

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

Volume 21 Number 50  
Zoom Meeting

Held: April 2, 2021  
Approved: April 6, 2021

**MEMBERS PRESENT:** Shelly Fyant, Chairwoman; Anita Matt, Vice-Chairwoman; Ellie Bundy McLeod, Secretary; Martin Charlo, Treasurer; Carole Lankford; James “Bing” Matt; Fred Matt; Charmel Gillin; Mike Dolson; and Len TwoTeeth.

**OTHERS PRESENT:** Jennifer Trahan, Council Office Manager; James Steele, Sr., Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:09 a.m. Quorum established.

The meeting was opened with a **prayer** by Stephen Smallsalmon.

The **Yamncut Drum Group** sang a flag song.

The floor was opened for comments from the elders.

**Stephen Smallsalmon** thanked the council for his new bridge. We need to take care of our elders. He reads the council minutes and saw that Tony was talking about the Long House. Stephen thinks about everything that has happened, such as the virus, that the elders talked about many years ago. We are stuck in the house, needing to wash our hands, and social distancing. He hopes we learn something from this. The people vote in the council members to help them out. There are not very elders and speakers left. They are trying their best to start with our language and our Indian ways. The elders would say don't let go of that. If we do let go, then the federal government will come here and tell us that's it; turn us loose. That would be pitiful. We are hanging on to this reservation. We have so many beautiful things here. It seems we take everything for granted. The elders used to tell us what to do. There are so many things that are gone now. Stephen speaks Indian every day. The drum sounds good today; he has not heard the drum for a long time. Nkwusm is an empty place right now. The kids want to know when they can go back to Nkwusm. They love that school and want to go. There are lots of people that want to learn how to talk Indian. The council needs to try their best and think about the elders. He is the only elder left that teaches the language to the kids. He read the minutes about snowplowing the elders. They need to keep talking to the elders.

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**Chairwoman Fyant** informed the elders to contact Jennifer Trahan to sign up to speak at the quarterly council meetings. She does not see the Tribes opening the complex for the July quarterly. Things will not change until we reach herd immunity, which is 75% of the population.

The floor was opened for council updates.

**Anita Matt** thanked Stephen for the prayer, the drum for their song, and the membership for taking time to participate in our second 2021 quarterly meeting. She acknowledged the losses of membership and community since January 2021. As a fellow councilman said with the pandemic, we have not been able to attend all the funerals and show our respect and mourn our losses. Anita wanted to tell each of the families how truly sorry she is for their loss of loved ones. She mentioned a special prayer for the Morigeau family. Part of the presentations today will include water rights compact and management of the National Bison Range. This is such a historic and monumental time in our lives. There have been so many people involved in the CSKT efforts in the past 30 years. With travel suspended for all staff and Council in February 2020, the council has been reviewing and revising outdated ordinances and policies. They are working on the revisions of the Personnel Ordinance 69-D, Tribal Lands Ordinance and Reapportionment. Most of the committees they serve on are virtual, but they continued to participate and represent CSKT. She continued to participate in the Homeless Committee, Budget Committee, Enrollment, Land Committee, Intertribal Agriculture Board, Akiptan Board, Tribal Conservation issues, Grass Fed Beef Meeting, Economic Development, Rocky Mountain Tribal Leaders Council, COVID updates, Shareholder meetings, Economic, ANA Workforce, Water Rights, National Bison Range, and Simpson Proposal meetings weekly with all northwest tribes. Anita participated in a virtual testimony CSKT/Intertribal Agriculture Council with newly appointed Secretary Vilsack on March 11, 2021. Anita participated in the opening of Morning Star supportive housing apartments on March 31, 2021. The Intertribal Agriculture Council is gearing up for the 2023 Farm Bill. The Farm Bill Coalition is gearing up and Intertribal Agriculture has hired Colby Duran to work with its organization from Washington, DC. Good news that USDA hired Zach Ducheneaux as the Administrator of FSA in February. She gave a quick shoutout for producers that USDA/FSA will be implementing a CFAP-3 program. People can contact Lake County FSA at 676-8211. Anita thanked the membership for their patience and support, the staff for their continued work and dedication, Madam Chair for her leadership, and all her colleagues for their dedication and continued collaboration to keep our membership and families safe, and programs and services were available. The building is nearing completion at the Dixon Agency. The water and sewer systems are being hooked up. An opening will be in the near future. She is in the process of planning the Dixon Agency annual cleanup with the Salish Kootenai Housing Authority and Tribal Lands. Anita is anticipating an April date.

**Ellie Bundy McLeod** thanked Stephen for the prayer and the Yamncut Drum for the song. Ellie is honored to serve the people and she thanked the membership for giving her this opportunity. This last quarter was extremely busy. In addition to the many issues the council works on, she stays busy with MMIP. Ellie is proud of the CSKT's MMIP Tribal Community Response Plan Team and the work they accomplished in the past several months. Ellie gave a huge shoutout to Shelly Fyant, Craige Couture, Louis Fiddler, Rob McDonald, and Jami Pluff for the work they have done to develop a comprehensive plan. This comprehensive plan provides guidelines for law enforcement, victims services, media and public relations, and community outreach. As they were wrapping up, they were joined yesterday by Acting US Attorney Leif Johnson; Terry Wade, Executive Director of the FBI; and 8 staff members from the USA's Office and FBI. We shared our processes with them and then held a joint press conference to announce the completion of the plan, which is the first one in the nation. We honored Ernie Wayland, who served as the Montana Missing Persons Coordinator. She thanked Jennifer Trahan for helping facilitate the event. Ellie thanked the MMIP Work Group, who are ready to roll up their sleeves and begin educating, advocating, fundraising, and serving. Volunteering is a selfless act, and you know people are leading with their hearts when they give up their time. She is grateful for their commitment to this work. Ellie participated in MMIP panel discussions for ATNI, MSU Emerson Center, and a student group at Carroll College. In April she will present to the University of Montana Native American Law Student Association during Indian Law Week. Ellie presided over her first three Montana MMIP Task Force meetings. As the first course of action in that new role, Ellie provided testimony to the House and Senate Judiciary Committees on House Bills 35, 36 and 98, and Senate Bill 4. These bills ask for the establishment of a missing and murdered indigenous review commission, the establishment of a missing persons response team training grant program, and a two-year extension of the Montana MMIP Task Force, as well as linking the Native Communities grant program. All of these bills are progressing nicely. They are eager to move forward with implementation once these bills are completely passed. Ellie testified on HB 241, which would require the Fish & Wildlife Commission to allow hunting by nontribal members on fee lands within the exterior boundaries of the reservation. We had an amazing team working behind the scenes and a large showing of proponents who testified to get that bill tabled. Ellie attended her first Emergency Services Advisory Board meeting for Salish Kootenai College. Having a been a student in that program, she is excited to be a member of the advisory team to help that program grow. She encouraged everyone to get vaccinated if they have not already done so. The sooner we reach herd immunity, the sooner we will lift the restrictions and begin working towards some form of normal. Ellie thanked everyone for joining today's meeting and for allowing her to be part of their leadership team as a tribal council representative.

**Martin Charlo** thanked everyone for being here, the drum for the song, and Stephen for the prayer. He thanked everyone for the year they have had. It was a year ago we went virtual instead of in-person quarterly meetings. Over the course of the last year, he did countless zoom meetings, setting up meetings, scheduling, and assisting people doing meetings to keep each other safe. Martin has been involved with the UCC for the year. Hopefully if everything goes well they should be winding down this calendar year and have no more UCC. There is a free vaccine clinic that is open to everyone on April 10 and 17. You just have to sign up. Appointments are needed. There will be two follow up clinics that will be held too. That is the only way we can open back up and hold events. We need to protect our most vulnerable and our community. What we are looking at in the future is mental and physical health. People are struggling with those things right now. It was a rough year with COVID. Martin echoed the sentiments of Anita to recognize the 29 community members that passed away in Lake County due to COVID-19. We need to protect our waters. The AIS Ravalli Check Station is open during daylight hours for now and will be open 24 hours at a later date. Martin reminded people to make sure if they travel out of the area to do everything they need to in order to keep our waters clean and safe. The victory garden in Pablo will be revived again this year. It is tilled and plowed. He is partnering with Salish Kootenai College to do some starts. People can email him their ideas for new starts. Martin thanked everyone for being here. He hopes to have a safe quarter and he looks forward to seeing people. Martin reminded everyone to wash their hands, wear a mask, and social distance. It's not easy to do that, but we need to continue doing that to get through this without another surge in COVID cases.

