

Appendix D

Tribal Correspondence

Letter or communication to	From	Date	Topic
Yakama Nation	Reclamation	June 30, 2003	Response to comment letter
Reclamation	Yakama Nation	May 30, 2003	Banks Lake EIS comments
Spokane Tribe	Reclamation	March 12, 2003	Historic Resources Reports
Reclamation	Spokane Tribe	February 13, 2003	Request for cultural resource survey
Spokane Tribe	Reclamation	February 18, 2003	A meeting with tribe
CCT	Reclamation	February 18, 2003	A meeting with tribe
Yakama Nation Spokane Tribe CCT	Reclamation	January 6, 2003	Transmittal of DEIS
Yakama Nation Spokane Tribe CCT	Reclamation	May 9, 2001	Scoping Meeting notice



United States Department of the Interior

BUREAU OF RECLAMATION
Upper Columbia Area Office
1917 Marsh Road
Yakima, Washington 98901-2058

IN REPLY REFER TO:

UCA-1000
ENV-1.10

JUN 30 2003

Ms. LaRena Sohappy
Chairperson
YN-Cultural Committee
Confederated Tribes and Bands of the Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Subject: Comments on Banks Lake Drawdown Draft Environmental Impact
Statement (IES)

Dear Ms. Sohappy:

Thank you for your letter of May 30, 2003, identifying some of the Yakama Nation's (YN) concerns with the potential drawdown of Banks Lake during the month of August each year to enhance flows in the Columbia River for out migrating salmon smolt. Reclamation is aware that Banks Lake lies partially within lands ceded under the 1855 Treaty as is discussed in Chapter 3 of the draft EIS.

With respect to the Banks Lake drawdown project, we wrote to the Tribal Chairman on May 9, 2001, with a copy to Mr. Johnson Meninick, requesting input from the YN on the scoping process for the EIS. We sent the draft EIS to the YN by letter dated January 6, 2003 and requested comments during a comment period that extended to March 10, 2003. We extended the comment period to April 11, 2003 in a letter to the Tribal Chairman dated March 4, 2003. During the comment period, Mr. B.J. Howerton of my staff also made informal contacts with staff from the Cultural Resource program soliciting comments on the draft EIS.

The draft EIS includes maps of the project area. For purposes of confidentiality, we did not include maps showing known historic or cultural resource sites at Banks Lake in the draft EIS. We summarized what is known about those sites in Chapter 3 of the draft EIS, and we will update that summary in the final EIS. We are available to meet with you to discuss the historic and cultural resource inventories that were used for the analysis and could provide you with copies of the documents and maps at that time.

We have completed the historic and cultural resource work necessary to complete the final EIS. However, should the proposed drawdown be selected as the preferred alternative, additional work would be necessary. While Reclamation has on-call contractors through whom we carry out the bulk of our historic and cultural resource survey and inventory work, some aspects of the survey and inventory work may be available for other contractors, including the YN. Such was the case with the survey work carried out by the YN for Reclamation as part of our Scattered Tracts Resource Management Plan land disposal process. Reclamation continues to have contractors work on cultural resources at Banks Lake as part of its implementation of the Banks Lake Resource Management Plan. The need to develop a Cultural Resource Management Plan (CRMP) was recognized as part of that planning process. While we don't expect to begin that process immediately, we would welcome input from the YN concerning development of the CRMP when that process starts.

If you have any questions or comments regarding the Banks Lake drawdown project please contact Mr. Jim Blanchard in our Ephrata Field Office at 509-754-0226. If you desire additional information concerning the historic and cultural resource assessment included in the draft EIS or would like to meet with us to discuss that assessment, please contact our Upper Columbia Area Office archeologist, Mr. Mark DeLeon, at 509-575-5848, extension 320.

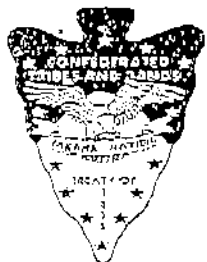
Sincerely,



J. Eric Glover
Area Manager

bc: D-8580
PN-1703, PN-6519
UCA-1600, UCA-1613, EPH-2000, EPH-2003

WBR:JEGlover:dvm:06/27/03:509-575-5848
W:BanksLakeEISYN



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855
BUREAU OF RECLAMATION

May 30, 2003

J. Eric Glover
Area Manager
Bureau of Reclamation
Upper Columbia Area Office
1917 Marsh Road
Yakima, Washington 98909-2058

Re: Banks Lake Drawdown Draft EIS

Dear Mr. Glover:

Thank you for providing the Confederated Tribes and Bands of the Yakama Nation (YN) information on the Banks Lake Drawdown Draft Environmental Impact Statement (EIS).

