Natural resources, economic development and self-determination on Montana's Indian reservations | The Salish and Kootenai example

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NATURAL RESOURCES, ECONOMIC DEVELOPMENT AND SELF-DETERMINATION ON MONTANA'S INDIAN RESERVATIONS: THE SALISH AND KOOTENAI EXAMPLE

By

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B.A., University of Montana, 1981

Presented in partial fulfillment of the requirements for the degree of
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Approved by:

[Signatures]
Chairman, Board of Examiners
Dean, Graduate School

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Montana's Seven Indian Reservations

- Flathead Indian Res.
- Blackfeet Indian Res.
- Rocky Boy's Indian Res.
- Fort Belknap Indian Res.
- Blacktail Peck Indian Res.
- Northern Cheyenne Indian Res.
- Crow Indian Res.
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PREFACE

Montana's Indians are a diverse group of more than 10 tribes living on seven Indian reservations. Each tribe is different, and so is each reservation. Cultures vary. Economies vary. So does natural resource wealth; some Indians are desperately poor, others relatively rich.

The problems facing Montana's Indians are terribly complex and stem from more than a century of wide-ranging and often damaging federal policies. Indian problems are compounded by confusion resulting from the clash of numerous governmental jurisdictions as two cultures -- the whites and the Indians -- compete for valuable land and resources, and, in the case of religion, people's souls.

Many reservation Indians themselves add to their collective problems through political in-fighting. Some reservation Indians create other problems by rejecting the outside world. Attempting to bar all outside influences from reservation life may seem like a way to preserve Indian culture, but it can only result in the economic termination of a particular tribe. Without a healthy economy, there can be little hope for cultural survival.

Other problems are created far from Montana -- in Washington, D.C., for example, where current federal Indian policy is formed, or in the Middle East, where a significant portion of the world's oil reserves hang in the balance.
As the world energy market changes, so too does the value of Montana Indians' oil, gas, and coal.

Montana's Indians are also inextricably tied to their state, and vice versa. The current statewide recession in agriculture and resource industries has hurt everyone, regardless of race. Indians play a vital role in determining the fate of almost 10 percent of Montana's geography. They own a variety of resources and play increasingly important roles in local and regional economies. Yet, unfortunately, relations between Indian governments and state or county governments remains poor.

Graduate research presented in this paper looks at a variety of these problems and how Montana's Indians are dealing with them in these changing times. Three issues -- political self-determination (self-rule), economic development, and natural resource management -- are examined as they come together on Montana's seven reservations. Throughout this paper, economic development is defined as sustainable growth, the sort of which will prevent exploitation of the land or its people. Further, the concept of economic development must be broad enough to include human development, because economic development without human development is exploitation.

The paper is divided into two parts, plus an introduction and a conclusion. The introduction provides an overview of the current economic and political situation.
found on reservations in Montana. Part One takes a closer look at eastern Montana's six reservations with a chapter on each. Part Two is devoted entirely to the Flathead Indian Reservation in western Montana.

The Confederated Salish and Kootenai Tribes of the Flathead Reservation have been singled out for a number of reasons, the most important being that they have put together the best reservation economy in the state, and are perhaps the closest to reaching the goal of self-rule. It is hoped that other reservations might look to the Salish and Kootenai as a possible model for success.
INTRODUCTION

AN OVERVIEW OF ECONOMIC AND POLITICAL CONDITIONS
ON MONTANA'S SEVEN INDIAN RESERVATIONS

Common Problems and Trends
Found in Indian Governments Today

Montana is Indian country, and if Indian leaders like Kenneth Ryan have anything to say about their future, it will remain Indian country.

"We've been starved, we've been cheated, we've been given disease -- but we're not going to go away," says Ryan, chairman of the oil-rich Assiniboine and Sioux tribes of northeastern Montana's Fort Peck Reservation.¹

Ryan and tribal leaders across the Big Sky like to talk in terms of persistence, adaptability, and survival. It is significant, they say, that Montana's 49,000 Indians continue to exist a century after having lost most of their land to whites, and after living under federal policies they say have been designed to destroy rather than build.

Their vision of the future demands economic self-sufficiency, a tremendous task given that the federal government annually spends $2.5 billion nationwide on this
country's 1.5 million Native Americans. And their vision includes the survival of cultures steeped in traditional ties to the land, spiritualism, respect for elders, and a sense of community.

Goals of self sufficiency are, however, proving to be allusive throughout what's known as Indian country. While some reservations in the United States are further developed than others, Montana tribes generally remain as they have for more than a century: dependent, to varying degrees, upon the federal government for the essential requirements of life: food, shelter, and health care. Statistics from the Bureau of Indian Affairs and tribal governments show social and economic pain unmatched elsewhere in Montana. High student drop-out rates, widespread unemployment, poverty, alcoholism and related diseases -- these and other social barometers all indicate that Native Americans are among the most disadvantaged minorities in Montana, and America.

Bureau of Indian Affairs statistics from 1985 report unemployment figures ranging from 27 percent on the Flathead Indian Reservation to 78 percent on the Fort Belknap Indian Reservation. The BIA reported unemployment on three other reservations -- Rocky Boy's, Crow, and Northern Cheyenne -- at greater than 60 percent, while Fort Peck Reservation unemployment was listed as 40 percent and Blackfeet Reservation unemployment at 36 percent.

But tribal leaders say BIA figures are too
optimistic. Government statistics do not take into account the large number of Indians who, out of despair, have dropped out of the workforce altogether, or who for other reasons are never counted, tribal leaders contend. They also say economic conditions have worsened since 1985.

For example, the Blackfeet tribal government reports actual unemployment on its reservation at 60 percent, while Crow and Rocky Boy's tribal governments each report 85 percent unemployment. For

Poverty statistics are similar to those for unemployment. The federal government reports that the number of Indians living in poverty on Montana's reservations ranges between 35 percent and 50 percent, yet tribal leaders acknowledge much higher statistics. Crow tribal chairman Richard Real Bird says that more than 95 percent of all Indian homes on his reservation receive some form of welfare.

For comparison, unemployment nationwide for all races is about 7 percent, while the nationwide poverty rate for all races is about 14 percent.

Reservation economies have been plagued by federal budget cuts and falling tribal revenues from natural resources such as coal, oil, gas, and timber. Sagging agricultural markets have also hurt the reservations, as they have the entire state of Montana. Meanwhile, economic conditions are expected to get worse before they improve, as
the state-wide recession continues.

Donald "Louis" Clayborn, the state of Montana's Indian affairs coordinator, says that some tribal governments have made economic and political gains in recent years, but most will continue to find it nearly impossible to find enough capital to spur economic development.11

Indians are concerned about federal budget cuts. According to Clayborn, federal policies under the Reagan administration have been "tantamount to economic termination" of the reservations.

National budget figures for the two largest Indian agencies (BIA and Indian Health Service) show that their combined spending levels of about $1.6 billion are nearly the same in 1987 as they were in 1979, the last year of Jimmy Carter's presidency.12 However, double-digit inflation in the early 1980s and an inflation rate of about 4 percent since 1984 have taken their toll on Indian appropriations.13 While money earmarked for Indians under these two programs has been held at a constant, total annual federal spending has nearly doubled over the same period -- from about $530 billion in 1979 to an estimated $1 trillion in 1987.14

Indians have felt the budget axe in other federal agencies, according to Jane Clairmont, the tribal grants and contracting officer for the Confederated Salish and Kootenai Tribes.15 The departments of Housing and Urban Development,
Commerce, and Education once provided a variety of programs specific for Indians, she says, but they have since eliminated or sharply reduced Indian programs.

One way Clairmont can measure the impact of federal budget cuts is to examine how they have affected the federal government's primary self-determination policy on a particular reservation. Public law 93-638, the Indian Self-Determination and Education Assistance Act of 1975, established what's widely referred to as "638" contracting. Under this law, Indian tribes contract with the federal government to assume the management of services previously provided by the federal government. Money comes from the federal government, but the programs are managed by Indian governments.

Clairmont oversees the fiscal management for a host of such programs — among them law enforcement, social services, education, resource management — now contracted by the Salish and Kootenai tribal government. In 1981, tribal government received $16 million for such contracts; in 1987, the federal government reduced these expenditures to $10 million.16

The Salish and Kootenai, with the best Indian economy in the state, has found other sources of income to supplement some of these programs. But the Flathead tribes are an exception rather than a rule.

"Most tribes aren't in a position like we are," she
says, adding, "Most tribes don't have a thing. What are they going to do? They are going to be terminated."

In theory, state government is to replace the federal government -- to help fund social welfare and educational programs, for example. But the state cannot, due to its own limited funds and because of a quagmire of jurisdictional problems.

It's not easy for the white society to understand the Indians' problems. But to start with, Montana's Native Americans ask that the larger society first recognize how things have become as they are. Fort Belknap tribal leader and BIA official Jack Plumage says, "The quote-unquote Indian problem is a non-Indian problem, because Indians have had no input in determining their own destiny." This view holds that Indians today are merely a product of the system under which they have lived -- a system which has allowed the federal government to make their decisions for them, and, thereby, to cripple self-determination and cultural viability.

John Mohawk, an Indian writer who has written extensively about natural resource development on reservations, blames the current situation on what he calls "the reservation experience." In a presentation at Humboldt State University in June 1986, Mohawk said: "The reservation experience has taught us that we are not capable of thinking for ourselves."
Montana's Indians also ask that society look at each reservation separately: as homelands for ethnically distinct people and governments. Each reservation is different, they say, with highly variable historical and cultural roots and sharply contrasting land and natural resource bases.

For example, Montana's seven reservations represent at least 10 tribes, arriving in the state at different times and under different circumstances. Some of the tribes were allies; some were bitter enemies. In addition, these tribes also have unique relationships with the federal government, due to the varying conditions under which their reservations were established. Resource bases are also varied. The Blackfeet, Fort Peck, Crow, Northern Cheyenne, and Flathead reservations have significant natural resource bases, while the Rocky Boy's and Fort Belknap reservations are resource-poor. Yet, even those reservations with resources have been unable to convert them into viable economic assets.

Despite the many variables, there are certain problems, certain impediments to economic viability, that occur on nearly all reservations. Many of those problems were identified in 1984 in the controversial Report and Recommendations to the President of the United States by a special presidential commission. In general terms, the problems are:

-- Lack of money. It takes money to make money. Most tribes have little or no savings and a very limited ability
to raise income. Rocky Boy's Reservation, where annual tribal revenues are less than $300,000, is perhaps the poorest reservation in Montana, but it is not that atypical. The view from there is voiced by Rocky Boy's BIA Superintendent Karole Overberg, who says: "With no money in the bank you can dream, but you can't get anything started."20 Indian leaders recognize that the so-called "easy money" days of President Lyndon Johnson's 1960s Great Society are over, and they find themselves competing with other tribes and non-Indian governments for dwindling federal grants and loans. They also say that, while Great Society dollars may have funded industrial parks and housing, those projects were applied broadly over all reservations and did not meet the highly variable needs or economic realities of specific reservations. As a result, many, like a carpet factory at Crow Agency, or an industrial park in Browning, have generally failed.

Today, the money that most Indian governments can raise, commonly through resource development or land leasing, is used to pay for basic social programs and the cost of running their own governments. Tribal governments have grown in size and function as tribes take on increasing responsibility from the federal government through 638 contracting. Pressure from the federal government, in the form of decreased financial support, only serves to
encourage rapid resource exploitation rather than long-term resource planning.

Further, while the 638 process has accelerated the switch to tribal control, it has simultaneously crippled the Indians' ability to act. According to Blackfeet tribal Treasurer Elouise Cobell, tribal governments have found that after taking over management of a service, a service previously funded by the federal government (and still may be considered a trust responsibility), the federal government will likely reduce its financial support for that service.\(^{21}\) Tribal government is then left with the financial burden of funding the program or facing the political wrath of tribal members when services decline, she says. The result, Cobell says, is that tribal governments are questioning why they should drain their bank accounts and shoulder the cost of programs that they believe are trust responsibilities of the federal government. The incentive of self sufficiency turns then to leaving as much responsibility with the federal government as possible. Billings-Area BIA Director Richard Whitesell admits that the "638" process isn't working and that it should be re-evaluated.\(^{22}\)

--- Lack of human resources. While Indian reservations, with high unemployment, have a large pool of workers, too many of the people do not have the needed vocational training or educational background in such fields
as business, natural resource management, and law. 23

What's worse, though, is that those Indians who do leave their reservation for vocational or academic pursuits are often shunned by their own people upon their return. Crow tribal Planner Leonard Bends remembers returning from Eastern Montana College in Billings to his reservation several years ago and being challenged by tribal elders. 24 He says the elders told him he didn't belong on the reservation anymore, that somehow he had been tainted by the white man's education. But that's not the only reason he was told to leave. College-educated Indians can find work off the reservation, he was told, so tribal government jobs -- positions which represent just about the only work available on a reservation -- should go to the non-educated Indians because they can't find work off the reservation.

