

_ Sustainable Texas Oyster Resource Management, LLC
(STORM)
136 County Dock Road
Anahuac, Texas 77514

Tracy Woody
Manager

1 JULY 2014

Mr. Lance Robinson
Texas Parks & Wildlife Department
Regional Director, Coastal Fisheries Division
Dickinson Marine Lab
1502 F. M. 517 East
Dickinson, TX 77539

via 1st Class U. S. Mail, Certified No. _____ and
email: Lance.Robinson@tpwd.texas.gov

In re: Chambers-Liberty Counties Navigation District (CLCND) Coastal Surface Lease to Sustainable Texas Oyster Resource Management (STORM) for the Planting, Transplanting and Harvesting of Oysters (and other related purposes); effective 15 April 2014 to 15 April 2044; Marked / Indexed / Coded as Instrument No. 2014 93230 filed for recording 15 April 2014 and recorded in Volume 1486 at Pages 516, *et seq.*, of the Official Public Records of Chambers County, Texas and as Instrument No. 2014021732 filed and record in the Official Public Records of Galveston County, Texas.

Dear Lance,

This letter is written confirmation and notice that Sustainable Texas Oyster Resource Management, LLC (STORM) does not consent to Texas Parks & Wildlife Department (TP&WD), or any other entity, authorizing or attempting to authorize the transplanting of oysters on the land subject to STORM's referenced lease unless STORM first expressly authorizes and consents to the activity in writing. We understand there is an upcoming oyster lease holder meeting about issuing Transplant Permits and authorizing Transplant Areas for the upcoming State Transplant Season. We respectfully request that you (TP&WD):

- a) inform all state oyster lease holders about STORM's surface lease;
- b) exclude STORMS's coastal surface lease area from the State Transplant Areas; &
- c) make transplanting from STORM's coastal surface lease area an unauthorized practice under the State Transplant Permit from State Transplant Areas, and likewise a violation of the state oyster lease holder Transplant Permits.

In the past you (TP&WD) have excluded certain areas from the State Transplant Permit Areas, such as the 2013 transplant closures of areas around piers, the closed area between April Fool Point and Eagle Point, and the closed area in Dickinson Bay off of the Moses Lake Flood Gates.

We want to make clear that STORM has the exclusive property rights to the use and possession of the STORM coastal surface lease land for oyster purposes, including the transplanting of oysters from that land. As you know, STORM will protect the land against trespassers and trespassing that interferes with STORM's right to quiet use and possession of the land for the lease purposes; just like TP&WD will do with the coastal surface lease land for oyster purposes that TP&WD obtained from CLCND.

STORM intends to work with TP&WD to further sustainable oyster management and hopes TP&WD intends likewise to work with STORM. In doing so, we do not want any state oyster lease holder to think that TP&WD somehow has or may authorize a trespass upon the STORM coastal surface lease land. Thank you in advance for both your consideration and cooperation.

With kindest regards, I am

Sincerely,

Tracy Woody, Manager

cc: