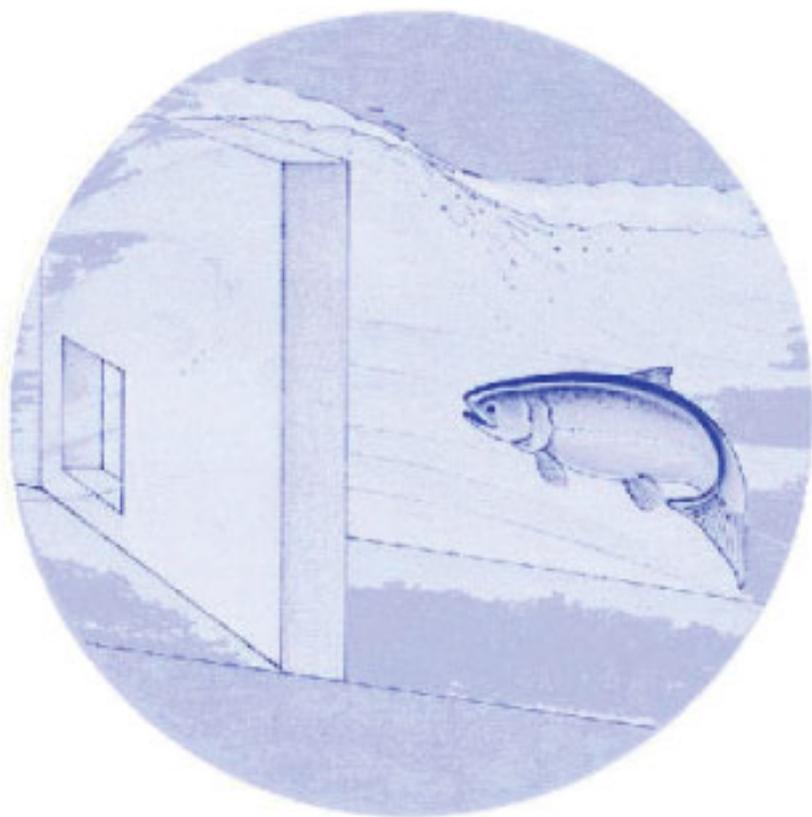


The Nez Perce Tribe's Enhanced Conservation Enforcement for Fish, Wildlife, and Watersheds of the Nez Perce

Monitoring and Evaluation

Annual Report
2003 - 2004



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Bonneville Power Administration
P.O. Box 3621
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**The Nez Perce Tribe's
Enhanced Conservation Enforcement for
Fish, Wildlife, and Watersheds of the Nez Perce**

**Annual M&E Report for the FY2003 Performance Period –
April 1, 2003 through March 31, 2004**

Contract Number: **00004501**
BPA project number: **2000-055-00**

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June 15, 2004

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SECTION 1. Significant Results or Activities

This section summarizes significant results and activities during the Fiscal Year (FY) 2003 performance period – April 1, 2002 through March 31, 2003. The FY2003 Annual M&E Report and eight Quarterly progress reports – for the time period April 2000 through March 2004 – have previously been submitted to BPA and are posted on the M&E Web site www.Eco-Law.net (Table 1).

Table 1. Summary of technical reports produced by the NPT conservation enforcement Project 2000-055, during the April 1, 2000 through March 31, 2004 project implementation period.

Report	Time Period	Disseminated
Quarter 2 – 2000 M&E	April-June, 2000	Submitted to BPA / Posted on Eco-Law.net
Quarter 3 – 2000 M&E	July-September, 2000	Submitted to BPA / Posted on Eco-Law.net
Quarter 4 – 2000 M&E	October-December 2000	Submitted to BPA / Posted on Eco-Law.net
CRITFE-CE Draft Multi-Year Strategic Plan	FY 2001-2004	Posted on Eco-Law.net
Quarter 1 – 2001 M&E	January-March 2001	Submitted to BPA / Posted on Eco-Law.net
Annual M&E Report – FY2000	January 2000-May 2001	Submitted to BPA / Posted on Eco-Law.net
Quarter 2 – 2001 M&E	April-June, 2001	Submitted to BPA / Posted on Eco-Law.net
Quarter 3 – 2001 M&E	July-September, 2001	Submitted to BPA / Posted on Eco-Law.net
Quarter 4 – 2001 M&E	October-December, 2001	Submitted to BPA / Posted on Eco-Law.net
Conservation Enforcement – System-wide Program Summary ¹	January 2000-December 2001	Submitted to CBFWA & NPPC / Posted on Eco-Law.net
Annual M&E Report – FY2001	April 2003-March 2004	Submitted to BPA / Posted on Eco-Law.net
Quarter 1 – 2002 M&E	January-March 2003	Submitted to BPA / Posted on Eco-Law.net
Quarter 2 – 2002 M&E	April-June 2002	Submitted to BPA / Posted on Eco-Law.net
Quarter 3 – 2002 M&E	July-September 2002	Submitted to BPA / Posted on Eco-Law.net
Quarter 4 – 2002 M&E	October-December 2002	Submitted to BPA / Posted on Eco-Law.net
Annual M&E Report – FY2002	April 2003-March 2004	Submitted to BPA / Posted on Eco-Law.net
Quarter 1 – 2003 M&E	January-March 2004	Submitted to BPA / Posted on Eco-Law.net
Quarter 2 – 2003 M&E	April-June 2003	Submitted to BPA / Posted on Eco-Law.net
Quarter 3 – 2003 M&E	July-September 2003	Submitted to BPA / Posted on Eco-Law.net

¹ The Conservation Enforcement Program Summary was funded by CBFWA, for the NPPC mainstem/system-wide Provincial Review process.

Quarter 4 – 2003 M&E	October-December 2003	Submitted to BPA / Posted on Eco-Law.net
Annual M&E Report – FY2003	April 2003-March 2004	Submitted to BPA / Posted on Eco-Law.net

Administration

In March 2000, when Bonneville Power Administration (BPA) funds were approved for enforcement positions, six officers were added to the BPA roster. These positions were originally hired and received initial training in 1999 using interim Nez Perce Tribe (NPT) funds from Bureau of Indian Affairs (BIA) fisheries and habitat contracts. These new positions would not have continued in fiscal years (FY) 2000-2001 were it not for BPA funding provided by Project 2000-055-00.

The NPT Conservation Enforcement (CE) positions and personnel roster for 2001 is summarized in Appendix 1. The brief job descriptions indicate the aspect of conservation enforcement conducted by specific positions – with an overall focus on Tribal resource protection. During FY 2001, the NPT-CE department was comprised of 12.0 full time equivalents (FTE) – 7.75 FTE funded by BPA and 4.25 FTE by Tribal BIA funds.

A radio station license was approved from the Federal Communications Commission (FCC), Conservation and Forestry Association. The NPT Conservation Enforcement transmitter was procured, and installed near Cottonwood, Idaho with a control point at Lapwai, Idaho.

Coordination continued with the NPT Fisheries Department and the Monitoring & Evaluation (M&E) subcontractor, Steven Vigg & Company. The NPT administrative and supervisory staff is developing methods and protocols to facilitate timely compilation of daily officer time logs, and subsequent transfer of this information to summary data tables needed for M&E. During January 2001, we began breaking out officer and dispatcher time spent on (a) preparing reports and compiling data, and (b) training – from other office and administrative duties (Table 2). We also re-examined data for previous quarters, and subdivided the office and administrative category into the more specific tasks. In the past, a relatively large proportion of total officer time was recorded under a general “*administrative*” category that did not accurately reflect time spent on reporting (needed for M&E) and on time spent on training (needed for enforcement effectiveness). During FY2003, NPT conservation enforcement personnel spent about 727 hours preparing reports and compiling data and about 52 hours in training – for a total of 779 hours spent on non-patrol / administrative duties.

Table 2. Administrative time spent by NPT enforcement personnel for the BPA-funded FY2001 performance period, i.e., April 2003 through March 2004.

Category	Quarter 2 April- June 2003	Quarter 3 July-September 2003	Quarter 4 October- December 2003	Quarter 1 January- March 2004	FY 2003 TOTAL (Q2-2003 to Q1-2004)
Reports/Data Entry	217.9	124.5	246.6	138.0	727.0
Training	3.6	2.3	44.5	1.5	51.9
Total	221.5	126.8	291.1	139.5	778.9

Resource Protection

Target areas and species for NPT Conservation Enforcement efforts are summarized in Table 3.

Table 3. Priority areas and fish species identified for NPT Conservation Enforcement patrols.

Fish Species	Primary Patrol Areas
Steelhead	Tucannon, mainstem Snake, Grande Ronde, Imnaha, Salmon and the Clearwater Rivers
Spring chinook salmon	Clearwater River, Rapid River, and Lookingglass Creek
Summer chinook salmon	South Fork Salmon River and Imnaha River
Coho salmon	Clearwater River
Sturgeon	Snake River mainstem
Resident fish	Clearwater River & trout ponds

NPT conservation enforcement patrols areas are generally delineated according to the following primary watersheds: Snake River below Lewiston (1K); Clearwater River (1L); Snake River above Lewiston (1M); Salmon River (1N); Grande Ronde River (1P); and Imnaha River (1Q). These areas and codes are consistent with the Columbia Basin Law Enforcement Council database compiled by the National Marine Fisheries Service during 1992-1997. All FY 2003 Conservation Enforcement patrol statistics (by area) are listed in Appendix 2.

The total NPT conservation enforcement patrol effort is generally highest in the Clearwater River Basin. NPT-CE vehicle patrol effort for calendar year (CY) 2000 through 2004 was 17,331 officer hours. The majority of this effort – 10,052 hours or 58% of the total vehicle patrol hours – was expended in the Clearwater Basin (Figure 1.) The allocation of patrol effort to other basins during years 2000-2004 was: 1.0% in the Snake River below Lewiston; 4.0% in the Snake River above Lewiston; 32.0% in the Salmon River; 1.0% in the Grande Ronde River; and 4.0% in the Imnaha River and other areas.

