

**TRIBAL COUNCIL MEETING MINUTES
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD INDIAN NATION, MONTANA**

Volume 24 Number 28
Council Chambers, Pablo, MT

Held: February 8, 2024
Approved: February 13, 2024

MEMBERS PRESENT: Tom McDonald, Vice-Chairman; Martin Charlo, Secretary; James Steele, Jr., Treasurer; Jennifer Finley; Jim Malatare; Danielle Matt; James “Bing” Matt; and Len TwoTeeth.

MEMBERS ABSENT: Mike Dolson, Chairman (Negotiated Rulemaking – Washington, DC); and Carole Lankford (Personal Time Off).

OTHERS PRESENT: Jennifer Trahan, Tribal Council Support; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:11 a.m. Quorum established. **Martin Charlo** will be attending the Western Montana Conservation Conference in Polson today and will join the meeting later this afternoon.

The meeting was opened with a **prayer** by Jim Malatare.

The **Tribal Council Meeting Minutes** for February 6, 2024 were presented for approval.

MOTION by James Steele, Jr. to approve the Tribal Council Meeting Minutes for February 6, 2024, with corrections. Seconded by Jennifer Finley. Carried, 6 for; 1 abstention (Jim Malatare).

The **agenda** was presented for approval.

MOTION by Bing Matt to approve the agenda, with changes. Seconded by Jennifer Finley. Carried, unanimous (7 present).

Tom McDonald discussed an opportunity for someone to attend the Energy Conference to get some energy funding, and he wants a representative to attend the conference. Tom encouraged representation from Misson Valley Power, and there is funding available to send Zack Camel. There can be funding available if anyone else wants to attend. The meeting will be February 27-28 in San Diego, California. Tom would like to have Rick Eneas attend if nobody from Mission

Valley Power will go. It was the **consensus** of council to have Zack Camel attend the conference and if he is not available to send Rick Eneas.

Jesse Nenemay discussed his concerns regarding the fish being harvested, flowering rush herbicide, our native language, enrollment, and the river. Our cultural resources need to be protected. Jesse suggested including other Indian blood for enrollment eligibility. He does not support off-roading on our rivers. **Tom McDonald** asked Jesse to provide his contact information to Chauncy Means regarding the Flathead Lake Herbicide program. The council has agreed to form a subcommittee for enrollment. The Tribes are developing a cultural ordinance for Lower Flathead River, which could address grazing. Off-roading is already an illegal activity, so it may be an enforcement issue. Jesse discussed the primitive areas, and thought there should be one in the middle since all three Tribes signed the Treaty so there would be three different areas for tribal members to go and animals could be safe. Ferry Basin would be a good spot for that. We should be keeping our lands free. It takes three months to learn the language in an immersion setting and we need more. We are not a people unless we can speak our language and practice our cultural ways. He suggested having gyms and community spaces in each community. Jesse thought working ten-hour days was too much for our tribal members. We should promote health within our tribal system. Tribal people have PTSD from the Ursulines and live with the scars. The Ursulines were entrusted with our children, and there are some unmarked graves in St. Ignatius. We need to support our people. Our young people need to know who they are and learn the language. Jesse would like the fences taken down and allow the bison to run free.

Richard Lozeau discussed a homeless shelter project going on in the Dixon Agency. He attended a meeting that addressed the community's concerns. The community is concerned about the safety of their children and families. There is concern about the homelessness, drug activity, fighting, screaming, the lack of stores, limited medical access, and lack of resources. The community wants Dixon to remain a quiet and safe place and does not want to be treated like a wasteland. **Allie Bigcrane** discussed her concerns and did not think a homeless shelter at the Dixon Agency would be a safe choice. **Tom McDonald** clarified that the CSKT has no intention of having a homeless shelter in the Dixon Agency. He appreciated the community coming together as one.

