and USFW** [*emphasis added*] prior to establishment. The Tribe will strive to recognize and plan work in the Bay from May 15 through July 30 when cultivation activities will be least disruptive to use of the Bay by Brant and other waterfowl. The Tribe will confer with USFW before conducting activities on the lease outside this window.

.....Any plan to increase or change the number and cultivation of geoduck will be discussed and

approved by the DNR and USFW [emphasis added] prior to proceeding.....

Jennifer Brown-Scott
Refuge Manager
Washington Maritime NWRC
715 Holgerson Rd
Sequim, WA 98382
office: (360) 457-8451 ext.22
fax: (360) 457-9778

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