In order to facilitate a clearer understanding of the reserved treaty rights to the Yakama People under (12 stat. 951) I refer you to the Treaty with the Yakama's, of June 9, 1855 most specifically Article I of that Treaty. Article I identifies the lands Ceded to the United States. The Ceded area clearly includes the area of the Banks Lake Drawdown.

We find it deeply concerning that the Bureau of Reclamation have failed to involve the YN in the early scoping and planning phases of this draft EIS. This failure to actively consult with the YN leaves us with no other choice but to oppose this drawdown because of its failure to address several cultural resource concerns.

Should this drawdown proceed on its current schedule the Yakama Nation would insist that all cultural resource management of the area of potential effect (APE) involve the active participation of the Yakama Nation.

In order for this participation to occur, at this late stage of the process, the YN will require all necessary maps of the project area. Submit these maps direct to the Cultural Resource Program. With this information we will prepare a Scope of Work, detailed budget and contract for the involvement of the YN Cultural Resource Management Program.

This letter serves as a notice of intent from the YN Tribal Council Cultural Committee that it is the YN desire to participate in any future cultural resource investigations of the Banks Lake Drawdown Project that will be required to fulfill the Bureau of Reclamation's Section 106 and 110 responsibilities under the national Historic Preservation Act as amended.

Please send all information regarding this project to Yakama Nation Cultural Resource Program, PO Box 151, Toppenish, Wa. 98948 with a cc: to Carroll Palmer, Deputy Director YN-DNR and LaRena Sohappy, Chairperson YN-Cultural Committee.

Sincerely,

LaRena Sohappy
Chairperson, YN-Cultural Committee

cc: Carroll Palmer
Johnson Meninick
Cultural Committee Members
file



United States Department of the Interior

BUREAU OF RECLAMATION
Upper Columbia Area Office
1917 Marsh Road
Yakima, Washington 98901-2058

IN REPLY REFER TO:
UCA-1613
ENV-1.10

MAR 12 2003

Mr. Randy Abrahamson
Tribal Historic Preservation Officer
Spokane Tribe of Indians
P.O. Box 100
Wellpinit, WA 99040

Subject: Banks Lake Historic Resources Reports

Dear Mr. Abrahamson:

Your letter dated February 13, 2003, to Mr. Jim Blanchard regarding your request for survey information related to the proposed Banks Lake drawdown was forwarded to me for a reply.

Attached are three draft historic resources reports on two Reclamation undertakings at Banks Lake. The first is a class III inventory as a component of the resources management plan. This was a multi-year survey begun in 1999 by the History & Archaeology Department of the Colville Confederated Tribes (CCT). The first phase of this survey, with a report date of 2000, left a small number of acreage un-surveyed; therefore, a subsequent phase completed the ground coverage as well as test excavated several American Indian sites. The report for the latter phase has been received recently, dated 2002.

The second survey has also been received recently, also done by CCT, and covers the drawdown zone, which is the subject of the proposed undertaking that generated your letter.

We will appreciate your comments on these reports. I can be reached at 509-575-5848, extension 320, or via email at mdeleon@pn.usbr.gov.

Sincerely,

Mark DeLeon

Mark DeLeon
Area Archeologist

Enclosures



Spokane Tribe of Indians

P.O. Box 100 • Wellpinit, WA 99040 • (509) 258-4581 • Fax 258-9243

CENTURY OF SURVIVAL
1881-1981

February 13, 2003

Jim Blanchard
Bureau of Reclamation
32 C Street, P.O. Box 815
Ephrata WA 98823 - 0815

RE: Banks Lake Drawdown

Mr. Blanchard :

Thank you for inviting the Spokane Tribe of Indians to be a consulting party is greatly appreciated, our tribe does express interest in all undertaking in our aboriginal territory.

