



Fort McDermitt Paiute and Shoshone Tribe

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January 5, 2011

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CBFWA

Jann Eckman
President and Interim Executive Director
Columbia Basin Fish and Wildlife Authority
851 SW Sixth Avenue, Suite 300
Pacific First Building
Portland, Oregon 97204

President Eckman and the Board of Directors;

The Fort McDermitt Paiute and Shoshone Tribe (FMPST) of Oregon and Nevada is organized in accordance with Section 16 of the Indian Reorganization Act of 1934. Prior to Euro-American contact, Indians whose decedents are members of the FMPST were nomadic in nature, subsisting on roots, seeds, fish, rodents, birds, waterfowl, antelope, deer, and mountain sheep, known as Bannock. Local oral history of the tribe believes the government misnamed the People by referring to us as Northern Paiute, when our traditional name is Bannock, therefore legally we are known as Northern Paiute. The Northern Paiute and Western Shoshone occupied a very large territory that included parts of what are now California, Oregon, Idaho, and Nevada. Northern Paiute (Bannock) aboriginal boundaries have been described as extending through a territory well into the Columbia and Snake River drainages.

The FMPST Indian Reservation, originally a traditional gathering site was established as a military fort on 14 August 1865, straddles the Nevada-Oregon border and is within the Great Basin and the Owyhee/Snake River watersheds. The Reservation grew in 1878 when Bannock, Northern Shoshone, and other Northern Paiute, left reservations in Idaho and Oregon to escape the famine and federal mismanagement and reside at Fort McDermitt. The FMPST vast aboriginal territory and shared subsistence use within the Columbia River Basin unites them with other modern day Columbia Basin Tribes. The FMPST is a member of the Upper Snake River Tribes Foundation (USRT) and an active co-participant in Columbia Basin fish and wildlife management and policy activities.

As a tribe with fish and wildlife management authority within the geographic boundaries of the Columbia Basin, the Fort McDermitt Paiute and Shoshone Tribe hereby requests membership into Columbia Basin Fish and Wildlife Authority (CBFWA).

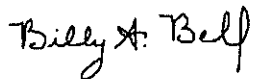
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Jann Eckman, President and Interim Executive Director

January 11, 2011

As an equal member of CBFWA, The Fort McDermitt Paiute and Shoshone Tribe pledges to cooperate in good faith to participate in the consensus process. The Fort McDermitt Paiute and Shoshone Tribe will be requesting coordination funding through Bonneville Power Administration to support effective participation in matters affecting anadromous fish, resident fish, and wildlife resources and their habitat in the Columbia River Basin.

Respectfully,

A handwritten signature in black ink that reads "Billy A. Bell". The signature is written in a cursive style with a large initial "B".

Billy A. Bell, Chairman

Fort McDermitt Paiute and Shoshone Tribe

Commission Member of Upper Snake River Tribes Foundation

a. Abstract

The Northwest Power Act directs the Northwest Power and Conservation Council (NPCC) and Bonneville Power Administration (BPA) to consult with the region's appropriate Indian tribes in the development and the implementation of the Fish and Wildlife Program. The Power Act also calls for fish and wildlife management coordination (including funding) to assist protection, mitigation, and enhancement of fish and wildlife resources in the Columbia River Basin. The Fort McDermitt Paiute-Shoshone Tribe (FMPST) has significant ties to the resources of the Columbia River Basin. The development of the Federal Columbia River Power System has adversely affected wildlife, resident fish and anadromous fish resources this Basin. This proposal shall enable the FMPST to actively participate at the regional level in the development of future mitigation implementation plans. The FMPST will assist the Council and BPA in achieving Fish and Wildlife Program objectives in a cost effective manner (i.e., planning coordination, project implementation coordination, etc.) consistent with the legal rights of the Tribes.

b. Technical and/or scientific background

In 1980, in response to growing concerns about declining fish and wildlife populations and a predicted energy deficit, Congress passed the Pacific Northwest Electric Power Planning and Conservation Act (Act). The Act created the NPCC and charged it with creating a program to “...protect, mitigate, and enhance fish and wildlife...on the Columbia and its tributaries, affected by the development, and operation of [hydroelectric projects] while assuring the Pacific Northwest an adequate, efficient, economical, and reliable power supply...” [Section 4.(h)(5)]. To implement the NPCC's Program, the Act directed the Bonneville Power Administration (BPA) to provide funding [Section 4.(h)(10)(A)].