-- Attitude and morale problems. Depressed economic conditions on reservations can lead to despair and can fuel a cycle of poverty, tribal leaders say. In addition, many Indians who begin to do well in business are shunned by fellow tribal members if they succeed. Blackfeet attorney Joe McKay, former tribal business councilman and president of the Blackfeet Indian Writing Co., calls this phenomenon "Indian jealousy." 25 It is common to most reservations, and it discourages Indians from becoming entrepreneurs, McKay says. The problem involves the "keeping up with the Jones' theory," he says. In non-Indian society, when people see
their neighbors doing well, they want to do well also. Success breeds success and becomes a motivational force behind the overall improvement of the standard of living in a community. But in Indian country, McKay says, a successful member of the tribe will face jealousy and antagonism.

-- Tribal politics. "Investors don't want to touch us with a 10-foot pole we're so damn unstable," says Northern Cheyenne leader Joe Little Coyote.\(^{26}\) The Northern Cheyenne have had three tribal presidents in the past two years. Two have been thrown out of office: one was impeached by the tribe, the other by the tribal council. The problem of political instability is by no means limited to the Northern Cheyenne. Economic development specialists on all Montana reservations, with the exception of those at Fort Peck, acknowledge that their governments have been unstable, or, at best, unable to maintain consistency in their decisions.

The BIA's Richard Whitesell says Indian leaders should be elected based on qualifications and not, as is often the case, on how large a block of relatives the candidate can assemble. In-fighting, political corruption, and rapid turnover on tribal councils makes long-term planning nearly impossible, he says.

-- Poor business management. The President's Commission on Indian Reservation Economies ranked this as the top tribal problem. Tribal officials from various Indian
planning offices around the state concur, saying that many
Indian leaders lack the business skills needed to function
effectively in the modern business world. "Management on the
reservations is more scarce than money," says Merle Lucas,
who directs the Montana Inter-tribal Policy Board in
Billings. Non-Indian business leaders find it frustrating
to deal with elected tribal leaders, who often lack the
business savvy found in the outside business world,
according to the Rocky Boy's grants writer Tom Weist.

Weist, a non-Indian who has worked on several
reservations, says that tribal politicians will sometimes
show up late for meetings, or leave early, and may quickly
reverse their decisions on short notice. He says many non-
Indians who would like to do business on a reservation
become frustrated with tribal business management.
Recognizing these problems, a trend exists in Montana for
tribal planning offices to establish economic development
corporations to carry out day-to-day development activities.

-- Jurisdictional problems. Conducting business on a
reservation means compliance with many Indian regulations in
addition to regulations imposed by various agencies within
federal and state governments. Often the distinction between
those jurisdiction is unclear.

-- Indian preference in employment. Tribal
governments can set quotas on federally contracted jobs
carried out on reservations. While quotas can ensure Indian
employment in certain circumstances, quotas are criticized for causing higher labor costs, especially when there is an absence of trained workers. Indian preference laws can be demanding. The Blackfeet Reservation, for example, seeks 95-percent Indian employment, a standard that may prevent an off-reservation business from coming to the reservation.  

-- The BIA. The BIA, a major Indian employer, is seen by many as a self-perpetuating bureaucracy that absorbs federal dollars in administration, leaving a relatively small percentage of those dollars to Indians. Reluctance on the part of some BIA personnel to encourage self-determination policies is fueled by a fear that such policies may spell an end to the BIA, and the loss of their jobs on a reservation where unemployment is already too high.

Despite these and other problems, Indian leaders in Montana remain optimistic. They say their people are better off than 10 years ago, perhaps not financially, but certainly in terms of education and sophistication. There's another factor, though, and it involves a change in work ethics and attitudes that Northern Cheyenne leader Dennis Limberhand, a Montana Power official at Colstrip, has seen over the past decade or so. "The work ethic is just catching on," he says, adding, "our generation is really the first generation of lunch-packers."  

Indian leaders agree that progress is painfully
slow, but Fort Belknap BIA official Jack Plumage points out that Indians have been in the business of self-government for just 50 years. It was not until 1934 that Indians were allowed to practice their existing form of government, modeled after the dominant society's.

Just as an Indian bumper sticker, in recalling one of the most famous of Indian battles, says "Custer got Siouxed," today's Indians are waging their own battles in courtrooms, often over the control of natural resources. Indian attorney and activist John Echohawk of the Native American Rights Fund in Boulder, Colo., says: "Indians have finally learned the good old American way ... suing everybody.

"Nobody is going to give us anything. You go to court and fight for it," he says. Indians, with less than 1 percent percent of the country's total population, have little political clout, Echohawk says. But they have legal clout stemming from treaties. On the national scene, Indians have in recent years won some significant victories, including the $81.5 million settlement by Maine's Penobscot and Passamaquoddy tribes for lands illegally confiscated 200 years ago and the $122 million settlement by South Dakota's Lakota Sioux for the white man's illegal acquisition of the Black Hills a century ago. Other tribes have won back aboriginal hunting and fishing rights.

However, there is another type of battle being won
by Indians. These battles are much less publicized than multi-million treaty settlements, yet their impact is perhaps much longer lasting. They involve a slow but steady growth in tribal responsibility over their natural resources, and often, as a result, a growing amount of control over non-Indians who live within a reservation's boundaries. The Confederated Salish and Kootenai of the Flathead Reservation have, for example, won, through court decisions, the right to control the bed and banks of the southern shore of Flathead Lake and to require recreational visitors to carry a permit.

Tribal governments have also been doing their own business negotiations lately, and they have won better payments for their resources than in the past, when the less-profit-minded BIA did the negotiations. The Blackfeet and Fort Peck tribes have taken advantage of a 1982 law that allows tribal governments the authority to enter into joint ventures with resource development companies. Instead of a flat percentage of the profits, these tribal governments have made deals to allow them to share equally from profits on oil and gas wells. In addition, Assiniboine and Sioux at Fort Peck were the second Indians in the nation to drill their own oil well -- a risky venture that has brought in $500,000 so far.\textsuperscript{33}

The Fort Peck tribes have converted their natural resource revenue into an industrial concern that is among
the largest in the state. A&S Industries in Poplar employs up to 500 people. It manufactures netting and aluminum medical chests for the U.S. military. And the Blackfeet are using money from their recent joint venture with ARCO to re-establish a bank on the reservation.

Montana Power's Colstrip projects have employed scores of Northern Cheyenne after the Northern Cheyenne declared their neighboring reservation a pristine, Class I airshed. Based on that classification, the Northern Cheyenne negotiated a settlement allowing Colstrip coal development to continue, but only under conditions that were favorable to the Northern Cheyenne. Meanwhile, the Crow maintain the state's only Indian coal mine, an open-pit development that has generated more than $28 million in royalties for the tribe since 1974.34

The Salish and Kootenai, who acknowledge that they are among the most blessed Indians in terms of their abundance of renewable resources, have taken an aggressive position to ensure water quality and the natural beauty of Flathead Lake, one of their most important natural resources. They have also recently negotiated a lucrative contract with Montana Power over the operation of the 180-megawatt Kerr Dam on the Flathead River. Montana Power, which had paid a rent of less than $1 million for most of the dam's first 50 years, will pay the Salish and Kootenai $9 million per year -- adjusted to inflation -- for the next
30 years and will then turn the dam over to the tribes.

The position that the Salish and Kootenai are in now allows former Flathead Tribal Vice-Chairman Ron Therriault to dismiss assertions that economic development has to be defined in terms of resource exploitation.35

"People say that if you do these things (environmental protection) you can't grow," he says. "Well maybe you can't grow as an industrial power, but we don't necessarily want to grow as an industrial power."

In all the above cases, tribal governments find themselves trying to make the best out of their own particular situation. And while it is easy to write a story of despair, focusing on the poverty and disease, it's clear that a number of Indian leaders are indeed trying to solve their many problems.

According to the policy board's Merle Lucas, the most promising trend has been a shift in tribal leaders from older and less educated to a new generation of younger, more educated Indians. He says he believes that this trend must continue, because reservations cannot stay isolated from the outside world forever. If tribal leaders are not prepared to change, they are going to get "lost in the shuffle," Lucas says.
Notes

1 Interview with Kenneth Ryan, Assiniboine and Sioux tribal chairman, Fort Peck Indian Reservation, Poplar, Mont., 21 July 1986.

2 Interview with Richard Whitesell, Billings-Area BIA Director, Billings, Mont., 11 Aug. 1986. Subsequent references to Whitesell were derived from same interview.

3 Just about all census, labor, or income statistics on Indian populations are debated. Indian and BIA officials acknowledge that many tribal people are never counted due to a variety of reasons.


5 1985 Indian reservation unemployment statistics compiled by BIA and supplied by Joe Fox, BIA Billings-Area Office, Billings, Mont.

6 Ibid.

7 Interview with tribal planning office representatives from Blackfeet, Crow, and Rocky Boy's reservations at respective tribal headquarters, summer 1986.


11 Interview with Donald "Louis" Clayborn, Montana state Indian Affairs coordinator in Helena, Mont., via telephone, 15 Sept. 1986. All subsequent references to Clayborn were derived from this same interview.

12 U.S. Congress, Senate, Select Committee on Indian


15 Interview with Jane Clairmont, Confederated Salish and Kootenai Tribes contracts and grants officer, Flathead Indian Reservation, Pablo, Mont., 3 Feb. 1987.

16 Ibid.

17 Interview with Jack Plumage, former Assiniboine and Gros Ventre tribal chairman and current assistant BIA superintendent at Fort Belknap Indian Reservation, Fort Belknap Agency, Mont., 15 July 1986. All subsequent references to Plumage were derived from this same interview.

18 John Mohawk, presentation at conference titled Native Americans and Natural Resources: Issues and Concerns, Humboldt State University, Arcata Calif., 30 June 1986.

19 Report and Recommendations to the President of the United States, pp. 19-67.


21 Interview with Elouise Cobell, Blackfeet tribal treasurer, Browning, Mont., via telephone, 14 Sept. 1986. All subsequent references to Cobell were derived from this interview.

22 Interview with Richard Whitesell, Billings-Area BIA Director, Billings, Mont., 11 Aug. 1986.

23 Interview with Ken Pepion, University of Montana Native American Studies Program director, Missoula, Mont., 20 June 1986.

24 Interview with Leonard Bends, Crow tribal planner, Crow Agency, Mont., 12 Aug. 1986. All subsequent references to Bends were derived from this interview.

25 Interview with Joe McKay, tribal councilman and
attorney, Browning, Mont., 23 June 1986. All subsequent references to McKay were derived from this same interview.

26 Interview with Joe Little Coyote, Northern Cheyenne Business Development Endowment Fund president and former tribal natural resource official, Northern Cheyenne Indian Reservation, Ashland, Mont., 14 Aug. 1986.

27 Interview with Merle Lucas, Montana Inter-Tribal Policy Board director, Billings, Mont., 11 Aug. 1986. Subsequent references to Lucas were derived from same interview.

28 Interview with Tom Weist, Chippewa-Cree tribal grants writer, Rocky Boy's Reservation, Rocky Boy's Agency, 11 July 1986.


30 Interview with Dennis Limberhand, Montana Power Co. special projects coordinator, Colstrip, Mont., 15 Aug. 1986.

31 John Echowhawk, presentation at conference titled Native Americans and Natural Resources: Issues and Concerns, Humboldt State University, Arcata, Calif., 30 June 1986.


33 Interview with Ann Lambert, Assiniboine and Sioux Oil and Gas Department director, Fort Peck Reservation, Poplar, Mont., 22 July 1986.

34 Interview with David Simpson, general manager of operations for Westmorland Resource's Absaloka Mine, Sarpy Creek, Mont., 14 Aug. 1986.

35 Interview with Ron Therriault, Salish and Kootenai tribal vice-chairman, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986. Therriault was tribal chairman at the time of this interview.
PART ONE

EASTERN MONTANA'S INDIAN RESERVATIONS
Tucked against the grandeur of Glacier National Park, an attraction to more than 2 million visitors a year, the people of the Blackfeet Indian Reservation live in relative isolation where the wind-blown Northern Great Plains abruptly meet the ice-carved peaks of the Rocky Mountains.

This is a relatively rich and diverse land, a 1.5-million-acre portion of northern Montana ranging in elevation from 9,000 feet near Glacier Park to 3,400 feet on the reservation's eastern boundary. Its natural resources include oil and gas (accounting for about 60 percent of the tribe's revenue), water, coal, and a land base that tribal planners believe could support farming, ranching, and commercial hunting and fishing -- all at the same time.1

However, the economic reality to the approximately 5,500 tribal members who live on the reservation reads like
that of many other Indian reservations: capital is in short supply, as are people trained or educated in modern technology. The tribe must also deal with a confusing array of local, state, federal, and Indian bureaucracies.