**Carole Lankford** mentioned the loss of Dane Morigeau, who was a lifelong community giver. Dane worked with fire, tribal police force, ambulance, and was always giving of himself. She prays for him on his journey and the family for their loss. It is a difficult loss. Carole thanked the drum for bringing us in with a beat this morning; they bring security when they come here. The audit was clean this year. There was one small finding, and the council makes sure that issue is cleared up. If it wasn't for clean audits back in 1992 this tribe wouldn't have become self-governed. We were one of the first ten tribes to be self-governed through BIA and Indian Health Service. These programs help our people our way without the feds telling us how to do it. Tribal Social Services is going through a policy and protocol review with the Casey Family Programs. They are doing a mapping project which will lay out the tribal laws, and will make sure it is laid out in a fashion as our rules and regulations currently exist. They go through each rule and regulation and map it out on the time frames and what the next process is. This will help ensure our kids going through this process that they are meeting the tribal and federal laws and it will be mapped out. An important part of this mapping is making sure when Social Services has turnover it provides mapping that will keep the program stay on track and help new people on what the processes are. This is still in its infancy stages. The Tribes are

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looking at a native research project with KAT Communications to have better communication with the membership. They are looking at the infrastructure to communicate on a host of tribal issues. Council can inform the membership of wellness initiatives, Get Out The Vote, vaccinations, times and locations, fire danger, and a host of things. This will improve communications. This app will help the membership be notified of issues. Carole sees great opportunities to keep the membership informed. This is an election year, and they have some changes. They need to make sure the rules and regulations get approved by council before going out to the membership. Hats off to everyone who worked on the Morning Star Apartments. We had less than 9 months to get it turned out, along with the homes we brought in. The tribes worked hard to get that done. There are some changes in the child support enforcement rules. Carole continues to advocate for the membership. When it affects your pocketbook, vote either way to make sure you have input of the policies/regulations. We are not a dictatorship and we give people an opportunity to comment on it. She gave hats off to the council. They are going through some major organizational changes in the way of compacts approved, EKI, SKT, and contributions to the organization. We realize we are big and need to make sure our organization works the best it can for our people. The council continues to fight to have those phone calls returned. Anyone who leaves a voicemail should get a call back.

**Bing Matt** thanked everyone for being here, Stephen for the prayer, and Yamncut for the flag song. It is good to hear the drum sing that song again. He offered his condolences to families that lost loved ones due to COVID, and prayers to those still sick. Bing extended his condolences to the Dane Morigeau family. Dane was an outstanding individual for our community; he did so much with the Fire Department. It has been a tough year with the virus coming upon us. Bing prays everyone gets vaccinated to stop the spread of the virus. It was a busy quarter with the passing of the water compact and taking over the Bison Range. Council has weekly meetings with the Legal Department and Natural Resources Department. The Natural Resources Department was appointed to be in charge to work on maintenance issues at the Bison Range. Bing attended the IBMP meeting yesterday. There was a report that no bison came out of the park this year. Six bison were taken out by our people. There isn't any bison coming out of the park, so there will be no ship to slaughter program this year. The homeless project is ready to get off the ground and the hotel is ready for occupancy. The mobile homes were purchased and set up. Some of the departments moved to other locations around the valley, so if people need to see or speak to those departments, they should call the front desk and get the location of where they moved to.