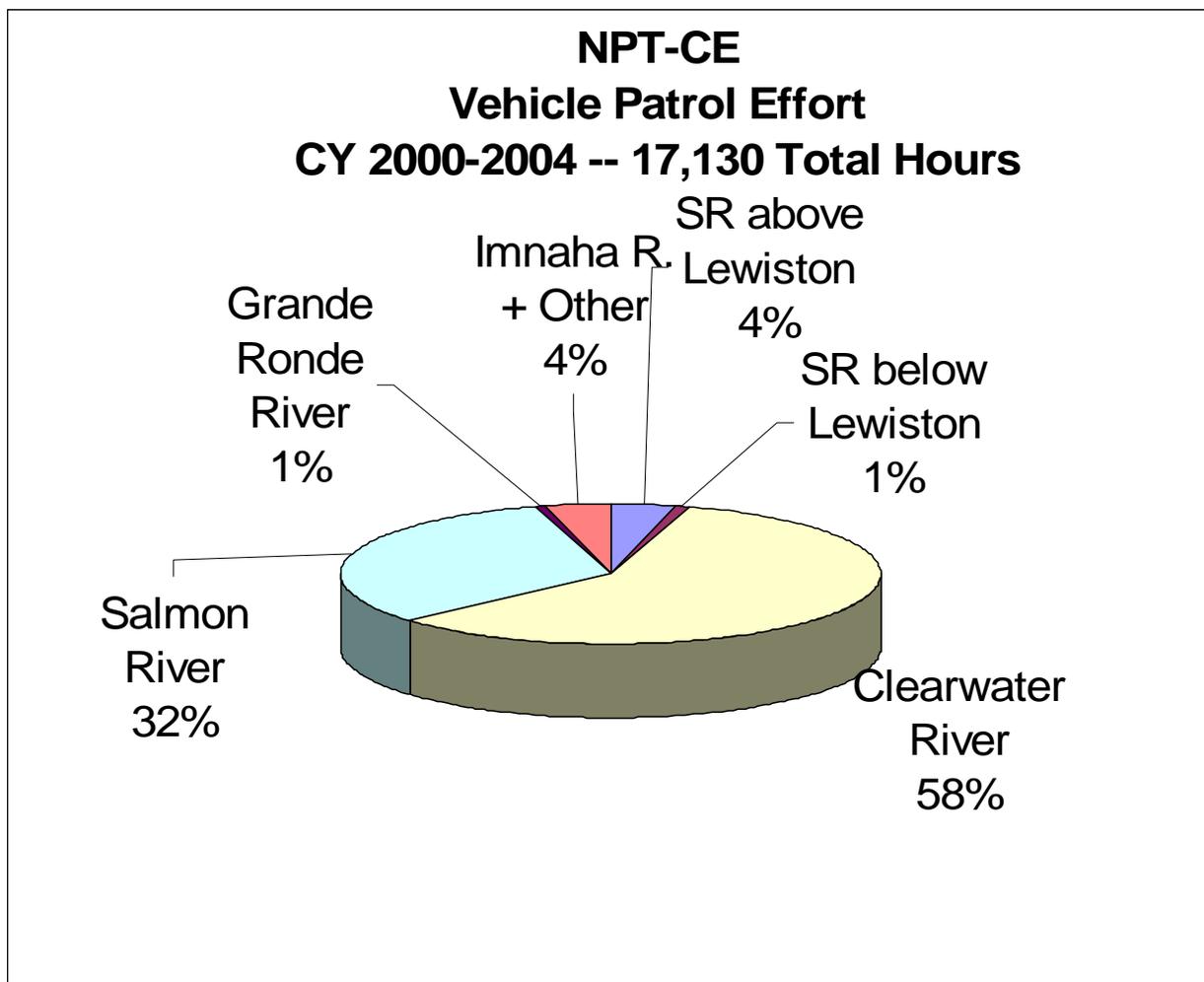


Figure 1. The total NPT-CE vehicle patrol effort for calendar years 2000 through 2004 – illustrating the proportion by river basin.

NPT-CE boat patrol effort for CY 2000 through 2004 was 201 officer hours. The major focus of boat patrol effort – 90.4 hours or 45.0% of the total – was expended in the Clearwater Basin (Figure 2.) The allocation of boat patrol effort to other basins during years 2000-2004 was: 19.0% in the Snake River below Lewiston; 10.0% in the Snake River above Lewiston; 8.0% in the Salmon River; 18.0% in the Grande Ronde River; and none in the Imnaha River or other areas.

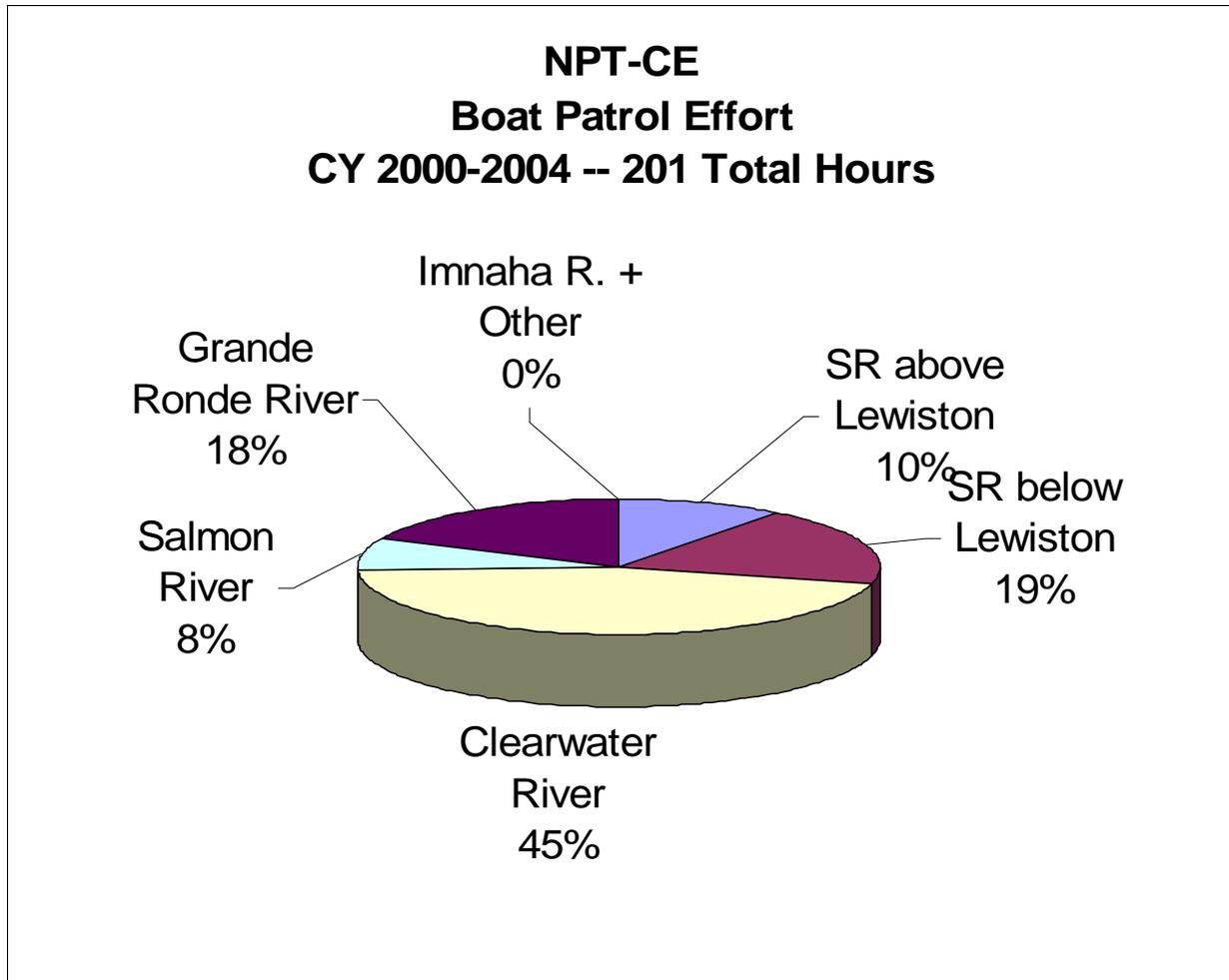


Figure 2. The total NPT-CE boat patrol effort for calendar years 2000 through 2004 – illustrating the proportion by river basin.

Annual Trends – Baseline Period 1996-2001

Since 1996 an increased demand for NPT conservation enforcement has occurred; calls to duty (case load) steadily increased – with a peak in 1999 at 219 calls to duty (Figure 3). During that same time, the ability of NPT enforcement to respond to fish, wildlife and habitat violations was diminished by BPA funding cuts during 1998-99. The case load decreased to 160 calls to duty in CY2000, after two years of diminished enforcement effort due to funding cuts. Funding was resumed in March 2000 and NPT conservation enforcement was back to full effectiveness by January 2001. The enforcement demand in CY2001 was at an all time high of 231 cases. Reported trespasses also peaked in 1999 at 86 cases, then decreased and leveled off during 2000-2001 at about 55 cases per year. The enforcement demand continued to increase through CY 2002 with 364 cases. CY2003 was a start of a decline in the enforcement demand with 355 cases. This trend indicates deterrence may be in effect for trespassing.

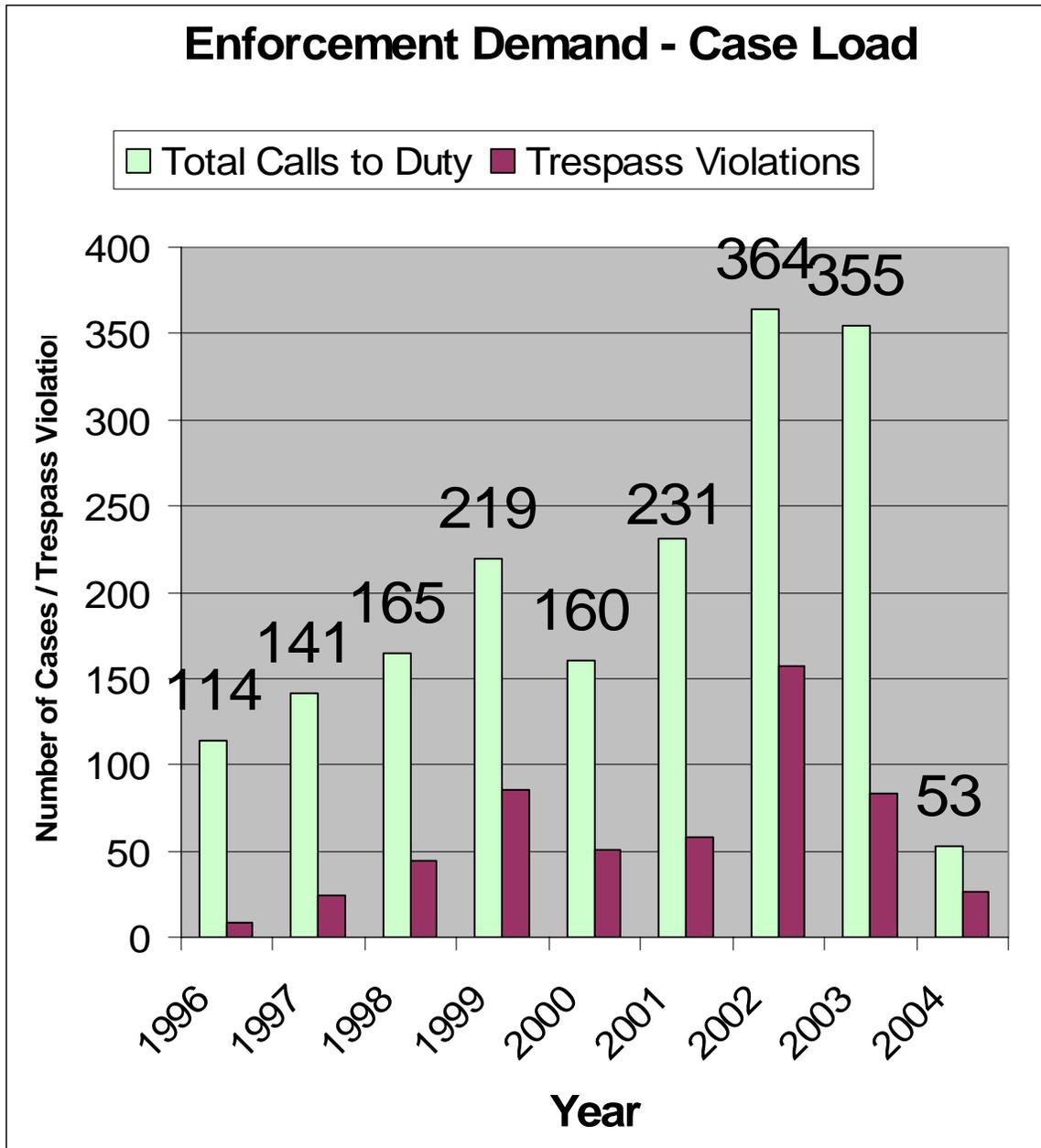


Figure 3. Increasing demand for NPT Conservation Enforcement, 1996-2004.

The proportion of fishery-related violations was at a high level during 1996-1997, i.e., an average of 58 percent of the total resource violations. Subsequently the proportion declined (after the ESA-focused funding was cut) – to 24% in 1998 and 12% in 1999 (Figure 4). After BPA funding was resumed in March 2000, the focus on fishery related cases has increased to 25% in year 2000 and 38% in year 2001. In 2002 there was a sharp decrease in fishery-related violations 5.6% and in 2003 there was a sharp increase to 36.6%.