Officially, the Billings-Area Bureau of Indian Affairs (BIA) office estimates tribal unemployment at 36 percent. But tribal leaders say 80 percent is closer to the truth, and local BIA officials will agree. More than half the Blackfeet population lives in poverty. Alcoholism and other health problems are prevalent, and a tragic number of young tribal members die in traffic accidents, often after drinking.

Declining tribal revenues from oil and gas, along with a depressed agricultural market, and the federal government budget squeeze, all combine to make economic development -- specifically, the creation of Indian jobs -- a necessity of tribal government.

Blackfeet treasurer Elouise Cobell says tribal revenues (what the tribe can raise from oil and gas leases and rangeland or farmland leases, for example) dropped from $6 million in 1985 to under $4 million in 1986. In addition, she says federal aid dropped $1 million in 1986 to about $6 million. She says tribal leaders, who manage the affairs of a government serving the needs of the state's largest Indian tribe (about 12,700, the majority of whom live off the reservation), expect the trend to continue.
Another problem has been the lack of a bank on the reservation. The First National Bank of Browning closed in late 1983 due to poor management practices. Since that time, reservation residents have had to travel to Cut Bank, a 70-mile round trip, for the nearest banking services.

As the Great Falls Tribune reported at the time of the closure, the sudden loss of a financial institution, with assets of $13.3 million, placed a significant burden on local businesses, consumers, and the already stressed local economy. "Approximately 150 people -- businessmen, ranchers, farmers and Blackfeet tribal members -- agreed the problem is simple enough. Without a bank, there is no mechanism to cash the nearly $800,000 a week in payroll checks," the Tribune's Browning correspondent John Barber wrote after attending a community meeting. He added, "Merchants are afraid that if residents leave the reservation to cash their checks, they might also buy their consumer goods out of town."

Merchants' fears apparently came true. According to Blackfeet Reservation BIA Superintendent William Gipp, the flow of money off the reservation since 1983 to banking institutions and retail outlets in regional centers like Cut Bank, Great Falls, and Kalispell has been crippling.

Meanwhile, a new bank is scheduled to open in 1987. At the outset, it will be 75 percent tribally owned and 25 percent owned by non-Indian investors. Tribal government has
planned to sell all but 20 percent of its shares within five years, with a goal of keeping volatile tribal politics out of the bank's management. Nevertheless, the new bank will likely inherit a problem reported at the time of the former bank's closure: an inconsistent and political tribal court that prevented the bank from collecting on bad loans in cases where tribal court had jurisdiction.\footnote{11}

Securing a new bank was one of several goals outlined in the reservation's five-year economic development program begun in April 1984. Other goals, such as creating 500 new jobs on the reservation, are proving allusive. One key problem, according to University of Montana Native American Studies Director Ken Pepion, is a lack of skilled workers and educated leaders.\footnote{12} Recognizing his bias toward formal education, Pepion, a Blackfeet tribal member, says he doubts whether his tribe has the human resources needed to bring about an economic turnaround given the climate of federal budget cuts and economic recession. Like many of Montana's Indians, Pepion says he believes federal Indian policy has become an insidious form of economic termination disguised in the morally lofty language of self-sufficiency.

Tribal members need to learn basic job skills, as well as gain knowledge in business, natural resource management, and law, Pepion says. But like on other Montana reservations, education — the kind offered off a reservation in "white man's" schools — is not widely
accepted by tribal members, says 33-year-old Blackfeet tribal member Joe McKay. McKay, with his law degree from the University of Montana, represents a new generation of Indian leaders. Speaking from personal experience, McKay says tribal members who leave home for college return with new ideas that are perceived as a threat to Indians who do not have that education.

McKay also criticizes Indians who say that their traditional values of sharing wealth and taking care of the land cannot mesh with the larger, white, so-called "capitalistic" society. The Blackfeet, like tribes across the country, are enjoying a cultural rebirth, and many Indians question whether today's Native Americans can become good entrepreneurs in a system they believe is based on greed. McKay rejects these criticisms by saying that business owners can follow their native traditions, so long as they take care of business first. Native culture can remain intact, he says, so long as his people understand that culture also evolves. McKay warns against "living in the past."

Tribal politics, which typically lead to a near-complete turnover on the tribal business council every two years, are called "cutthroat" and "counterproductive" by Pepion. Planning efforts are often redirected when the council changes, and credibility is damaged by occasional political acts of favoritism by certain tribal leaders.
Pepion says the traditional Blackfeet way is for an elder to take care of his own family. Nepotism is not always recognized as wrong, he says, even though the federal government considers it illegal.

Despite economic, social, and political gloom, there remains a spirit of optimism on the Blackfeet Reservation, thanks in part to the reservation's natural resource base, its potential for tourism and recreation, and the recent accreditation and tribal support for the Blackfeet Community College. Tribal leaders say that seeing 67 students graduate from the college in 1986 -- during its first year of accreditation -- is a sign that the reservation is moving in the right direction.

The Blackfeet "have got a handle on what they need to do, as opposed to just throwing up their hands," and they are actively striving for self sufficiency, says the BIA's Gipp. His optimism is shared by McKay, an ex-tribal councilman who used his legal skills to help negotiate a multi-million oil and gas contract with ARCO and re-establish the bank in Browning.

"Even though times are tough on the reservation, the fact that the tribe is still here shows that we are survivors," says McKay. "We have a lot of optimism here, because we can see a lot of potential."

McKay now presides over the Blackfeet's only industry, a pen and pencil manufacturing company that
employs about 45 tribal members. The tribally owned Blackfeet Indian Writing Co., a nationally recognized Indian success story that has floundered this decade, reorganized in 1984. It is once again showing a profit, according to plant manager Tom McKay, Joe's brother. One reason for the turn-around, Tom McKay says, is that tribal government recognizes that efficiency, even at the expense of some tribal jobs, is essential for the enterprise to survive. The plant, which used to employ about twice as many tribal members, is now producing more pens and pencils with half the number of employees, according to McKay.

The ARCO deal, made possible through 1982 federal legislation that gave tribes more control over their natural resources, places the Blackfeet in a position to share equally in ARCO's future profits should the oil company find a significant petroleum field. The deal also provided more than $1 million in up-front bonus payments, as well as specific provisions for Indian employment and college scholarships.

Like many other organizations or agencies in Montana, the Blackfeet are looking at tourism and related recreational industries as a potential economic building block. However, one of the first steps toward reaching that goal will be to clean up the town of Browning, home to about 1,100 Indians and 125 whites.

At Browning City Hall, first-year mayor Julene
Pepion Kennerly, the nation's first Indian woman mayor, has hired a young, educated staff of tribal members who have begun to implement a plan for turning around the area's economy. The focal point of their plan is to change Browning's image, and to dispell the attitude of defeatism she and others say has plagued the community.\textsuperscript{16}

Town Planner Wayne Juneau sees Browning's role as a catalyst for economic development on the reservation.\textsuperscript{17} Governments -- city, county, state, federal and tribal -- have "fought like cats and dogs" over the years, he says, and these jurisdictional problems have had a "chilling effect" on accomplishing economic development goals. However, he points to the accomplishments of Kennerly in her first year, and predicts "a warming trend."

According to Kennerly, city government has achieved the following since she took office in January 1986:

-- Glacier County commissioners, who normally meet in the county seat of Cut Bank located off the reservation, held a meeting with Indians in Browning.

-- An organizational summit meeting of officials from Toole, Flathead, Glacier and Pondera counties was held to prepare for the anticipated 13 million vehicles that are expected to pass through these counties on their way to the 1988 Winter Olympics at Calgary, Alta.

-- A Browning beautification program has been launched. Junk cars are being removed, a street sweeper
cleans streets once a week, and more than 1,000 trees were planted.

The beautification program is aimed at getting more of the tens of thousands of tourists who pass through Browning each year on U.S. Highway 2 to stop and shop, eat a meal, or spend a night before they go on to Glacier Park, which is just 15 miles west. However, motels and restaurants are few. And many of the town's buildings -- including motels, restaurants, and gas stations -- are run down. Many have broken and boarded-up windows. Most are adorned with graffiti. The same picture of poverty is also painted on the town's government housing, public buildings, and schools.

Joe McKay admits that, esthetically, Browning doesn't "have a lot to look at."

That's also the view of Lewistown architect Jeff Shelden, who, last year, completed a Browning Redevelopment Plan for the city. Shelden, who interviewed a number of the town's business people, most of whom are white, wrote: "most merchants realize that Browning does attract attention, but in a negative fashion. . . ." He reported that the run-down and dirty appearance of Browning helps perpetuate long-standing preconceptions that many whites have toward Indians.

Sheldon noted a sharp contrast between the spectacular beauty of the reservation's western boundary and the bleak appearance of Browning: "The city is easily
perceived as a blight on a landscape unparalleled in America. Many of the amenities found on the reservation disappear in the heart of the city. Traditionalists speak of reverence for the land, yet junk cars, litter, and debris pile up on top of it throughout the city. How long the Blackfeet can live with this disparity is only a matter of time."

Despite its current appearance, Browning can, however, fit into long-range tourism and recreational development plans. One logical idea calls for the city of Browning, after a clean-up effort, to be the place where Indian culture is stressed, while scenic and recreational resources are emphasized along the mountains and near the park.

In 1985 and 1986, the tribe seemed to be heading in both directions, by making efforts to clean up Browning and by purchasing the KOA campgrounds franchise for Glacier County and operating two campgrounds near Glacier Park. In the case of the campgrounds, KOA will provide management expertise that was lacking in a previous efforts to run a campground, tribal leaders hope.

Tribal planner Ed Aubert says there has been some interest by tribal leaders in developing a ski resort along the border of Glacier Park at Divide Mountain. But Aubert acknowledged that the ski area would cost up to $50 million and would be a risky venture given the reservation's remote
location. The only way he believes such a venture would be feasible is if it were developed in stages.

Aubert warns, though, that the tribe may not be willing to accept tourism on a large scale. He says a significant number of Indians don't want more whites to visit or live on the reservation. Tourism would have to be promoted in a tactful manner, he says, adding that it would have to be acceptable to the majority of tribal members. The Missoula-based Institute of the Rockies, together with the tribal tourism project, is encouraging a regionally coordinated culturally and environmentally sensitive form of tourism.

Obviously, the St. Mary and Babb areas along Highway 89, which offer perhaps the most spectacular Rocky Mountain Front scenery between the Canadian and Mexican borders, will play a essential role in any developing tourism industry. Glacier-fed streams and lakes extend from the park into an area of great ecological diversity typically found in the plains-to-mountains transition, giving the Blackfeet prime hunting and fishing potential. McKay points to studies by the federal government which list the Blackfeet reservation sixth nationally in miles of fishing streams, and fifth in the number and size of lakes that could be managed for fishing.

A potential is seen for commercial hunting. As it stands now, non-Indians can purchase tribal permits for
fishing, but hunting by non-members is prohibited on the reservation. As a result, McKay and Aubert recognize that commercial hunting -- hunting which would require tribal members sharing that resource with outsiders and would no-doubt irritate certain traditionalists -- would be controversial.

However, other tribes, particularly in the southwest, have done well by offering guided big-game hunting services. And some people think the Blackfeet could do just as well. Due to its proximity to Glacier Park and the Bob Marshall Wilderness Area, the Blackfeet could offer hunts for just about all the big-game species that make up legends of the West: elk, white-tail and mule deer, antelope, sheep, mountain goats, grizzly bears, and black bears. A new addition to the hunting experience, the cry of the wolf, can now be heard as that species is making a slow recovery in Glacier Park and along the Front. Tribal members may even be able to exploit a desire by certain tourists who seek to capture the mystique of the Old West by offering guided wilderness adventures.

The development of commercial hunting and fishing would require better management of land, water, and wildlife resources, McKay and Aubert say. Coordinated efforts with the several federal and state agencies involved would be necessary. They say a significant capital investment in land and resource management would be required, but note that
tribal government is moving in that direction.

Like other reservations, the Blackfeet are using their natural resource base to assert what they believe to be their treaty rights and to pursue their goals of self determination. One recent issue provides a good example of the clash between two cultures and various jurisdictions. This issue revolves around a controversial portion of the Lewis and Clark National Forest known as the Badger-Two Medicine. This unit of land has become the focal point of a battle between the Forest Service and the Blackfeet Indians, pitting the tribe and a local environmental group (the Glacier-Two Medicine Alliance and its Missoula-based Badger Chapter) against the federal government and oil interests, who see great potential for oil and gas development in the area.

More than 102,000 acres of the Badger-Two Medicine are without roads. Because of its proximity to Glacier Park and its role as habitat for the threatened grizzly bear, the Badger-Two Medicine is considered to be a prime site for wilderness designation. Montana's Congressional delegation has not included this area in previous wilderness bills, however, because the Blackfeet retain certain limited rights to the area, rights which would likely be precluded under wilderness designation.

