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Confederated Tribes and Bands  
of the Yakima Indian Nation

Established by the  
Treaty of June 9, 1855

RL COMMITMENT CONTROL PHONE 5-8537
CONTROL NO. 941074.0B
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INITIALS Mer

September 20, 1994

Mr. John Wagoner, Manager  
Richland Field Office  
Department of Energy  
P.O. Box 550  
Richland, WA 99352

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Dear John:

I have just learned that DOE is dropping its funding support for the natural resources trustees' meetings. Unfortunately, this comes right at the point in time where the various trustees have coalesced into a group capable of working together to reach workable solutions. In fact, we have begun working so well together that there is no longer any need to retain a facilitator for the trustee group.

This unfortunate turn of events could undo a year's worth of growing trust and understanding among a disparate group that has learned to work together for the greater good of the natural resources at Hanford. The Yakama Nation, as a natural resources trustee, is statutorily required to ensure that those resources under its legal responsibility are restored at Hanford. DOE, as a trustee, has these same responsibilities for its resources. By working together, the trustees are attempting to avoid duplication of effort and to front-end the process of restoration, both of which will save a great deal of money in the long run.

If DOE funding support is lost, the trustees' federal mandate does not disappear. Each trustee will still be required to assess potential injuries to natural resources. However, without close DOE-trustee interaction, costs to DOE are more likely to be greater. This will not be simply a result of greater mistrust and misunderstanding, but a concrete loss of the ability to avert damage claims by including planned, cooperative restoration into site remediation.

I therefore urge you to continue funding the natural resources trustees' meetings. Not only will you make my job easier and less

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contentious, but you will also be taking a step toward the eventual restoration of natural ecosystems at Hanford.

Sincerely,

*Michael R. Bauer*

Michael R. Bauer, Legal Counsel  
Environmental Restoration/Waste Management Program  
Yakama Nation

cc: Thomas Grumbly, DOE-HQ  
Kevin Clarke, DOE-RL  
Robert Holt, DOE-RL  
Kathleen Leonard, Bechtel Hanford