Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

November 9, 2010

WHISTLING RIDGE ENERGY LLC
JO ANNA MENINICK
NOV. 9, 2010 MEMO FROM LAVINA WASHINES
EXHIBIT NO. 38.03C

TO: Executive Board Yakama Tribal Council
Harry Smiskin, Chairman
Terry G. Rambler, Vice-Chairwoman
Athena S. Yallup, Secretary

RE: Resolution – Monthly meeting in November 2010 Tribal Chambers

Here's a list of violations this resolution violated.

1. No Amendment to T-10-61 to move Land Irrigation Committee with Authority to take over Culture Committee responsibilities on their program staff
2. The program falls under the Personnel Policy Chain of Command. The resolution goes over and beyond that process.
3. Now therefore be it resolved "states" by the Executive Board of the Yakama Nation Tribal Council acting under authority delegated by Sec. III A of the rules of procedures, approved by the Yakama Nation Tribal Council resolution T-10-61 dated July 13, 1960. Authorizing Cultural Resource Program to participate in any negotiations pertaining to Whistling Ridge Energy LLC proposal on wind turbines question is this a T-10-61 resolution or a Tribal Council resolution you can't have both then it becomes a double violation.
4. As Chairwoman of the Culture Committee I never relinquished the committee's responsibility to other Tribal Council Committee Executive or 1 of 8 standing committee's
5. As far as I know this council never in my presents ever took an official stand on this Whistling Ridge Energy Project. Executive Chairman traveled to the area. I as Chairwoman for the Culture Tribal Council also left on travel to visit the proposed site our professional observation as the elected officials of Yakama Nation was the same it's not possible for a vision quest site, there's nothing there. Also another archaeologist walked the area from a tribal program. The Executive Chairman asked for a second official opinion. The second person said there is no significance of detrimental importance to our cultural values.
6. There is a resolution passed by our people pertaining to tribal staff. Message very clear as Tribal Council we are mandated to retain our Tribal Council authority and work within our duties and responsibilities. The tribal agenda item in November 10, 2010 goes against that mandate.
7. Being a person who was born and lived along the Columbia River. I would never deny the river people of their right to give testimony of where they still occupy the lands.
8. The resolution in my opinion is covering up a wrong doing by the Culture Program Management who failed to follow his chain of command dictated to the program as a process to be followed. We can't allow fiction claims anywhere in our usual and accustomed areas. Our children in the future depend on us as their leaders to be honest and truthful on whatever we leave behind for their future use.

I never like to leave anything in writing. But this has a major impact on our Personnel Policy and Tribal Council responsibilities. I as one council will not accept any responsibility on behalf of the resolution nor will I be held liable for any future costs or loss of rights to the Tribal Membership. I write this memorandum with great hurt in my heart. In all the years I've held a position within the council

position, I never was put in this position by fellow Tribal Council. So I feel it's important that I make a record of this No Staff Person should ever be allowed to cause this kind of resolution to give themselves Authority over the Tribal Council Structure.

Also being the Secretary of the HEW Committee I have a responsibility to make sure that everyone stays within the realm of the Chain of Command as it states in the Personnel Policy as Tribal Council we can't interfere with administrative responsibilities. Everyone has their own Job Description.

The grants money the Yakama Nation receives from different entities depends on our adherence of the Personnel Policy.

Lavina Washines

Lavina Washines, Chairwoman
Yakama Nation Culture Committee