



## SQUAXIN ISLAND TRIBE

March 19, 2010

Senator Tim Sheldon, 35<sup>th</sup> District  
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Representative Kathy Haigh, 35<sup>th</sup> District  
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Representative Fred Finn, 35<sup>th</sup> District  
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Greetings:

The Squaxin Island Tribe is aware of ongoing discussions that have been occurring with Legislative leaders concerning shellfish aquaculture activities and the interaction with the Washington Department of Natural Resources' efforts to develop a Habitat Conservation Plan protecting certain state-owned aquatic lands. We understand the discussions have been directed at crafting proviso language in the state budget that would serve to align DNR efforts with the existing permitting authority of the United States Army Corps of Engineers that has already received Endangered Species Act review and authorization. The Tribe supports the efforts to arrive at a common position such that DNR does not develop a set of standards for existing and new shellfish activities that is different than the standards already approved in the federal process.

While supporting efforts to write a budget proviso, the Tribe would also like to take this opportunity to inform you that it continues to have concerns about the DNR HCP. We do not understand how it concluded to address some activities that may affect habitat of protected species while excluding other aquatic lands uses that may have the same or greater impact on protected species. We have been highly critical off the inconsistent application of scientific principles in determining the effects of activities that are included under the HCP. In general, we want to make it clear that even if there is some resolution for how to proceed on addressing shellfish aquaculture issues in the HCP, there remain substantial additional problems to be resolved with the HCP before the Tribe would be able to support the product with the federal agencies.

Thank you for your time and consideration of our perspectives.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Whitener". The signature is fluid and cursive, written over a light-colored background.

Andy Whitener, Director  
Natural Resources Department