Please provide this office with your cultural resource survey of the project area, we like the opportunity to review this portion of your project and planning when it is available.

We look forward to your earliest response to our request.

Any further question or comment can be made to my office (509) 258 -- 4315.

Sincerely

Randy Abrahamson
Tribal Historic Preservation Officer.

Bureau of Reclamation Phone Log
February 18, 2003

Pacific Northwest Region

Subject: Banks Lake Drawdown Draft EIS

Person Called: Al Peone, Chair, Spokane Tribal Business Council

Person Placing Call: Jim Blanchard

Telephone: 509-258-4581

Date: 2/18/03

Time: 8:30

Summary: Per our letter to the Tribes on the Draft EIS, I contacted Mr. Peone to ask if they wanted to have a Government-to-Government meeting with Reclamation on the DEIS. Mr. Peone stated that he would contact the head of the Natural Resource Department and call back. He made a return call in about 30 minutes and said that he had left a message with the NRD and that there might also be concerns with the Cultural department. They would get back to me with any concerns. NRD (Rudy Peone) called about 11:30 and said that their fishery people would be making comments around the first of March.

Follow up Needed: No follow up needed at this time. Waiting for the Spokanes to contact us.

Bureau of Reclamation Phone Log
February 18, 2003

Pacific Northwest Region

Subject: Banks Lake Drawdown Draft EIS

Person Placing Call: Jim Blanchard

Person Called: Joe Pakootas, Chair, Tribal Business Council, Colville Confederated Tribes.

Telephone: 509-634-2204

Date: 2/18/03

Time: 8:15

Summary: Per our letter to the Tribes on the Draft EIS, I contacted Mr. Pakootas to ask if they wanted to have a Government-to-Government meeting with Reclamation on the DEIS. Mr. Pakootas stated that he would contact the head of the Natural Resource committee to see if there were issues, but then changed that to state that he would contact Adeline Fredin to see if she wanted to meet. He was going to have Ms. Fredin give me a call on this.

Follow up Needed: No follow up needed at this time. Waiting for CCT to contact us.



United States Department of the Interior

BUREAU OF RECLAMATION

Upper Columbia Area Office
1917 Marsh Road
P.O. Box 1749
Yakima, Washington 98907-1749

IN REPLY REFER TO:

UCA-1600
ENV-1.10

JAN - 6 2003

Mr. Ross Sockzehigh, Chairman
Yakama Tribal Council
Yakama Nation
P.O. Box 151
Toppenish, WA 98948

Subject: Banks Lake Drawdown, Douglas and Grant Counties, Washington, Draft
Environmental Impact Statement

Dear Mr. Sockzehigh:

Enclosed for review and comment is a copy of the Draft Environmental Impact Statement (Draft EIS) for the Banks Lake Drawdown, Washington. The Draft EIS examines the impacts of alternatives to lower the minimum surface elevation for Banks Lake in August from 1565 feet to 1560 feet.

The Action Alternative describes the resource conditions that would occur between Banks Lake surface elevations of 1570 feet and 1560 feet, while the No Action Alternative describes the conditions that would occur without the proposed action, between surface elevation 1570 feet and 1565 feet. Both the No Action and Action Alternatives include four potential operational scenarios that could occur within their respective ranges.

The Action Alternative includes a refill of the reservoir to elevation 1565 feet, beginning September 1 and ending no later than September 10.

Written comments must be received no later than March 10, 2003, by Mr. Jim Blanchard, Special Projects Officer, Bureau of Reclamation, 32 C Street, P.O. Box 815, Ephrata, WA 98823-0815; or by fax to 509-754-0239, or by email to jblanchard@pn.usbr.gov. For information, telephone 509-754-0226. During the public comment period we would like to meet with the Yakama Nation to discuss the proposed project at a government to government level. Reclamation will contact you shortly to arrange such a meeting at your convenience.

Two public hearings will be held to accept oral comments on the Draft EIS.

Tuesday, February 11, 2003
Coulee City Elementary School
410 W. Locust
Coulee City, Washington

Wednesday, February 12, 2003
District 5 Fire Station Training Facility
12801 Nelson Road
Moses Lake, Washington

The public hearing facilities are physically accessible. Persons who need accessibility accommodations, including sign language interpreters or other auxiliary aids, may contact Mr. Blanchard at 509-754-0226 (relay users may dial 711). Requests should be made as early as possible to allow sufficient time to arrange for accommodation.

