

**From:** [Carlson, Sean \(DNR\)](#)  
**To:** [BrownScott, Jennifer](#)  
**Subject:** [EXTERNAL] RE: DNR lease process clarification  
**Date:** Tuesday, April 3, 2018 10:31:32 AM  
**Importance:** High

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What distinguishes this lease is its covered status under the [2007 Settlement Agreement for Subproceeding No. 89-3 \(Shellfish\)](#) (which is also viewable on this [Special Case Notices website](#) for the U.S. District Court, Western District of Washington). There are obligations and timelines within that settlement that DNR must follow.

For any lease proposal (and per [WAC 332-30-122\(1\)\(c\)](#)), the applicant must obtain all necessary local, state, and federal permits before DNR will offer a lease for negotiation/execution.

**Sean Carlson**

Washington State Department of Natural Resources (DNR)

**From:** BrownScott, Jennifer [mailto:jennifer\_brownscott@fws.gov]

**Sent:** Monday, April 2, 2018 4:37 PM

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

**Subject:** DNR lease process clarification

The Clallam County Staff Report for the DNS on Shoreline Permits for Jamestown S'Klallam Tribe's proposed commercial aquaculture operation states the following: *The DNR would also have to decide whether they would be willing to issue new aquatic leases in Dungeness Bay. Based on tribal rights outlined in the Treaty of 1855, DNR has different consideration for the lease of areas to the Tribes vs non-tribal entities. Therefore, it is unlikely that this proposal would result in proliferation of additional shellfish proposals in Dungeness Bay or the area. Therefore, there should be no cumulative impacts from this proposal on Dungeness Bay or the area.*

Is it true that DNR uses a different set of regulations to approve/disapprove commercial lease applications from Tribes vs non-tribal entities? If another commercial user came to you for a lease in Dungeness Bay (not necessarily this particular lease) with the same County and Corps permits in hand, would you treat them differently?

Just trying to figure out if these permits could set a precedent for other shellfish leases in Dungeness Bay/Harbor.

Thanks,  
Jennifer

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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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