

NATURAL RESOURCES SUBCOMMITTEE

(1st & 3rd Tuesdays)

Subcommittee Members

Ferris Paisano III, Chairman
Quincy Ellenwood, Vice-Chairman
Rachel Edwards
Casey Mitchell
Mary Jane Miles
Arthur Broncheau

Support Staff

Marsan Lawyer

Reporting Departments & Boards

Natural Resources	ERWM
Cultural Resources	Dept. of Fisheries Management
Wildlife	Forestry & Fire Management
Biocontrol	Water Resources
Utility Board	Fish & Wildlife Commission

Highlights

Through Natural Resources some key highlights would be Palouse River Basin Adjudication, Central Idaho Land Exchange, Midas Gold, Hells Canyon, Forest Plan Revisions, and ongoing Bison Litigation, We worked directly with the Boise National Forest, We have sent comments to the Army Corps of Engineers, BPA, and Bureau of Reclamations on the Columbia River System Operations Draft Environmental Impact Statement. We have sent comments to the Nez Perce-Clearwater National Forests in opposition to the Rainbow Family Gathering on National Forests lands. We have also commented on the Stray Creek Final Environmental Impact Statement, draft Decision Notice, and Finding of No Significant Impact, the resolved objection to the Hungry Ridge Restoration Project, the completion of the Environmental Assessment and Finding of No Significant Impact for the Lost Horse Project.

For our Cultural Resources Program regarding the Weissenfels Road – Ten Mil/TD Fiber Optic Issue, the conduit is being laid at *ana'toyn*, which is a known ancestral burial site of the *Nimiipuu*. They consulted with Asotin County and the proponent TDS/Tierra ROW Services to suspend projects and ascertain what the potential damages were to the site. Subsequent Ground Penetrating Radar (GPR) was conducting on-site by Steve Hackenberger, on August 14-15 to determine site boundaries and potential impacts to site and resources. Site Assessments and potential remediation/mitigation is on-going and the Cultural Resources Program continues to work on this important issue.

The Cultural Resources Department have been the technical lead on the Snake River Road/Asotin County-Washington Department of Transportation (WSDOT) Project. They have convened a Government to Government with Asotin County Commissioners on October 13, 2020 regarding the potential impacts to cultural resources to the Nez Perce Tribe by the proposed road development of the Snake River Road- MP 19.00 to 21.97. Draft Language to the Memorandum of Agreement stipulations has been discussed and proposed to ensure that Tribal interests are preserved and potential impacts are avoided in the future.

NATURAL RESOURCES SUBCOMMITTEE - JULY 7, 2020

Richfield Company, BP Projects North America, Inc., Brix Maritime Co., Exxon Mobil Corporation, and Kinder Morgan Liquids Terminals, LLC

ADMINISTRATIVE ACTIONS

1. Letter to authorize letter to the U.S. Forest Service regarding the proposed Eastside Screens Forest Plan amendments
3. Letter Agreement to approve the Letter Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at River Mile 7W Bayer Project Area with Bayer CropScience, Inc.

RESOLUTIONS

2. Letter Agreement to approve the Letter of Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at B1a Area with Atlantic
4. Letter Agreement to approve the Letter Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at River Mile 7W Arkema Project Area with Arkema, Inc.

5. Letter Agreement to approve the Letter of Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at Willbridge Cove Project Area with Chevron U.S.A., Inc., Kinder Morgan Liquids Terminals, LLC, McCall Oil and Chemical Corporation, Phillips 66 Company, and Shell Oil Company
6. Letter Agreement to approve the Letter of Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at the River Mile 9 West Project Area with FMC Corporation
7. Letter Agreement to approve the Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at River Mile 10W Project Area with General Electric Company
8. Letter Agreement to approve the Letter of Agreement for Funding Tribal Response Costs for the Portland Harbor Superfund Site at River Mile 10E Project Area with Union Pacific Railroad Company
9. Letter of Agreement to approve the Letter of Agreement for Funding Tribal Response Costs at the Willamette Cove Project Area of the Portland Harbor Superfund Site with Port of Portland, City of Portland and state of Oregon by and through its Department of State Lands
10. ID OSC Mod #1 to adopt an Amended resolution NP 20-061 Modification #1 to the Idaho Office of Species Conservation
11. GeoEngineers Poley-Allen to adopt a resolution to approve contract between GeoEngineers, Inc. and the Nez Perce Tribe to complete final design/specifications, environmental permitting, construction bid documents, and construction oversight for the Poley-Allen Diversion Fish Passage Design project in the amount of \$66,555.00 to begin at the date of execution through December 31, 2021
12. R2 Correction to rescind resolution NP 20-282 for a subcontract with R2 Resource Consultant
13. R2 Resource Consultants Contract to adopt a resolution to approve a contract between R2 Resource Consultants, Inc. and the Nez Perce Tribe to complete final design/specifications, environmental permitting, construction bid documents, and construction oversight for the Tumalum Creek Culvert Fish Passage & Floodplain Connectivity project in the amount of \$119,378.30 to begin at the date of execution through March 31, 2021 contingent upon TERO sign off
14. Memorandum of Agreement to adopt a resolution to approve a Memorandum of Agreement between the Nez Perce Tribe, Wallowa Lake Irrigation District, Confederated Tribes of the Umatilla Indian Reservation, and the Oregon Department of Fish and Wildlife in Whiskey Creek Culvert Replacement project #021 17 CW increasing the contract amount \$13,000.00 for a new total contract amount of \$143,000.00