Requests to make oral comments at the public hearings may be made at each hearing. Comments will be recorded by a court reporter. Speakers will be called in the order of their requests. In the interest of available time, each speaker will be asked to limit oral comments to five (5) minutes. Longer comments should be summarized at the public hearing and submitted in writing either at the public hearing or identified as hearing comments and sent to be received by Mr. Blanchard no later than March 10, 2003 (the end of the public comment period).

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There may also be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Those wishing to obtain a copy of the Draft EIS in the form of a printed document or on compact disk (CD-ROM with reader included) or a Summary of the Draft EIS may contact Mr. Blanchard at the address or phone number given above.

The Draft EIS is available for viewing on the Internet at <<http://www.pn.usbr.gov>>.

Sincerely,



J. Eric Glover
Area Manager

Enclosure



United States Department of the Interior

BUREAU OF RECLAMATION

Upper Columbia Area Office
1917 Marsh Road
P.O. Box 1749
Yakima, Washington 98907-1749

IN REPLY REFER TO:

UCA-1600
ENV-1.10

JAN - 6 2003

Mr. Alfred Peone, Chairman
Spokane Business Council
Spokane Tribe of Indians
P.O. Box 100
Wellpinit, WA 99040

Subject: Banks Lake Drawdown, Douglas and Grant Counties, Washington, Draft
Environmental Impact Statement

Dear Mr. Peone:

Enclosed for review and comment is a copy of the Draft Environmental Impact Statement (Draft EIS) for the Banks Lake Drawdown, Washington. The Draft EIS examines the impacts of alternatives to lower the minimum surface elevation for Banks Lake in August from 1565 feet to 1560 feet.

The Action Alternative describes the resource conditions that would occur between Banks Lake surface elevations of 1570 feet and 1560 feet, while the No Action Alternative describes the conditions that would occur without the proposed action, between surface elevation 1570 feet and 1565 feet. Both the No Action and Action Alternatives include four potential operational scenarios that could occur within their respective ranges.

The Action Alternative includes a refill of the reservoir to elevation 1565 feet, beginning September 1 and ending no later than September 10.

Written comments must be received no later than March 10, 2003, by Mr. Jim Blanchard, Special Projects Officer, Bureau of Reclamation, 32 C Street, P.O. Box 815, Ephrata, WA 98823-0815; or by fax to 509-754-0239, or by email to jblanchard@pn.usbr.gov. For information, telephone 509-754-0226. During the public comment period we would like to meet with the Spokane Tribe to discuss the proposed project at a government to government level. Reclamation will contact you shortly to arrange such a meeting at your convenience.

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Sincerely,



J. Eric Glover
Area Manager

Enclosure



IN REPLY, REFER TO:

UCA-1600
ENV-1.10

United States Department of the Interior

BUREAU OF RECLAMATION

Upper Columbia Area Office
1917 Marsh Road
P.O. Box 1749
Yakima, Washington 98907-1749

JAN 6 2003

Mr. Joseph Pakootas, Chairman
Colville Business Council
Confederated Tribes of the Colville Reservation
P.O. Box 150
Nespelem, WA 99155

Subject: Banks Lake Drawdown, Douglas and Grant Counties, Washington, Draft
Environmental Impact Statement

Dear Mr. Pakootas:

Enclosed for review and comment is a copy of the Draft Environmental Impact Statement (Draft EIS) for the Banks Lake Drawdown, Washington. The Draft EIS examines the impacts of alternatives to lower the minimum surface elevation for Banks Lake in August from 1565 feet to 1560 feet.

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The Action Alternative includes a refill of the reservoir to elevation 1565 feet, beginning September 1 and ending no later than September 10.

Written comments must be received no later than March 10, 2003, by Mr. Jim Blanchard, Special Projects Officer, Bureau of Reclamation, 32 C Street, P.O. Box 815, Ephrata, WA 98823-0815; or by fax to 509-754-0239, or by email to jblanchard@pn.usbr.gov. For information, telephone 509-754-0226. During the public comment period we would like to meet with the Colville Confederated Tribes to discuss the proposed project at a government to government level. Reclamation will contact you shortly to arrange such a meeting at your convenience.

