

**FY2002 Annual Tribal Action Plan
Outline
December 7th, 2001**

Purpose: The purpose of this Tribal Action Plan is three fold. One purpose is to build a better working relationship and therefore understanding between BPA and the Tribes. The second purpose is to provide consistent, timely messages and information for distribution and release to the Tribes. This would also provide an opportunity to obtain information and input back from the Tribes. The third purpose is to educate BPA folks internally about Tribal issues and concerns to build better communications and tribal relationships. All three of these purposes would be accomplished through the development of a TBL (and eventually an agency wide) coordinated Tribal approach consistent with BPA's Tribal policy.

Agency Wide Coordination: The Team recognizes the need for a strategic approach in dealing with the many cross Business Line issues with the Tribes. This is both a coordination effort and a communication effort. Having a coordinated approach may provide BPA with some flexibility in negotiating specific needs and speaking to the Tribes. The Team strongly recommends – in order to make this Action Plan work - TBL invites PBL and Corporate (Environment and Fish and Wildlife) to participate in an agency-wide coordination effort. This would include entering projects/activities into the attached Tribal issues matrix, develop effective action items for each, and a commitment to updating the issues and action item periodically throughout the year.

Issues: The issues identified below are associated with the TBL and have been identified as having importance and/or interest to a number of Tribes throughout the Pacific NW. The Team thought it was imperative to develop an agency wide strategic tribal plan to deal with these and many interconnected issues that cross the two business lines and Corporate. This plan will: (1) identify issues that could be of interest to all of the 54 NW Tribes, (2) identify which of these tribes will require a higher degree of focus for FY2002, (3) identify how these tribes will be approached, (4) develop timelines associated with issues and tribes, (5) coordinate an agency wide strategy to cover all related issues when meeting with the tribes, and (6) develop action items to cover - who, what, when, and where.

Inform and/or Involve: Below is a list of issues that have been identified by the TBL Team as have the greatest degree of interest to the Tribes for FY2002. There are two different levels of interest or involvement that need to be considered for each issue. One level involves informing Tribes of particular issues or projects that maybe of interest but may not affect the Tribe. The second level is one where an issue or project may affect a Tribe and therefore the Tribe will want to be informed and may also want to be involved in a greater degree, such as decision making. The attached Tribal issues matrix provides a more comprehensive look at individual TBL projects and activities and which Tribes should be involved with each.

1. Right of Way Issues

- **Easement Renewals** – The extension or renewal of existing land rights that BPA currently holds that are expiring on certain Tribal Reservations. BPA may be required to renew, extend the term, or expand easement right to meet existing or future needs. The following Tribes would be involved in these negotiations and discussions in FY2002 - Nisqually, Salish-Kootenai, Umatilla, and Yakama.
- **Acquisition for Infrastructure** – The acquisition of new right of way easements needed outside of BPA's existing rights and right of ways. There is currently only one Tribe identified in FY2002 that would be involved in these negotiations. This is associated with the Infrastructure Program and land allotments owned by Yakama Tribal members.

2. Generation and Integration – This issue could include both new generator sites, i.e. - combined combustion turbines, gas turbines, and wind generation; and specific transmission lines that will be needed to integrate this new generation into BPA's high voltage transmission grid. There are several proposed projects that will be of general interest to Tribes who will want to be informed, see attached Matrix. There are other Tribes that will want to be involved in project decisions and developments. An example of two of these generation projects are Wallula and Starbuck, both having new generator sites and the need to integrate into BPA's high voltage grid. The Tribes currently identified that will want to be involved in these projects are the Spokane, Yakama, Nez Perce, see attached Matrix.

3. G-13 and Other Project Identified for FY2002 – There are several different areas of interests to the Tribes associated with the G-13 projects. These include: (1) the potential for physical or visual impacts to natural resources, cultural resources, or traditional use areas through the construction of transmission facilities; and (2) the sensitivity and complexity of contracting with the tribes to assist in determining areas of concern and potential impact. Each project will require identification of the particular issue associated with each and which Tribes will want to be informed and/or involved. (See Attached Matrix for more information.)