The Act sets standards for which the Program measures must meet, including that they will “complement the existing and future activities of the Federal and region's State fish and wildlife agencies and appropriate Indian tribes” [Section 4.(h)(6)(A)]; and, “be consistent with the legal rights of appropriate Indian tribes in the region” [Section 4.(h)(6)(D)]. In reviewing amendments to the Program, “the Council, in consultation with appropriate entities, shall resolve ...[any] inconsistency in the program giving due weight to the recommendations, expertise, and legal rights and responsibilities of the Federal and the region's State fish and wildlife agencies and appropriate Indian tribes” [Section 4.(h)(7)]. The NPCC adopted the first Program in 1982. Program amendments occurred in 1984, 1987, 1991-93, 1994, 1995, 2000, 2003, and most recently in 2009.

The Act directs the BPA to “exercise such responsibilities [for operating the hydropower system]...to adequately protect, mitigate, and enhance fish and wildlife, including related spawning grounds and habitat, affected by such projects or facilities in a manner that provides equitable treatment for such fish and wildlife with other purposes for which such system and facilities are managed and operated” [Section 4.(h)(11)(A)]. Section 4.(h)(11)(B) directs the BPA to consult with the fish and wildlife agencies and tribes “in carrying out the provisions of this paragraph [Section 4.(h)(11)(A)] and shall, to the

greatest extent practicable, coordinate their actions.” To ensure success of the program, Section 4.(g)(3) of the Act states that, “...the Council and the [BPA] Administrator shall encourage the cooperation, participation, and assistance of appropriate Federal agencies, State entities, ... and Indian tribes,” and that the NPCC and BPA can contract with the fish and wildlife agencies and tribes individually, to “provide technical assistance in establishing ...fish and wildlife objectives.”

c. Rationale and significance to Regional Programs

The Act directed the NPCC and BPA to consult with the federal and state agencies and appropriate Indian Tribes so that the entities could, to the greatest extent practicable, coordinate their actions for the mitigation, protection, and enhancement of fish and wildlife resources in the Columbia River Basin. This proposal will enable the FMPST an opportunity to contribute the Tribes perspective on related fish and wildlife issues and influence mitigation priorities in the Columbia Basin.

Key regional forums may include, but are not limited to, the Northwest Power and Conservation Council (Council), US Army Corps of Engineers (COE) Columbia River mitigation forums, Regional Implementation Oversight Group (RIOG), Columbia Basin Fish and Wildlife Authority (CBFWA), the Pacific Northwest Aquatic Monitoring Partnership (PNAMP), Oregon Watershed Enhancement Board (OWEB), PCSRF, tribal coordination organizations, and other relevant forums.

d. Relationships to other projects

This proposal seeks to fund coordination tasks associated with implementation of the Northwest Power and Conservation Council Fish and Wildlife Program. Program coordination projects throughout the Columbia River Basin include:

200740700	Upper Snake River Tribe (USRT) Coordination
199501900	Burns-Paiute F&W Coordinator Middle Snake
199701900	Evaluate The Life History of Native Salmonids In The Malheur Basin
200000900	Logan Valley Wildlife Mitigation Project/ O&M
200002700	Malheur Wildlife Mitigation Project
198909803	Salmon Supplementation Studies in Idaho- Shoshone-Bannock Tribes
199107100	Snake River Sockeye Salmon Habitat and Limnological Research
199405000	Salmon River Habitat Enhancement M & E
199201000	Habitat Restoration/Enhancement Fort Hall Reservation
199505702	Southern Idaho Wildlife Mitigation Program
199500600	Shoshone-Bannock/Shoshone Paiute Joint Culture Facility
199701100	Enhance and Protect Habitat and Riparian Areas on the DVIR
198815600	Implement Fishery Stocking Program Consistent With Native Fish Conservation
199501500	Lake Billy Shaw Operations and Maintenance and Evaluation (O&M, M&E)
198906201	Fish and Wildlife Program Implementation

e. Project history (for ongoing projects)

This is a new project proposal.

f. Proposal biological objectives, work elements, milestones, work element budget, spending plan

Objective 1: Support tribal participation

Work Element: Regional Coordination

Work Element Title: Participate in Regional Fish and Wildlife Activities

Provide for travel and salaries for the representation of FMPST issues and policies regarding the implementation of the Fish and Wildlife Program. Provide for opportunity to discuss regional issues related to FW Program implementation and funding. Coordinate and participate on issues identified in the newly adopted FW Program, such as but not limited to the Wildlife Crediting Forum, completion of wildlife mitigation agreements, wildlife operational losses, resident fish losses, updates to Subbasin Plans, and develop provincial quantitative biological objectives for anadromous fish including lamprey.