In late 1986, a group of Blackfeet, with the endorsement of tribal government, appealed the Lewis and
Clark National Forest Plan which would allow oil and gas development in the area. Traditionalists claim the area is spiritual. To develop it, they say, would be comparable to tearing down a church or temple and would violate their rights under the First Amendment and the Native American Religious Freedom Act.

This group of traditionalists say they want the federal government to turn the land over to the Indians so they can manage it as a spiritual area. Yet one can't look at the depth of economic despair on the reservation and wonder if the traditionalists would be overruled, should the tribe ever control that land and petroleum was found.

The fate of that appeal has not been determined, and a lengthy court battle is likely -- a battle that has the potential to divide the tribe between development interests and religious interests, alienate the Forest Service, and leave non-Indian environmentalists who back the Blackfeet traditionalists feeling betrayed. If this indeed is the scenario which is ultimately played out on the Badger-Two Medicine, it would be an example of business as usual on an Indian reservation. But if the various interests can work together, the Badger-Two Medicine may provide an excellent example of how co-management and political compromise can work to meet the needs of all involved. It certainly has the potential for such an experiment in cooperation.

Meanwhile, at BIA headquarters in Browning,
Superintendent Gipp sums up his feelings about the Blackfeet, and, in fact, all Indians. Gipp says that Indians just need to ride out today's rough economic times and those expected in the near future. If today's Indians can hang on now, he believes they'll have a good chance to eventually reach their goals of economic self-sufficiency and political self-determination in the next century.
Notes


2 1985 unemployment statistics supplied by Joe Fox, Billings-Area BIA office, Billings, Mont.

3 Interview with Ed Aubert, tribal planner, Blackfeet Indian Reservation, Browning, Mont., 23 June 1986. Subsequent references to Aubert were derived from this interview.

4 Interview with Ed Aubert. Officially, the 1980 U.S. Census reported that 39 percent of the tribe lived in poverty. But the tribe notes that economic conditions are much worse now, and that federal statistics generally underestimate the depth of poverty or unemployment.

5 Blackfeet Tribal Comprehensive Plan 1984-1989, pp. 130-146.

6 Ibid., p. 16.

7 Interview with Elouise Cobell, Blackfeet tribal treasurer, via telephone, 23 Sept. 1986.


10 Interview with William Gipp, Blackfeet Reservation BIA Superintendent, Blackfeet Indian Reservation, Browning, Mont., 22 June 1986. Subsequent references to Gipp were derived from this interview.


12 Interview with Ken Pepion, Blackfeet tribal member and director of the University of Montana Native American Studies Program, Missoula, Mont., 20 June 1986. Subsequent references to Pepion were derived from this same interview.

13 Interview with Joe McKay, president of the Blackfeet Indian Writing Co. and former tribal councilman, Blackfeet Indian Reservation, Browning, Mont., 23 June 1986.
McKay was a councilman at the time of the interview. Subsequent references to him were derived from this interview.

14 Interview with Tom McKay, manager Blackfeet Indian Writing Co., Blackfeet Indian Reservation, Browning, Mont., 23 June 1986.


16 Interview with Julene Pepion Kennerly, Browning mayor, Blackfeet tribal member and business owner, via telephone, 15 Sept. 1986.

17 Interview with Wayne Juneau, Browning city planner, Blackfeet Indian Reservation, Browning, Mont., 25 June 1986.

18 Jeff Shelden, Browning Redevelopment Plan (draft), prepared for the Browning city planning office, Browning, Mont., June 1986. Subsequent references to Shelden are derived from this unpublished work.

Northeast Montana's Assiniboine and Sioux tribes are economic leaders among the state's seven Indian reservations. Oil, gas, sand and gravel, bentonite, and water are abundant and still relatively undeveloped on the 2-million acre Fort Peck Indian Reservation, which is located on rolling plains above the Missouri River.

These two tribes, with a combined enrollment of 8,500 and a resident population of about 4,500, have been successful in working together to develop their oil and gas reserves. They are the only tribes to negotiate a water rights pact with the state, and they have turned money derived from their natural resources into a relatively diversified tribal economy.

Bureau of Indian Affairs Superintendent Dennis Whiteman describes Fort Peck tribal leaders as "progressive."\(^1\) He says they've done well because they don't wait to see how tribal leaders at other reservations do
things. In fact, the Fort Peck tribes are cited by other eastern Montana reservations as a role model. Whiteman praises Fort Peck Indians for looking to management expertise off the reservation when needed.

The Fort Peck tribes have accomplished something unique in Montana's Indian country: they've developed a major industrial sector of their economy. A&S (Assiniboine and Sioux) Tribal Industries, the envy of other Montana tribes, especially those along the Hi-Line, employs more than 450 people -- 75 percent of whom are Indian. The plant turns sheet aluminum into military medical chests and bulk rolls of netting into custom camouflage. It has become one of the largest manufacturing firms in Montana.

A&S Industries is tribally owned but is managed by an outside firm, the Brunswick Corp., which produces a diversified line of products from sporting goods to military hardware. Most of the work at A&S Industries is done by hand, which allows the tribes to hire many people, according to A&S Program Manager Daryl Boyd. Assembly of the medical chests requires up to 147 steps, and the netting requires meticulous squaring, cutting, sewing, and inspection.

By capitalizing on military contracts, and by seeking minority tax and business advantages, A&S Industries has shown steady growth since it began operations 11 years ago. This success leads tribal Chairman Kenneth Ryan to boast: "We have a very significant economic impact on this
A&S Industries has, for example, generated more than $90 million in sales, including more than $22 million in 1985; growth is predicted through at least 1989. It has expanded from 160 employees in 1975 to a peak of 499 employees in 1985. And the company paid more than $6.3 million in wages in 1985. Since non-Indian make up about one-fourth of the labor force, Ryan says the plant helps to ease racial tensions in the community and shows tribal government's interest in being a good neighbor.

The Fort Peck tribes also own a small electronics firm, West Electronics Inc. It began operating in 1970 under the name Multiplex, in a joint venture with a New York company. The tribes purchased Multiplex five years later and continue to assemble a variety of computer parts at the Poplar facility. In 1986, West Electronics had contracts to assemble modems for telecommunications, printed circuit cards, electronic counters, and a digital caliper sensitive enough to measure the size difference between two strands of hair. The company, with a dozen employees, also took on its first in-state contract in 1986: a computerized device that attaches around a cow's neck and counts the number of times its head goes up and down during feeding. Sales in 1985 were about $450,000, and 1986 sales were predicted to reach $750,000.
tribes a good track record, according to tribal planner Lonnie Reddog. And Reddog says there's nothing like a good track record to attract "seed money" for new projects or for the expansion of existing business ventures. Other tribes in Montana with poor track records are at a disadvantage when competing against the Fort Peck tribes for economic development opportunities such as grants, special loans, or new business enterprises, he says.

Fort Peck's political stability -- atypical of Montana reservations -- has also been a positive factor. A&S Industries president and tribal executive board member Norman Hollow, who is credited with leading the tribes into the modern era, was tribal chairman for 12 years. He retired from the tribes' top post in October 1985.

Planning efforts have been consistent, also atypical of Montana reservations. Reddog and chief planner Rodney Miller, both college educated, have been with tribal government for a decade, providing steady leadership in the tribes' planning office. In addition, they are among the few Indian planners in Montana to praise their elected leadership, the executive board, for recognizing the need to develop and follow long-range plans for economic growth. Also atypical of Montana reservations, these two planners say that even though there has been considerable turnover on their executive tribal board, new council members have built on the work of their predecessors instead of trying
something new.

The most recent tribal economic development plan, dated January 1986, looks at the past, present, and future, with an emphasis on how the Fort Peck tribal government has fared with its implementation of previous plans. The plan identifies the tribes' strengths and weaknesses, and it sets priorities. It is written in a professional manner, and provides a good profile of tribal economic activity. By contrast, planning efforts on virtually all other Montana reservations -- with the exception of the Flathead Indian Reservation -- are considered inadequate by BIA officials or tribal leaders who specialize in economic development.

Miller says that Fort Peck is where it is at today because it was able to build on money made available during President Lyndon Johnson's Great Society days of the 1960s. During that time, the tribal government decided that it could not make it on farming and ranching alone, and decided to diversify, he says.

By building on foundations identified in a 1970 BIA report which assessed the Fort Peck's economic potential, they followed a plan based on their unique circumstances. That report recognized that Fort Peck is relatively isolated from large population, manufacturing, or marketing centers. Yet it identified a natural resource base that was diverse and rich: energy resources, water, hunting, fishing, and boating. For people who don't mind living in rural areas or
on the Great Plains, the Fort Peck Reservation was identified as a place where quality of life could be high.

Highlights from that report include the following:

-- The nearby Fort Peck Reservoir and Missouri River could be a major regional recreation destination for camping, hunting, fishing, and boating.\textsuperscript{13}

-- Water is abundant, thanks to the Missouri River and the nearby Fort Peck reservoir, which has a storage capacity of about 14 million acre feet.\textsuperscript{14}

-- Fossil fuel reserves were described as "huge."\textsuperscript{15} More than 14 billion tons of coal are estimated to underlie the reservation.\textsuperscript{16} The reservation is located within the oil-rich Williston Basin, which includes most of North Dakota, part of South Dakota, and part of Manitoba.\textsuperscript{17} The center of this oil-producing region is in McKenzie County North Dakota, about 40 miles southeast of the reservation.

-- Significant reserves of bentonite, clay, salt, sand and gravel, and potash are also within the reservation.\textsuperscript{18}

Sixteen years after the 1970 report, most of those resources remain undeveloped, but the tribes have turned profits from an expanding oil and gas industry into an economy that features a strong manufacturing element. And tribal efforts at environmental protection -- air and water quality management, for example -- protect the area's potential as a recreational center and enhance the quality
of life. Like the Northern Cheyenne and Flathead reservations, Fort Peck's airshed has been designated Class I, the highest possible under federal law.

Coal, the reservation's most abundant energy resource, remains undeveloped and provides the potential for long-term economic security, depending on future technology and market conditions. As was predicted in 1970, "If total development is ever undertaken, Roosevelt County (the majority of which is within the reservation) could possibly rank among the nation's most important coal producers."^19

Even though there has been no coal development to date, oil and gas resources have become a leading source of tribal revenue. However, the tribes have learned from recent, first-hand experience that the erratic nature of the energy business can bring a bust just as easily as a boom. A&S tribal Oil and Gas Department Director Ann Lambert says that the tribes have been getting about 60 percent less for each barrel of oil sold than they were able to get a couple years ago.^20 And she says total revenues from oil and gas, including lease payments, were expected to drop by half between 1985 and 1986.^21

Tribal officials are reluctant to discuss specific details about this budget crunch, but it has clearly been a cause of concern. The reservation newspaper reported in July 1986 that the Fort Peck budget in 1985 had been $8.5 million, but dropped to $6.4 million in 1986.^22 The 1987
tribal budget was expected to be about $3.9 million, the paper reported, while Ryan said the budget for 1987 could be as low as $3 million. As a result, officials have imposed a 22 percent reduction in all tribal programs, travel moratoriums on tribal employees, a four-day work week, and salary reductions. Federal budget cuts were complicating matters.

Nevertheless, both Ryan and Lambert speak proudly of their oil and gas ventures. They both like to point to two significant ventures relating to tribal energy development, ventures that have dramatically increased the amount of money the Fort Peck tribes make from their energy reserves, as well as their say over how those resources will be developed. They are:

-- A joint venture with U.S. Energy, a Wyoming firm, which places tribal government in a partnership for petroleum exploration and extraction on the reservation. The joint venture, made possible by the 1982 Indian Mineral Leasing and Development Act, will provide the tribes with a 55 percent royalty once U.S. Energy recovers exploration costs. Seven wells have been drilled under this joint venture. Five have become producers, and the tribes have generated more than $3 million in profits from these wells, Lambert says.

-- "Winona No. 1," which means first-born girl in Sioux language, is the name of the first 100 percent
tribally owned well on the reservation. It was planned, financed, and drilled entirely by the tribes, which hired outside expertise on a consulting basis. Developed in 1984, this is only the second all-Indian-owned well in the country. It was a gamble, Lambert says, but one that has so far paid off by bringing in more than $500,000 in revenue through mid-1986.

The royalty rates, 55 percent and 100 percent respectively, from these two tribal ventures are significantly higher than rates negotiated by the BIA prior to the 1982 law. Billings-based geologist Rick Stefanic says that the BIA used to treat Indian land much the same way it treated federal lands, usually by allowing development for a flat royalty rate of 12.5 percent. But under the new law, Indian tribes, who now are taking a much more active role in resource development negotiations, have much more latitude to do what they want, Stefanic says.

