

Exhibit A

**Supplemental Public Correspondence
Received as of July 9, 2025**

From: Kerrina Mishler <Kerrina.Mishler@grandronde.org>

Sent: Tuesday, July 8, 2025 6:15 PM

To: ODFW Commission * ODFW <odfw.commission@odfw.oregon.gov>

Cc: COLBERT Debbie L * ODFW <Debbie.L.Colbert@odfw.oregon.gov>; PALMERI Davia M * ODFW <Davia.M.PALMERI@odfw.oregon.gov>; Donald Erin L <Erin.L.Donald@doj.oregon.gov>; HUNTINGTON Geoff * GOV <geoff.huntington@oregon.gov>; Rob Greene <Rob.Greene@grandronde.org>; JoePitt@ctuir.org; juliek@nezperce.org; marcus@yakamanation-olc.org; Josh Newton <Josh.Newton@bbklaw.com>; Brent@bhhall.com

Subject: RE: LETTER - OFWC - July 11 2025 Meeting CTGR MOA

Some people who received this message don't often get email from kerrina.mishler@grandronde.org. [Learn why this is important](#)

Good evening. On behalf of the Confederated Tribes of Grand Ronde, and in advance of the Commissions July 11, 2025, meeting, attached please find a letter from Rob Greene relating to Petitioners' letter to the Commission dated July 7, 2025, concerning Grand Ronde's Hunting and Fishing Rule (OAR 635-800-0300). Please let us know if you have any questions.

Kerrina Mishler
Office Manager / Paralegal
Tribal Attorney's Office
Confederated Tribes of Grand Ronde
9615 Grand Ronde Road
Grand Ronde, Oregon 97347
503/879-4664
Fax 503/879-2333



The Confederated Tribes of the Grand Ronde Community of Oregon

Umpqua Molalla Rogue River Kalapuya Chasta

Tribal Attorney's Office
9615 Grand Ronde Road
Grand Ronde, Oregon 97347

Phone (503) 879-2172
1-800-422-0232 x2172
Fax (503) 879-2333

July 8, 2025

Oregon Fish and Wildlife Commission
Oregon Department of Fish & Wildlife
4034 Fairview Industrial Drive SE
Salem, Oregon 97302

sent via email to:

odfw.commission@odfw.oregon.gov

Re: Petitions seeking repeal or amendment of Grand Ronde's Hunting & Fishing Rule –
OAR 635-800-0300

Dear Commissioners:

I know the Commissioners must feel overwhelmed by everything coming at them, so I will keep this brief. I won't ask you to parse through more dense and obscure legal theory. Grand Ronde's July 7, 2025, letter largely addresses everything in Petitioners' letter of the same date. Nevertheless, the following points may be helpful.

Cooperative Management. Grand Ronde's MOA is clear about the scope of cooperative management, as are all the western Oregon tribal MOAs. Specifically, Section 4.b. states:

Nothing in this Agreement shall alter or modify ODFW's responsibility and authority to manage the State's resources pursuant to Oregon law. The sole effect to this Section 4 is that ODFW agrees to coordinate with the Tribe and accept cooperative Tribal management of defined activities and resources within the defined area that will enhance and add to ODFW's management activities involving fish and wildlife resources.

Here are examples of how cooperative management really works:

Camera Trap Study. Sharing camera trap population study information. Assisting in project design and implementation. ODFW is moving away from aerial surveys, and Grand Ronde shares a common interest in this approach and the Tribe and State have worked together on a pilot study.

Bio-Breakfast. We attend monthly regional ODFW Bio-breakfasts to review current projects and opportunities to work together.

Restoration. We implemented a cooperative joint restoration grant that just closed after restoring 32 acres at Grand Ronde's Chahalpam property.

*Treaties: Rogue River 1853 & 1854 ~ Umpqua-Cow Creek 1853 ~ Chasta 1854
Umpqua & Kalapuya 1854 ~ Willamette Valley 1855 ~ Molalla 1855*

Pacific Lamprey Conservation Initiative. This team leads research and restoration efforts for Pacific lamprey in the Willamette Basin and elsewhere. We are part of all three components of this program: Tech, Leadership and Conservation.

