

**STATE AND TRIBAL GOVERNMENT WORKING GROUP (STGWG)**  
**Snowbird, Utah**  
**October 16-18, 2007**

**KEY OUTCOMES**

**OVERVIEW**

- The members of STGWG appreciate the attendance and participation of DOE personnel during the various sessions throughout the week. STGWG extends a personal thanks to the direct participation of Ines Triay, Steven Morello and Christine Gelles, and hopes to maintain their direct participation at future STGWG meetings.
- STGWG looks forward to Secretary Bodman signing the Implementation Framework for DOE's American Indian and Alaska Native Tribal Government Policy. (*document was signed on Nov. 27*)
- STGWG extends its utmost appreciation to Kevin Clarke for his service and participation throughout the years, and wishes Kevin the best in his upcoming retirement.

**TRIBAL ISSUES**

- There are many questions about GNEP that remain unanswered. Technical questions need to be answered before taking the issue to the policy-making levels of tribal governments. Concerns exist about what may happen if Yucca Mountain does not open.
- STGWG tribes may look to engage the DOE Transportation External Coordination Working Group (TEC) member tribes with discussions relating to programmatic issues.
- Tribes are still waiting for the Implementation Framework to be signed by the secretary. If and when it is signed, tribes would like to have a workshop to discuss the actual utilization of it within DOE.
- Tribes are hopeful that a Tribal Summit will occur in 2008, and they stand ready to help with the planning of one in any way possible.
- Proper and adequate government-to-government consultation with tribes is a continuing concern. Asking for comments on documents (e.g., EIS) and conducting public scoping meetings is not consultation.
- Receiving responses (from DOE) to submitted comments is a continuing concern.

**FULL STGWG ISSUES**

- Natural Resource Damages Assessment (NRDA) is an extremely important issue for both states and tribes. The NRDA issue will be addressed through a new STGWG committee to be known as the Natural Resource Injury Assessment

(NRIA) Committee, which will be integrated with the current Long-Term Stewardship Committee (LTS).

- STGWG has a strong interest in the NRDA issue, and wants to build onto successful discussions with Dr. Triay that occurred at the May STGWG meeting.
- The new NRIA/LTS Committee will look to work directly with the National Governors Association and the National Association of Attorneys General. Matt Duchesne (DOE) will be STGWG's main point of contact for NRDA issues.
- The full STGWG supports the tribes in their efforts for having a Tribal Summit.
- Richard Arnold, Spokesperson for the Consolidated Group of Tribes and Organizations, expressed interest in becoming a formal member of STGWG. STGWG will formally address this during the spring 2008 meeting.
- STGWG is interested in having a workshop relating to DOE project management processes, possibly in conjunction with the other intergovernmental groups, to better understand how states and tribes can, and do, fit into DOE's project management processes.
- A new intergovernmental committee will be formed to track issues of mutual concern, and to address these issues at higher levels within DOE. Willie Preacher and Brian Hembacher will serve as the representatives from STGWG.
- STGWG appreciates the effective and fruitful discussions that have occurred relating to consultation and DOE's willingness to respond in person.

### **ACTION ITEMS**

- Identify members for the new NRIA/LTS Committee. (*As of Dec. 19, 14 members have identified their interest in serving on the committee*). The new committee will develop an action plan under the leadership of its Co-chairs, Neil Weber and John Owsley.
- Locate and distribute DOE's responses to the 15 EM questions that were posed. (*completed*)
- Tom, Neil and Willie will have a conference call with NCSL management to discuss protocols of STGWG membership. (*completed*)
- Brandt Peterasek is willing to have a conference call with the tribes when the Implementation Framework is released as a final document to discuss any changes that were made within the document.
- Peter Chestnut will draft a letter requesting an extended 90-day comment period for the GNEP EIS. Co-Convenors Tom Winston and Armand Minthorn will sign on behalf of STGWG. (*completed*)
- The Executive Committee will discuss the possible dates and locations for the Spring 2008 STGWG meeting.
- Steven Morello will check on the availability of DOE management in an attempt to schedule a Tribal Summit and will coordinate with NCSL on this, probably around the Thanksgiving time period.
- John Lehr (DOE) will take the issue of the Santa Clara Pueblo not receiving any responses to their submitted comments back to his immediate supervisors.