**Charmel Gillin** thanked the elders, the drum, Stephen, and the virtual audience for joining us today. She made a report in the Char-Koosta News. Charmel appreciates everyone's reports today. She was realizing this morning Stephen had a lot to say that touched her heart and goes along the lines of what she was

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already feeling. There are a lot of changes we have seen. Elders passing on is a difficult reality. As she spends time with her family she thinks about the values of our people. That has always been something she stays focused on is tribal values. With Easter a couple days away, she was thinking about how we hopefully can pass along that knowledge and understanding and faith to the generations coming to be appreciative of what our Creator does and all the reports today have so many good things to talk about. We sit through meetings every day and the council works every day in several different capacities on several different fronts. This is a good council and she appreciates what they do. They each have a special gift and they use it well. Previous councils did the same and the councils of tomorrow will continue to do that, because we serve a living God and it's His spirit we strive to walk in. We are blessed and we need to acknowledge that. Drug addiction and impacts of intravenous drug use and the torment on families that produces and how it devastates our tribe is too much. As elected people, what do we need to do? As leaders we need to act. We can see what became of other small steps we took. Last year we called for a resolution for the MMIP issue. We called for a task force, and now we have national connections and impact and huge things happening, and we are in the forefront of that. That is the great thing that comes when we take our time and seek that guidance and open ourselves up to use our gifts the best way we can. Every person is part of the solution and part of creating a good path for our people. That is what our ancestors did for us. She wished everyone a happy Easter.

**Fred Matt** thanked the membership for being here, the drum group for the song, Stephen for the prayer, Shelly for starting the meeting off, and the conversations so far. Fred appreciates Stephen's sense of humor. Our native sense of humor keeps us going and is a blessing. The council members take active roles in different things. He thanked Ellie for taking the lead role on MMIP issues. It has been noticeable throughout the country that we are leaders in that effort. He also thanked Ellie and Shelly for going to the legislature to testify on our behalf. There has been a host of attacks on Indian country at the state legislature. We are blessed to have Jordan over there heading off some of these bills, like the effort to allow hunting on fee property on the reservation. We had a lot of folks support us on that. The things we do as a tribe is good for everyone and the entire reservation, and that is why we prevail on those things. Fred did not think he would be on the Tribal Council when the Bison Range changed hands; he never thought that would happen. There are a lot of folks in the past that started this effort many years ago and he is grateful he is on the council to see this come to fruition. Fred thanked the membership for participating in today's meeting. It is good to hear the quarterly reports. He hopes in the fall we can do it in person. It has been good to have zoom meetings while the kids are out of school, but he looks forward to in-person meetings again. Fred asked the Creator to be with the ones we have lost. We had a Natural Resources employee who was dedicated, and that was Stacey Courville. Dane and Stacey both dedicated their

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whole life to the Tribes and community, and he asked the Creator to bless their families.

**Mike Dolson** mentioned that it is always good to hear Stephen, and he thanked him for his words. Stephen emphasized speaking from the heart and the language. The only way we understand the heart of our tribes is to revive our language. It is always good to hear the drum, and he thanked the drum. The drum is important to the heart of the Tribe. Mike reiterated what the other council folks said. He added that he wants to think of the children. This pandemic has hit them very hard. He thinks about their education and is looking at the Tribal Education Committee and the Indian Education Committee. If anyone has children or grandchildren in school, he would like them to think about participating. Mike is hopeful we will get back to in-person district meetings. He encouraged the membership to contact him to address their concerns. Mike is the Hot Springs representative and people can contact him at 880-2554.

