

# MEMORANDUM OF AGREEMENT

## BETWEEN THE WASHINGTON DEPARTMENT OF FISH AND WILDLIFE AND THE NEZ PERCE TRIBE

### Purpose

The purpose of this Memorandum of Agreement (MOA) is to promote cooperation, communication, and joint planning activities for fish and wildlife resources under the authorities, jurisdictions, and stewardship of the Nez Perce Tribe (Tribe) and the Washington Department of Fish and Wildlife (Department). The Tribe and the Department each have expertise in managing fish and wildlife resources and it is acknowledged that through working together we can enhance fish and wildlife resources that can benefit the peoples of both the Tribe and the state of Washington. This MOA does not attempt to precisely define nor does it create, expand, or diminish any party's legal rights or jurisdictions.

### Acknowledgments

1. The Tribe and Department recognize that the exercise of treaty hunting and fishing rights reserved in the Treaty of 1855 with the Nez Perce Tribe is an appropriate use of fish and wildlife resources. The Tribe and Department recognize the social and economic importance of sport hunting and fishing to the people of the region and to the government of the state of Washington. Successful joint management depends on several key principles including joint planning, regular consultation, explicit objectives, consistent data bases, coordination of enforcement efforts, and timely information exchange.
2. The Tribe and the Department each have independent and differing authorities, mandates, and responsibilities for developing and implementing management programs to protect, enhance, and utilize fish and wildlife resources in a sustainable manner within their respective jurisdictions.
3. The overlapping nature of their respective jurisdictions and authorities creates a co-management relationship between the Tribe and the Department. Cooperation and collaboration between the Department and the Tribe can provide long-term benefits to the health of fish and wildlife resources. The Tribe and Department have developed cooperative management approaches to the exercise of their respective authorities to promote effective and efficient management of those fish and wildlife resources that are subject to both state and tribal management.
4. The Department and the Tribe support self-determination and meaningful self-regulation, enforcement, and prosecution of violations of state and tribal laws with respect to management of fish and wildlife resources.

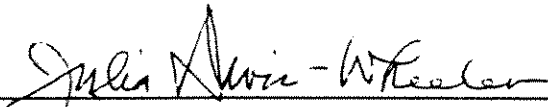
In the spirit of these acknowledgments, the Department of Fish and Wildlife and the Nez Perce Tribe adopt the following commitments to guide the management process and implementation activities relative to shared fish and wildlife resources:

- A. The Department and the Tribe will form a joint fish and wildlife Technical Committee. The Committee will meet at least once per year to exchange information and to discuss and coordinate management activities. The Committee may, at its discretion, create sub-committees to address fish and wildlife issues separately, including enforcement issues. The Committee will establish co-chair persons and will determine the optimum number of meetings per year that may be in excess of the required single meeting. A record of the committee meeting(s) will be made and provided to the tribal and state policy representatives.
  
- B. Representatives from the Washington Department of Fish and Wildlife Commission and the Director's Office of the Washington Department of Fish and Wildlife shall meet with policy representatives from the Nez Perce Tribe at least once per year. A meeting date and agenda will be jointly developed prior to the meeting by the Chairman of the Nez Perce Tribal Executive Committee Natural Resources Subcommittee and the Director of the Washington Department of Fish and Wildlife. The meeting will serve as an opportunity to discuss the status of the cooperative efforts being made to manage fish and wildlife resources including a report from the Joint Technical Committee. Policy representatives may also set priorities or specify work assignments for the Technical Committee.

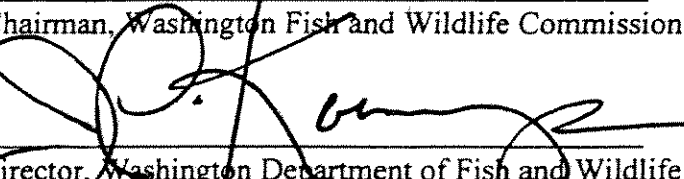
**Terms of the Agreement**

This MOA shall take effect when each of the signatories indicated below have executed this document. This MOA may be terminated by any of the signatories upon thirty (30) days written notice to each of the parties to this MOA.

  
\_\_\_\_\_  
Chairman, Nez Perce Tribal Executive Committee

  
\_\_\_\_\_  
Secretary, Nez Perce Tribal Executive Committee

 6-26-02  
\_\_\_\_\_  
Chairman, Washington Fish and Wildlife Commission

  
\_\_\_\_\_  
Director, Washington Department of Fish and Wildlife