- regards to providing instream flows associated with completion of the Wallowa Lake Dam rehabilitation project
15. Memorandum of Agreement to adopt a resolution to approve the Lostine Fish Facility Memorandum of Agreement between the Nez Perce Tribe and the Bonneville Power Administration
 16. CRITFC #T20-10 Kelt to adopt a resolution to approve Agreement #T20-10 with the Columbia River Inter-Tribal Fish Commission for the Snake River Steelhead Kelt Project in the amount of \$447,459.00 for the period July 1, 2020 to June 30, 2021
 17. USFWS Fish Health to adopt a resolution to approve the contract with the U.S. Fish & Wildlife Service - Pacific Region Fish Health for fish health services in the amount of \$59,850.00 from January 1, 2020 to December 31, 2020
 18. Extension of Term Agreement to approve the Term Agreement from Idaho Department Transportation (ITD) two (2) year extension to provide Archaeological and Cultural Resource Study Services for future projects
 19. Forest Management Plan Revision to award the Forest Management Plan Revision Contract to Northwest Management, Inc. of Moscow, ID for an amount not to exceed \$184,450.00 with a no-cost contract extension request to finalize all contractual obligations by June 30, 2021
 20. Cooperative Agreement to approve the renewed Fire Cooperative Agreement between the Bureau of Indian Affairs (BIA) Northwest Region and the Nez Perce Tribe to provide a mechanism to reimburse the Tribe for the actual costs incurred (non-recurring funds) for the period of August 10, 2020 through April 30, 2024
 21. 2020-1 Fuels Reduction Contract to award the 2020-1 Fuels Reduction Contract to D-3 Native Wood Works, LLC, of Grangeville, Idaho for \$154,790.60, the contractor will pay the 3.5% TERO fee for an amount not to exceed \$5,417.67
- NATURAL RESOURCES SUBCOMMITTEE - JULY 21, 2020**
- ADMINISTRATIVE ACTIONS**
22. Conservation Enforcement Monthly Report to accept the Conservation Enforcement Division monthly report ending June 30, 2020
 23. Letter to authorize a letter to Brandon Knapton, Nez Perce-Clearwater National Forests, submitting comments on the Pete King Wildlife Habitat Restoration Project
 24. General Council Resolution SPGC 20-02 to refer the General Council Resolution to the Office of Legal Counsel to utilize the resolution as supporting documentation and for any entities for future litigation uses or as needed

25. Letter to authorize a letter from the Chairman to Asotin County requesting a meeting regarding sensitive and cultural sites along the Snake River corridor
30. BPA 74017 REL 54 MOD #1 Grande Ronde O&M to adopt an Amended resolution NP 20-095 to approve Modification #1 to the Bonneville Power Administration Master Agreement #74017 Release #054 for the Grande Ronde Supplementation O&M Project for additional funding to total \$541,477.00 for the period January 1, 2020 to December 31, 2020

RESOLUTIONS

26. Memorandum of Understanding to approve the Memorandum of Understanding for the Cooperative Agreement between the Nez Perce Tribe and the USDA, Forest Service, Nez Perce - Clearwater Forests effective through July 1, 2025
27. Kubota Membrane Replacement to approve the contract with Kubota Membrane USA Corporation which will be providing supplies (flat sheet membrane filters) and services for the Nez Perce Tribe Utilities Program for the Lapwai Valley Wastewater Treatment Plant for an amount not to exceed \$375,000.00
28. IDIQ Agreement Extension to approve the IDIQ Agreement with the Army Corps of Engineers (ACOE) Walla Walla District to provide professional services for the management of historic properties of religious and cultural significance to the Tribes (HPRCSITs) and Traditional Cultural Properties (TCPS) for the Walla Walla district
29. LHTAC Contract to approve the contract with the Local Highway Technical Advisory Council (LHTAC) to conduct a pedestrian survey near proposed bridge replacement in the amount not to exceed \$7,310.26
31. BIA Invasive Species to adopt a resolution to approve the Aquatic Invasive Species Project contract with the Bureau of Indian Affairs (BIA) in the amount of \$140,000.00 for the time period October 1, 2019 through September 30, 2020
32. CRITFC Genetics Contract to adopt a resolution to approve a five (5) year contract between the Columbia River Inter-Tribal Fish Commission (CRITFC) and the Nez Perce Tribe to conduct genetic analysis work for the period January 1, 2020 through December 31, 2024
33. D-3 Native Wood Contract to adopt a resolution to approve a contract between the Nez Perce Tribe and D-3 Native Wood Works LLC to complete the planting of 2,154 large 8-gallon container nursery stock within private property in the Lower Red River Meadow in the amount of \$71,340.48 to begin at the date of execution through November 30, 2020