- Natural Resource Areas
- Cultural Resource and Traditional Use Areas
- Socio-Economic Effects
- Introduction of noxious weeds
- ESA issues associated with raptors and plants
- Contracting with Tribes

4. Formation of an RTO – Due to the potential for wide spread regional change in the electrical industry if an RTO is formed – it is important for everyone to be informed and involved in this development. Throughout the next 3 years – during this initial formation - the Tribes will need to continue to be involved in the various activities associated with this development. Not only will this formation potential affect Tribal Utilities, but also

rate structures and associated issues. Throughout this year the TBL will be developing new tariffs and associate Business Practices that may also be of interest to the Tribes.

5. Additional Agency Wide Issues: Issues that will need to be addressed and coordinated when taken out to the Tribes are:

- Power Plants – (generation sites and order in the queue)
- Wind Generation Sites
- Energy Efficiency and Conservation
- Dam Re-licensing
- Relocating Transmission Lines
- Fish and Wildlife – ESA Issues
- New Tribal Utility formation
- BPA as one entity to the Tribes – not TBL, PBL, and Corporate
- Others to be identified by PBL and Corporate

Proposed TBL's Action Items to Inform and Educate the Tribes and BPA

Goal: In order to better meet the needs of the Tribes as identified and rated in the FY2001 Tribal Satisfaction Survey - BPA has identify specific goals to help increase our scores and better meet the needs of the Tribes. This can be done by keeping the Tribes better informed through proper dissemination of materials and information and through education – of both the Tribes and BPA of each other. Identifying our differences and educating each other on these differences will begin to create a better working relationship for the future. The TBL has contracted with the Affiliated Tribes of the Northwest Indians (ATNI) to help in these two different areas. Other action items were identified and presented to the TBL Executives in a slide presentation. These items have been agreed to and included in the action items below. (See Attachment – Survey summary.) The TBL has also identified some other areas of focus for FY 2002.

Recommended Focus for FY2002

1. Develop an annual Action Plan to target TBL issues, identify Tribes to focus on for any given year, and develop a release and implementation plan.
2. Coordinate this Action Plan with PBL/Corporate.
3. Keep track of meetings with Tribes (including issues and projects discussed and contracts made) and include this list in ATNI's Quarterly Report.
4. TBL Tribal Representative should focus on clarifying and understanding the consultation process and coordinate this effort with the Project Team members.
5. TBL Executives will attend at least 4 project meetings and all workshops throughout the year to increase face-to-face interaction between executives and Tribes.
6. BPA Executive and Project Managers are briefed periodically on Tribal issues and concerns identified by the TBL Tribal Representative.

7. The TBL Tribal Representative should work with the Cultural Resource representatives in Environment to ensure coordination, timely and effective contracts and activities.
8. Prepare and provide periodic status report to the TBL Executives on Status of Tribal issues associated with the Annual Action Plan.

Suggested Action Items for FY2002:

Communication Action Items

1. Prepare no less than 6 Tribal Alerts throughout the year to convey certain messages (concerns/problems) that arise quickly and are of importance to the Tribes. These Alerts can be disperse to the Tribes through ATNI.
2. Provide Articles on TBL issues in the Quarterly Tribal Newsletter.
3. Provide updates to the TBL AB's on issues/concerns/strategies identified by ATNI or individual tribes.
4. Send TBL's Access Newsletter to Tribes.
5. Look for opportunities to keep Tribes more involved in TBL programs and issues.

External and Internal Education Action Items

1. Pull together 2 to 4 Workshops to educate Tribes on what is the TBL, discuss TBL issues to educate Tribe Representatives, as well as educating BPA representatives on Tribal concerns and issues.
2. Coordinate smaller regional meetings with Tribes on specific projects and issues.
3. Facilitate more opportunities for TBL executives to interact directly with Tribes.
4. Develop Tribal Treaty and Trust Obligation training for TBL Executive and employees.