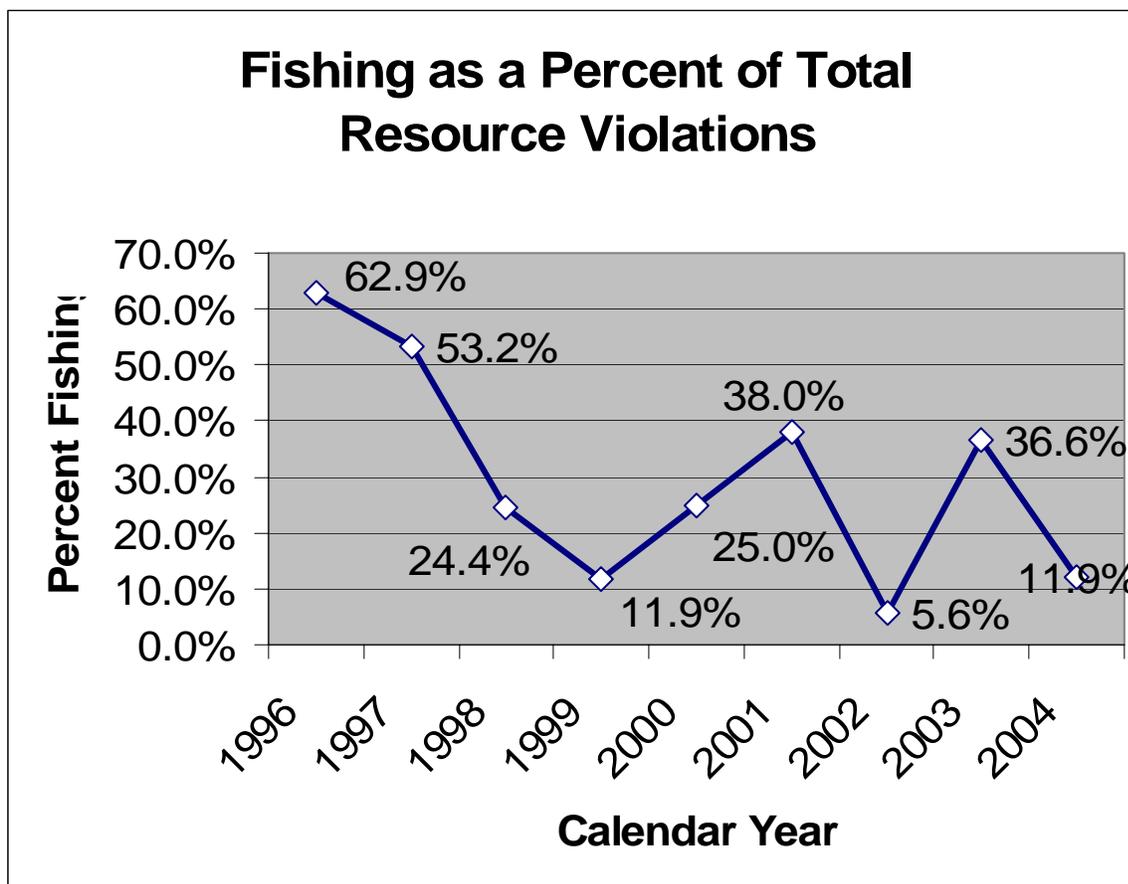


Figure 4. The percentage of total resource violations in the “Fishing” category, 1996-2004.

Since resumption of BPA funding in March 2000, NPT resource enforcement effort has been greatly enhanced. Conservation law enforcement contacts ranged from 111 to 246 per year during 1996-98, and increased dramatically to over one thousand during year 2000 and over two thousand during year 2001 (Figure 5). Although baseline levels of enforcement continued during 1999 when BPA funds were cut, data collection was incomplete due to limited human resources. During times of restricted budgets, enforcement generally takes on a reactive mode – responding only to urgent cases – and record keeping (needed for M&E) is given lower priority. Tribal contacts (Figure 5) and detection of fishery related violations (Figure 6) both increased during

calendar year 2001. In the CY 2002 contacts reached an all time high with a decrease in CY 2003.

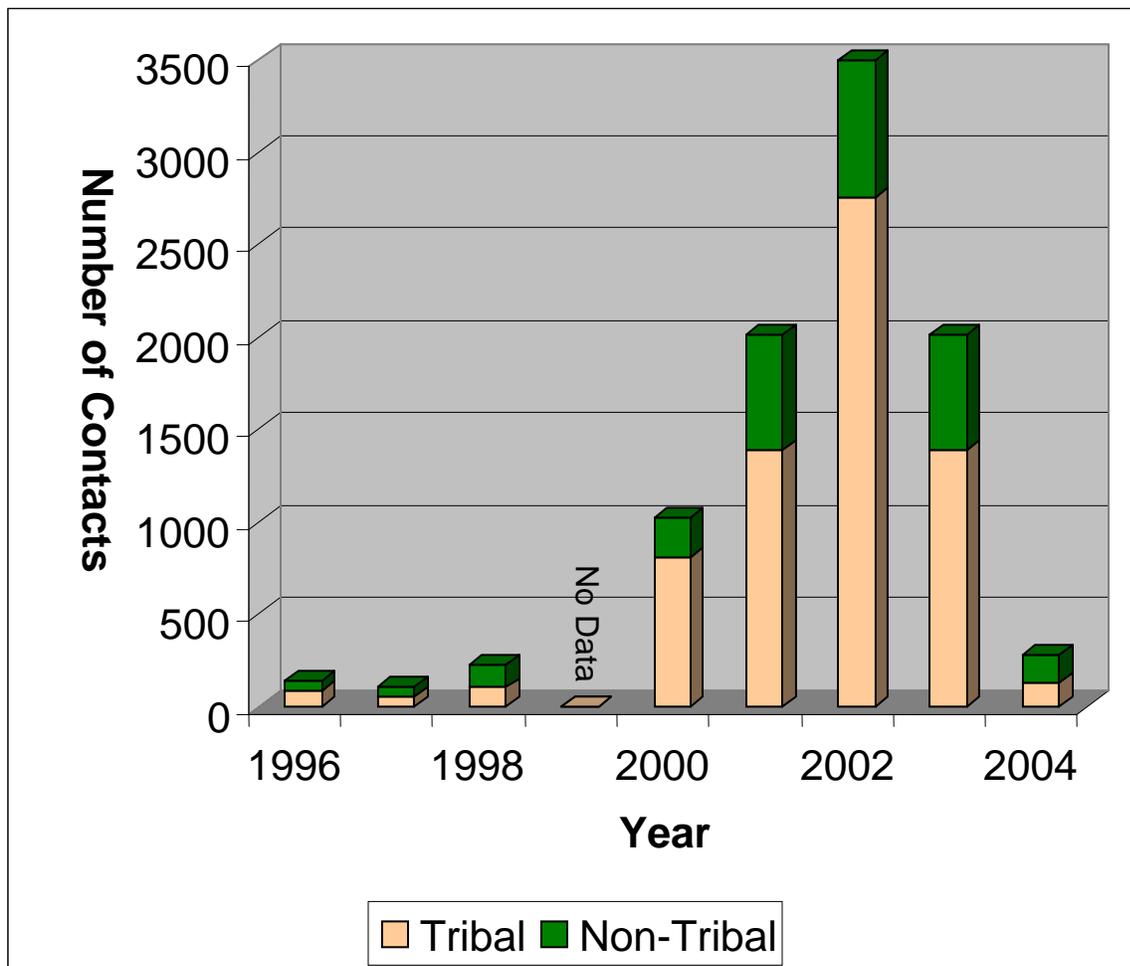


Figure 5. Conservation law enforcement contacts with Tribal and non-tribal resource users, CY 1996 to 2004.

Enforcement of fish & wildlife violations peaked in 1997 when enhanced BPA funding first took effect. However, during 1998-99 the number of resource violations handled by NPT enforcement officers declined – especially for fishery violations. This was probably due to less effort in the field from 1998 to the first quarter of year 2001 – corresponding to cuts in BPA funding. However, starting in March of 2001 BPA funding of NPT conservation enforcement was resumed, along with an enhanced focus on sensitive fish stocks. Apparently as a result of increased effort, the number of resource violations detected substantially rebounded during calendar years 2000 and 2001 (Figure 6). In 2002 violations were reduced at a dramatic rate but in 2003 violations increased to the highest in eight years. Additional years of monitoring &

evaluation will be needed to clarify the probable cause-effect relationships underlying these trends.

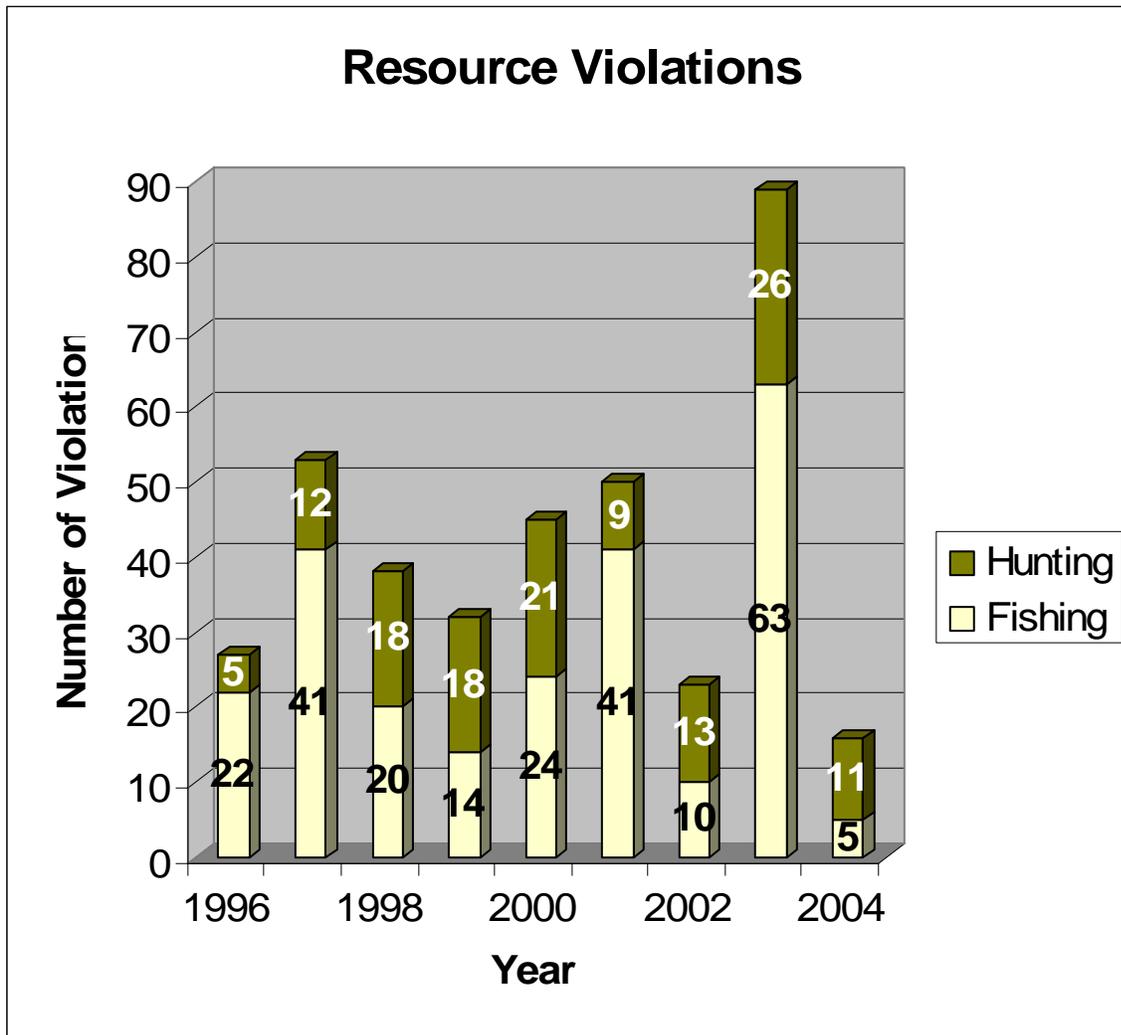


Figure 6. Hunting and fishing violations handled by NPT Conservation Officers, CY 1996 to 2004.

