

From: [Peters, Josh \(DNR\)](#)
To: [BrownScott, Jennifer](#)
Subject: RE: Dungeness Bay Lease Follow-up from Friday
Date: Monday, October 5, 2015 1:02:45 PM
Importance: High

Hello Jennifer. The court has posted the signed 2007 Settlement Agreement [on this webpage](#). Look under "Controlling Orders" for case number C70-9213-RSM. FYI.

From: Peters, Josh (DNR)
Sent: Tuesday, September 22, 2015 9:27 AM
To: 'BrownScott, Jennifer' <jennifer_brownscoth@fws.gov>
Subject: RE: Dungeness Bay Lease Follow-up from Friday
Wow. I'm sorry to hear that. I hope you're OK.
From: BrownScott, Jennifer [mailto:jennifer_brownscoth@fws.gov]
Sent: Tuesday, September 22, 2015 9:22 AM
To: Peters, Josh (DNR) <Josh.Peters@dnr.wa.gov>

Subject: Re: Dungeness Bay Lease Follow-up from Friday

Thanks Josh! I got into a car accident about five minutes after leaving the meeting on Thursday, so I am just getting a look at my emails this morning.
-jennifer

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

~~Dungeness NWR~Protection Island NWR~San Juan Islands NWR~~
~~Copalis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~

On Mon, Sep 21, 2015 at 2:27 PM, Peters, Josh (DNR) <Josh.Peters@dnr.wa.gov> wrote:

Hello Jennifer:

I was finally able to communicate with someone at the United States District Court, Western District of Washington. If and when they post the settlement agreement on their website, it should appear [here](#).

Meanwhile, I was able to get a case administrator to email me the executed agreement and associated court documents. I've attached the 12 MB PDF file that I received from the court, FYI. Since it's a large file, if you could respond to this email confirming that you received it, I would appreciate that. Thank you.

Regards,

Josh

Josh Peters

Washington State Department of Natural Resources (DNR)

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

Sent: Thursday, July 23, 2015 9:59 AM

To: Peters, Josh (DNR) <Josh.Peters@dnr.wa.gov>

Subject: Re: Dungeness Bay Lease Follow-up from Friday

Wow...That email was full of new details that I will have to pass along to someone who can interpret it all for me. I really appreciate all of your help. We'll get this figured out sooner or later.

-jennifer

Jennifer Brown-Scott
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On Thu, Jul 23, 2015 at 8:53 AM, Peters, Josh (DNR) <Josh.Peters@dnr.wa.gov> wrote:

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)

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From: BrownScott, Jennifer [mailto:jennifer_browns cott@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
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