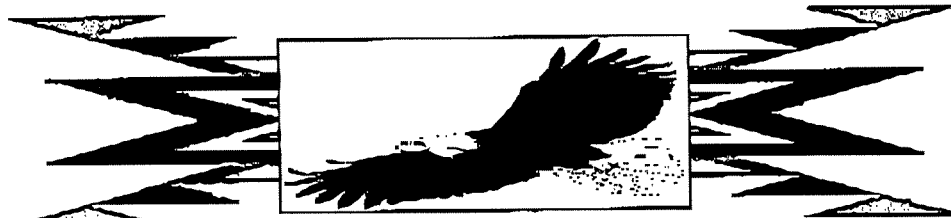


UPPER COLUMBIA UNITED TRIBES

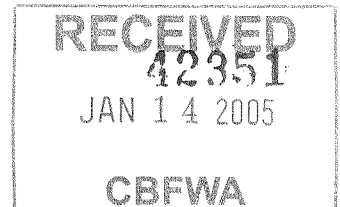


910 N. Washington, Suite 107
Spokane, Washington 99201
(509) 838-1057



Colville * Coeur d'Alene * Kalispel * Kootenai * Spokane

January 13, 2005



Mr. Rod Sando, Executive Director
Columbia Basin Fish & Wildlife Authority
851 S.W. Sixth Avenue, Ste. 260
Portland, OR 97204

RE: CBFWA Representation of UCUT and Member Tribes

Dear Mr. Sando:

When UCUT member Tribes originally became members of the Columbia Basin Fish & Wildlife Authority, we committed to work collaboratively with other Tribes and State and federal fish and wildlife agencies to improve fish and wildlife conditions throughout the Columbia River basin. For approximately the first ten years of CBFWA's existence, UCUT's technical advisors and Tribal managers contributed their extensive knowledge and expertise to CBFWA's discussions and processes. Representatives of these Tribes - *at the Tribal Council elected leader level* - were engaged regularly in Members' meetings, in which policy positions were developed and policy direction was given to CBFWA staff.

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Re: CBFWA Representation of UCUT and Member Tribes

All nineteen governments worked through CBFWA to address region-wide issues of significance to fish and wildlife, and CBFWA was widely known and respected as the regional repository of fish and wildlife knowledge, management authority, and advocacy. When CBFWA spoke, people listened. Over time, there were occasional power grabs by parties who did not understand or support CBFWA's mission and purpose. However, *with a consensus decision-making mandate built upon a strong foundation of policy participation*, the organization withstood these challenges.

Then change encroached on the ideal. Self-interest (usually involving money) surpassed the goal of working mutually and cooperatively to achieve benefits for fish and wildlife. Trust that had been built through policy dialogue deteriorated as Members began using CBFWA's processes as a diversion while they pursued their interests through other channels. The UCUTs remained committed to open, honest dialogue at CBFWA, even though we were at a disadvantage geographically, had limited staff and resources, and were often undercut by fellow CBFWA Members.

Over time, Members at the policy level became less active in CBFWA's deliberations and CBFWA gradually became more a forum for managers to stake their claims to BPA's funding than a powerful caucus of elected/appointed heads of governments. The original organizational structure became dysfunctional as more and more authority was granted to committees and subcommittees and the actual "Members" defaulted to their staff representatives. The trend worsened as committees became self-appointed and self-serving, with little or no policy-level direction or oversight. Today, CBFWA staff serve a number of proliferating ad hoc committees with ambiguous purposes. Meaningful participation in CBFWA by Tribal elected leaders and State and federal agency heads is practically non-existent.

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Re: CBFWA Representation of UCUT and Member Tribes

The charter Members of CBFWA understood the context in which policy-level Members would engage their respective authorities and jurisdictions. They understood that Tribal Councils, State Directors, and Regional Administrators of federal agencies carry out their governmental functions in complex environments where fish and wildlife issues must be considered from national, regional and local perspectives. When Members met (at least quarterly, at locations around the region), they actively developed consensus through extensive face-to-face dialogue. A Resolution from CBFWA represented the informed consent of nineteen sovereign entities.

That governmental purpose is no longer served. Due to Charter amendments -- and the interpretation of the Charter by some Member representatives and staff -- CBFWA decision-making has been relegated to a staff level. Of course, any Member always has the right to delegate a staff representative to participate in the Members' stead. Certainly UCUTs' Members have sent staff delegates to meetings in the past. However, staff transfer of information to their principals is no substitute for personal discourse by policymakers. *Currently, the failure of a Member to register a non-consent is presumed to grant that Member's permission, even if not one person within the Member's organization has any knowledge of the CBFWA action to which all nineteen Members are presumed to "consent."*

For these reasons, the UCUT organization and its five member Tribal governments are contemplating our continued affiliation with CBFWA. Participation of our managers in CBFWA processes has become increasingly unproductive, and at the Tribal Council level, our members are very concerned about the actual and potential effects on Tribal sovereignty of CBFWA representing the Tribes' interests based on our "consent."

As a result of our concerns, **from the date of this letter until further notice, CBFWA is not authorized to represent the interests or claim to have the consent of the Coeur d' Alene, Colville, Kalispel, Kootenai, and/or Spokane Tribes in any CBFWA communications with other entities.** The policy decisions and positions of these members may be obtained through direct contact with the Tribes.

Mr. Rod Sando
January 13, 2005

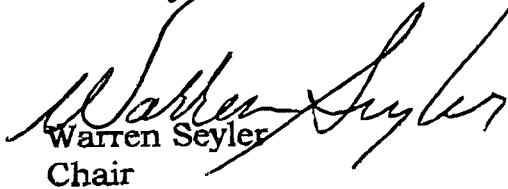
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Re: CBFWA Representation of UCUT and Member Tribes

UCUT's members wish to resurrect effective implementation of the CBFWA charter in order to adequately represent the collective policy-level decisions of each of the nineteen CBFWA members. UCUT members would like to see CBFWA address our concerns before the CBFWA Members meeting scheduled for February 23, 2005. If an acceptable resolution is not reached by that time, the member Tribes of UCUT will re-consider their continued affiliation with the CBFWA organization.

Past honorable leaders of UCUT and CBFWA would be saddened to see us reach this point. Our vision for CBFWA was a grand and noble one, and we regret we must take these steps to protect our Tribes' sovereignty.

Sincerely,



Warren Seyler
Chair

cc.: UCUT Member Tribes - Councils and Staff
BPA - Steve Wright, Greg Delwiche, Bill Maslen
NWPC - Judi Danielson, Council Members and Staff
CBFWA Members