Cooperative management does not mean Grand Ronde can do whatever it wants wherever it wants. Grand Ronde's MOA provides that "the limits and areas of the Tribe's ceremonial and subsistence harvest will be set annually or seasonally by mutual agreement of the Parties based on the best available scientific data of estimated availability, escapement goals, Tribal needs, and conservation necessity." Grand Ronde's MOA, Section 3.b. ODFW does not rubber-stamp Grand Ronde requests. Here are some examples of where Grand Ronde has modified its requests for ODFW:

Salmon. The Tribe pulled back double bag limits for native salmon in the MOA to address enforcement and conservation concerns.

Ocean Fish. Grand Ronde reduced its request for halibut, steelhead, salmon, and some other marine species to address ODFW conservation concerns.

Turkey. ODFW encouraged expanding Grand Ronde's turkey harvest to address impact issues. This is in the Tribe's 2026 proposal.

Fee Land. Petitioners appear to take great issue with Grand Ronde's ability to manage natural resources on its own fee land. It would be absurd for Grand Ronde, as a private property owner, to not have the same rights as other landowners to manage resources on their lands. Should Petitioners get to control property the Commissioners own, simply because it lies in an area where they purport to have treaty rights?

Consider, for example, the fact that landowners in Oregon with 40+ contiguous acres are eligible to receive landowner hunting preference tags for certain species and emergency hunts occurring on their own property. See OAR 635-075-0001. Should Petitioners get to control whether a landowner can receive tags under this rule?

Grand Ronde has no plans of purchasing property on the Deschutes River, but even if it did, it would never be able to buy enough land that fishing upon it would have any measurable effect on the Deschutes fishery. This assertion literally has no merit.

Former Director Melcher's Letter. Petitioners attempt to associate former Director's Melcher's 2014 letter with Grand Ronde's 2023 MOA. They imply the two are connected as part of an effort by ODFW to erode alleged treaty rights. This is nonsensical. While Director Melcher may have been forward thinking, I don't believe in 2014 he had in mind Grand Ronde's 2023 MOA. A more probable story is that in 2014 Director Melcher consulted with his lawyers at Oregon DOJ. I believe they would have advised him that while Petitioners have reserved fishing rights above Bonneville Dam, these off-reservation reserved rights do not apply to all

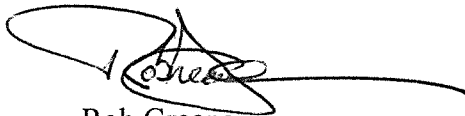
lands along the Columbia River and its tributaries. Rather, these rights apply only to the usual and accustomed fishing stations of the Petitioners as they existed at the time their treaties were signed. At the time Petitioners signed their treaties, they did not have rights to any fishing stations below where Bonneville Dam is today. To this point, you may wish to review the two Oregon DOJ studies Grand Ronde provided with its July 7, 2025, letter.

United Nations Declaration of the Rights of Indigenous Peoples. Grand Ronde Chairwoman Kennedy attended one of the sessions at the United Nations where the Declaration was discussed with tribal and indigenous nations from around the world. The Tribe also participated in consultation between tribal nations and the federal government. The United States regards the Declaration as an aspirational document, not legally binding or a statement of current international law. In view of this, Grand Ronde believes application of the Declaration is a policy issue beyond the authority of the Commission and it should not affect Grand Ronde's Rule.

* * *

In closing, Petitioners again cite no legal authority recognizing that they possess treaty hunting and fishing rights within the area covered by Grand Ronde's MOA. Instead, they demand the Commission accept their claims without meaningful scrutiny and make exaggerated threats of dire consequences based on implausible hypotheticals wholly unsupported by fact. Their approach is more about pressure than truth. Grand Ronde hopes you will not be coerced into making an arbitrary and capricious decision.

Respectfully submitted,



Rob Greene
Tribal Attorney

Enclosures

cc: Tribal Council
Debbie Colbert (via email to: Debbie.L.Colbert@odfw.oregon.gov)
Davia Palmeri (via email to: Davia.M.Palmeri@odfw.oregon.gov)
Erin Donald (via email to: Erin.L.Donald@doj.oregon.gov)
Geoff Huntington (via email to: Geoff.Huntington@oregon.gov)
Brent Hall (via email to: Brent@bhhall.com)
Josh Newton (via email to: Josh.Newton@bbklaw.com)
Joe Pitt (via email to: JoePitt@ctuir.org)
Julie Kane (via email to: juliek@nezperce.org)
Marcus Shirzad (via email to: marcus@yakamanation-olc.org)