FY2001 Performance Period – April 2003 through March 2004

Specific enforcement statistics for the FY 2003 performance period are summarized by quarter in Tables 4-9, and the complete array of law enforcement statistics are listed by month, April 2003 to March 2004, in Appendix 2. Fishing seasons and closures covered by NPT Conservation Enforcement for the period April 2003 through March 2004 are tabulated in Appendix 3.

Total NPT-CE officer patrol effort from BPA Project 2000-055 during years 2000-2004 is compared to the previous 1997 (Project 92-024) average effort (Figure 7). The total four-year officer patrol effort includes 14,739 vehicle hours and 70 boat hours. The annual patrol effort was 2,796 hours in 1997, 2,488 hours in CY 2000 and 4,119 in CY 2001. Year 2002 is 5,646 hrs, year 2003 is 4,318 hrs and in 2004 678 hrs.

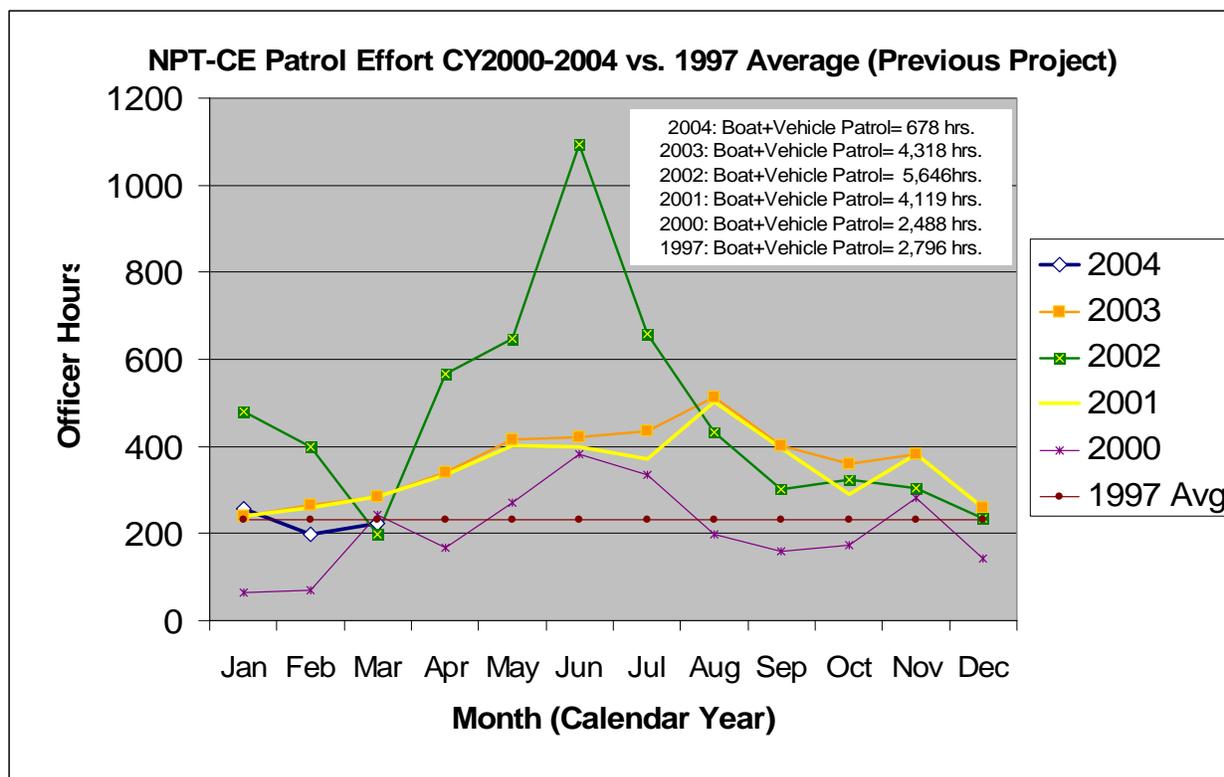


Figure 7. Total NPT-CE officer patrol effort (vehicle + boat patrol hours) during years 2000-2004 – compared the previous 1997 Project average effort.

From April 2003 to March 2004, NPT officers made a total of 2,177 contacts with resource users (Table 4). The majority of these enforcement contacts – 1,404 or 64% – were made with Nez Perce Tribal Members. The time period of maximum conservation enforcement contacts during FY 2001 was April-June (970 contacts) – corresponding to major fishing seasons in tributary regions.

Table 4. NPT conservation enforcement contact statistics (tribal versus non-tribal) for the FY2003 performance period, i.e., April 2003 through March 2004.

Contact Category (number)	Quarter 2 April-June 2003	Quarter 3 July-September 2003	Quarter 4 October-December 2003	Quarter 1 January-March 2004	FY 2003 TOTAL (Q2-2003 to Q1-2004)	Percent by Category
Tribal Contacts	2363	741	132	126	3362	77%
Non-Tribal Contacts	328	173	368	153	1022	23%
Total Contacts	2691	914	500	279	4384	100%

In general total NPT officer patrol effort (boat + vehicle hours) is correlated with the total number of contacts between enforcement officers and all resource users (tribal + non-tribal). The time series comparison of these two output statistics during the FY2003 performance period is presented in Figure 8.

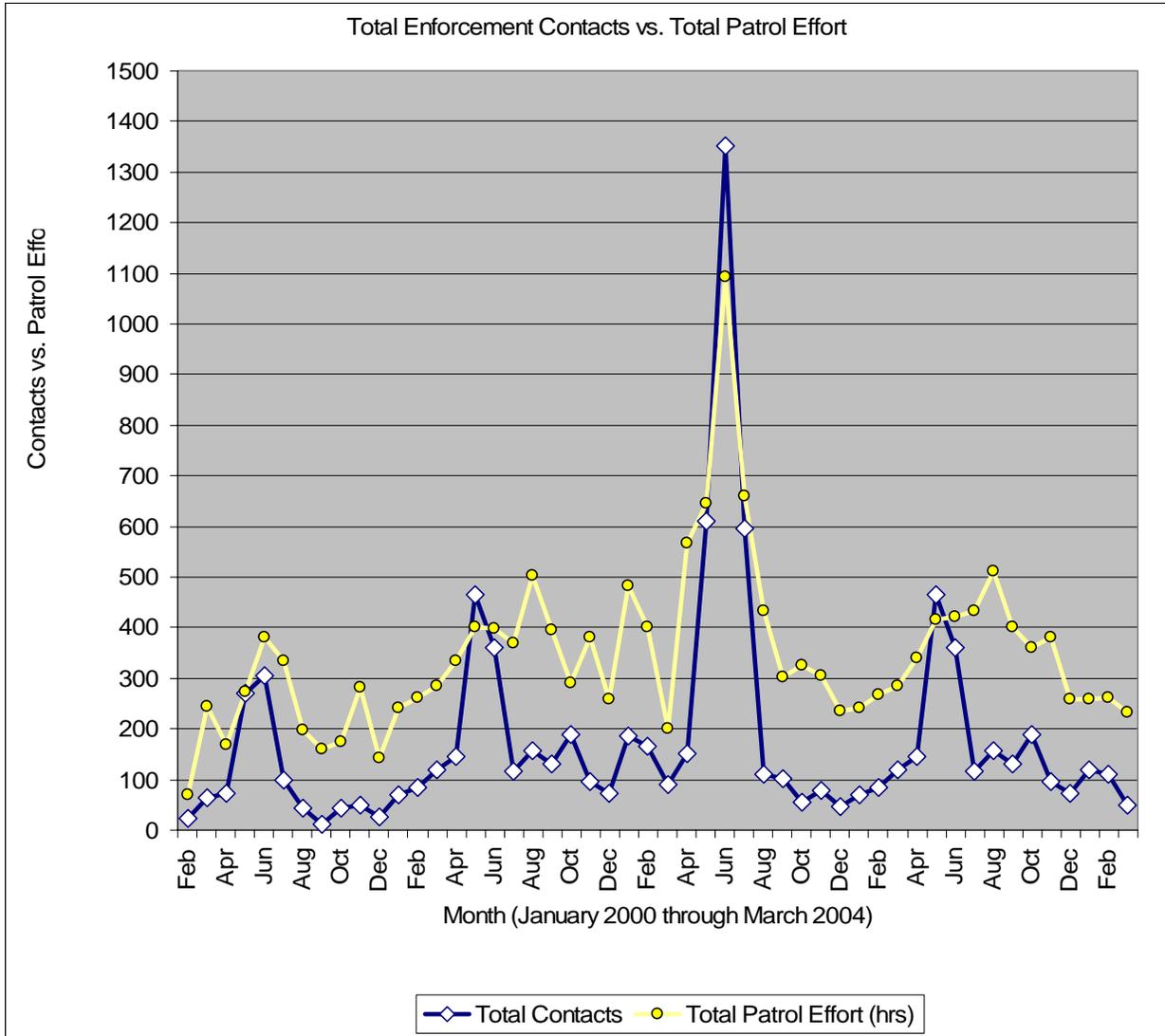


Figure 8. Total NPT-CE patrol effort (officer hours on vehicle and boat patrols) compared to the total number of contacts between enforcement officers and resource users – January 2000 through March 2004.

The overall level of NPT enforcement actions during the quarters enhanced by BPA funding (April 2000 to March 2004) was substantially higher than that of the preceding time period (Figure 9). For example, the total number of enforcement actions for the first quarter of 2000 (pre-project) was 39 – compared to 101 during the same time period in 2001, and 207 during

January-March, 2001. The temporal pattern of violations and warnings issued by NPT officers was similar to the contact statistics described in the previous section. That is, the time period of maximum violations and warnings was during the April-June of 2001 and 2002 -- corresponding to fishing seasons in the river systems of the Mountain Snake Province.