Chauncey Means, Natural Resources Department, requested approval of the CSKT Water Quality Program Triennial Review and adoption of the water quality standards for 2024. The program undergoes this review every three years. No public comments were received. Once the standards are approved by EPA and CSKT, it will become law.

MOTION by James Steele, Jr. to approve the triannual Water Quality Program Water Quality Standards for 2024. Seconded by Danielle Matt. Carried, unanimous (6 present – Len TwoTeeth out of the room).

Tom McDonald discussed Jesse Nenemay’s concerns regarding the Salish Kootenai College demonstration project. Tom’s concern has always been why SKC is not going to the source to irradiate it. **Chauncy Means** stated they are in the process of issuing a request for proposals for contractors to do the application. There are 62 miles of applications, which are all small sections no larger than three acres each. The main amount of flowering rush is located at East Bay off Ducharme Point. Virgil Dupuis has been working on this project for the past several years and he must go through the Water Quality program to get an EPA permit. The staff can speak to Virgil about the type of herbicide he is using and make sure he is applying it appropriately. Chauncey can have his staff work with Virgil to make sure the permit is being followed correctly.

Shawn DeFrance, Tribal Forestry; **Mo Essen**, United States Forest Service; and **Katie McDonald**, Tribal Relations Specialist; discussed stewardships with various programs and the tribal values involved in these projects. Mo Essen gave an overview of the objectives of three projects. Project #1. Opportunities for Growing Representative Justice Among Strategic Partnerships project. The project objectives are (1) identify who is active in land stewardship in area and who is missing; (2) map areas of the landscape that these groups focus their activities; and (3) identify group priorities and better understand how they contribute to supporting the above priorities. **Tom McDonald** had some questions about that project; the entire landscape is tribal land. Project #2. Equitable Distribution of Benefits from Historic All-Lands Fuel Treatments. The project objectives are (1) understand who has benefited from fuel treatments across all lands; (2) identify cultural priorities to include related to fire; and (3) identify previous investments to strategically inform future investments to support the above priorities. **Tom McDonald** wanted to know if they also consider who is not benefiting and asked if wildlife will be represented. Mo responded that it only considers structures, but any other items of importance can be included in the analysis. Project #3. Missed Opportunities Toward Procedural Justice: Filling the Gaps in Community-Level Social Vulnerability. The project objectives are (1) understand what is missing from current tools associated with social and cultural components of adaptive capacity; and (2) beginning with existing tools and build a replicable methodology. **Bing Matt** would like Katie to follow up on what is taking so long to complete the study so timber sales can be completed. Mo advised there will be opportunities to bring up issues of concern during the consultations.

***** **Break** *****

Filip Panusz, Greg DuMontier and **Roberta Steele**, Arlee Rehabilitation Center, gave an update on services provided to reservation communities and the announcement of the 2024 clinics. Shane Morigeau, Jill Valley and Betty Fyant have joined the Board of Directors. Council was invited to the Third Annual Banquet and Gala scheduled for February 24, 2024, at the Missoula Downtown Holiday Inn, from 4:30 p.m. to 9:00 p.m. The sponsorship levels are \$85 for an individual seat; \$500 for five dinner seats with marketing; and \$1,000.00 for 10 dinner seats with perks. ARC would like a tribal land lease consisting of 15-30 acres to be used as a healing site. There was a potential site of interest but that parcel has a grazing designation, and they wanted to know who to work with to get around that designation.

MOTION by Len TwoTeeth to support the sponsorship of \$1,000.00 for the Arlee Rehabilitation Center Third Annual Banquet and Gala. Seconded by Jennifer Finley. Carried, unanimous (7 present).

