

From: [Foerster, Kevin](#)
To: [Stenvall, Charlie](#); [BrownScott, Jennifer](#)
Subject: Fw: [EXTERNAL] Meeting to provide an update on access compatibility determination needed per prior conversations with Kevin Foerster
Date: Thursday, September 16, 2021 1:36:05 PM
Attachments: [image001.png](#)

FYI

Kevin Foerster

Regional Chief, Interior Regions 9 and 12

(Idaho, Oregon, Washington, Hawaii, Western Montana, American Samoa, Guam, CNMI, and remote territories)

National Wildlife Refuge System

971-202-6722 (telework cell)

From: Foerster, Kevin <kevin_foerster@fws.gov>
Sent: Thursday, September 16, 2021 12:16 PM
To: Thorson, Robyn <robyn_thorson@fws.gov>; Morrison, Hugh R <hugh_morrison@fws.gov>; Ogura, Christine <christine_ogura@fws.gov>
Subject: Fw: [EXTERNAL] Meeting to provide an update on access compatibility determination needed per prior conversations with Kevin Foerster

Kevin Foerster

Regional Chief, Interior Regions 9 and 12

(Idaho, Oregon, Washington, Hawaii, Western Montana, American Samoa, Guam, CNMI, and remote territories)

National Wildlife Refuge System

971-202-6722 (telework cell)

From: W Ron. Allen <rallen@jamestowntribe.org>
Sent: Thursday, September 16, 2021 9:06 AM
To: Hansi Hals <hhals@jamestowntribe.org>; Foerster, Kevin <kevin_foerster@fws.gov>
Cc: Elizabeth Tobin <etobin@jamestowntribe.org>; Lauren Rasmussen <lauren@rasmussen-law.com>; Sissi Bruch <sbruch@jamestowntribe.org>
Subject: [EXTERNAL] Meeting to provide an update on access compatibility determination needed per prior conversations with Kevin Foerster

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Kevin,
This process and experience after so many years of trying to

get USFWS to be responsive and cooperative. It is just ridiculous. You and Robin need to exhibit leadership and move forward with a letter that states no objection. Quit making this process so hard.

If I have to go to our Congressional leadership and the Secretary of Interior (who I know well), it is not a good track record taking a outrageous amount of time. Sending our objection for a special use permit to legal is more outrageous bureaucratic diversions. This USFWS concern has been resolved. Let's move on.

We have been exceptional professional, it's your turn. I expect a quick response and not wait for legal. Be offended is you like, but it a 'dumb-ass' move. Come on! Thanks, Ron

W. Ron Allen, Tribal Chair/CEO

Jamestown S'Klallam Tribe

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From: Hansi Hals <hhals@jamestowntribe.org>

Sent: Thursday, September 16, 2021 8:45 AM

To: W Ron. Allen <rallen@jamestowntribe.org>

Cc: Elizabeth Tobin <etobin@jamestowntribe.org>; Lauren Rasmussen <lauren@rasmussen-law.com>; Sissi Bruch <sbruch@jamestowntribe.org>

Subject: FW: Meeting to provide an update on access compatibility determination needed per prior conversations with Kevin Foerster

Well, gee, I was beginning to think that USFWS was choosing to be unresponsive.

Ron, Just fyi the email below, and I'll let you know what I learn.

Refresher:

- We asked USFWS DNWR for a statement of no objection to tribal resumed shellfish operations (per JARPA) so that USACE could finalize the 404 permit (during March-April 2021)
- Dungeness NWR refused saying it was premature (had to evaluate the gear monitoring and retrieval plan; as well as if any bird monitoring would be off-lease)
- We reached out to Regional Office for direction
- Kevin Foerster indicated that JST should apply for special use permits for ACCESS (by boat – specified in JARPA the size, noise and route/anchor location) and for gear retrieval. He further indicated that the special use permits could be processed in ~2 wks and that we initiate the process via letter to Jennifer BrownScott
- In conversation and in our letter of application (attached) we disagree that a special use permit is required for ACCESS. We accept special use permit required if retrieving gear adrift/ on federal shore.
- Kevin Foerster acknowledged receipt of our letter and said they were directing it to legal (because of our opinion regarding ACCESS permit)
- No further word until this morning – I will hear the update by phone today at 3pm from

Regional Refuge Director (Kevin Foerster is on extended leave – Christin Ogura Acting)
Also, related – I prepared the DNWR fact sheet pro/cons that you asked for (in coordination with Jenn McLaughlin) and Jenn is reading my draft now.

Hansi Hals

Natural Resources Director

Jamestown S'Klallam Tribe

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From: Ogura, Christine <christine_ogura@fws.gov>

Sent: Thursday, September 16, 2021 7:11 AM

To: Hansi Hals <hhals@jamestowntribe.org>

Subject: Meeting to provide an update on access compatibility determination needed per prior conversations with Kevin Foerster

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Good morning Director Hals,

It is nice to meet you via this email. I am Kevin Foerster's Deputy, but am reaching out to you on his behalf as I am acting for Kevin while he is out this month and next on family leave.

I wanted to personally provide you with an update on the status of the access compatibility determination that is required for your commercial shellfish operations per your previous discussions with Kevin. Is there a good date and time we could virtually meet to provide this?

I look forward to meeting you and continuing to work with you as Kevin has on our shared interest in timely resolution of this matter.

Thanks and please take care,

Christine

Christine Ogura

Acting Regional Chief, [National Wildlife Refuge System](#)

[U.S. Fish and Wildlife Service](#)

[Interior Region 9](#) (Idaho, Oregon, Washington, NW Montana)

[Interior Region 12](#) (American Samoa, Guam, Hawaii, Northern Mariana Islands)

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