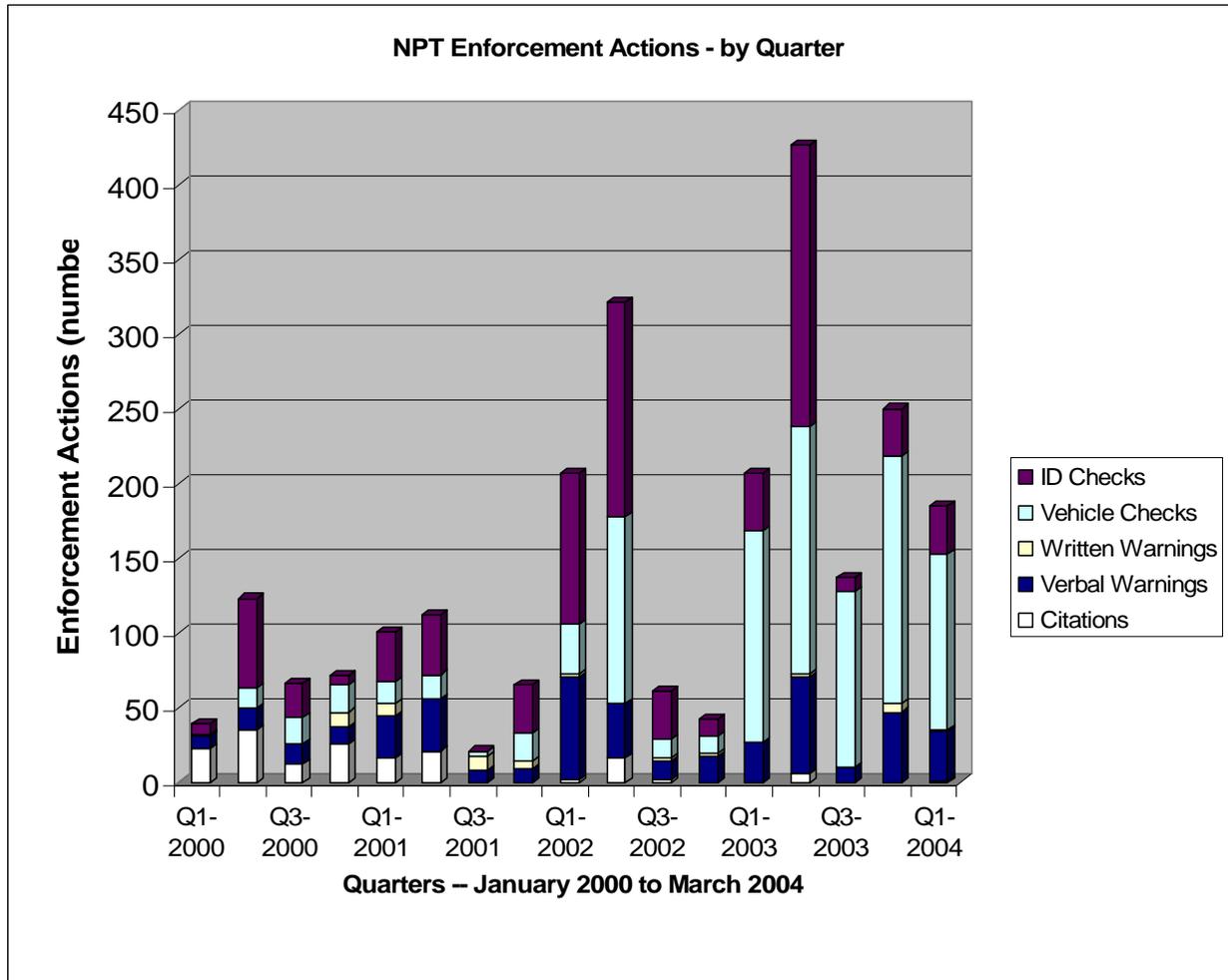


Figure 9. Enforcement actions (checks, warnings & citations) made by NPT Conservation Officers, summarized by quarter – January 2000 through March 2004.

From April 2003 to March 2004, NPT officers made 998 enforcement actions during the FY2003 performance period – including a total of 7 citations and 164 warnings (Table 5). Officers also ran 566 vehicle checks and 261 identification checks during the FY2003 performance period.

Table 5. NPT conservation law enforcement actions taken (citations, warnings and checks) the FY2001 performance period, i.e., April 2003 through March 2004.

Citations, Warnings & Checks (number)	Quarter 2 April-June 2003	Quarter 3 July-September 2003	Quarter 4 October-December 2003	Quarter 1 January-March 2004	FY 2003 TOTAL (Q2-2003 to Q1- 2004)
Citations Issued	6	0	0	1	7
Verbal Warnings	64	10	47	33	154
Written Warnings	3	0	6	1	10
Vehicle Checks	165	118	165	118	566
ID Checks	188	9	32	32	261
Total	426	137	250	185	998

During the FY2003 performance period (April 2003 to March 2004), NPT officers issued 171 citations and warnings (Figure 10).

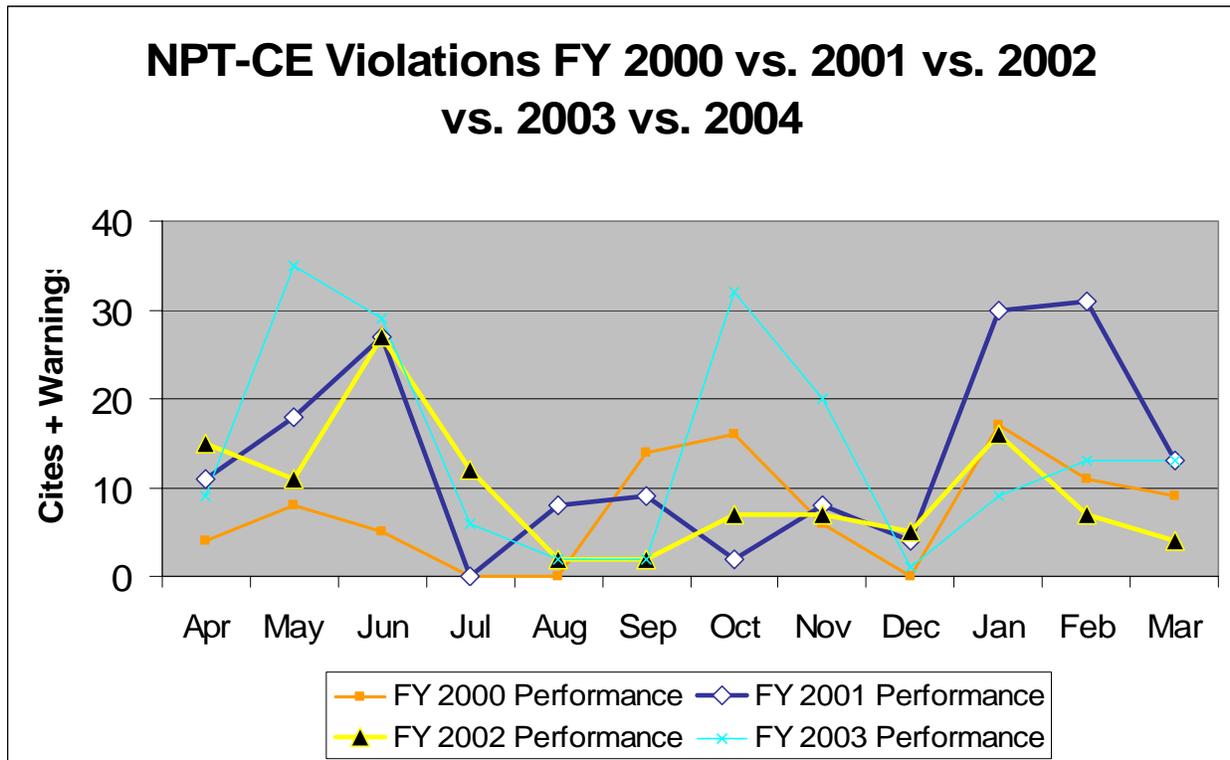


Figure 10. Total citations, written warnings and verbal warnings issued by NPT-CE Officers during the FY2003 performance period – April 2003 through March 2004 – compared the FY2002 performance period.

We calculated compliance rates² from NPT conservation law enforcement action statistics (violations and/or warnings) as a percent of total contacts, by quarter, for the period April 2003 through March 2004 (Table 6). Compliance rate based on resource violations (hunting, fishing and trespass) was 59.4% in Quarter 1; 96.7% in Quarter 2; 98.6% in Quarter 4, 59.4%.

Table 6. Mean compliance rates calculated from NPT conservation law enforcement action statistics (violations and warnings) as a percent of total contacts – for the FY2003 performance period, i.e., April 2003 through March 2004.

Average Compliance Rate (CR) and Sample Size (n)	FY2003 Performance Period				
	Q2-2003	Q3-2003	Q4-2003	Q1-2004	Total
C.R. Based on Violations only:	100.0%	100.0%	100.0%	74.4%	93.6%
C.R. Based on Violations + Warnings:	96.7%	98.6%	84.7%	59.4%	84.9%
Total Contacts (n):	2,691	914	500	279	4,384

² Two compliance rates were calculated for a specified time period: (1) violations/total contacts, and (2) violations+warnings/total contacts – expressed as a percentage. The compliance rate based on violations only is probably the more consistent statistic for temporal comparisons because it excludes the infractions that are considered to be in the “gray area”, have extenuating circumstances, or are less damaging to the resource – based on the conservation officers’ subjective judgment.

The monthly time-series in violation compliance rates is illustrated in Figure 11. The overall average compliance rate was 84.9 percent for during FY 2003.

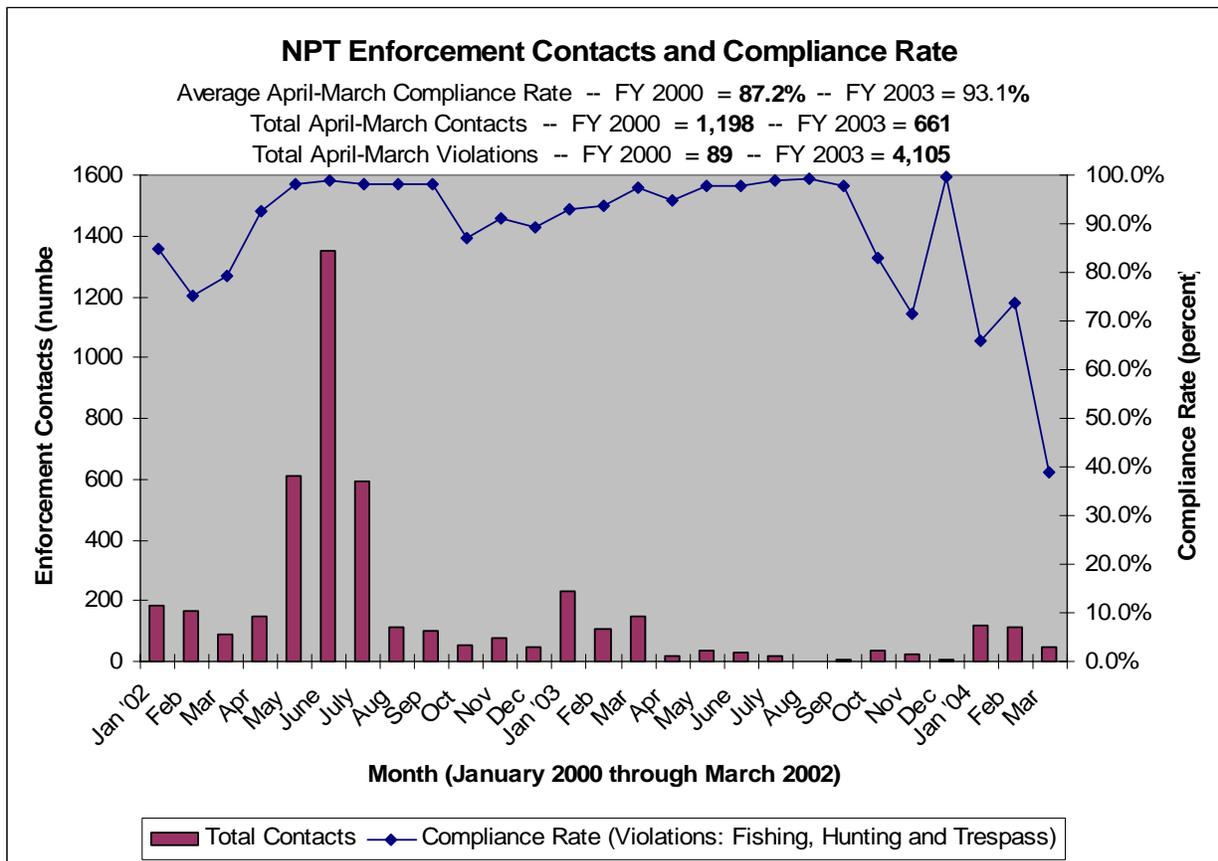


Figure 11. Monthly compliance rates calculated from NPT conservation law enforcement violations as a percent of total enforcement contacts – for the period January 2000 through March 2004.