**Len TwoTeeth** welcomed everyone to the April quarterly meeting and he thanked them for joining the meeting. It reminds the council who we work for. Len paid tribute and gave his condolences to the Dane Morigeau family. Dane was very active in the community and helped lots of people. It is a huge loss for our community. We continue to have tough discussions about the water compact and Bison Range. They are more complex each day as we move forward. He acknowledged that they are working hard on this to make sure as they address the water compact issue that we understand not only is this an irrigation issue, but many of us do not benefit from the irrigation, so us leaders need to make sure we are addressing that and assuring the membership that we will address other issues than just irrigation. One exciting project we are working on is the Bison Range. We never thought this would happen in our lifetime, but we are now the owners. Len feels blessed to be involved in taking ownership of the Bison Range. That accomplishment is dear to his heart. It is good to see Stephen. Len misses the elder's meetings. He remembers when he was first on the council how sitting around the table was full. The last meeting he went to there were very few elders left. It touched him. Len has the utmost respect for the elders. He challenged the membership to engage the council, make sure if there is something out there bothering you and you do not feel is right, to let the council know. Council is not going to know until the membership tells them. Len thanked everyone for allowing him to work with them. He continues to make sure everyone is being treated fairly. He thanked the council; they have been working very hard. Len wished everyone a happy Easter.

**Chairwoman Fyant** informed the membership that one thing keeping the council really busy is President Biden's executive order regarding tribal consultation and strengthening nation to nation relationships. One of her friends served on Biden's Indigenous Policy Council before he was elected and

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he is the one that suggested the KXL action that Biden took his first week, so she is encouraged by that compared to the previous president. This is a huge time for tribes to assert their sovereignty. Shelly read the beginning of that executive order, which said, "American Indian and Alaska Native Tribes are tribal sovereign nations recognized under the constitution of the United States, treaties, statutes, executive orders, and court decisions. It is a priority of my administration to make respect for tribal sovereignty and self-governance commitment to fulfill federal trust and treaty responsibilities to tribal nations and regular, meaningful, and robust consultation with tribal nations. Cornerstone of Indian policy, the United States has made solemn promises to tribal nations for more than two centuries. Honoring those commitments is particularly vital now as our nation faces crises related to health, the economy, racial justice, and climate change, all of which proportionately harm our Native Americans. History demonstrates that we best serve Native American people when tribal governments are empowered to lead their communities and when federal officials speak with and listen to tribal leaders in formulating federal policy that affects tribal nations." To date, we have submitted comments to USDA, Department of Agriculture, which has many programs related to forestry, farming, and food that are affected by CSKT programs. We have also submitted comments to the Department of Interior and the Environmental Protection Agency. Upcoming consultations or listening sessions or written comments that CSKT is preparing are to Health & Human Services, the Department of Transportation, the Office of Management and Budget, Treasury, Small Business Administration, the Veteran's Administration, Housing and Urban Development, the Social Security Administration, the Office of Personnel Management, and the Department of Justice. Shelly thanked Jennifer Trahan, Jami Pluff, and the CSKT department heads for coordinating. A lot of our funding we receive as a tribe is pertinent to those various agencies. Yesterday, Shelly participated in a White House Domestic Policy Council on Co-Management. It was a panel with federal officials at the table. She spoke about co-management of the Bison Range funding agreement we had previously and our experience with the federal officials regarding the water rights legislation. Shelly was really encouraged by that opportunity that the administration is listening and that they will take action based on those comments. There are some bills in the Montana legislature that are noteworthy. It is a different climate in Helena this year. Some of the outrageous bills brought forward were by local senators and representatives within the reservation. The one that would allow hunting on fee land within the exterior reservation boundaries is one of them. We were informed of a bill that would allow counties to recapture the taxes that the Tribes do not pay for five years while waiting for lands to go into trust. That is a federal process. SB 214 was voted down. The fee land bill was brought forward by Joe Read and the recapture tax bill was brought forward by Greg Hertz. Shelly thanked Jordan Thompson, who serves as our lobbyist in Helena, and Senator Shane Morigeau. It is the 12 members of the Native American Caucus that goes to battle for us, and we should not take that for granted. For this session, other