United States Government

Department of Energy

Bonneville Power Administration

memorandum

DATE: April 17, 1998

REPLY TO:
ATTN OF: T-DITT2

SUBJECT: Strategy for Addressing Issues of ROW over Tribal Lands

TO: Fred Johnson - TF-DOB1 Vickie Vanzandt - TO-DITT2
Charles Meyer - TM-DITT2 Marg Nelson - TS-PSB-2
Alan Courts - TN-4

This outlines TBL's approach for identifying and resolving rights-of-way issues with affected Tribes. The approach may need to be modified if non-transmission issues, such as fish and wildlife, become linked to ROW issues during interactions with tribes. Our goal will be to resolve issues in a manner that meets the needs of the TBL and the impacted tribes, complies with the BPA Tribal Policy, maintains a government-to-government relationship, and improves tribal government satisfaction with BPA.

Collaboration

TBL will take the initiative, with assistance from BPA Tribal Relations, to effectively communicate and collaborate with tribes, both at leadership and staff levels. This will include an initial meeting with tribal leadership where BPA will explain this strategy and receive feedback.

ROW Research

Thorough research of the land conveyance records for the portion of each BPA facility located on reservations will be completed by January 1999. This research will show which facilities occupy ROW with an expiration date, and which occupy ROW with no expiration date. From the research, a prioritized list will be made, by expiration date, so that work can begin on the earliest expirations.

Title will be researched in instances where the land under expired ROW may have transferred into private ownership. In those instances, the tribal government will be informed, and an acquisition will be initiated with the private landowner.

For the remaining ROW, BPA will share its land conveyance records with the tribes, and we will request reciprocal sharing of tribal land conveyance records with BPA. This will allow both BPA and the tribes to fill missing gaps in their land records.

Renewal of ROW

If renewal of the ROW is the preferred alternative; BPA's acquisition process will conform to applicable federal laws and regulations. Consideration will be given to tribal laws and regulations. Offers will be based on appraised fair-market-value, per the 'Uniform Appraisal Standards for Federal Land Acquisitions.'

/s/ Harvey P. Spigal

Harvey P. Spigal
Senior Vice President,
Transmission Business Line

cc:

S. Wright - AN/Wash
J. Smith - AT/Spokane
S. Hickok - A-7
P. Tawney - AT-7
A. Smith - E-4
B. Beraud - EC-4
R. Roach - L-7
S. Baskerville - LL-7
P. Majkut - LL-7
D. Landers - TF-DOB1
S. Furst - TM-DITT2
B. King - TM-DITT2
S. Long - TM-DITT2
K. Moxness - TM-DITT2
T. Noguchi - TM-DITT2
C. Perigo - TM-DITT2
A. Paschke - TM-DITT2
M. Raschio - TM-DITT2
T. Rodrigues - TM-DITT2
J. Rogers - TM-DITT2
K. Ward - TM-DITT2
M. Johns - TN-4
M. Bond - TOP-DITT2
J. Cowger - TSR-3
Official File - TSR-3 (LA-18-14)

JRCowger:jd:3258:4-10-98 (TSR-w:\TRBSTRAT.DOC)