It is noteworthy that the two months of lowest compliance (January and September 2000) were based on a relatively low number of enforcement contacts (i.e., low sample size). The compliance rate statistic may be unreliable during periods of low sample size (e.g., less than 25 enforcement contacts) since the detection or non-detection of just a few violations would substantially change the rate.

On a temporal basis, the total number of violations is generally correlated with the total number of calls to duty (cases) documented by NPT enforcement personnel each month. The time series comparison of these two output statistics during the FY2004 performance period is presented in Figure 12. During FY2000, 89 violations were documented – out of 149 total cases initiated, i.e., a validity rate of about 60 percent. For the period April 2003 through March 2004, 180 violations were documented – out of 289 total cases initiated, i.e., a validity rate of about 62 percent.

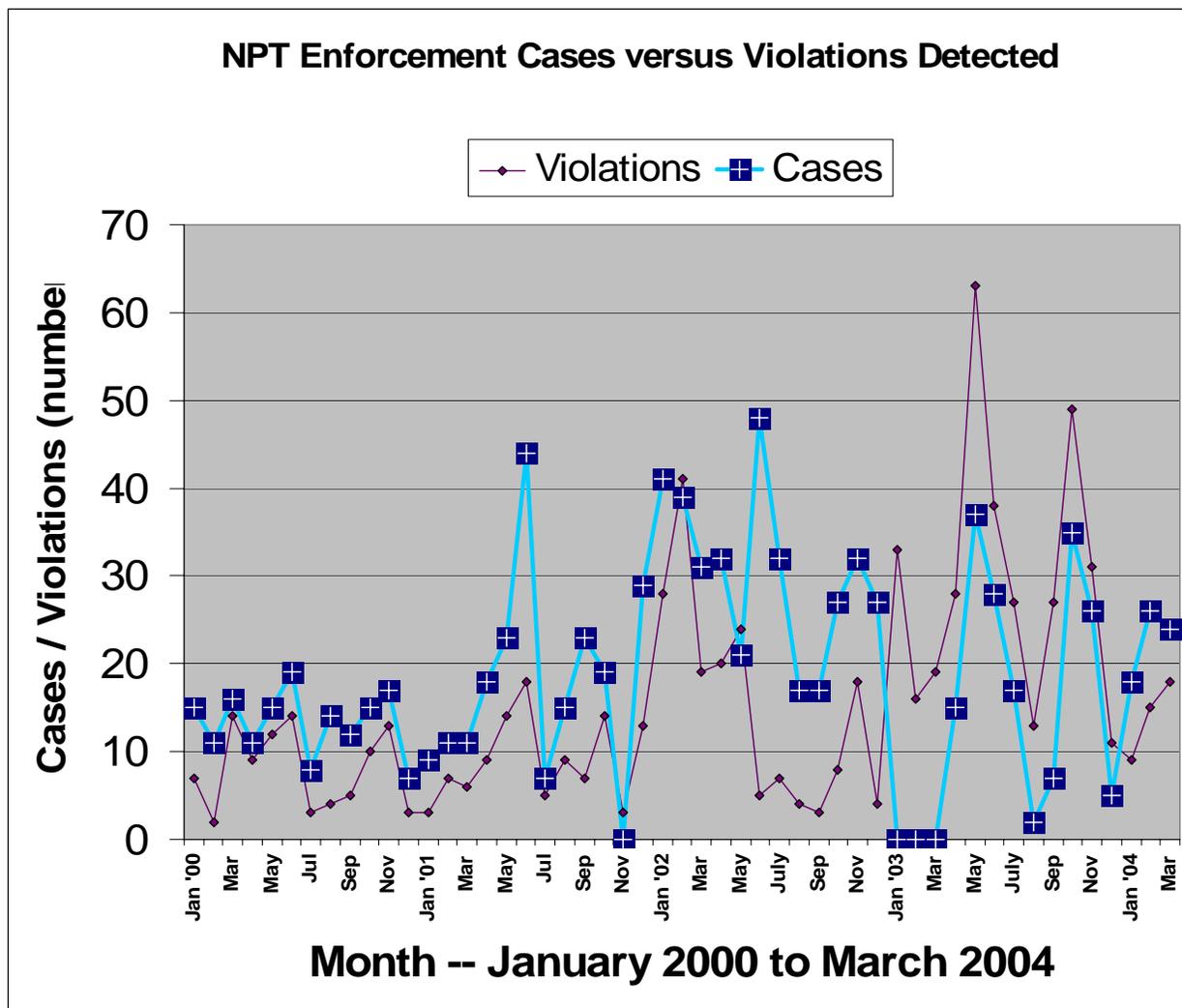


Figure 12. The total number of resource violations compared with the total number of cases documented by NPT officers – January 2000 through March 2004.

A substantial proportion of cases are developed from telephone tips from the public taken by NPT enforcement dispatchers. Cases can also be initiated by “discovery” – i.e., field officers finding physical evidence or direct observation of resource violations. Regardless of the origin

of a case that is opened by enforcement personnel, it will ultimately be determined by the investigating officer to be either unfounded or to be a valid violation.

NPT conservation enforcement patrols areas are delineated according to the following watersheds: Snake River below Lewiston (1K); Clearwater River (1L); Snake River above Lewiston (1M); Salmon River (1N); Grande Ronde River (1P); and Imnaha River (1Q). These areas and codes are consistent with the Columbia Basin Law Enforcement Council database compiled by the National Marines Fisheries Service during 1992-1997.

During the FY2003 performance period, about 14 hours were spent in boat patrols and 3,664 hours in vehicle patrols. From April 2003 through March 2004, 61 percent of the total vehicle patrol hours were spent in the Clearwater River and 38 percent in the Salmon River (Table 7). The increasing trend in vehicle patrol effort since the enhanced NPT-CE project was implemented in March 2000 is apparent (Figure 13). During the FY2003 performance period, about 14 hours were spent in boat patrols and 3,664 hours in vehicle patrols. From April 2003 through March 2004, 35.7 percent of the total vehicle patrol hours were spent in the Snake River above Lewiston and 21.4 percent in the Salmon River.

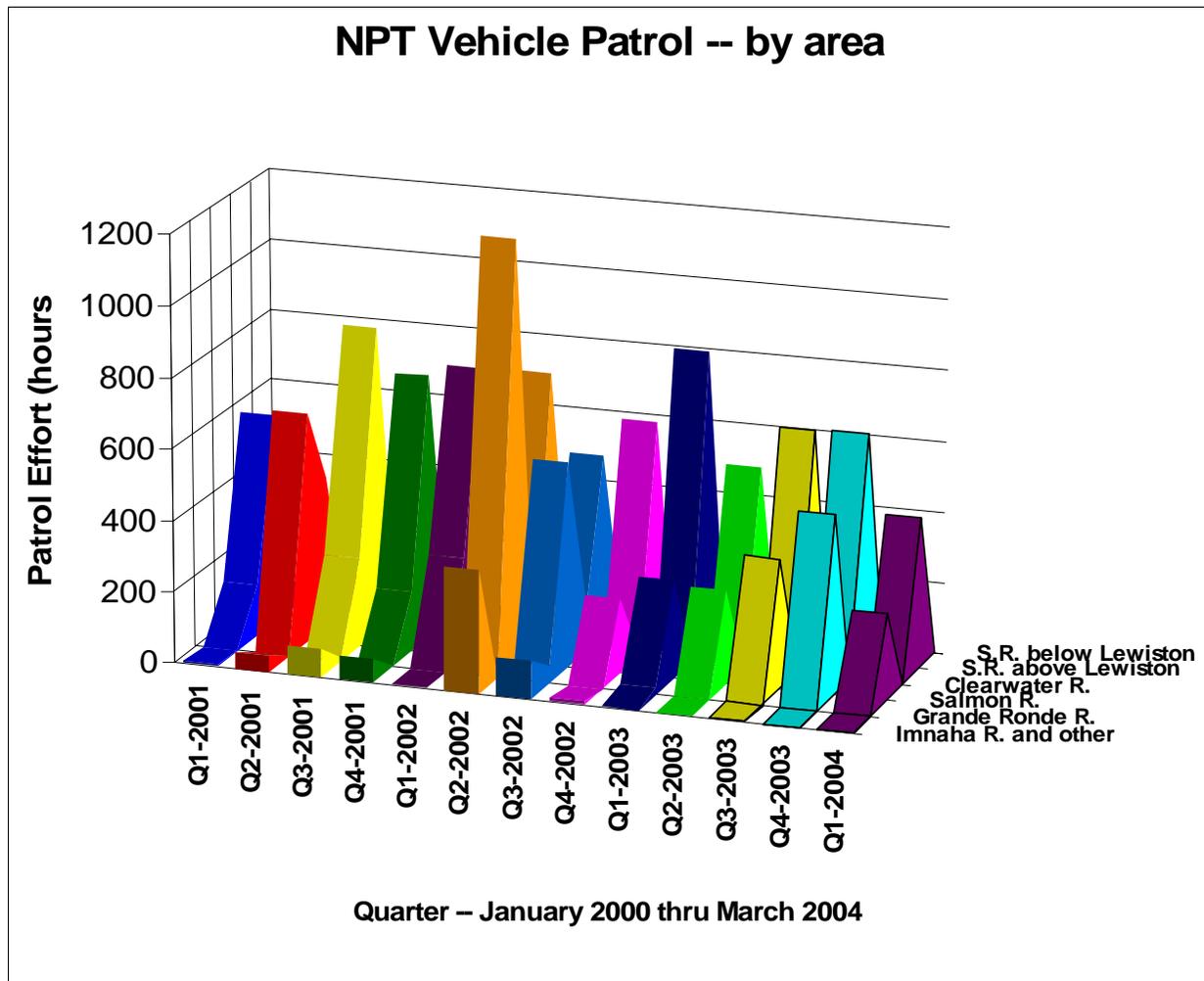


Figure 13. NPT vehicle patrol statistics, by area and quarter -- April 2000 - March 2004.

About 1.0 percent of the vehicle patrol time was allocated to the Snake River – 1.0 percent above Lewiston. Less than 1 percent of the patrol time was spent in the Grande Ronde, Imnaha, and other river basins (Table 7).

Table 7. Vehicle patrol effort by NPT conservation enforcement officers (hours) allocated to specific areas during the FY 2001 performance period, i.e., April 2003 through March 2004.

Patrol Area	Quarter 2 April-June 2003	Quarter 3 July- September 2003	Quarter 4 October- December 2003	Quarter 1 January- March 2004	FY 2003 TOTAL (Q2- 2003 to Q1- 2004)
Snake River below Lewiston	7.00	0.00	0.00	0.00	7.00
Clearwater River	525.70	642.90	645.90	426.00	2240.50
Snake River above Lewiston	9.00	19.00	12.00	0.00	40.00
Salmon River	264.10	365.50	503.00	244.00	1376.60
Grande Ronde River	0.00	0.00	0.00	0.00	0.00
Imnaha River and other areas	0.00	0.00	0.00	0.00	0.00
Total	805.80	1027.40	1160.90	670.00	3664.10

Of the boat patrol time during FY2003, 38 percent on the Snake River above Lewiston and the rest was spread evenly between the Snake River below Lewiston, Salmon River and the Grande Ronde River (Table 8)(Figure 14).

Table 8. Boat patrol effort by NPT conservation enforcement officers (hours) allocated to specific areas during the FY 2003 performance period, i.e., April 2003 through March 2004.