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The Draft EIS is available for viewing on the Internet at <<http://www.pn.usbr.gov>>.

Sincerely,



J. Eric Glover
Area Manager

Enclosure

MAY - 9 2001

EPH-2003
ENV-6.00

Mr. Lonnie Selam, Sr.
Chairman, Tribal Council
Conf. Trbs. & Bnds. of the Yak. Ind. Na.
PO Box 151
Toppenish WA 98948

Subject: Scoping Meeting for Enviromental Impact Statement (EIS) on Study of Potential Drawdown of Banks Lake in Support of Fish Flows in the Columbia River

Dear Mr. Selam:

Reclamation, in support of the 2000 FCRPS biological opinion, will conduct a study of the impact of a drawdown of Banks Lake from elevation 1565 feet to 1560 feet to supplement Columbia River flows during the month of August. This study is outlined in action 31 of the opinion. To assist in this study Reclamation is hosting a scoping meeting on May 15, 2001, from 7 p.m to 9 p.m. at the Coulee City Middle School, 312 E Main Street, Coulee City, Washington.

This meeting will be the first step in a pubic involvement process that will lead to an EIS discussing the impacts of the drawdown. You are invited to attend the meeting and help us develop the issues associated with this drawdown or write to this office with your comments.

We want to point out that this study is not connected with the recently completed Environmental Assessment for the Banks Lake Resource Management Plan, even though we do understand that many of the same issues and resources will be common to both efforts.

If you should have any questions concerning the meeting, please call Jim Blanchard at (509) 754-0226.

Sincerely,



William D. Gray
Deputy Area Manager

ACTING FOR

MAY - 9 2001

EPH-2003
ENV-6.00

Mr. Bruce Wynne
Chairman, Spokane Tribe of Indians
PO Box 100
Wellpinit WA 99040

Subject: Scoping Meeting for Environmental Impact Statement (EIS) on Study of Potential Drawdown of Banks Lake in Support of Fish Flows in the Columbia River

Dear Mr. Wynne:

Reclamation, in support of the 2000 FCRPS biological opinion, will conduct a study of the impact of a drawdown of Banks Lake from elevation 1565 feet to 1560 feet to supplement Columbia River flows during the month of August. This study is outlined in action 31 of the opinion. To assist in this study Reclamation is hosting a scoping meeting on May 15, 2001, from 7 p.m to 9 p.m. at the Coulee City Middle School, 312 E Main Street, Coulee City, Washington.

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We want to point out that this study is not connected with the recently completed Environmental Assessment for the Banks Lake Resource Management Plan, even though we do understand that many of the same issues and resources will be common to both efforts.

If you should have any questions concerning the meeting, please call Jim Blanchard at (509) 754-0226.

Sincerely,



William D. Gray
Deputy Area Manager

ACTING FOR

MAY - 9 2001

EPH-2003
ENV-6.00

Ms. Colleen F Cawston
Chairperson, Colville Business Council
Confederated Tribe of the Colville Reservation
PO Box 150
Nespelem WA 99155

Subject: Scoping Meeting for Environmental Impact Statement (EIS) on Study of Potential Drawdown of Banks Lake in Support of Fish Flows in the Columbia River

Dear Ms. Cawston:

Reclamation, in support of the 2000 FCRPS biological opinion, will be conducting a study of the impact of a drawdown of Banks Lake from elevation 1565 feet to 1560 feet to supplement Columbia River flows during the month of August. This study is outlined in action 31 of the opinion. To assist in this study Reclamation is hosting a scoping meeting on May 15, 2001, from 7 p.m to 9 p.m. at the Coulee City Middle School, 312 E Main Street, Coulee City, Washington.

This meeting will be the first step in a public involvement process that will lead to an EIS that discusses the impacts of the drawdown. You are invited to attend the meeting and help us develop the issues associated with this drawdown or write to this office with your comments.

We want to point out that this study is not connected with the recently completed Environmental Assessment for the Banks Lake Resource Management Plan, even though we do understand that many of the same issues and resources will be common to both efforts.

If you should have any questions concerning the meeting, please call Jim Blanchard at (509) 754-0226.

Sincerely,



William D. Gray
Deputy Area Manager

ACTING FOR