Mark Couture, Tribal Lands Department, informed council that the staff has been working with ARC to find a location. Lease # 5800 is located on the south side of the highway in Arlee on Finley Creek Road. It was vacant for years and the department did some chemical treatment on the weeds. ARC was instructed to submit an application and go through the Spring Bid process, but the lease was awarded to a tribal member. The other site they were looking at was in Valley Creek (the Nicholson purchase). The section they wanted is by the river and is in mitigation and has some restrictions. The staff has identified two other potential sites in Evaro, but those sites need to be vetted to identify any restrictions. **Greg DuMontier** wanted to know how to remove the obstacles for the Valley Creek property. If those cannot be resolved, then they want to look at the next possible location. Mark responded there are specific mitigation parcels with management plans in place. **Tom McDonald** explained those are easements on the property that are permitted to remain with the property. ARC may be able to do a buyout but they would need to find a replacement habitat, which is a challenge. The Tribes used BPA or ARCO funds to purchase the land and we cannot violate the conditions of the purchase. The best option is to find an alternative site. **Roberta Steele** requested an update on the dog ordinance. **Tom McDonald** told her the ordinance is currently being developed. **Jennifer Finley** volunteered to help with the camp for kids. Jennifer would like to have signage recognizing the Tribes for donating the value of the land they provide. **James Steele, Jr.** stated that properties that have been leased to organizations should include the value of land leased as an in-kind contribution.

James Taylor; and **Ben Alke**, Montana Attorney General Candidate; met with council for a meet-and-greet and to discuss topics of concern to the CSKT. **Mr. Alke** discussed the funding for law enforcement. The Tribes are an important partner with law enforcement. **James Steele, Jr.** discussed the Gaming Control Board. The tribes in Montana are limited to one seat. All the tribes with Class III

gaming compacts should have a seat on the Gaming Control Board. **James Taylor** went to Malasia and gave talks about what CSKT is doing with law enforcement.

Council met in **executive session**.

Council reconvened into **regular session**.

***** **Lunch** *****

Martin Charlo joined the meeting.

Vernon Finley, Kootenai Culture Committee; **Levi Hewankorn**, **Stephen Smallsalmon**, **Oskie Lefthand**, **Francis Auld**, **Leonard Michel**, **Junior Caye**, **Joe Caye**, **Michel Kenmille**, **Stephen Smallsalmon**, **William Birthmark**, **Francine Dupuis**, **Lorretta Hoots**, and **Members of Tribal Elders Committee** met with council regarding cultural viewpoints to consider when making decisions on various proposals. The Kootenai Culture Committee met with tribal departments about their development of plans. The Tribal elders discussed their concerns regarding moose permits; random permit drawings; hunting and fishing regulations being reviewed by the Culture Committee before being presented to the council; naming the Bison Range and expanding it to have buffalo to feed the Tribes; including a tradition, language, and religion component in the plans; opposition to a dock permit; the need to protect our Treaty rights; cultural values; opposition to having Ferry Basin elk permits; services provided to the elders; tribal council members attending the Elders meetings; opposition to the hunting regulations proposed changes; opposition to holding a lottery; frogs not having any significance to CSKT; impacts to the membership if there is a moose lottery; the plan to increase moose population; the need for tribal biologists to go out in the field; Ordinance 44-D being illegal because it was not voted on by the membership; the need for council to look at the big picture when making decisions and consider how those decisions affect the membership; and the need to fight for our sovereignty.

Tom McDonald left the meeting for the remainder of the day to go to a medical appointment.

Tony Incashola, Jr., Director of Tribal Resources Management, appreciated the comments received today. The proposed regulation changes were brought to the Tribal Council for approval to begin the comment period. The revisions undergo review by the Culture Committees. Tony will provide a copy of the recording of today's meeting to be submitted as part of the public comments. A public comment hearing will be held to seek tribal member input. Tony wants the proposed changes to be reviewed by the Culture Committees and Tribal Council, and then submit the final proposal for public comment. Tony will gather the

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written comments from today's meeting and include those in the public comments. **Council** appreciated the comments received today, and they would like to seek tribal member input/comments.

MOTION by Bing Matt to adjourn the meeting.

Council **adjourned** at 4:08 p.m., and is scheduled to meet again on Tuesday, February 13, 2024, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Martin A. Charlo
Tribal Council Secretary