NATURAL RESOURCES SUBCOMMITTEE - AUGUST 4, 2020

Project PO-20-M84) for the construction of sanitation facilities on the Nez Perce Reservation

ADMINISTRATIVE ACTIONS

- 34. IDFG Request to approve the request from Idaho Fish and Game (IDFG) to access Tribal Unit 11 to conduct research permit for its Integrated Population Modeling Study
- 35. SRBA Individual Water Program to approve an additional allocation in the amount of \$275,000.00 for the Snake River Basin Adjudication (SRBA) Individual Water & Sewer Program for Fiscal Year 2020

RESOLUTIONS

- 36. NPCNF Lower South Fork Clearwater to adopt an amended resolution NP 20-202 to approve Modification #1 to Supplemental Project agreement #20-PA-11011700-028 between the Nez Perce-Clearwater National Forests and the Nez Perce Tribe to add \$20,000.00 for a new total of \$440,003.47 t
- 37. Programmatic Agreement to approve the Programmatic Agreement regarding the Operation and Maintenance of constructed facilities discussed under the Memorandum of Agreement for the Pacific Northwest National Laboratory (PNNL) Richland Campus
- 38. IHS MOA to approve the Memorandum of Agreement (MOA) between the Nez Perce Tribe and Indian Health Services (IHS) and the Nez Perce Tribe (IHS

NATURAL RESOURCES SUBCOMMITTEE - AUGUST 18, 2020

ADMINISTRATIVE ACTION

NATURAL RESOURCES SUBCOMMITTEE - SEPTEMBER 1, 2020

ADMINISTRATIVE ACTIONS

- 39. NIHB Participation to authorize the Wildlife staff to participate in the National Indian Health Board (NIHB) interview to gather information regarding lead exposure and prevention

- 40. Monthly Report to authorize to accept the Conservation Enforcement Division monthly report

- 41. Letter to authorize a letter to Barry Thom, Regional Administrator, National Marine Fisheries Service delegating authority to Columbia River Inter-Tribal Fish Commission for lethal removal of sea lions taken under section 120(f) of the Marine Mammal Protection Act

- 42. Treaty Buffalo Hunt to authorize the 2020-2021 Treaty Buffalo Hunt season in West Yellowstone opening effective 6 a.m. (MST) September 11, 2020

RESOLUTIONS

- 43. NOAA Mitchell Act Coho to adopt an amended resolution NP 20-079 to

approve the Clearwater River Coho Salmon Monitoring and Evaluation Project contract with the National Oceanic & Atmospheric Administration (NOAA/Mitchell Act) award #NA19NMF4360186 in the total amount of \$261,080.00 for the time period October 1, 2019 through September 30, 2021

44. 2020 Plantskydd Application Contract to award the 2020 Plantskydd Application contract to D-3 Native Wood Works, LLC, Grangeville, Idaho in the amount not to exceed \$38,000.00

NATURALRESOURCES SUBCOMMITTEE - SEPTEMBER 15, 2020

ADMINISTRATIVE ACTIONS

45. Appointment to approve appointment of Jay Hesse as the Dworshak Board Chair for managing the release of 200,000 acre-feet of Dworshak Reservoir water to benefit fish under the Snake River Basin Adjudication Agreement
46. Letter to authorize a letter to the Army Corps of Engineers regarding the Dworshak Trails work at Elkberry Creek, Evans Creek, and Elk Creek Meadows
47. Meeting Request Motion/Mr. Paisano III, second/Mr. Mitchell to send an invitation

to Asotin County and respective entities to meet with the Nez Perce Tribal Executive Committee

RESOLUTIONS

48. Dworshak Easement to adopt a resolution authorizing the Department of Army Easement between the U.S. Corps of Engineers and the Nez Perce Tribe for continued maintenance of improvements to five (5) parking spaces and the walking trail around the perimeter of Dworshak National Fish Hatchery from August 26, 2020 to August 25, 2035
49. Hillcrest Contract to adopt a resolution to authorize the subcontract with Hillcrest Aircraft Company in the amount of \$37,410.00 to begin at the date of execution through December 31, 2020
50. Nuclear Regulatory Commission Appointment to approve the appointment of John Wheaton, Emergency Management Planner, as the Primary and Jack Bell, Environmental Restoration and Waste Management Director, as the Alternate points of contact for the Nuclear Regulatory Commission's advanced notification for shipments of irradiated reactor fuel