FY2002 ANNUAL TRIBAL PLAN: ISSUES AND ACTIVITIES MATRIX

Condon near Condon, OR	SeaWest Wind Project	50	Umatilla	No known tribal issues	Energize Jan. 1, 2002	
Goldendale Energy, Klickitat Co, WA	Goldendale Energy, Inc (National Energy Systems, Inc)	247	Yakima	ROD Completed - Construction started No Known Tribal issues	Energize July 2002	Tom McKinney, 503-230-4749
Chehalis Gen., Lewis Co, WA	Chehalis Power, Inc (Tractebel)	600	?	Under Construction No Known Tribal issues	Energize July-Nov. 2003	Dawn Boorse, 503-230-5678
Columbia Gen, Longview, Cowitz Co, WA	Euron Power Marketing, Inc	300	?	ROD completed - Looking for a buyer Uncertain whether project will be completed	Unknown	Phil Smith, 503-230-3294
Centralia (Big Hanaford) Gen, Lewis Co, WA	TransAlta	248	?		Start Construction - March 2002 Energize July 2002	Tom McKinney, 503-230-4749
Klondike near DeMoss, OR	NW Wind/Brett Wilcox	50	Umatilla		Energize June 2002	
Satsop Development Park Generation Grays Harbor Co, WA	Duke Energy	630	Nisqually Quinalt		Energize June 2003	Dawn Boorse, 503-230-5678
Longview Mint Farm Gen, Clark Co, WA	Mint Farm Generation, LLC (Avista)	300	?		Energize July 2003	Phil Smith, 503-230-3294
GNA Cliffs Gen Klickitat Co, WA	GNA Energy	180	Yakama		Uncertain	Don Rose, 503-230-3796
Umatilla Gen, Umatilla Co, OR	Umatilla Gen Co, LP (PG&E National Energy Group)	581	Umatilla		December 2003 or later	Inez Graetzer, 503-230-3786
Summit Westward, Columbia Co, OR	Summit & GNA Brett Wilcox	520	?	Permits, EIS, and study in progress	Energize Nov 2003 or later	Dawn Boorse, 503-230-5678

Item 6

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Tribal Matrix - TBL Tribal Coordination Team

FY2002 TRIBAL ANNUAL PLAN: ISSUES AND ACTIVITIES MATRIX

2

Nine Canyon near Kennewick, WA	Energy NW Wind Project	50	Yakamas and Umatilla	No known tribal issues	Energize Dec. 2002	
Nine Mile near Wallula, WA			Yakamas and Umatillas	No known tribal issues	Energize Nov. 28, 2002	
Wallula Power, Walla Walla Co, WA	Newport Northwest LLC	1300	Yakama, Nez Perce, Umatilla, Sho-Bans, Colville	EFSEC process and EIS in progress Wallula, McNary-John Day transmission needed - project competes with Umanilla Tribes project	50/50 chance of completion Oct 2004	Don Rose, 503-230-3796
Starbuck Generating, Columbia Co, WA	Starbuck Power Co, LLC (FP&L Global)	1200	Yakama, Nez Perce, Umatilla, Colville, Sho-Bans	Start to LoMo and McNary-John Day transmission needed	Oct. 2004	Phil Smith, 503-230-3294
Umatilla Tribal Gen. Umatilla Co, OR	Williams & CTUIR	1300	Umatilla	Serious - connect into McNary-John Day. Competing with Starbuck and Wallula working on permits, BIA EIS, BPA coop.	Oct 2003 or later	Tom McKinney, 503-230-4749
Mercer Ranch, Benton Co, WA	Cogentrix	760		Siting, permits, and EIS in progress	Oct 2004	Don Rose 503-230-3796
Cherry Point, Whatcom Co, WA	BP (ARCO)	750		Permits, Study, EIS in progress transmission needed - Monroe-Echo Lake	Jan 2004	Tom McKinney, 503-230-4749
Everett Delta, Snohomish Co, WA	FPL	250		Study in progress - Snohomish PUD connection EIS work to be determined	Jan 2004 or later	Tom McKinney, 503-230-4749
Grizzly Generation East of Madras, OR	CoGenbrix	1100	Warm Springs	Just getting started	Energize Mid 2004	
TRANSMISSION INFRASTRUCTURE G-13 PROJECTS	Priority of Projects	G-#				
Puget Sound Addition King Co, WA	Phase 1	G1	Muckleshoot, Nisqually, Puyallup			

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Tribal Matrix - TBL Tribal Plan Coordination Team