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tribes followed CSKT and hired their own lobbyist. Shelly appreciates Western Native Voice, ACLU, Montana Budget and Policy Center, and the other individuals that have shown up and testified. Shelly gave an overview of Representative Mike Simpson's proposal. Mr. Simpson is from Idaho, and he has a proposal to take down four of the lower Snake River dams. That is just part of it. Other things will happen regarding BPA, energy, and ag producers that use rivers for transportation. Shelly and Anita have been meeting with several Columbia River Basin Tribes each Friday, along with Brian Lipscomb, Rich Janssen, Stu Levit, John Harrison, and Chelsea Colwyn. The focus of the proposal is salmon recovery in order to restore the Columbia River Basin. We are at the headwaters of the Columbia Basin. We are going to write a white paper that addresses tribal needs. It is just a concept right now. People can look it up on the [simpson.house.gov](http://simpson.house.gov) website. Shelly thanked her colleagues for working in the communities, the dedicated staff and consultants, and the tribal members for keeping us accountable. She is anxious for the springtime and the season of hope, new life, and rebirth.

**Council** honored Sharon Silberman for her dedication to the Tribes in Administration. Sharon worked for the Tribes for 29 years and retired in February 2016. Sharon spent the entire span of her employment in Administration and Council Support. During this time, she was involved in running the Administration office, council agendas, travel reservations for council, preparing Administration for each election, administering the absentee vote process, in addition to other duties. Sharon was the go-to person when council needed something done during off hours. **Chairwoman Fyant** thanked Sharon for her dedicated service to the Tribes and the membership. Sharon's service was greatly appreciated. Sharon's sister Geri Hall retired after thirty years at Mission Valley Power, and council thanked Geri for her years of service. Sharon thanked council for the gift and honoring. She was given a blanket.

**Jeff Foley**, Energy Keepers, Inc. Board of Directors; and **Brian Lipscomb**, Energy Keepers, Inc. Chief Executive Officer; honored Tom Farrell, who served in many capacities. Tom recently retired from the EKI Board. Council honored him for his service. Tom was an original board member and was appointed in 2012. Tom is a member of the Texas CPA Association, Montana CPA Association, and the American Institute of CPAs. He brought industry knowledge and a tribal perspective to EKI. They thanked Tom for his leadership, wisdom and dedication. Tom served as the original chairman of the board. Tom was given a blanket. Tom appreciated the gift. His father worked at Kerr Dam for 30 years. The original board members had 100 accumulated years of business experience. The first year in they had to tap into the reserves and restructure the company. That made the company stronger, and it is in a good financial position. **Chairwoman Fyant** mentioned the blankets are Eighth Generation blankets. That company is by inspired natives and is owned by the Snoqualmie Tribe. The

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Three Chiefs Culture Center worked with Eight Generation to develop this blanket that has our design in it.

The **Yamncut Drum Group** sang an honor song.

\*\*\*\*\* **Break** \*\*\*\*\*

**Tom McDonald**, Natural Resources Department, thanked council for acknowledging the loss of Stacey Courville and Dane Morigeau. They are both a huge loss to the program and community. He thanked council for mentioning the AIS check stations, which are a critical tool that the Tribes use to protect our waters. The Ravalli Check Station has been open for the past month. There is also a check station in Thompson Falls. Tom thanked council for bringing up the Yellowstone bison ship to slaughter program. It was not come to be this season due to the lack of migration out of the park. 160 buffalo were successfully hunted. They did not hit our target of removal, so it will be a larger herd next season. Tom announced spring Mack Days to reduce nonnative fish in Flathead Lake through May 16. There will be some great prizes for people who participate. He gave a shoutout to those folks that were honored this morning. Tom is entering his 45<sup>th</sup> year of service to the Tribes. Tom gave an update on the Bison Range. Restoration of that land started quite some time ago. On December 27, 2020, it was signed into law, which started the process to transfer the ownership and operation to the Tribes. Beginning in January 2021, the staff began working with the Department of Interior and the Fish & Wildlife Service to successfully do the transfer of land, buildings, equipment, and natural resources. The transition should take up to two years, but the Tribal Council is trying to fulfill the commitment to fully operate the Bison Range by January 1, 2022. They are creating the position descriptions for the new positions that will be advertised. The request to transfer the land into trust for the Tribes was done. They are getting additional equipment to fulfil our obligations. There are fourteen new jobs and there will be up to twenty new jobs in the future. The Bison Range was placed within the Natural Resources Department. There will be one Base Coordinator in charge. Not many changes will occur at the Bison Range. The goal is to make it self-sufficient for the stewardship of the Bison Range. They will pursue grants and partnerships. The rules for this upcoming year will be the same as before. There was a modest increase in the fee schedule. We are not part of the senior pass program and those lifetime passes will no longer be accepted. There may be a special fee rate for different categories. They have worked on the signs around the facility. They will come up with a theme for it and use that in the educational materials. There will be a live interactive website. **Stephanie Gillin** thanked council for inviting the drum group today. The staff meets with council on a weekly basis. They are moving forward with the brochure and will be produced in a short time frame. They will request Facebook authorization to post the regulations, fee schedule, and hours of operation. The Visitor's Center is having some rehab work done. There is a big push for Mother's

