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2. **USACE/EPA/NOAA**: **Protection of ESA habitat landward of the Corps Clean Water Act jurisdictional boundary. Consider options in coordination with federal and state partners that may be implemented to protect ESA species and habitat**: Since at least 2015, Puget Sound Tribes have asked the USACE to use HAT instead of Mean Higher High Water (MHHW) mark as the landward extent of Clean Water Act (CWA) regulatory jurisdiction. The Corps convened a workgroup (staff from EPA, NOAA and the Corps) to examine options and a final draft recommendation document was submitted in November 2016 to Col. John Buck for review and consideration. The recommendation was to move the Corps' jurisdictional boundary from MHHW to MAHT (Mean Annual Highest Tide). (b)(5) Deliberative Process Privilege [redacted] (b)(5) Deliberative Process Privilege [redacted] (b)(5) Deliberative Process Privilege [redacted] The document was soon forwarded to General Spellmon in the Corps' Division office for his review and consideration. In December 2016, Gov. Inslee wrote a letter to the Corps urging them to move toward a change in the jurisdictional boundary that aligns with the workgroup's recommendation or something similar to what the state uses. General Spellmon responded to the Governor's letter in writing in January with a request to meet with the state to discuss options for how to protect shoreline habitat above the Corps' jurisdiction (both letters attached).

   EPA and NOAA have requested to USACE to be included in the meeting with the State.

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