John Echohawk, attorney and executive director of the Native American Rights Fund in Boulder, Colo., explains: "The BIA used to walk into a council meeting and say, 'Here's an opportunity to make money. Sign here.' And we would sign blindly."25

In Montana, the Blackfeet are the only other Indian tribe to take advantage of the 1982 law. Yet the law is being welcomed by all reservations with resources, and tribal leaders across Montana say they will be following the
lead of Fort Peck and the Blackfeet in the development of their oil, gas, or coal. The Council of Energy Resource Tribes (CERT), a national Indian organization made up of tribes with energy resources, provides a continued lobbying effort in Washington, D.C., as well as technical assistance to Indian governments seeking to profit from their resources.

While the overall economic growth of the Fort Peck tribes has been impressive, they nevertheless face problems which threaten to ultimately destroy their very existence. Unemployment, at about 40 percent, is still too high for tribal leaders, and so is the tribes' poverty rate of about 35 percent. White settlement, allowed by the Dawes Act, has broken up tribal land and resource holdings and has resulted in a confusing checkerboard ownership. In addition, Indians have become a minority within their own reservation. The Fort Peck tribes control only 45 percent of their reservation's land area, and are outnumbered by whites by about 4,500 to 5,500.

Tribal chairman Ryan says that his greatest concern is for the youth of the tribes, as the Fort Peck Reservation moves into its second century of existence, and as its people face the complexities of the 21st century. More than half of Assiniboine and Sioux children never make it through school, and, Ryan says, "If anything is going to do us in, that's it."
Formal education is essential for the survival of his people, he says. He recognizes that the next generation of Fort Peck Indians needs to build on the accomplishments of the 1970s and 1980s. The trick, he says, is to educate young people in all of the basics — math, science, reading — so that they can go on to college or vocational schools and learn the essential professional and technical tools necessary for continued economic growth, while at the same time making sure that educational programs emphasize their unique Assiniboine and Sioux heritage.

"We do not wear buckskins; we do not live in skin dwellings; we are not nomads anymore," he says. "But we are still Assiniboine people, and we are still Sioux people." And should these identities ever disappear, he says his people would become nothing more than another brown-skinned minority in the melting pot of America.
Notes

1 Interview with Dennis Whiteman, Bureau of Indian Affairs Superintendent, Fort Peck Indian Reservation, Poplar, Mont., 22 July 1986.

2 Interview with Daryl Boyd, A&S Industries program manager, Fort Peck Indian Reservation, Poplar, Mont., 23 July 1986. Subsequent references to Boyd were derived from the same interview.

3 Interview with Kenneth Ryan, tribal chairman, Assiniboine and Sioux Tribes, Fort Peck Indian Reservation, Poplar, Mont., 21 July 1986. Subsequent references to Ryan were derived from this interview, or from a follow-up telephone interview on 26 Sept. 1986.

4 Interview with Rodney Miller, chief tribal planner, Assiniboine and Sioux Tribes, Fort Peck Indian Reservation, Poplar, Mont., 21 July 1986. All subsequent references to Miller were derived from this single interview.

5 Interview with Kenneth Ryan, 22 July 1986.

6 Assiniboine and Sioux Tribes, Overall Economic, Industrial and Community Development Plan, Fort Peck Indian Reservation, Poplar, Mont., January 1986, pp. 80-89.

7 Interview with Don Moran, production foreman West Electronics, Fort Peck Indian Reservation, Poplar, Mont., 21 July 1986.

8 Overall Economic, Industrial and Community Development Plan, pp. 90-93.

9 Interview with Lonnie Reddog, tribal planner, Assiniboine and Sioux Tribes, Fort Peck Indian Reservation, 21 July 1986. Subsequent references to Reddog were derived from this same interview.

10 Overall Economic, Industrial and Community Development Plan, pp. 43-101.

11 Based on interviews with tribal leaders and BIA officials from all seven Montana reservations. In addition, comments made by national Indian leaders at the Humboldt State University conference on Indians and natural resources indicate that tribal governments and BIA offices across the nation have been unable to develop and follow through with planning. The most frequently cited excuse is that Indian governments and the BIA are too busy dealing with day-to-day
crises.


13 Ibid., pp. 189-204.

14 Ibid., p. 47.

15 Ibid., p. 208.

16 Ibid., p. 39.

17 Ibid., p. 41.

18 Ibid., p. 43.

19 Ibid., p. 46.

20 Interview with Ann Lambert, A&S Oil and Gas Department director, Assiniboine and Sioux Tribes, Fort Peck Indian Reservation, Poplar, Mont., 22 July 1986.


23 Interview with Kenneth Ryan, via telephone, 26 Sept. 1986.

24 Interview with Ann Lambert, 22 July 1986.

25 Interview with Rick Stafanic, BIA geologist, Billings, Mont., 11 August 1986.

26 John Echohawk, presentation at conference titled Native Americans and Natural Resources: Issues and Concerns, Humboldt State University, Arcata, Calif., 30 June 1986.

27 Interview with Kenneth Ryan, 26 Sept. 1986, plus data from the Assiniboine and Sioux Tribes' Overall Economic, Industrial and Community Development Plan, pp. 9-10. The report attributes unemployment figures to the BIA (1985 labor force statistics), and poverty figures from the 1980 Census.

28 1980 Census figures supplied by Joe Fox, Billings-Area BIA office, Billings, Mont.
Interview with Kenneth Ryan, 26 Sept. 1986.

Interview with Kenneth Ryan, 26 Sept. 1986.
CHAPTER THREE

THE ROCKY BOY'S INDIAN RESERVATION

Living with a Small Land Base
and Facing Big Obstacles

The Chippewa-Cree on northcentral Montana's Rocky
Boy's Indian Reservation wish to be financially self-
sufficient but are finding it difficult to overcome poverty
on their own.

The view from here, according to tribal water rights
specialist Daryl Wright, is that "the government fed us like
a baby for 100 years, and now they're taking the bottle away
-- and we don't like it."¹

The spectre of federal budget cuts is not alone in
casting a shadow over the economic hopes of the 3,300-member
Chippewa-Cree Tribe; natural resources on this 108,000-acre
reservation, the smallest in Montana, have been dropping in
value this decade. Oil, gas, and timber markets have seen a
general recession since the late 1970s, and agriculture --
the economic basis of this part of Montana, called the
Golden Triangle for its wheat production -- suffered from
several years of local drought in addition to a national
economic decline.
While reservations such as the Blackfeet, Flathead, Fort Peck, and Crow bring in millions of dollars annually from the sale, rent, or leasing of their natural resources, the Chippewa-Cree's annual revenue totaled $300,000 in 1985 and was expected to drop to $200,000 by 1987. This makes the Chippewa-Cree perhaps the poorest of Montana's Indian tribes and virtually 100 percent dependent upon the federal government.

Rocky Boy's problems are aggravated by a burgeoning population, which has more than doubled in 25 years. Much of the growth has come in the past 10 years, as families returned to their reservation from urban centers to which they had moved under the federal government's Indian assimilation and relocation policies of the 1950s and early 1960s.

Tribal member Leon Gardipee provides a good example of these policies. He's like many Indians in Montana and across the nation. After living away from his reservation homeland for most of his life, he's back. Gardipee was born on the Rocky Boy's in the 1950s. In 1959, as a small child, his family was moved by the federal government to Los Angeles, where his father was given a job in a factory.

But there were problems, Gardipee says, because "we were hicks."

His family never really fit into the urban, southern California lifestyle. They spoke hardly any
English, and they longed for their Montana home. Eventually, they returned to Montana, but not the reservation. Years later, after living in such places as Helena and Jackson Hole, Wyo., Gardipee returned as an adult to Rocky Boy's. He says his reasons were basic: something was missing in his life, something spiritual.

Like many Indians on other reservations, he's taking advantage of a new local community college. Gardipee's studies at Rocky Boy's Stone Child Community College are in social work, and he's also taking courses on his people's past. He's studying his roots, which run deep on this reservation: His great-great-grandfather was Little Bear, chief of a displaced band of Chippewas. It was Little Bear who, along with the Cree Band's leader Stone Child (the white man erroneously translated his name as Rocky Boy) led the political fight which culminated in the creation of this reservation at Fort Assiniboine in 1916.6

As other Chippewa-Cree return to the reservation, as the local recession continues and as federal budget cuts reduce Indian funding, the economic pressures are likely to build.

These pressures can be measured in a number of ways. Among them is the number of people who collect general assistance (for the poor who don't qualify for other income programs), which amounts to $78 a month for a single person. Since 1980, the general assistance rolls have tripled and

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now account for more than $1 million of the approximate $7 million the federal government spends annually on the reservation.\(^{7}\)

In addition, tribal grants writer Tom Weist, a non-tribal member who acts as a consultant to the Chippewa-Cree, says more than half of the reservation population of about 2,000 live below the federal poverty guidelines.\(^{8}\) The number of unemployed tribal members has risen from 405 to 778 since 1980, while the unemployment rate has risen from 58.6 percent to 74.8 percent.\(^{9}\) During those same years, the number of employed has dropped from 308 to 261, echoing the estimated loss of more than 1,000 jobs in the three-county region centered around Havre, Chinook, and Big Sandy.\(^{10}\)

The reservation's housing situation is as bleak as it is for employment and income, according to Kelly Parisian, who directs the tribal housing program.\(^{11}\) More than 340 reservation families are on a waiting list for homes, which means many families are forced to double- or triple-up with other families, he says.

What homes do exist are often in poor shape, with many not meeting federal guidelines for safety or insulation. Of 450 Indian homes surveyed by the Bureau of Indian Affairs, Parisian describes 91 as "substandard" and 47 as "totaled." Some of the reservation's homes were designed for Florida but were purchased cheaply and shipped to Rocky Boy's back in the early 1960s.\(^{12}\) Parisian says
those homes have no foundations, their pipes freeze every winter, and stoves were installed near their only exit, creating a fire hazard.

From this poverty, the Chippewa-Cree are faced with the task of lifting themselves through education of their people, development of their limited natural resource base, or attracting an industrial facility. All three approaches require money. But with no big-money resource such as coal, oil, gas, or hydroelectric power, tribal leaders like Peggy Nagel, president of the community college, say developing the minds of the Chippewa-Cree is paramount to economic success.

"That's all we have left," says Nagel. "We have to develop our human resources."

Education here has followed the same pattern as on other Montana reservations. All seven in Montana can boast to having a community college. In general, community college programs are tied into specific needs of the tribe. Nagel points to coursework in farming and ranching, vocational education, and social work. In addition, students are required to take courses which teach tribal history, culture, and language.

The reservation's isolation -- a problem not only for Montana Indian reservations, but one faced by the entire state -- is considered to be a major impediment to attracting industry. Rocky Boy's is 35 miles south of U.S.
Highway 2, the nearest major highway, and about 100 miles from Great Falls, the regional center for this part of Montana. "When you come out to Rocky Boy's, you come to Rocky Boy's because you want to," says Bureau of Indian Affairs Superintendent Karole Overberg.

But all is not entirely grim. For example, the reservation's housing shortage could help ensure the success of a tribal forestry and log-home business. And a tribal propane distribution company is turning a profit while helping to keep the costs of propane down. More than anything else, though, the success of the propane company has shown tribal members that they can do something that makes money, Weist says.

There's also the potential for small-scale natural resource development, although it is unclear just what exploitable resources the tribe has, and whether they can be developed commercially.

Rocky Boy's timber reserves from a 16,000 acre commercial forest have been well documented, and these reports are available to the public. However, reports by the federal government discussing the relative availability of water, oil, gas, coal, and strategic mineral resources are held closely by the tribe and the BIA. Tribal and BIA officials don't want these reports made public to avoid jeopardizing the Chippewa-Cree in future negotiations with potential developers. Other studies by the Council of
Energy Resource Tribes (CERT) are also under way and should help the tribe determine its various options.

Chippewa-Cree Development Project Director Ron Swan, natural resource manager for the tribe, says that these reports should help his people take advantage of the Indian Mineral Leasing and Development Act of 1982. This Act, used in Montana on the Blackfeet and Fort Peck reservations with oil companies, allows tribes to enter into an equal partnership in resource development and provides the potential for a far greater economic return than before the 1982 law.

However, Swan acknowledges that the Chippewa-Cree are conservative when it comes to natural resource development. He is not sure how much natural resource development tribal members will allow. It has been several years since the last timber sale, a clearcut that left scars on the land and a sour taste in the mouths of many tribal members. In addition, a small ski resort 30 miles south of Havre has been the target of vandals who opposed the commercialization of the area.17

Daryl Wright says he speaks for many of his fellow tribal members when he objects to mounting pressure -- in the form of budget cuts -- on the Chippewa-Cree to develop their resources. According to Wright, the government is telling Indians, "If you have gold, sell it; if you have oil, sell it; if you've got timber, sell it," all without

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regard to future generations.