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Day weekend, which is May 8 & 9. The work will continue throughout the summer. She went through Indian Preference to do a walk through for some remodeling projects. Stephanie is looking into emergency hire to do trail work and demo. She reminded everyone to be bear aware and pack bear spray. Tom discussed the current staffing at the Bison Range. Amy Coffman, the Refuge Manager, has provided support for a smooth transition.

**Rhonda Swaney** and **Ryan Rusche**, Legal Department, gave an update on water compact implementation. The water compact was ratified in December 2020. Deb Haaland was appointed as the new Secretary of Interior. She is the first Native American to be appointed to the cabinet and take the reins of the DOI. Ryan expects the water compact to be signed by the Secretary in the near future. There will be no official signing ceremony due to the pandemic. The compact needs to be decreed in the State Water Court within six months of the date the compact was signed. The Federal Settlement Act included \$1.9 billion as part of the federal contribution to the Tribes for settlement. \$900 million was appropriated with the bill. The remaining amount was authorized by congress. \$900 million will be split into ten equal installments on an annual basis. There will also be ongoing discretionary funding available. The money will be placed in a tribal trust fund for the benefit of the Tribes. There are two separate accounts the money goes into and the amount of the split is subject to negotiation and the Tribes agreed to half into each account. The Tribes are not authorized to use any of the settlement money for a per capita to the membership. The implementation team will work on various projects when the funds become available.

**Seth Makepeace** has worked for the Tribes for 30 years and he worked with Stacey and Dane for many years. Seth reviewed the map and gave an overview of the projects to improve the ability to save water, put it in the steams, and decrease the footprint as we do irrigation upgrades. The restoration group is built in the organizational chart who will be part of the engineering design team. The Tribes took over the emergency repairs at the Flathead River Pumping Plant. It will be commissioned next week to get all three pumps working. There is a failed structure in Valley View in Polson. The Tribes developed a contract with an engineering firm to repair it. The Jocko Basin at Falls Creek will be redesigned. The next project is the Jocko K Canal headwaters. They are in the final stages of that. The canal screen will be updated so fish cannot get in the canal. It is a larger project and construction will start in the fall. The year one water rights settlement projects are approved by the council. They are starting the design for the Tabor Feeder Canal at the north fork of Jocko River. It is a large structure. They will try to re-naturalize that site and clean up large erosion slopes that developed to create natural stream flow. Seth talked about he Jocko Valley Pipeline project. North of Jocko River there is a series of lateral piping on DuMontier Road. Those open canals will be closed pipelines. Casey Ryan initiated a canal study to understand the water we save by moving from open

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ditch to pipeline. The intent is to move the water into the stream flow into Jocko River. All water saves goes to streamflow. As the pipeline work gets completed the water will be reallocated to the stream. The Lower J Canal project in Ravalli is the diversion serving the Ravalli to Dixon road and the Dixon bench. They intend to fully rehabilitate the structure. They are trying to think outside the box to get irrigation diversion accomplished but clean up the river environment. The footprint is large, and they want to re-naturalize it to the extent possible. The next project is the Charlo planning area. Charlo is a difficult area for the Irrigation Project to manage. They will start a planning study of the entire area.

