

**From:** [Hansi Hals](#)  
**To:** [Teachout, Emily](#)  
**Cc:** [BrownScott, Jennifer](#)  
**Subject:** [EXTERNAL] Jamestown's oyster farm on Dung Bay - ESA compliance  
**Date:** Monday, August 17, 2020 11:20:08 AM  
**Attachments:** [Jamestown to USFWS Letter Re Dungeness Bay Oyster Farm - July 30 2020.pdf](#)

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Hi Emily,

I want to follow up on Robyn Thorson's direction to work with you on documenting Jamestown Tribe's compliance with the Endangered Species Act for our renewed commercial oyster farm operation in Dungeness Bay. The Tribe's shellfish operation in Dungeness Bay meets the terms and conditions of all applicable conservation measures of the Programmatic Biological Opinions for Shellfish Activities in WA State Inland Marine Waters (USFWS Reference number 01EWF00-2016-F0121, and NMFS Reference number WCR-2014-1502), with the exception of conservation measure #22. While most of the conservation measures can be satisfied within our jurisdiction as leaseholder and farm operator, conservation measure #22 requires beaches in the vicinity to be patrolled. Because the DNWR Comprehensive Conservation Plan closes the vicinity beaches to most activity from October 1-May 15, the USACE has deemed it necessary for us to get explicit permission from USFWS to assure that we can fulfill (or adapt) conservation measure #22, which states:

*At least once every three months, beaches in the project vicinity will be patrolled by crews who will retrieve debris that escape from the project area. Within the project vicinity, locations will be identified where debris tends to accumulate due to wave, current, or wind action, and after weather events these locations shall be patrolled by crews who will remove and dispose of shellfish related debris appropriately. A record shall be maintained with the following information and the record will be made available upon request to the Corps, NMFS and USFWS: date of patrol, location of areas patrolled, description of the type and amount of retrieved debris, other pertinent information.*

From Robyn's email, it sounds like USFWS would like an adaptation of conservation measure #22. Jamestown provided a proposal in our letter to her (attached). Please let me know what else you may need from me. Thank you, Hansi

Hansi Hals

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