While there are traditional and cultural elements opposed to resource exploitation on all Montana reservations, Rocky Boy's isolation, near-100 percent Indian population, and small size combine to form a community attitude that will likely constrain resource development. The small size of the reservation is a key factor. Rocky Boy's is too small to hide the scars of a strip mine, for example, and it would be hard to define a natural resource sacrifice area because the population is scattered throughout the reservation's hills and valleys.\textsuperscript{18}

But Swan says some development will be possible, starting with the reservation's 16,000 acres of commercial forest. The annual allowable cut, identified in the tribal forest management plan at 5 million board feet, could bring in as much as $125,000 a year, he says.

Meanwhile, tribal planner Ronnie Joe Henry and his staff are assessing the possibilities of several business development opportunities.\textsuperscript{19} They include:

-- Agriculture. About 50 tribal members graze about 3,000 head of cattle on the reservation, and there are about 10 Indian farmers.\textsuperscript{20} Tribal government also operates a 4,500-acre wheat and barley farm at Box Elder, but officials say it has not turned a profit in recent years.

Over the long run, BIA Superintendent Overberg says agriculture may be the tribe's best economic bet, especially
if a Missouri-to-Milk River diversion project is approved. That project would cross the reservation near the tribal farm, and could irrigate up to 8,000 reservation acres, tripling crop yields and raising up to $1 million annually.

-- A tribal log home industry. The tribe hopes that such an industry would be designed to provide log homes to Indians on the reservation and others in nearby communities. Planners say log homes are cheaper to build, warmer in the winter, and cooler in the summer. A full-time researcher has been commissioned to study the possibilities.  

-- An ethanol/feedlot project. A consultant is studying whether local grain can be used to make ethanol and various by-products. Planners say the future of ethanol looks promising, partly because the reservation is located in the heart of farm country. They see one of the ethanol's by-products, high-protein mash or mash pellets, as having the potential for supplying a feedlot in conjunction with the tribal farm.

-- An industrial park at Box Elder. In 1982, the tribe received a $400,000 grant from the federal government to develop a meatpacking plant at an industrial site along a railroad spur at Box Elder. The project fell through during negotiations, and the tribe had to send the money back. It was considered a major set-back.  

Still, tribal planners would like to see an industrial park at the site and hope to coordinate it with the ethanol/feedlot project, as well as
the tribal farm.

-- Recreational development. The ski area could become a year-round recreational park. The tribe has discussed building a waterslide and a golf course as well as hiking trails. The Chippewa-Cree believe they could capitalize on the attraction of the Bear Paw Mountains, the only mountains within a radius of 100 miles.

For these projects to succeed, the tribe will need to overcome a variety of obstacles, but one in particular is the lack of capital. Says Wright: "There isn't a chance in hell (for economic success) unless we get some financial support."

In a climate of ever-increasing competition for federal dollars, the Chippewa-Cree find themselves at a disadvantage because of their small size, and because they have no track record.

"We just need that first project," according to Weist, who believes the Chippewa-Cree deserve a chance to show they can do something successful.

Yet Weist admits that the problems here, and on many other reservations, aren't limited to a lack of federal money. Weist, a non-Indian with experience on a number of reservations, also sees the Chippewa-Cree dealing with a host of internal problems.

Businesses have difficulty negotiating with tribal governments which don't act in a business-like manner, he
says, and such has been the case at Rocky Boy's. He says elected tribal officials have, at times, lacked "business savvy." While the tribal staff may sport college-educated Indians who understand the realities of the outside world, elected tribal leaders sometimes lack the skills necessary to help the tribe function outside of the reservation vacuum, he says.

For example, convincing tribal leaders here of the need for solid, long-term economic development plans -- the kind he says are only now being drawn up by tribal planners -- has been a difficult task.

As for the future, Weist says he believes the Chippewa-Cree have a chance at economic self-sufficiency, although he acknowledges it will probably take a painfully long time to reach that goal. Cuts in federal aid only hamper the development of a reservation economy, because the tribe has very little to build on in the first place. In the case of the Chippewa-Cree, it's easy to see how federal budget-cutting policies have become perceived as an insidious reincarnation of the federal government's 1950s termination efforts.

On a positive note, Overberg praises the Chippewa-Cree for its educational gains and improvement in the professional management of its government. But he admits that the Chippewa-Cree, more than other tribes, face an uphill struggle for survival.
"With no money in the bank, you can dream, but you can't get anything started," he says.
Notes

1 Interview with Daryl Wright, water rights specialist and former natural resource director, Chippewa-Cree Tribe, Rocky Boy's Reservation, Rocky Boy's Agency, Mont., 10 July 1986. All subsequent references to Wright were derived from this interview.


3 Memorandum from Janet Belcourt, Indian Health Services director at Rocky Boy's Reservation, to Billings-Area BIA Office, dated 18 Feb. 1986. Memorandum was supplied by Tom Weist, Chippewa-Cree tribal grants writer, Rocky Boy's Reservation, Rocky Boy's Agency, Mont., on 11 July 1986.

4 Interview with Leon Gardipee, Stone Child Community College student and Chippewa-Cree tribal member, Rocky Boy's Reservation, Rocky Boy's Agency, Mont., 10 July 1986. All subsequent references to Gardipee were derived from this interview.

5 Interview with Leon Gardipee.


7 Interviews with Tom Weist, Chippewa-Cree tribal grants writer, Rocky Boy's Reservation, Rocky Boy's Agency, Mont., 10 July 1986 and 11 July 1986. All subsequent references to Weist were derived from these two interviews.

8 Ibid.

9 Memorandum from Janet Belcourt.

10 Memorandum from Janet Belcourt, and interview with Tom Weist.

11 Interview with Kelly Parisian, Chippewa-Cree tribal housing officer, Rocky Boy's Reservation, Rocky Boy's Agency, Mont., 11 July 1986.

12 Ibid.


15 Interview with Ron Swan, Chippewa-Cree Development Project director, Rocky Boy's Reservation, Rocky Boy's Agency, Mont., 12 July 1986. All subsequent references to Swan were derived from this interview.

16 Interview with Ron Swan, and interview with Karole Overberg.

17 Interview with Leon Gardipee.

18 Interview with Ron Swan.


21 Ibid.

22 Ibid.

23 Ibid.

24 Interview with Tom Weist.
Lost Wealth, Poor Land, Combine to Make Economic Development an Allusive Goal

As members of the Assiniboine and Gros Ventre tribes of the Fort Belknap Indian Reservation like to tell it, the story of economic development on their reservation begins with a major rip-off.

They say theirs is a story of what could have been, a story of how today's poverty stricken people on their reservation might have become rich beyond their imaginations. What happened is quite simple and follows similar variations on a theme typically heard in Indian Country: whites took advantage of the Indians to gain control of a valuable natural resource.

Delmar "Poncho" Bigby, a tribal planner who specializes in water rights and natural resource development, also enjoys studying his people's past: pawing through old documents, checking out the old maps, identifying what's happened to tribal lands. He considers himself an expert on the negotiations of 1885 between George Bird Grinnell, representing the United States government,
and his own forefathers, the tribal leaders at that time.¹

Bigby says that his people received $350,000 for a 13,000-acre chunk of the Little Rocky Mountains, the reservation's only high country. But he claims that negotiations were not fair. Grinnell, he says, denied Indians information about the land's value, and he gave the Indians only two choices: accept the government's offer, or starve.

Indeed, that's what transcripts from the negotiations appear to say.² Here's what Grinnell told the Assiniboine and Gros Ventre that year:

I see that some of you people are pretty blind, you can't see far. You see the things that are close to your face, but the things that are further off you cannot see at all. You are like people looking through a fog... You think that because for seven or eight years, you have had plenty to eat and have lived well, for the next year or two you are going to have plenty to eat and it will always go on like that. That is not true; it is not going to last. I go among the different people and see them, how they are fixed, how many cattle they've got, how they farm; I don't see anybody as poor as you.

Two years from now, if you don't make any agreement with the government, you will just have to kill your cattle and then you will have to starve... The only thing you have to sell is this little piece of land that you do not use. I should like to see you sell that, because if you don't, I cannot tell after two years how you will live."³

The Assiniboine and Gros Ventre did, indeed, follow Grinnell's advice to sell the property. But the deal was
hardly fair, especially since the option of letting the Indians develop their own resources -- however ludicrous that option must have seemed to Grinnell -- was never presented.

During the first few years of this century, the former tribal lands in the Little Rockies became a center of gold mining activity in Montana. Historical accounts say mines at Landusky and Zortman were the most productive in the state between 1900 and 1904. They remain active today, bringing in millions of dollars in revenue for Pegasus Gold, a Spokane, Wash., firm. The gross value of gold and silver taken out of those hills is reportedly $25 million annually. The Landusky-Zortman mines employ about 100 people, and has an annual payroll of $5 million.

By contrast, the Fort Belknap tribes are able to generate just $500,000 annually, primarily through leasing its range- and pasture-land to non-Indian farmers or ranchers. So when tribal members look south to the mountains from their dry prairie landscape in the Milk River Valley, it's easy to see why they feel cheated.

"Can you imagine how wealthy we'd be," asks Lennore Stiffarm, a Harvard-educated Ph.D who directs the tribal education department and is a special consultant to the elected tribal community council. The answer, although speculative, is that the Assiniboine and Gros Ventre could well have been the richest Indians in North America,
according to Greg Smitman, the Bureau of Indian Affairs natural resource officer. 9

Bigby says the tribe is hoping to someday be compensated for its loss. He maintains that his forefathers were not only taken advantage of by not knowing about the gold or its potential value, but that there was no intent on the part of his people to "sell" the land. He says Indians at that time did not understand the concept of buying and selling land. Instead, his forefathers thought that what they were doing was more like a "lease," in today's terminology, and that the lease has since expired, he says.

The issue remains unresolved as far as the tribes are concerned, and tribal lawyers continue to pursue what they believe to be the tribes' legal right to the Little Rockies.

Meanwhile, economic development here focuses on education, expanding agriculture, and attracting a manufacturing plant to a renovated industrial building. But with tribal revenues of about $500,000, there's little left over to invest after meeting the costs of running tribal government.

Instead of dwelling on the past, though, tribal planners say they are trying to meet the challenges of their present situation. 10 Like their neighbors at Rocky Boy's, the Fort Belknap tribes have no big-money resources. There's hope that gold may be discovered in the tribes' remaining
portion of the Little Rockies. And it is hard to not notice the row of oil wells just off the reservation's western boundary. Someday exploration for petroleum resources may yield a few producing wells on reservation lands.

Unemployment is about 78 percent, and more than 65 percent of the resident Indians lives in poverty. Yet tribal leaders say they anxiously greet the future. "As Indians, we do not have the option to give up," says Stiffarm, who recently returned to the reservation after teaching and conducting research at UCLA and Stanford in California. Stiffarm is among the growing number of educated Indians working for a tribal government in Montana. Her attitude is typical of Indian leaders today.

One tool the Assiniboine and Gros Ventre tribes are implementing to help overcome their problems is education. Stiffarm says programs designed to teach the cultures of her people while helping them ease into the modern world have begun. If the two tribes are to survive, she says, they need to develop their human resources -- but in a way that won't sacrifice cultural identities.

She recalls the story of her father, who attended a BIA boarding school in the early part of this century; he and other young Indians were beaten if they spoke their native language. Such is not the philosophy of Indian education anymore. Two educational programs at Fort Belknap
-- a computer-assisted development project and a national computer training clearinghouse -- are new and they provide hope that the Assiniboine and Gros Ventre tribes will move closer to their educational goals. Both programs feature Apple computers and are designed for use in the schools.

The computer-assisted development project was implemented in 1986 at the nearby Harlem junior and senior high schools. It teaches native languages and customs by using software developed specifically for the Gros Ventre and Assiniboine by the tribal education office, says Preston Stiffarm, a Harlem teacher and Fort Belknap tribal member who supervises the program.12

The software features old-time stories and legends along with computer illustrations from each of the tribe's past. It is understood that Indians perform much better in school if they clearly understand their ethnic identity. Further, what's being done for the Gros Ventre is also done for the Assiniboine, an action taken to ease tension between the two tribes, once enemies.

The other program, the National Computer Training Clearinghouse, offers instruction for Indian teachers from throughout the West. Modesto Rosales Jr., a University of Montana computer science graduate, says he helps teachers learn how to introduce computers into their curricula.13 Rosales has also been working with tribal government staff to improve their commuter skills. Too many Indians are using
computers as nothing more than "glorified word processors" and not using them to their full potential, he says.

In the realm of business development, tribal planner Bill Walls says he believes the timing may be right for some positive change on the Fort Belknap Reservation. But he says, "we are running out of chances." Recognizing that the days of relatively abundant sources of federal money are gone, he says his people better get something started soon. "Federal money is drying up. We have to put on our business hats."

While the Assiniboine and Gros Ventre tribes are making strides in self-determination policy -- the government is getting more sophisticated, for example -- former four-year tribal chairman and current BIA official Jack Plumage says problems remain. As is the case elsewhere, tribal government has been highly unstable, with a new tribal chairman every two years.