Patrol Area	Quarter 2 April- June 2003	Quarter 3 July-September 2003	Quarter 4 October- December 2003	Quarter 1 January- March 2004	FY 2003 TOTAL (Q2-2003 to Q1- 2004)
Snake River below Lewiston	0.00	3.00	0.00	0.00	3.00
Clearwater River	0.00	0.00	0.00	0.00	0.00
Snake River above Lewiston	0.00	0.00	0.00	5.00	5.00
Salmon River	0.00	0.00	0.00	3.00	3.00
Grande Ronde River	0.00	0.00	0.00	3.00	3.00
Imnaha River and other areas	0.00	0.00	0.00	0.00	0.00
Total	0.00	3.00	0.00	11.00	14.00

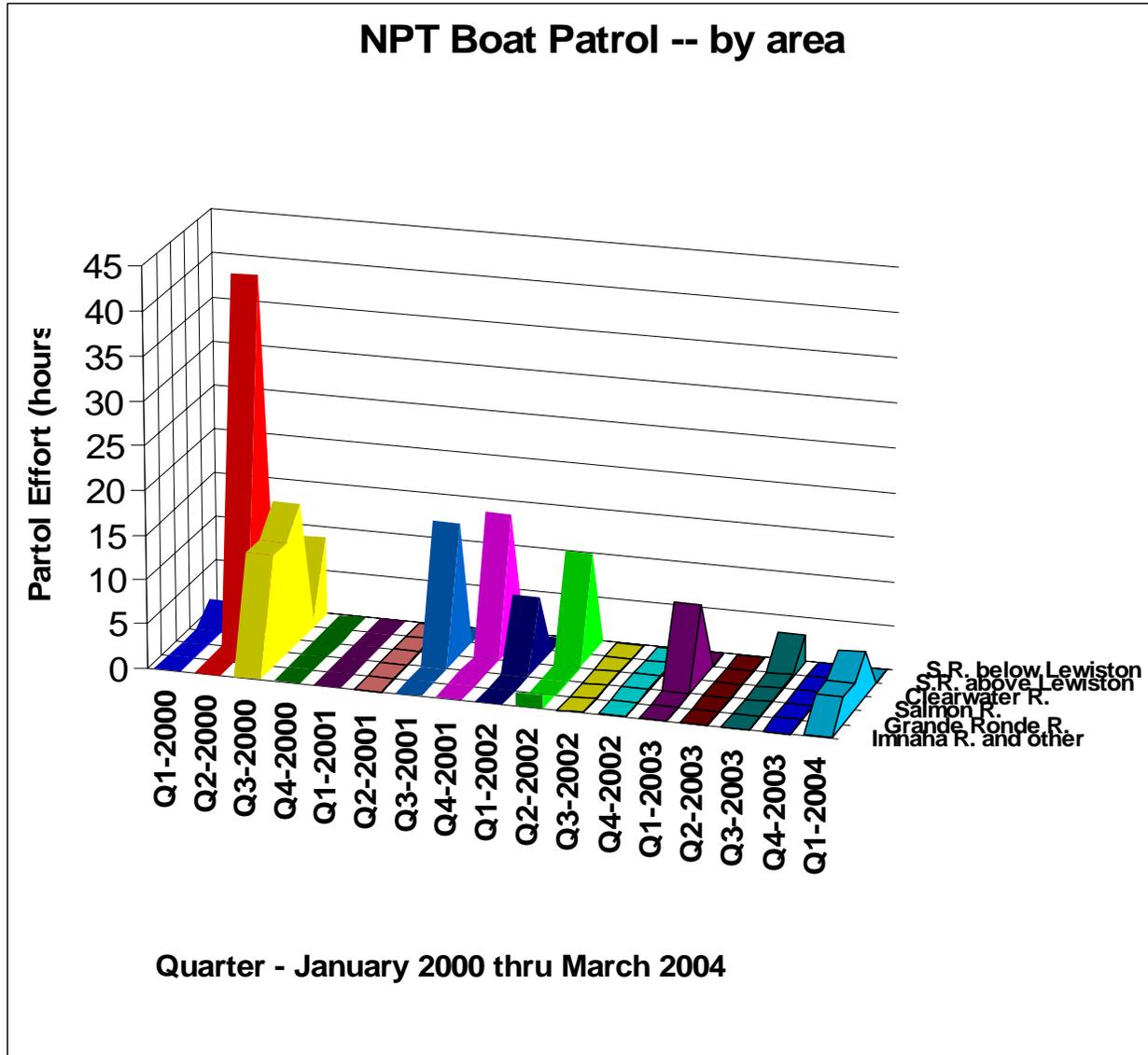


Figure 14. NPT boat patrol statistics, by area and quarter – April 2000 through March 2004.

During FY2003, vehicle patrols comprised about 96.5% of the 3,664 total field patrol effort (Table 9). Boat patrols comprised only 0.4% of the patrol effort; while investigations and surveillance comprised 0.4 and 0.4 percent of total officer field time, respectively.

Table 9. NPT conservation law enforcement patrol effort statistics for the FY2003 performance period, i.e., April 2003 through March 2004.

Patrol Effort Category (hours)	Quarter 2 April-June 2003	Quarter 3 July-September 2003	Quarter 4 October-December 2003	Quarter 1 January-March 2004	FY 2003 TOTAL (Q2-2003 to Q1-2004)
Vehicle Patrol	805.8	1027.4	1160.9	670.0	3664.1
Boat Patrol	0.0	3.0	0.0	11.0	14.0
Surveillance	15.5	0.0	0.0	0.0	15.5
Investigation	4.5	14.0	14.5	71.5	104.5
Total Patrol Effort (hours)	825.8	1044.4	1175.4	752.5	3798.1

Cooperative enforcement actions with other entities – Inter-agency assists, Inter-Tribal assists, and public assists – have been negligible. An effort should be made to re-initiated and enhance inter-agency cooperation and assistance. During the FY 2003 performance period about 0 hours of NPT conservation officer time was allocated to cooperative enforcement with other entities and the public (Table 10). The majority of hours went to Subsistence enforcement with a total 2179 hours.

Table 10. NPT conservation law enforcement statistics (secondary categories) for the FY2003 performance period, i.e., April 2003 through March 2004.

Secondary Category	Quarter 2 April-June 2003	Quarter 3 July-September 2003	Quarter 4 October-December 2003	Quarter 1 January-March 2004	FY 2003 TOTAL (Q2-2003 to Q1-2004)
Inter-Agency	0.0	0.0	0.0	0.0	0.0
Commercial	0.0	0.0	0.0	0.0	0.0
Ceremonial	0.0	0.0	0.0	0.0	0.0
Subsistence	1484.7	694.5	0.0	0.0	2179.2
Public Assist	5.0	10.0	1.0	1.5	17.5
Total	1489.7	704.5	1.0	1.5	2196.7

Training

A list of professional training completed by NPT enforcement personnel during the performance period for FY2003 (April 2003-March 2004) is presented in Appendix 4. In general, conservation enforcement training consists of federal academies and on-the-job training leading to conservation officer certification by the Nez Perce Tribe:

- Indian Police Academy – Bureau of Indian Affairs, Artesia, New Mexico
- Basic Land Management Academy – National Marine Fisheries Service, Glynco, Georgia
- Field Recruit training (officer ride along) – Lapwai, Idaho
- Officer Certification -- Federal Land Management Training Academy³

In addition to basic police training, specialized training for NPT conservation officers includes resource management fundamentals, fish & wildlife biology, Endangered Species Act processes, Federal and State fish & wildlife regulations, NPT fish & Wildlife code, manual & computerized record keeping, physical fitness, hand to hand combat, emergency medical assistance, and search & rescue. In the Quarter 2-2001 M&E progress report, we documented the professional training completed by NPT enforcement personnel for 1996-1999, and the first quarter of year 2001 (refer to the M&E web site www.Eco-Law.net).

Public Outreach

A list of public outreach activities during FY2003 performance period – at which NPT enforcement personnel participated – is presented in Table 11. During these conferences, enforcement officers and dispatchers provided information on fish & wildlife conservation and promoted the goals and objectives of the NPT conservation enforcement department.

Table 11. Public information and outreach activities for Nez Perce Tribal Fisheries Conservation Enforcement, FY2003(April 2003 - March 2004).

Date	Event	Location	Officer
October 31, 2003	Community Halloween Party	Lapwai, ID	Sgt. FiveCrows Cpl. Heath-Simpson Disp. Jayson FiveCrows Disp. Wynter Spencer

³ The Federal Land Management Training Academy is a multi-agency facility for training of federal conservation law enforcement personnel stationed throughout the United States; the National Marine Fisheries Service sponsors the Nez Perce Tribal officers.

November 10, 2003	Elementary School Education Day	Lapwai, ID	Cpl. Heath-Simpson Sgt. Jamie Five Crows
November 19, 2003	White House Christmas Tree Escort through Lapwai	Lapwai, ID	Chief Villavicencio Cpl. Heath-Simpson Officer Bryson Holt Sgt. Jamie Five Crows Disp. Jayson Five Crows
3/21/04	High School Career Fair	Lapwai, ID	Cpl. Heath-Simpson Comm. Sgt. Five Crow

SECTION 2. Logistical Constraints and Adjustments

This section consists of a brief discussion of any major problems encountered during April 2003 – March 2004; including changes in personnel, work plans, or schedule deviations.

Due to rigorous conservation enforcement training requirements, outlined in the previous section, a lag time of at least 6 months is needed before a newly hired law enforcement recruit is transformed into a fully functional certified officer. In order for tribal members to have a real opportunity for employment as NPT conservation enforcement officers, the positions must be offered at the trainee level. That is, a hiring policy that required fully trained and commissioned officers at the entry level would exclude most NPT members that are seeking work. Furthermore, NPT personnel policy requires that hiring of enforcement recruits comply with proper procedures and legal requirements, including tribal preference. Thus, in order to comply with mandated hiring procedures, an initial delay of 1 to 3 months may occur – from the time funding becomes available until a recruit starts work.

Academy and field training of enforcement officer recruits continued throughout the FY 2000-2001 performance period. The logistical difficulty and up-front investment in hiring, training, mentoring, and keeping high quality law enforcement officers stationed at Lapwai, Idaho is directly related to the need for consistent long-term funding. It is very damaging to the NPT Conservation Enforcement program cost-effectiveness – from a personnel and training investment standpoint – when funding is substantially reduced, as it was when BPA funding was withdrawn from January 1998 to March 2000.

When funds are severely restricted enforcement departments generally go into a survival mode – protecting core enforcement personnel and patrol priorities. Thus as a result of arbitrary budget cuts experienced in 1998-99, rigorous conservation enforcement data compilation and reporting

received a lower priority – and ultimately the continuity of data time series needed for effective monitoring & evaluation was lost or diminished.

SECTION 3. Planned Activities

This section consists of a short description of planned activities for the following fiscal year's performance period, i.e., April 1 2003 through March 31, 2004.

- (1) Intensified resource protection patrols – maintain high level of effort;
- (2) Seek opportunity for purchasing a new patrol boat and conduct more boat patrols;
- (3) Seek opportunity for aircraft patrols;
- (4) Seek opportunity for more cooperative inter-agency patrols;
- (5) Office training on field data collection and data base transfer protocols;
- (6) Training for enforcement officers – improve KSAs on specialized enforcement areas including ESA issues, computer skills, fishery information, search & rescue; and
- (7) Monitoring and evaluation data compilation and analyses.

Tribal fisheries, under the jurisdiction of the Nez Perce Tribe, planned for FY2003 (April 2003 – March 2004) are listed in Table 12.

Table 12. NPT fisheries planned or projected for the fiscal year 2003 performance period, i.e., April 1, 2003 through March 31, 2004; these projected seasons are approximate and provisional, based on actual seasons that occurred during the previous year.