FY2002 TRIBAL ANNUAL PLAN: ISSUES AND ACTIVITIES MATRIX

Spokane Area and Western Montana Additions Spokane Co, WA	G9	Spokane, Colville, Shobans, Salish-Kootenai, Nez Perce			
North of Hanford/ North of John Day Co, WA	G2	Yakima			
Cross Cascades North Co, WA	G6	N/A			
Calilo Modernization The Dalles, OR	G7	N/A			
I-5 Corridor Generation Addition Co, WA	G8	Muckleshoot			
West of McNary Umatilla Co, OR	G3	Umatilla, Yakima			
Starbuck Generation Co, WA	G4	Yakima, Shobans, Umatilla, Colville, Nez Perce			
Lo Mo McNary Area (Walla Walla Generation) Co, WA	G5	Yakima, Shobans, Umatilla, Colville, Nez Perce			
Puget Sound Area Additions Co, WA	G10				
Portland Area	G11	N/A			

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FY2002 TRIBAL ANNUAL PLAN: ISSUES AND ACTIVITIES MATRIX

Additions Multnomah Co, OR				
Olympia Peninsula Addition II Co, WA	G12	Nisqually.		
I-5 Generation Addition Co, WA	G13			

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 Tribal Matrix - TBL Tribal Plan Coordination Team

Subj: FW: Schultz - Wautoma Gaylord Kellogg
Date: 02-01-31 16:16:17 EST
From: smrapozo@bpa.gov (Rapozo, Sandra M - TRF/Bell-1)
To: smrapozo@aol.com (smrapozo@aol.com)

> -----Original Message-----

> From: Custer, Cindy J - KR/WSGL
> Sent: Wednesday, January 30, 2002 12:06 PM
> To: Rapozo, Sandra M - TRF/Bell-1; Wittpenn, Nancy A - KEC-4; Driessen,
> Laurens C - TNP-TPP-3; Campbell, Paula J - TRF/Bell-1; Swedo, Robert L -
> KR/Spokane
> Subject: RE: Schultz - Wautoma Gaylord Kellogg

>
> Just a quick note, as a result of our conversation last December. I did
> follow up with Karen Hunt and Lou. As far as the route over Kellogg's
> property, there is no reasonable alternative if the discussions with the
> tribe is not successful. In discussion with Lou and later with Karen. It
> was decided we would not contact the lawyer at this time. Since the
> original contact was made through Lary Cassidy from the Northwest Power
> Planning Council. Karen is going to talk to him and let him know what the
> situation is. If I hear anything or if additional follow up is needed I
> will let you know. Sorry it took me so long to get back to you.
> Cindy

----- Headers -----

Return-Path: <smrapozo@bpa.gov>
Received: from rly-xc05.mx.aol.com (rly-xc05.mail.aol.com [172.20.105.138]) by air-xc03.mail.aol.com (v83.35) with ESMTTP id MAILINXC33-0131161616; Thu, 31 Jan 2002 16:16:16 -0500
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by measles.bpa.gov (8.12.1/8.12.1) with ESMTTP id gOVLGg89014005
for <smrapozo@aol.com>; Thu, 31 Jan 2002 13:16:42 -0800 (PST)
Received: from exchhq04.bpa.gov ([10.1.139.17])
by brick2.bpa.gov (8.9.3/8.9.3) with ESMTTP id NAA21087
for <smrapozo@aol.com>; Thu, 31 Jan 2002 13:15:55 -0800 (PST)
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id <DVJQML6>; Thu, 31 Jan 2002 13:15:55 -0800
Message-ID: <07274485B558D3119AF000805F15FEB83E5A8B@bek02.wins.bpa.gov>
From: "Rapozo, Sandra M - TRF/Bell-1" <smrapozo@bpa.gov>
To: "smrapozo@aol.com" <smrapozo@aol.com>
Subject: FW: Schultz - Wautoma Gaylord Kellogg
Date: Thu, 31 Jan 2002 13:15:54 -0800
X-Mailer: Internet Mail Service (5.5.2653.19)