

V.A.



STATE OF OREGON

INTEROFFICE MEMO

TO: Land Board Members
Land Board Assistants
Ed Zajonc

DATE: October 26, 1983

FROM: Pat Amedeo *Pat*

SUBJECT: Tongue Point

Last week, Ed had an initial discussion with U.S. Fish and Wildlife concerning bald eagles adjacent to Tongue Point. Under the Endangered Species Act, Section 7, a consultation process is required to take place prior to a decision or recommendation from U.S. Fish and Wildlife on permits and projects where endangered species (bald eagle) may be at jeopardy. In my estimation and that of Director Jack Donaldson, it is premature to hazard a guess as to whether or not we might have a problem in developing Tongue Point based on the bald eagle.

It is my understanding, after conversations with Ed, that U.S. Fish and Wildlife will make a determination under this Section 7 of the Endangered Species Act in December. At the Land Board Assistants meeting in Astoria, I made the following recommendation which I believe would be useful to the Land Board Members and Ed. I have suggested that we contact Jack Donaldson (I have already done this) and have an informal assessment from State Fish and Wildlife as to whether or not, in their estimation, the bald eagle might be in jeopardy by the Crown Zellerbach activity at Tongue Point. This has two benefits. If U.S. Fish and Wildlife indicates that, 1) they don't have enough information to make a recommendation and they need to study it for a year or two, or 2) the Crown Zellerbach activity might jeopardize and endanger the bald eagle and therefore oppose the project, we need to be prepared. The State Fish and Wildlife assessment will give us a biological view of the situation which may, in fact, be different from U.S. Fish and Wildlife. If the State biologists feel that the activity does not threaten or jeopardize the bald eagle, we may be more inclined to proceed in an adversarial relationship with U.S. Fish and Wildlife if necessary. If, however, State Fish and Wildlife believes that the Crown Zellerbach activity would seriously jeopardize the bald eagle or they don't have enough information on which to make that decision, the Board needs to know.

Page 2
Tongue Point
October 26, 1983

I have also asked Jack Donaldson to personally attend, if possible, the consultation meetings that are required between the Corps of Engineers, U.S. Fish and Wildlife and the Division of State Lands under the Endangered Species Act as both technical expert for Ed as well as intermediary with the Regional Director of U.S. Fish and Wildlife. Jack has known him for a long time and has an excellent working relationship with him.

If you would like additional information on this, please call me.

cc: Gerry Thompson