Deliverable: Documentation of participation, materials, and outcomes of regional coordinated efforts

Work Element Title: Engage in Regional Processes

FMPST technical and policy staff shall work to educate and communicate mitigation needs with the NPCC, BPA, federal, state and tribal entities. Attend pertinent NPCC and BPA meetings to keep informed on FW Program issues and timelines and report back to Tribal Council. Influence mitigation processes and FW Program implementation by providing verbal and written feedback on policy issue pertinent to the FMPST. Identify opportunities to coordinate on FW Program issues with other coordinating groups or individual entities to formulate a broad consensus-based position on regional issues.

Deliverable: Documentation of participation, materials, and outcomes of entity-based participation

Work Element: Provide Technical Review

Work Element Title: Provide Technical Reviews of F&W Program Projects and Issues

Review of technical documents and processes and provide feedback or comment to the NPCC and BPA. The FMPST has also identified the need to provide project reviews on proposals, projects, and fish and/or wildlife management plans for technical merit and comment. The FMPST shall review, file, and provide comment if necessary on pertinent Records of Decisions or policy changes that may negatively / positively effect implementation of the FW Program.

Deliverable: Comments or other communications providing technical feedback

Work Element: Outreach and Education

Work Element Title: Public Outreach and Information Dissemination

Coordinate outreach and educational efforts with public, federal, state, and Tribal entities. Arrange, facilitate, produce workshops, tours, brochures, events and meetings to educate and promote discussion and information exchange on FMPST Tribal policies, programs, and projects.

Deliverable: Documentation of outreach and education efforts and their outcomes

Objective 2: Manage BPA contract

Work Element: Manage and Administer Projects

Work Element Title: Manage BPA Contract, subcontracts

Covers work by the contractor to manage the overall contract, or to manage subcontractors associated with the project. Also covers administrative work in support of on the ground efforts and in support of BPA's programmatic requirements such as metric reporting, financial reporting (e.g., accruals), and development of a SOW package (includes draft SOW, budget, spending plan, and property inventory).

Deliverable: All materials required for contract compliance with BPA.

Work Element: Produce PISCES Status Report

Work Element Title: Quarterly Status Reports for BPA

Quarterly Status Reports in Pisces

Deliverable: Auto-populated by Pisces and other contractual required reporting documents or attachments.

g. Facilities and equipment

The FMPST Natural Resource Department is located in Fort McDermitt, Nevada. Office equipment includes a color copier/scanner/fax, networked computers, high speed internet access, email, and interconnected communication system to all tribal offices.

Key personnel

Budget

Work element	budget
Regional Coordination	\$100,130
Provide Technical Review	\$13,200
Outreach and Education	\$6,300
Manage and Administer Projects	\$6,541
Produce PISCES Status Report	\$6,000
total	\$132,171



Fort McDermitt Paiute and Shoshone Tribe

P.O. Box 457
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Phone: (775) 532-8259 • Fax (775) 532-8487

RESOLUTION NO: FM11-001-001

RESOLUTION OF THE GOVERNING BODY OF THE FORT McDERMITT PAIUTE AND SHOSHONE TRIBE, NEVADA

*Fish and Wildlife management within the geographic boundaries of the
Columbia Basin Fish and Wildlife Authority*

WHEREAS, the Fort McDermitt Paiute and Shoshone Tribe is organized in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934, as amended; and

WHEREAS, the Fort McDermitt Tribal Council is the governing body with authority to exercise powers delegated to the Council by the members of the Tribe, and

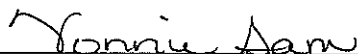
WHEREAS, the Fort McDermitt Paiute and Shoshone Tribe's cultural affairs interests are to promote and assist in the protection, mitigation, development and enhancement of fish and wildlife resources.

NOW THEREFORE BE IT RESOLVED, the Fort McDermitt Paiute and Shoshone Tribe, with fish and wildlife management authority within the geographic boundaries of the Columbia Basin hereby requests membership into Columbia Basin Fish and Wildlife Authority (CBFWA).

BE IT FURTHER RESOLVED, the Fort McDermitt Tribal Council authorizes the Chairman or Vice-Chairman (in his absence) to amend, sign, and approve any documents related to CBFWA.

CERTIFICATION

It is hereby certified that the foregoing Resolution No. FM11-001-001 of the Fort McDermitt Tribal Council of the Fort McDermitt Paiute and Shoshone Tribe, composed of eight (8) members of whom **SIX (6)** constituting a quorum were present at a meeting duly held on the 11th day of January, 2011, adopted this resolution by an affirmative vote of **FIVE (5) FOR, ZERO (0) AGAINST, ZERO (0) ABSTAINING**, pursuant to the Constitution and Bylaws of the Fort McDermitt Paiute and Shoshone Tribe.



Vonnie Sam, Tribal Council Secretary
Fort McDermitt Paiute and Shoshone Tribe