"Hell, it takes you that long just to find where the bathroom is," according to Plumage.

Planning efforts have also been hampered by too many "crises," he says, adding that each new chairman tends to have a different set of priorities. And while the Assiniboine and Gros Ventre, once bitter rivals, have lived on the same reservation in peace for a century, there remains a clear distinction between the two tribes. Political divisions stem from these cultural roots, as each
tribe elects an equal number of representatives to the governing council.

Because of these and other problems, Walls and others have called for the establishment of an apolitical development corporation to be established in 1987. It is designed to eliminate political or unprofessional actions from the tribes' business activities. Other tribes in Montana have established similar organizations.

The corporation will be an arm of the community council, but it will be staffed with the tribes' best business experts. It is hoped the community council will give the new corporation a significant degree of autonomy so that it can make decisions in an efficient manner. The first goal of the new corporation will be to fill an empty but renovated 38,000-square-foot industrial building with something similar to what the Fort Peck Reservation has done with its A&S Industries. The Fort Peck venture, which makes netting and medical chests for the U.S. armed services, employs up to 500 people, mostly tribal members.

To accomplish this goal, the Assiniboine and Gros Ventre are working with a North Dakota State University professor to figure out ways to match military contracts with the Fort Belknap Reservation and an outside corporation to provide management and capital. A large potential work force, tax incentives, a community college, and a vocational program are being used to promote Fort Belknap.
However, agriculture is seen by the present tribal chairman as the reservation's best long-term economic bet. "We're in an agriculture region, and we ought to be looking at agriculture," says William T. "Snuffy" Main, who was elected tribal chairman in 1986.19

Similar advice has been given in BIA-sponsored reports, which see a potential for more than 100,000 acres of irrigated farmland.20 These lands could support a variety of crops including alfalfa, winter and spring wheat, oats, barley, flax, mustard, hay, beans, safflower, potatoes, sugarbeets, as well as hogs, cattle, and sheep.21 Yet those same reports recognize the extreme weather conditions -- the cold winters, short growing season, lack of precipitation -- and say irrigation would be necessary and costly.22

The community council has given Bigby the task of revamping a tribal farming venture that is, like its counterpart at Rocky Boy's, a financial drain. Bigby says the farm, at five years old, suffered from poor management and irresponsible fiscal policies, along with other problems inherent to agriculture. But due to good weather and a change in personnel, the farm was expected to show its first profit ever in 1986.

Called Milk River Farms, it is a 640-acre irrigated project with 337 acres in winter wheat, spring wheat and oats, five acres of potatoes, 125 acres of grass hay, and 173 acres of pasture.23
Its future "can only be limited by the imagination," according to Bigby. For example, his vision -- and it's a vision unclouded by the current farm and ranch crisis in Montana -- includes a herd of 6,000 cattle, 10,000 acres of irrigated cropland, 50,000 acres of dry-land farming, and the establishment of a grain alcohol/feedlot enterprise. But if the tribes do follow Bigby's plans, they will have to tackle their controversial nature. Many tribal members run their own farms and see the tribal venture as potential competition. These people have had a different philosophy toward agriculture, preferring individual farms rather than a large cooperative agricultural venture.

The collapse in 1986 of a proposal to purchase an 8,000-acre irrigated farm and ranch along the Milk River illustrates the problems faced by tribal ventures in agriculture. The BIA agreed to lend the tribes $1.5 million for a downpayment on the farming enterprise, which is located along Highway 2. But, the project fell through after the community council put the question up to a vote of tribal members. It was defeated in a special election.

If the tribes were to ever launch a massive agricultural development, the complicated issue of water rights would have to be settled. The Assiniboine and Gros Ventre tribes have long recognized the importance of water, and to their credit they have one of the nation's most significant water rulings backing them up. Shortly after
the turn of the century, the federal government went to
court on behalf of the tribes to secure their right to a
significant portion of the Milk River, which flows across
the northern portion of the reservation. In the landmark
1908 decision that became known as the "Winters Doctrine,"
the U.S. Supreme Court ruled that the tribes had a special
right to water from the Milk River.26

The Supreme Court established the concept of a
federal reserved water right, and said that since the
Indians had been first in time, they therefore had the first
right to use the water for present and future uses.27 Yet
despite this powerful ally, the water issue along the Milk
River Valley remains terribly complex and controversial. The
BIA's Greg Smitman estimates that the Milk River is over-
allocated by 400 percent, and People's Creek, which flows
from the Bear Paw Mountains across the reservation, is over-
allocated by 300 percent. There's enough water for everyone
in a wet year like 1986, but not during a drought.

Given the myriad of problems the Belknap Indians
face -- water shortages, lack of resources, barren land,
little money, political turmoil, and declining federal aid --
it remains to be seen whether the Assiniboine and Gros
Ventre will be able to meet their goals of self-
determination and self-sufficiency.

Yet it seems that these tribes, like their neighbors
on Rocky Boy's Reservation, illustrate the need for
widespread education and vocational training. To that end, Plumage says progress is being made. He sees more of the reservation's young people coming home after college to apply their skills on behalf of the tribes. Still, too often they stay away, leaving the lesser-educated tribal members with the job of getting ready for the 21st century.
Notes

1 Interviews with Delmar "Poncho" Bigby, tribal planner in charge of water rights and natural resource development, Assiniboine and Gros Ventre Tribes, Fort Belknap Indian Reservation, Fort Belknap Agency, Mont., 14 July 1986 and 15 July 1986. All subsequent references to Bigby have been derived from these two interviews.

2 Transcripts from negotiations between George Bird Grinnell and the Assiniboine and Gros Ventre tribal leaders, provided by Delmar "Poncho" Bigby. Transcripts identified as a BIA document from file 25450-1922-051-General Service.


4 Ibid.

5 Ibid.

6 Ibid.

7 Interview with William T. "Snuffy" Main, Assiniboine and Gros Ventre tribal chairman, Fort Belknap Reservation, Fort Belknap Agency, Mont., 16 July 1986. All subsequent references to Main were derived from this interview.

8 Interviews with Lennore Stiffarm, tribal education department director, Assiniboine and Gros Ventre Tribes, Fort Belknap Reservation, Fort Belknap Agency, Mont., 15 July 1986 and 16 July 1986. All subsequent references to Stiffarm were derived from these two interviews.


10 Tribal unemployment and poverty statistics provided by Joe Fox, Billings-Area BIA Office, Billings, Mont.


12 Interview with Preston Stiffarm, director of
computer-assisted educational development program, Harlem, Mont., educator, Assiniboine and Gros Ventre Tribes, Fort Belknap Reservation, Fort Belknap Agency, Mont., 16 July 1986. All subsequent references to Stiffarm were derived from this interview.


14 Interview with Bill Walls, tribal planner, Fort Belknap Agency, Mont., 16 July 1986. All subsequent references to Walls were derived from the same interview.

15 Interview with Jack Plumage, assistant BIA superintendent, Fort Belknap Reservation, Fort Belknap Agency, Mont., 16 July 1986. All subsequent references to Plumage were derived from this interview.

16 Interview with Bill Walls.

17 Ibid.

18 Promotional material provided by Bill Walls.

19 Interview with William T. "Snuffy" Main.

20 Potential for Agricultural Development Fort Belknap Indian Reservation, Development Planning and Research Associates for the BIA, Manhattan, Kansas, October 1977, p. IV-10.

21 Potential for Agricultural Development Fort Belknap Indian Reservation, pp. IV-2 through IV-6.

22 Ibid.


24 Interview with Jack Plumage.


26 Ibid.

27 Ibid.
CHAPTER FIVE

THE NORTHERN CHEYENNE INDIAN RESERVATION

Isolation, energy slump, and political turmoil in land of Morning Star people

Harvard-educated Joe Little Coyote, an outspoken Northern Cheyenne leader, says he's never seen his people in such poor economic and political shape.¹

After 16 years under the steady tribal chairmanship of Allan Rowland, who retired in 1984 and died a short time later, tribal government is in a state of disarray. The two subsequent tribal chairmen were removed from office, and the tribal court barred the man elected in late 1986, Robert Bailey, from taking office pending a legal challenge by his predecessor, who was ousted by the tribal council on charges of corruption.

"Investors don't want to touch us with a ten-foot pole because we're so damn unstable," says Little Coyote, who was an unsuccessful candidate for the tribal chairman's position in the most recent election.

The economy of the Northern Cheyenne Reservation,
with a resident population of about 3,100 tribal members who call themselves the Morning Star people, has taken a sharp turn for the worse in the 1980s -- from the hope of oil and gas riches to the despair of having to rely almost entirely upon the federal government in an era of big budget cuts.

Unemployment has steadily increased, from 34 percent in 1979 to more than 60 percent in 1986.\(^2\) Tribal revenues have dropped from several million dollars a year just three years ago, to an estimated $500,000 for 1987, primarily because ARCO canceled an oil and gas lease agreement with the tribe two years ago after failing to find any significant petroleum reserves under the 444,157-acre reservation.\(^3\)

The tribe is going broke, says Little Coyote, a former tribal official who helped negotiate that ARCO deal and was in charge of the tribal oil and gas office. Little Coyote now presides over a $1.2 million independent development fund established through the assistance of the St. Labre Catholic Mission at Ashland.

The sad part about it, he says, is that tribal government has put forth little effort to generate any economic development. Government has instead been too busy dealing with its own political turmoil.

With no industry or manufacturing and little retail business or tourism, the Northern Cheyenne Reservation is primarily an agriculture- and resource-based society,
according to Bureau of Indian Affairs Natural Resource Officer Bill Watters. Given the tribe's current depressed conditions -- politically, economically and socially -- Watters doesn't see much change "for many years to come."

Yet, despite today's gloomy picture, the Northern Cheyenne are considered a people with great economic potential, due to their natural resources. The reservation, Montana's second smallest, is endowed with range, forest, water, and coal reserves. And even though ARCO failed to find petroleum reserves large enough for development, future development by a smaller company isn't ruled out.

Clearly, should the tribe ever decide to develop those resources at a time when their relative values are high, they stand to make a great deal of money.

Coal is the most abundant. BIA Billings-area geologist Rick Stefanic estimates total reserves at 56 billion tons, with 3.3 billion tons recoverable given today's technology and market conditions. Virtually the entire reservation is underlain by coal, as is much of southeastern Montana and neighboring northeastern Wyoming. During the 1970s, with oil and gas prices high, a coal boom brought strip mines on three sides of the Northern Cheyenne Reservation, including one mine developed by the Northern Cheyenne's Indian neighbors, the Crow.

However, the Northern Cheyenne, due to environmental, social, and spiritual reasons, decided not to
develop their coal. Instead, they chose another course of action, one which may have been the smartest given the present recession in the coal industry.

With strip mines starting up all around the Northern Cheyenne, and with projections of future coal-fired generating plants throughout the region, tribal leaders at the time believed that their culture would be threatened by the potential massive influx of whites and the new values these new people would bring. Drugs, alcohol, and materialism were feared.

"We will be taught materialism. We will be taught that we can have anything at the touch of a button. We will be taught to take things for granted," said Tom Gardner, the tribal executive director, in 1974. "It could bring in bad traits -- drug traffic, mugging and discrimination. We will be a minority on our own reservation," he predicted.

Meanwhile, the Crow Reservation to the west was eagerly developing its coal, but under different circumstances. Crow coal was being strip mined off their reservation, on land that had been ceded to the federal government decades ago. The Crow had retained mineral rights to the area.

The Northern Cheyenne planned a different strategy, one that would not only preclude strip mining on their reservation but would give them some control over development that was taking place around them. The Northern
Cheyenne had the air over their reservation placed in the Class I category, the highest possible classification under federal standards. This classification is generally reserved for national parks and wilderness areas, although the Flathead and Fort Peck Indian reservations followed the Northern Cheyenne's lead and gained Class I air status.

When Montana Power Co. (MPC) wanted to build two new electricity generating plants just north of the reservation at Colstrip, the tribe found themselves in a position to negotiate a settlement with MPC; in 1979, MPC agreed to provide Indians jobs, scholarships for tribal members, and pay for some of the social costs associated with the local growth in population. The Northern Cheyenne, in turn, agreed to stop holding up construction of the 700-megawatt Colstrip units 3 and 4, which had threatened the reservation's air quality status. As a result, MPC has become one of the major Indian employers in southeastern Montana.

At the end of 1985, 94 of the 635 MPC employees at Colstrip were Northern Cheyenne Indians, says Dennis Limberhand, special projects coordinator for MPC who also serves on the Montana Human Rights Commission. Another 12 Northern Cheyenne were working for MPC subcontractors, says Limberhand, a Northern Cheyenne tribal member who has the difficult job of smoothing relations between his people and MPC.
During the construction phase of the two new units, known as Colstrip 3 and Colstrip 4, as many as 200 Northern Cheyenne were employed out of a workforce of 2,000. "We have Cheyennes in all areas now," he says, adding that some have become shift supervisors and journeyman plant operators. "You don't conquer this industry over night."

