



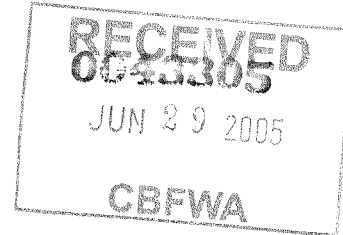
IDAHO FISH & GAME

600 South Walnut
P.O. Box 25
Boise, Idaho 83707-0025

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

June 27, 2005

Mary Verner, Executive Director
Upper Columbia United Tribes
910 N. Washington, Suite 107
Spokane, WA 99201



Dear Mary,

I am both saddened and confused, as I suspect other CBFWA Members are, by the recent letters from the five UCUT Member Tribes announcing their withdrawal from CBFWA. CBFWA is an effective and powerful voice for the protection and restoration of our fish and wildlife resources in the Northwest; the participation of all management entities in the region is our greatest strength. It is in the spirit of a future CBFWA that is powerful and effective and composed of 19 Members that I write this letter.

Within our agency I have had discussions with Steve Huffaker-Director, Virgil Moore-State-wide Chief of Fisheries and Bill Hutchinson-Assistant Chief of Fisheries regarding this issue. All of us have been involved and active in CBFWA activities for some time and are concerned with the UCUT issues. We are committed, especially the Director, to resolving them to the satisfaction of all CBFWA Members. There are a couple of questions that need resolution before I can continue our internal policy-level discussions and coordinate our various roles and participation as we work to resolve the issues;

1. Who is the primary contact for each of the UCUT Member Tribes?
2. Are there issues other than the CBFWA Charter that are of concern to the UCUT Member Tribes?
3. What additional effort by the other CBFWA members would encourage the UCUT Member Tribes to engage in resolving their issues?

The first question pertains to effectively accommodating peer-to-peer communications across all levels of CBFWA; specifically, communication among the Members. With no disrespect to the UCUT letter of June 22, 2005 stating that "...*CBFWA communication should be made directly with and to each Member Tribe...*", I have directly addressed this letter only to you with hope that you will distribute it to the primary MMG contact for each of the five UCUT Member Tribes. It currently is not clear who the official contacts for each of the UCUT Member Tribes are.

The communication question can be resolved by following up on an action taken at the February 23-24, 2005 Members meeting. At that meeting the Members passed a motion to develop an individual communication plan for each of the Members. The primary purpose of that action was to determine each Member's preference for how they would like to receive documents and information from the CBFWA office. Communication within CBFWA and from the CBFWA central office to Members was an issue raised in

the UCUT letter dated January 13, 2005 and subsequently was discussed at the January 31, 2005 Emergency Members Executive Session Meeting and the February 23-24, 2005 Members Meeting.

It is important, in working to resolve the UCUT issues, to establish good communication among the CBFWA Members at all levels. I would like to carry the Members' action for a communication plan a step further by requesting, through MMG, that CBFWA staff distribute the communication plan for each Member organization to all CBFWA Members. That action would facilitate each active participant in CBFWA processes knowing who their primary peer-to-peer contact is within each Member organization. As I stated previously, our Director is interested in discussing and working to resolve the UCUT issues. I am requesting from you organizational charts for each of the five UCUT Member Tribes so I can inform our Director who the primary contact (highest level policy position) is for each Tribe that the Director would be corresponding with. During the brief discussion you and I had in Portland during the June NWPCC meeting, you had indicated some of the Tribal leadership positions had recently changed and you could provide me with current organizational charts. I'm sorry for the delay in following up on our discussion and hope you can provide those at your earliest convenience.

A second question we have is what are the specific issues the UCUT Member Tribes would like to see addressed and resolved, or are there additional issues that should be addressed and resolved. I have read the UCUT letter dated January 13, 2005 several times, and I am always left concluding that the amended CBFWA Charter and the consensus process defined in that Charter are the issues that lead to all other problems, one of the most important being the impact on Tribal sovereignty.

I believe that the CBFWA membership has been working diligently to address the concerns and issues raised by the UCUT Member Tribes, and I am upset that most of the letters of withdrawal state that the CBFWA Members have done nothing to address the UCUT concerns. Specifically, the June 10, 2005 letter from the Spokane Tribe of Indians states: "*The Upper Columbia United Tribes sent CBFWA a letter dated January 13, 2005, raising issues and concerns the Tribes had identified as needing to be addressed. To date, the Spokane Tribe has not seen any action taken by CBFWA or the Members in attempting to address these concerns.*" The record is very clear that CBFWA has extended considerable effort to resolve these issues, as follows:

- An Emergency Members Executive Session Meeting was called to order in Spokane on January 31, 2005, to address only the concerns and issues raised in the UCUT letter of January 13, 2005. Thirty two individuals (25 in-person and 7 via phone) representing 18 of the 19 CBFWA Members participated in that meeting. At that meeting an interim plan for the conduct of business, which defined how consent-process issues were to be communicated to the UCUT Member Tribes and how the UCUT Member Tribes would communicate their consent or objection was discussed. Also, decision topics regarding the Charter (decision making process, role of the Members, MMG/committee, and staff), communication and equity were identified for the upcoming CBFWA Members meeting.
- At the February 23-24, 2005 CBFWA Members meeting, 32 individuals representing 18 CBFWA Members discussed the Charter and other topics mentioned above, focusing on the UCUT concerns. One of the actions taken by the Members at that meeting was to develop individual communication

plans for each of the CBFWA Members. To date only the Spokane Tribe of Indians has not submitted a communication plan pursuant to the Members' action. It would be most helpful to have communication plans from all 19 CBFWA Members and, as I described above, CBFWA staff make those available to all Members to facilitate our communication.

- Also at the February 23-24, 2005 CBFWA Members meeting, the Members produced six tasks for review regarding language in the current CBFWA Charter as it relates to UCUT Member Tribes and other CBFWA Members concerns. An ad-hoc committee was established, which was to be chaired by one of the UCUT Member Tribes, and the committee was to review the tasks and deliver a product at the summer 2005 CBFWA Members meeting. I believe the CBFWA Members took this action to respond specifically to the UCUT concerns, since several of the Members expressed that they had no major issues or concerns with the current Charter. To date, I am not aware of any meetings held by the ad-hoc committee to address these concerns and develop the product as requested by the CBFWA Members. It is my belief that, under CBFWA's operational procedures, it is the responsibility of the chair to organize and lead the committee and call meetings to order.
- At the 23-24, 2005 CBFWA Members meeting, the Members also directed MMG to change the amount of time allowed for the consent mail process. I believe that direction from the Members was in direct response to UCUT concerns about the pace of communications and the need for sufficient time for review at the policy level. In response to the UCUT Member Tribes requests, the consent mail process was revised to extend 8 days, rather than 5 (if time allows), and require a phone contact by CBFWA staff with a policy representative from each UCUT Member Tribe to confirm approval or objection to an issue.

What I have described above is the information I have to formulate the opinion that CBFWA has taken aggressive action to address and resolve the UCUT concerns. However, after nearly five months of discussions regarding these issues, The UCUT Member Tribes have decided to withdraw from CBFWA. That action leaves me wondering if we are addressing all of the concerns and the right set of concerns. The participation of the UCUT Member Tribes in MMG and CBFWA Member policy level discussions is critically important for making progress during the "90-day period", and I hope the UCUT Member Tribes will continue to participate.

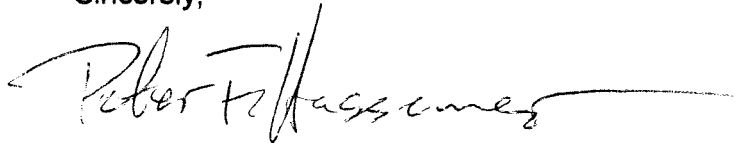
As I stated earlier in this letter, everyone at the IDFG, including the Director, who has been involved in the CBFWA process is sincerely interested in discussing and working with the other CBFWA Members towards resolution of the UCUT concerns. However, we see little value in working towards that end absent the participation of the UCUT Member Tribes. We do not see how we can respect and protect the UCUT sovereignty and satisfactorily address their needs if we deliver a product, such as an amended Charter, that was crafted by fourteen Members.

In summary, I have asked a couple of questions we have internally at IDFG that when answered, will enable more efficient and direct communication among myself and my MMG peers within the UCUT Member Tribes and allow us to focus on the proper set of issues. Again, I apologize for having to direct this letter to you and asking you to distribute it to the appropriate individuals. I have copied it to Sue Ireland (Kootenai Tribe of Idaho) and Ron Peters (Coeur d'Alene Tribe) since they have been active in MMG; I

don't know who to directly contact for the other three UCUT Member Tribes. We should be able to resolve the remainder of my communication concern at the June 28, 2005 MMG meeting. Regarding the right set of issues to address, I hope that the UCUT Member Tribes will be participating in upcoming MMG and CBFWA Members meetings so we can clearly identify the issues and keep them active in our discussions. Any clarification that could be provided directly to me would be appreciated.

Thank you in advance for your attention to my concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Hassemer", with a long horizontal flourish extending to the right.

Peter Hassemer
Columbia River Policy Coordinator

Cc: Steve Huffaker, Virgil Moore, Bill Hutchinson – IDFG
Sue Ireland – Kootenai Tribe of Idaho
Ron Peters – Coeur d'Alene Tribe
Rod Sando – CBFWA