

From: [Peters, Josh \(DNR\)](#)
To: [BrownScott, Jennifer](#)
Subject: RE: Dungeness Bay Lease Follow-up from Friday
Date: Monday, September 21, 2015 2:27:11 PM
Attachments: [Subproceeding 89-3 Shellfish Settlement Agreement 2007 executed.pdf](#)
Importance: High

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_brownscott@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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~~Dungeness NWR~Protection Island NWR~San Juan Islands NWR~~

~~Copolis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~

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

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From: BrownScott, Jennifer [mailto:jennifer_brownscoth@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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