Location	Species	Date (Open/Close)
Fisheries Starting Quarter 2 (April-June) 2003		
Zone6	Sturgeon	April 2003
Rapid River	Steelhead / Bull trout	Closed May 2003
Rapid River	Chinook	June 2003
Tunnel Ponds	Trout	April-October 2003
Within NPT Treaty 1855 ICC	Bull trout (Dolly Varden)	Closed: May 2003
Clearwater within 1855 Boundaries	Chinook Salmon	April to August 2003
Fisheries Starting Quarter 3 (July-September) 2003		
Zone 6	Sturgeon, Chinook Salmon, Steelhead, Walleye, and Shad	September 2003
Fisheries Starting Quarter 4 (October-December) 2003		
John Day Pool Only	Sturgeon	October 2003
Clearwater River	Steelhead (fall)	October - December 2003
Fisheries Starting Quarter 1 (January-March) 2004		
Zone6	Sturgeon	January – March 2004
Clearwater River	Steelhead	January – April 2004
Clearwater River	Salmon	March – July 2004
Snake River	Salmon	March – July 2004
Imnaha River	Salmon	March – July 2004
Tucannon River	Salmon	March – July 2004
Rapid River	Chinook	March – August 2004
Zone6	Salmon	March – April 2004
Tunnel Ponds	Trout	March 2004

SECTION 4. Non expendable property

This section provides an itemized list of Non-expendable property (cost greater than \$3,000) procured under this contract and each designated sensitive item purchased during the FY 2003 performance period. The quarterly procurement information for April 1, 2002 through March 31, 2003 is listed in Table 13.

Table 13. Non-expendable property (cost greater than \$3,000) and “sensitive items” procured under this contract during the FY 2003 implementation period -- April 1, 2003 through March 31, 2004

Quarter - Year	Non-Expendable	Sensitive Items	Total Cost
Q2 – 2003	None	None	\$0.00
Q3 – 2003	None	None	\$0.00
Q4 – 2003	None	None	\$0.00
Q1 – 2004	None	None	\$0.00
Total Expenditure	None	None	\$0.00

During the FY 2003 performance period, No non-expendable property were purchased and no designated sensitive items were purchased.

APPENDICES

Appendix 1.1. Nez Perce Tribal Conservation Enforcement (CE) positions, full time equivalents (FTE), and job descriptions.

Position	FTE	Job Description
Chief	1.0	Overall administration and command of the fisheries / conservation enforcement program. The Chief is responsible for planning and directing all facets of the enforcement program, providing leadership and direction to all tribal enforcement personnel, directing an office staff and a team of supervisory and field level enforcement officers engaged in the patrol and investigation, apprehension and detention of persons violating Tribal, and Federal conservation, Fish and Wildlife law of the United States. These activities involve the full range of enforcement work, i.e., interviewing suspects and witnesses; conducting searches and seizures with and without warrants; securing and serving search warrants; making arrests detaining suspects; gathering and preserving evidence; preparing documentation for court actions. The Chief monitors enforcement operations, regularly evaluates the efficiency and effectiveness of accomplishments and independently adjusts priorities as necessary. The enforcement program commander ensures that fish and wildlife law enforcement activities are coordinated with other Tribal, Federal and State enforcement agencies for maximum impact as needed.
Comm. Sergeant	1.0	Supervises communications operations for Fisheries/Conservation. Works with the Chief to ensure proper operations within this division. Supervises subordinate employees (dispatchers), and provides leadership to them. Provides overall administrative functions for the department. The Communications Sergeant also has the same duties as dispatchers as outlined below.
Corporals	2.0	Same as officer's job description (below), with the additional responsibility of field supervision, and all field operations on a daily basis. Keeps the Chief apprised of any needed developments. Acts as a liaison between command and front line officers.
Conservation Officers	5.0	Conducts routine patrols of assigned territories, such as rivers, lakes, streams, forests, and wildlife management areas, to ensure compliance with tribal laws and regulations concerning the protection of natural and cultural resources.
Dispatchers	3.0	Monitors all radio communications and answers incoming telephone calls, gathers specific information in accordance with established protocols and procedures. Dispatches conservation officers to specific locations and provides information to other agencies as needed. Dispatchers also maintain accurate radio, telephone, and desk logs.
Total	12	All aspects of tribal conservation enforcement.

Appendix 1.2. Law enforcement positions, personnel and funding support during FY2002.

Position	Name	BPA-FTE	BIA-FTE
Chief	Adam A. Villavicencio	0.5	0.5
Communications Sergeant	Tisha Whitman	0.75	0.25
Field Corporal	April Heath-Simpson	0.607	0.393
Field Corporal	A.K. Scott	0.607	0.393
Field Officer	Wayde WhiteEagle	0.607	0.393
Field Officer	Doug Bisbee	0.607	0.393
Field Officer	Bryson Holt	0.607	0.393
Field Officer	Jerrid Weaskus	0.607	0.393
Field Officer	Mary Wak Wak	0.607	0.393
Dispatcher	Montia Wilson	0.75	0.25
Dispatcher	Jaime Five Crows	0.75	0.25
Dispatcher	Gibb Scott	0.75	0.25
Total		7.75	4.25

Appendix 2. FY2003 performance period NPT conservation law enforcement statistics, April 2003 - March 2004.

Category ⁴	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan '04	Feb	Mar
Cites Issued	0	6	0	0	0	0	0	0	0	0.0	1.0	0.0
Verbal Warnings	8	28	28	6	2	2	28	18	1	9.0	11.0	13.0
Written Warnings	1	1	1	0	0	0	4	2	0	0.0	1.0	0.0
Vehicle Checks	50	63	52	33	38	47	74	61	30	24.0	58.0	36.0
ID Checks	74	64	50	9	0	0	18	10	4	4.0	17.0	11.0
Tribal Contacts	58	1164	1141	554	128	59	82	30	20	42.0	64.0	20.0
Non-Tribal Contacts	116	84	128	36	105	32	106	40	222	78.0	46.0	29.0
Vehicle Patrol 1K	0	7	0	0	0	0	0	0	0	0.0	0.0	0.0
Boat Patrol 1K	0	0	0	0	3	0	0	0	0	0.0	0.0	0.0
Vehicle Patrol 1L	389.9	125.8	10	146.6	311.5	184.8	379.9	143	123	140.0	155.0	131.0
Boat Patrol 1L	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Vehicle Patrol 1M	9	0	0	0	10	9	12	0	0	0.0	0.0	0.0
Boat Patrol 1M	0	0	0	0	0	0	0	0	0	0.0	0.0	5.0
Vehicle Patrol 1N	58.85	194.25	11	32	218	115.5	168.5	239	95.5	116.0	44.0	84.0
Boat Patrol 1N	0	0	0	0	0	0	0	0	0	0.0	0.0	3.0
Vehicle Patrol 1P	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Boat Patrol Other	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Vehicle Patrol Other	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Surveillance	0	15.5	0	0	0	0	0	0	0	0.0	0.0	0.0
Inter-Agency	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Commercial	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Ceremonial	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0
Subsistence	0	485.5	999.2	686.5	8	0	0	0	0	0.0	0.0	0.0
Investigation	3.5	0	1	7.5	0.5	6	2	6	6.5	2.0	61.0	8.5
Public Assist	3	2	0	0	10	0	1	0	0	0.0	0.5	1.0
Reports/Data Entry	125	73.4	19.5	31.4	57.1	36	60.1	93	93.5	51.0	28.0	59.0
Training	2.25	0	1.3	2.3	0	0	0	12.5	32	1.5	0.0	0.0
Total Office (Report+Data+Training)	127.25	73.4	20.8	33.7	57.1	36	61.1	93	93.5	52.5	28	59

⁴ Area Codes & Descriptions: 1K, Snake River below Lewiston; 1L, Clearwater River; 1M, Snake River above Lewiston; 1N, Salmon River; 1P, Grande Ronde River; 1Q, Imnaha River.

Appendix 3. Fishing seasons enforced by the Nez Perce Tribal Conservation Enforcement Department, April 2003 - March 2004.

Appendix Table 3.1. Fishing seasons enforced by the Nez Perce Tribal Conservation Enforcement Department, Quarter 2: April 1 through June 31, 2003.

Location	Species	Date (Open/Close)
Clearwater River (Sportsman)	Spring Chinook Salmon	April 12 thru July 6, 2003
Columbia River- Zone 6 (Commercial Fishery)	Spring Chinook Salmon	April 24 thru April 26, 2003
Columbia River- Zone 6 (Commercial Gillnet)	Spring Chinook Salmon	May 22 thru May 24, 2003
North Fork Clearwater, Rapid River, & South Fork of Salmon (allowed sales)	Spring Chinook Salmon	May 28 thru August 7, 2003
Clear Creek- Closure	Spring Chinook Salmon	May 27, 2003
Clear Creek - Reopening	Spring Chinook Salmon	June 21 thru August 7, 2003

Appendix Table 3.2. Fishing seasons enforced by the Nez Perce Tribal Conservation Enforcement Department, Quarter 3: July-September 2003.

Location	Species	Date (Open/Close)
Columbia River- Zone 6 (Commercial gillnet)	Summer Chinook Salmon	July 21 thru July 23, 2003
Closure- Imnaha River	Spring Chinook Salmon	Closed July 26, 2003
Snake River Basin (Clearwater, Salmon, Snake, Grande Ronde river subbasins) Closure	Spring & Summer Chinook Salmon	August 7, 2003
Columbia River- Zone 6	Sturgeon setline fishery	Closed August 12, 2003
Columbia River- Zone 6	Sturgeon	August 14- until closed

Commercial sales		
Clearwater River (Sportsman) catch & release	Fall Steelhead	August 1 thru October 14, 2003
Columbia River- Zone 6 (Commercial Gillnet)	Fall Chinook Salmon	September 16 thru September 20, 2003
Rapid River	Spring Chinook Salmon	Closure July 17, 2003

Appendix Table 3.3. Fishing seasons enforced by the Nez Perce Tribal Conservation Enforcement Department, Quarter 4: October-December 2003.

Location	Species	Date (Open/Close)
Columbia River- Zone 6	Fall Chinook Salmon	October 1 thru October 4, 2003
Clearwater River (sportsman catch & keep)	Fall Steelhead	October 15 thru December 31, 2003

Appendix Table 3.4. Fishing seasons enforced by the Nez Perce Tribal Conservation Enforcement Department, Quarter 1 January-March 2004.

Location	Species	Date (Open/Close)
Nez Perce Indian Reservation-Clearwater River- Sports Fishermen	Spring Steelhead	January 1 through April 30, 2004
Zone-6 Commercial Gillnet	Sturgeon	February 2 thru March 21, 2004

Appendix 4. Training courses and academies for Nez Perce Tribal Conservation Enforcement personnel, April 2003 - May 2004.

Appendix Table 4.1. Training courses and academies completed by Nez Perce Tribal Conservation Enforcement personnel, Quarter 2: April 1 through June 31, 2003.

Quarter 2 -- Year 2003				
Dates	Course/Training	Location	Status	Officer
No training occurred during this quarter				

Appendix Table 4.2. Training courses and academies completed by Nez Perce Tribal Conservation Enforcement Department, Quarter 3: July-September 2003.

Quarter 3 -- Year 2003				
Dates	Course/Training	Location	Status	Officer
Aug. 25- Sept. 11, 2003	Basic Telecommunications Operator Training Program	Artesia, NM	Completed	Comm. Officer Wynter Spence r

* There were no training courses taken during this quarter due to the fact that during these summer months is when the NPT-CE department is very busy with fishing seasons.

Appendix Table 4.3. Training courses and academies completed by Nez Perce Tribal Conservation Enforcement Department, Quarter 4: October-December 2003.

Quarter 4 -- Year 2003				
Dates	Course/Training	Location	Status	Officer
No training occurred during this quarter				

Appendix Table 4.4. Training courses and academies completed by Nez Perce Tribal Conservation Enforcement Department, Quarter 1: January-March 2004.

Quarter 1 -- Year 2004				
Dates	Course/Training	Location	Status	Officer
Due to budget shortfalls no staff was able to attend any training for Quarter 1 2004				

