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DEPARTMENT of NATURAL RESOURCES



CONFEDERATED TRIBES  
of the  
*Umatilla Indian Reservation*

Administration  
Special Sciences  
and Resources  
Program

P.O. Box 638  
PENDLETON, OREGON 97801  
Area code 503 Phone 276-3447 FAX 276-8517

June 20, 1995

Mr. Steve M. Alexander  
Perimeter Areas Section Manager  
Nuclear Waste Program  
State of Washington  
Department of Ecology  
1315 W. Fourth Avenue  
Kennewick, Washington 99336-6018

Mr. Douglas R. Sherwood  
Hanford Project Manager  
U.S. Environmental Protection Agency  
712 Swift Boulevard, Suite 5  
Richland, Washington 99352-0539



RE: TRIBAL STAFF CONCERNS ABOUT TECHNICAL PEER REVIEWERS FOR THE CRCIA

Dear Messrs. Alexander and Sherwood:

Ms. Julie K. Erickson, Director of Department of Energy/Richland Operation's River Sites Restoration Division, recently wrote you concerning DOE/RL's proposed technical peer reviewers for the Columbia River Comprehensive Impact Assessment (CRCIA). I received a courtesy copy of that letter, dated June 13, 1995. My purpose in writing to you today is to correct some serious errors of fact that Ms. Erickson made in her letter. I also request that you take no action upon Ms. Erickson's letter until DOE/RL corrects these errors and rectifies this situation with appropriate Tribal staff. For your information, I will highlight the particular statements of Ms. Erickson that are inaccurate and explain their relevance.

STATEMENT #1: "The nominees were solicited from all interested parties, agencies, American Indian Tribes, and the public."

Attached you will find a letter dated May 17, 1995, that identifies Ms. Mary O'Brien as the technical peer reviewer nominee put forth by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) staff. I'm not sure which nominee(s) Ms. Erickson is referring to by this statement but NONE of the peer reviewers, other than Mr. Jeffery J. Wong, is familiar to me. Contrary to the implications in Ms. Erickson's letter, Tribal staff timely submitted a nominee who does not appear on her list.

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Letter to Mr. Alexander and Mr. Sherwood  
CTUIR Concerns about Technical Peer Reviewers for the CRCIA  
June 20, 1995  
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Furthermore, I am very concerned that the "Tribal and Cultural Resources" nominee, Mr. William Lang, has no knowledge of the CTUIR's program, interests, direction, or policy needs. How can someone unfamiliar with the Tribe's program represent "Tribal and Cultural Resources"? These issues have not been addressed.

STATEMENT #2: *"The three tribes still have the option of selecting a technical peer reviewer to collectively represent all three Tribes."*

The underlying notion of this statement is that the three tribes could (or should) be represented by one individual. This action alone would rewrite the status of inter-tribal relations and the nature of the government-to-government relationships between each tribe and the federal government. Such a fundamental shift in DOE policy needs to be clearly articulated by responsible DOE personnel.

It is my recollection that this whole concept of one reviewer for the three tribes came from a Hanford Advisory Board - Environmental Restoration subcommittee meeting. The Tri-Party Agreement (TPA) signatories know that the HAB has no right to advise DOE in its relations with American Indian Tribes. The CTUIR is *ex officio* on the HAB precisely because of the need to avoid this type of conflict. The DOE is violating its trust responsibility to the CTUIR by deferring to an advisory board subcommittee's statements about the interests of a sovereign government.

In conclusion, the staff for the CTUIR are committed to completing a Comprehensive Columbia River Impact Assessment (CRCIA) that is truly comprehensive. While the Technical Peer Reviewers is a TPA milestone, a successful CRCIA would allow the Tribes the baseline information to gauge "cleanup" along the Columbia River. If you have any questions, please contact me directly at 503/276-0105.

Sincerely,



James R. Wilkinson, Manager  
Special Sciences and Resources Program  
Department of Natural Resources  
Confederated Tribes of the Umatilla Indian Reservation

c.c.

William H. Burke, CTUIR-Board of Trustee Treasurer  
Michael J. Farrow, CTUIR-Department of Natural Resources Director  
Special Sciences and Resources Program staff  
Kevin Clarke, DOE-Indian Nations Program Manager  
J.K. Erickson, DOE-River Sites Restoration Division Director  
Donna Powaukee, Nez Perce ERWM Manager  
Russell Jim, Yakama Indian Nation ERWM Manager

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Area code 503 Phone 276-~~3377~~<sub>0105</sub> FAX 276-~~3377~~<sub>0540</sub>

17 May 1995

K. Michael Thompson  
U.S. Department of Energy  
P.O. Box 550  
Richland, Washington 99352

Subject: CTUIR NOMINEE FOR COLUMBIA RIVER ASSESSMENT BLUE-RIBBON  
TECHNICAL REVIEW GROUP

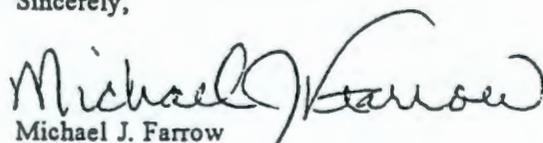
Dear Mr. Thompson:

Technical staff of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) are pleased to nominate Dr. Mary O'Brien, of the Environmental Research Foundation, to serve as staff technical consultant on the proposed Blue-Ribbon Technical Review Group for the Columbia River Comprehensive Impact Assessment.

CTUIR staff have reached a tentative agreement with Dr. O'Brien to participate on this panel. We now need more information from DOE with respect to the compensation package that will be available for Technical Review Group members and an estimated schedule/time commitment for planning purposes. This information will permit Dr. O'Brien to set aside appropriate time for her involvement and permit CTUIR staff to determine if any further resources may be necessary to ensure her full and informed participation.

Please contact either J.R. Wilkinson or Tom Gilmore of my staff, at 503-276-0105 (phone) or 503-276-0540 (fax) with the necessary information so that we may finalize arrangements with Dr. O'Brien at the earliest time possible. Thank you very much for the opportunity to nominate a technical consultant for this panel.

Sincerely,

  
Michael J. Farrow

Director  
CTUIR Department of Natural Resources

cc: William Burke, Treasurer, CTUIR Board of Trustees  
J.R. Wilkinson, CTUIR Special Sciences and Resources Program Manager;  
Special Sciences and Resources Program Staff  
Mary O'Brien, Environmental Research Foundation  
Kevin Clarke, DOE-RL, Indian Programs Manager