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GENERAL COUNCIL
and
BOARD OF TRUSTEES

CONFEDERATED TRIBES
of the

059821

Umatilla Indian Reservation

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PENDLETON, OREGON 97801
Area Code 541 Phone 276-3165 FAX 276-3095

RECEIVED

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DOE-RL / DIS

June 29, 1998

Thomas W. Ferns
U.S. Department of Energy
P.O. Box 550
Richland WA 99352



RE: "Treaty Rights" discussion in Chapter One of the Hanford Remedial Action Environmental Impact Statement

Dear Mr. Ferns:

In a recent letter you requested the views of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) concerning sections 1.4.2, 1.4.2.1 and 1.4.2.2 of the April 1998 (internal) revised draft of the Hanford Remedial Action Environmental Impact Statement (HRA-EIS). In the view of the CTUIR, the current text is unacceptable. In particular, section 1.4.2.1, "A Tribal View of Tribal Rights," and the first paragraph of section 1.4.2.2, "DOE's View of Tribal Rights," do not further the public's understanding of the document, and delve into subjects that are beyond the scope of the EIS. More disturbingly, they open up for public review and debate matters that can only be resolved by agreement of the parties involved or by the federal courts. One could reasonably conclude that the reason for their inclusion in this draft is to promote larger political reactions that might run counter to the interests of one or more of the interested parties. As such, they do not belong in this document. Therefore, please remove section 1.4.2.1, "A Tribal View of Tribal Rights," in its entirety, as well as the heading and the first paragraph of section 1.4.2.2, "DOE's View of Tribal Rights."

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The discussion contained in paragraphs one, two and three of section 1.4.2, and the final paragraph of section 1.4.2.2. contain information that is of use to the reviewing public and is adequate to serve the public's need for background material on this topic. A new heading 1.4.2.1 should be inserted between the first and second paragraphs of section 1.4.2. That heading should be entitled "Tribal Rights." The remaining sub-sections of section 1.4.2 should be renumbered.

In a related matter, the section numbered 1.4.2.4, "Confederated Tribes of the Umatilla Indian Reservation (CTUIR)," is no longer appropriate for this document. This section was drafted and submitted by staff of the CTUIR at a point early in the development of this revised draft EIS.

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Since that time, the revised draft EIS has developed in a way that now renders this section anachronistic and misleading. Accordingly, we now withdraw authorization to use Section 1.4.2.4 in the revised draft EIS. Please delete it from the text of the EIS and renumber the following subsections of section 1.4.2.

Sincerely,

A handwritten signature in black ink that reads "Antone Minthorn". The signature is written in a cursive, flowing style.

Antone Minthorn
Chairman, Board of Trustees

OLC: CB

cc: J.R. Wilkinson
Chris Burford