**Ryan Rusche** informed council that they continue to monitor the state legislature and council will get a report.

**Charmel Gillin** brought up something she discussed with Laurence Kenmille. Laurence wondered what we expect with the state section per this settlement agreement and how that would work. She asked Ryan to talk specifically about final appropriation process and the time frame to get the \$1.9 billion appropriated so we can access the portion that would assist with the language and Bath House. **Ryan Rusche** explained that the state school section allows for the Tribes to do a three-way exchange, whereby the state trades school sections on the reservation for federal properties off the reservation that have a similar value. The federal land will be the federal contribution and then the Tribes deem the state school section back. It is set forth in the Settlement Act as well as the federal land statutes that authorize the secretary to do an appraisal and value the state land and federal land. We anticipate we will continue to work with Natural Resources which manages the state lands for Montana to identify the easiest sections to deal with first as the test case. It will be submitted to the Secretary of Interior for analysis and value federal land outside the reservation. Once that's done, then we initiate the exchange to be approved by the State Land Board on behalf of the state. Then it gets approved by council. If the land is located within Forest Service lands, then they participate in a similar manner. It will be a year before we get the first exchange going. They will work hard in the next four years to get the exchanges done under the current leadership. We had a relationship with Deb Haaland regarding the Bison Range and state restoration, and she is passionate to return stolen Indian lands and wants to make that happen, so we will work together with her to get that going. In terms of the ongoing appropriations, of the total \$1.9 billion congress appropriated \$900 million that will be allocated among the first ten years of the settlement of \$90 million each year. This first year, things are getting worked out so it is taking several months to get it transferred. Beginning in 2022, the money starts becoming available the first day of the fiscal year for the mandatory funds already appropriated. For the remaining money that needs appropriated for authorized uses, that has to be appropriated before we can access that money for those activities. Under the statute, it is anticipated we get that done in the next decade and a half. Congress anticipates appropriating the money within fifteen years.

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We haven't seen any water settlement approved by congress before the CSKT met the deadlines congress imposed on themselves for allocating the money. There are some significant factors with our settlement. No settlement has ever been this large. The amount of money is the largest in history. We need to keep in mind that we saw in the past that dramatically helped them receive full appropriations from congress is when we see situations where congress is doing work in the stimulus space. A decade ago, President Obama took office and passed a Stimulus Act. That Act had significant funding to fulfil many obligations under water settlements that existed at that time. We are seeing the same thing with the COVID Stimulus Act. We will do what we can to advocate to see those things are done sooner rather than later and try to capitalize on it. The discretionary funds usually are between \$10 million and \$20 million. If we can get a \$10 million or \$20 million allocation after the passage of the Act, that would be really good. Most settlements don't get any money the first year they are enacted.

The floor was opened for closing comments from the council members.

**Martin Charlo** reminded people of the vaccine clinics on April 10 and 17. They need to register through Tribal Health to get the vaccine. When people ask when we will open up, he asks if they are vaccinated and encouraging people to do so; that's when we will open. When council will move back into the chambers is close to being time. The council has all been vaccinated now. Martin thanked his colleagues. **Chairwoman Fyant** mentioned that March 29 was Vietnam Veterans Day. She welcomed the veterans home and told them she appreciates their service. Shelly offered her condolences to the Dane Morigeau family and prayers of healing for Johnny Arlee who had surgery in Washington. If the elders want to speak at the July 2 quarterly meeting, they just need to let a council member know or contact Jennifer Trahan directly to get the zoom link. She reminded those who will be gathering with family members over the holiday break to mask up if they are gathering with people outside their household. That is the protocol recommended by the CDC. Shelly wished everyone a happy holiday weekend and said to stay safe.

**MOTION** by Charmel Gillin to adjourn the meeting.

Council **adjourned** at 12:01 p.m., and is scheduled to meet again on Tuesday, April 6, 2021, at 9:00 a.m.

**CONFEDERATED SALISH AND KOOTENAI TRIBES**

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Ellie Bundy McLeod  
Tribal Council Secretary