One positive result of the MPC development, according to Limberhand, has been a change in attitude among many Northern Cheyenne, who have typically made a living by part-time or seasonal work with the BIA or U.S. Forest Service on fire, road, or trail crews. He believes Northern Cheyenne Indians who hold down jobs at Colstrip may be setting an example for younger tribal members.

"The work ethic is just catching on," he says, adding: "Our generation is really the first-generation of lunch-packers."

While strip mining was not acceptable to tribal members, oil and gas development was considered a viable economic alternative because they perceived it to be less environmentally degrading, according to Little Coyote. Negotiations between the tribe and ARCO led to a lease which spanned 33 years, provided the tribe with a $6 million in up-front bonus payments, and added a number of other provisions. Some of those were:

-- a commitment by ARCO that it would spend a minimum of $20 million in exploration over the first six
years of the contract.

--- a tribal royalty rate of 25 percent.

--- a minimum of $1 million in annual lease payments, with higher lease payments on lands which become productive.\textsuperscript{12}

Tribal and BIA hopes were high that significant reserves of oil or gas would be found. A 1980 draft environmental impact statement predicted up to 5 million barrels of oil and 20 billion to 30 billion cubic feet of natural gas.\textsuperscript{13}

Seven wells were drilled. But ARCO pulled out after the third year of the agreement, exercising a right it had under a special provision of the contract.\textsuperscript{14} Not all tests were negative, according to Watters. But he says ARCO decided there wasn't enough oil or gas to make commercial development feasible. There's hope that a smaller company will some day return to the reservation when market conditions improve.

Today, the Northern Cheyenne are looking to their timber resources as a potential revenue producer.\textsuperscript{15} In 1986, the tribe was negotiating the purchase of a lumber mill at Ashland, with the assistance of the economic development fund administered by Little Coyote and the St. Labre Mission. Northern Cheyenne Industries, an economic development arm of tribal government, has been involved in negotiations that seek to get the mill under Indian control.
If the Northern Cheyenne succeed, an estimated 100 Indian jobs would be created.\textsuperscript{16}

The mill could tap timber supplies from around the region, including an allowable cut of 10 million board feet annually from the Northern Cheyenne Reservation alone.\textsuperscript{17} Other timber could come from the Crow Reservation to the west, the Custer National Forest to the east, or nearby private sources. Watters estimates the Northern Cheyenne have the potential to run 15 million to 18 million board feet per year through the Ashland mill.

Range resources are currently providing the bulk of the tribe's annual revenue through a leasing program.\textsuperscript{18} Of a total 444,775 acres on the reservation, 400,000 are considered range. A recent BIA range survey found that the conditions were good, despite recent drought years.\textsuperscript{19}

To coordinate the reservation's variety of resources, the BIA is drafting a new integrated management plan that will be a prototype for Indian reservations around the West, according to Norris "Mack" Cole, Billings-Area BIA assistant director.\textsuperscript{20} "We've got a lot of data," Cole says, "but it is stored in different places and is not easily accessible."

The plan, scheduled to be completed in 1987, will be computerized and flexible to allow resource planners to look at how various management scenerios will effect such resources as water, range, wildlife, and timber. It should
help the Northern Cheyenne develop solid, long-term resource management plans -- something that has been missing on this and other reservations, Cole says.

While Cole and Watters see natural resources as an essential building block to an economic development plan, the BIA's Sharon Limberhand points out that the reservation's remote location presents a major impediment to growth.21 U.S. Highway 212 crosses the reservation on its route from Interstate 90 through the Crow Reservation, Lame Deer, Ashland, the Custer National Forest, and Alzada. But the road from Crow Agency to Ashland is narrow, winding, and hilly. Lame Deer, a town of two gas stations, four cafes, a grocery store, and a small lumber mill, is about an hour's drive from Interstate 90 and two hours from Billings. Rapid City is up to five hours away.

Other problems exist, and they contribute to a mood of frustration and despair. There's no high school at Lame Deer. Children attend either the Catholic school 25 miles north at Colstrip or 25 miles east at the St. Labre Catholic Mission in Ashland. Health care is limited. A clinic provides some emergency services, but the nearest hospital is at Crow Agency, 45 miles west.

Even the mood at the Dull Knife Community College, one of the nation's first Indian community colleges, is depressed. Admissions Director Bill Wertman, recognizing the goal of meshing community college curricula with tribal
economic development plans, notes that "there just isn't a lot of economic development going on here."22 A major focus of the community college is educating the community on the problems with alcohol abuse, a disease affecting 95 percent of the families here, according to Wertman.

In societies where educated Indians say their knowledge brings discrimination upon themselves from their own people, community colleges can provide a vital bridge between the Indian community and its youth by becoming a center of education, culture, and recreation. Further, Wertman believes Indian youths have a hard time finding positive role models in communities suffering from chronic alcoholism, and community colleges can meet that need. But staffing at the college in 1986 was down 25 percent from 1985 due to budget cuts, and students are finding it more difficult to obtain financial aid.23

All these issues lead Sharon Limberhand to assess the present status of the Northern Cheyenne in negative terms: "It's a pretty bad situation."
Notes

1 Interview with Joe Little Coyote, Northern Cheyenne Business Development Fund president and former Northern Cheyenne tribal oil and gas director, Northern Cheyenne Tribe, Northern Cheyenne Reservation, Ashland, Mont., 14 Aug. 1986. All subsequent references to Little Coyote are derived from the same interview.

2 Bureau of Indian Affairs statistics provided by Joe Fox, Billings-Area BIA office, Billings, Mont.

3 Estimate of tribal income provided by Joe Little Coyote; confirmed by Sharon Limberhand, BIA assistant superintendent, and Bill Watters, BIA natural resource officer, Northern Cheyenne Reservation, in interviews, Lame Deer Mont., 14 Aug. 1986. All subsequent references to Watters and Limberhand were derived from these same interviews.

4 Interview with Bill Watters.


7 Interview with Joe Little Coyote.

8 "King Coal Arises," Billings Gazette special tabloid section, 17 March 1974, pp. 16-17.

9 Interview with Dennis Limberhand, Montana Power Co. special projects coordinator, Colstrip facilities, and member of Montana Human Rights Commission, Colstrip, Mont., 15 Aug. 1986. All subsequent references to Limberhand are derived from this interview.

10 Ibid.

11 Ibid.

12 U.S. Department of Interior, BIA, Northern Cheyenne Petroleum Development Project, draft EIS, August 1980, App. A.

13 Ibid., pp. 1-1, 1-2.

14 Interview with Joe Little Coyote.
15 Interview with Bill Watters.

16 Interview with Joe Little Coyote.


18 Interview with Bill Watters.

19 Ibid.


21 Interview with Sharon Limberhand.

22 Interview with Bill Wertman, Lame Deer Community College admissions dean and registrar, Northern Cheyenne Reservation, Lame Deer, Mont., 14 Aug. 1986.

23 Ibid.
CHAPTER SIX

THE CROW INDIAN RESERVATION

Self-government tops priority list on state's largest reservation

Crow leaders face a major challenge: starting from scratch to set up a government that can lead their people toward economic self-sufficiency and political self-determination. They've tried it before; this time, they hope they can make it work.

In 1980, the Bureau of Indian Affairs took over the Crow's day-to-day governmental operations after a federal audit found widespread mismanagement of money and what BIA Billings-Area Director Richard Whitesell called "politics run amuck."¹ A federal BIA employee was placed in the top tribal government management position to direct the Crow down a path of fiscal and political responsibility.

Last August, in a much heralded ceremony, federal officials literally returned the keys of the tribal office back to a new Crow government. Current BIA policy, Whitesell says, dictates that tribes must be allowed to fail, as well
as succeed, if they are to ever break from the paternalistic grips of the federal government. Returning Crow government to the Crow people is an example of that policy.

The new Crow government is making their first order of business the establishment of credible accounting, record-keeping, and procurement procedures. "All this is non-existent at this time," according to tribal Chairman Richard Real Bird. "Before we can go into business, these systems need to be in place." Once the new systems are working, Real Bird hopes that the Crow can begin to change the immense social and economic problems felt by his people, people he says "want progress, but are afraid of change."

As they are on other Montana reservations, unemployment, poverty and alcoholism on the Crow Reservation are pervasive. The tribe's economy, based on mining, timber, agriculture, and federal aid, is suffering terribly. Tribal income, mostly from coal royalties, has been as high as $8 million a year during the past decade, but dropped to about $3 million in 1986. If the energy market continues its slump, tribal income is expected to drop even farther. Planner Leonard Bends predicted the annual Crow budget will fall to under $1 million a year by the end of the decade.

Unemployment has risen steadily since 1980. Census figures showed 35 percent unemployment six years ago. The following year, that rate had worsened to 44 percent. Tribal officials say unemployment now stands at least 80
percent. The situation was at its worst in the winter of 1985-1986, when unemployment peaked at 93 percent, with 97 percent of all households receiving some form of general assistance or welfare, according to Real Bird.

Real Bird hopes that his people can put their reputation for irresponsibility and political confusion behind them. To establish credibility, he has hired two Crow leaders with extensive backgrounds in financial management. Barney Old Coyote, a former president of the American Indian National Bank in Washington, D.C., has taken over as tribal manager. And John Old Elk, an accountant and financial manager with energy company experience, is the new financial director for the tribe.

According to Old Elk, "We're drawing a line from July 1 (1986) and going forward." The immediate task for Old Elk and Old Coyote is to get the tribe's accounting system certified. This task includes such basic tasks as paying old bills, Old Elk says, to prevent such services as power or telephone from being cut off. The previous government -- even with a federal manager in place -- let too many bills go unpaid, as tribal revenues dried up, according to Old Elk.

Old Elk hopes to bring a corporate perspective to tribal government. He says he wants to create a framework whereby tribal members see themselves as corporate shareholders, and their elected leaders as executive
officers. However, while tribal leaders like Old Elk and Real Bird speak in terms of running tribal government like a business, the political system they must work within remains far removed from the model of a successful corporation.

One of the problems stems from the Crow holding tight to a part of their heritage. As a people, the Crow have been relatively successful at maintaining their Indian identities, traditional values, and native language. But they also retained a form of government that, while it may be as close to pure democracy as possible, has been highly criticized for being inefficient. The Crow are governed by a "general council" composed of all tribal men over 21 years old and women over 18. Each has a vote in the council, which meets four times a year to set policy for the tribe's four elected officers.

Real Bird, who says he has no plans to seek a change in this form of government, admits that this "grassroots democracy" has created problems. It has not allowed for long-term planning, which is considered essential for economic development. The tribe frequently splits over key issues, he says, and lets politics get in the way of efficient decision making.

Tribal planner Leonard Bends, whose speciality is economic development, believes the system eventually will change. The tribe is too large, he says, and the system is too cumbersome to mesh with the modern, outside business
world. Bends, like his counterparts on other Montana reservations, says there is no way the Crow can have economic development unless politics is removed from tribal business activities. Unfortunately, separating politics from business is impossible now.

"We fumble a lot," Bends says, adding, "when we fumble, we have to wait three months to correct the fumble."

However, Bends says it would be political suicide for a tribal chairman to suggest a change in government structure. Any chairman who did would find himself "thrown off the reservation," Bends says. Indeed, the Crow have a reputation for removing tribal chairmen before their terms expire.

Bends takes an optimistic look at Real Bird and his goal to work within the system. "If anybody can do it, he can," Bends says, praising Real Bird's determination to revitalize a system of committees to handle a variety of tribal affairs and to provide a link between the administrative officers and the general council. That link can smooth potentially rough political waters, he says.

Bends also praises Real Bird for bucking a previous tribal government trend to ignore college-educated Indians for government positions. Bends, who worked for the previous administration, says it used to be that people with college degrees were shunned and couldn't find a place within tribal government.
Bends remembers returning from Eastern Montana College several years ago and being challenged by a tribal elder who told him that he didn't belong on the reservation because he had a college degree. He was told that college-educated Indians can find work off the reservation, so that's where they should go; tribal jobs should go to the un-educated, unemployed, because they need the jobs.

If the basic government reforms can be made, the tribal administration can look to the Crow's vast natural resources for the basic economic building blocks needed to build a viable economy. "The Crow tribe is blessed with an abundance of natural resources. We've got over 50 billion tons of coal, we also have water, we have oil and gas, and we have land. We have everything necessary to be self-sufficient," Real Bird says.

The Crow Reservation is Montana's largest. It covers more than 2.2 million acres, with the tribal membership of about 7,000 controlling about 68 percent of the land; non-Indians control remaining lands. The Crow have mineral rights to another million acres under land north of the reservation to the Yellowstone River. And it is in this area -- at Westmoreland Resources, Inc.'s Absaloka Mine -- where Montana's only Indian coal is being developed.

The mining tract, covering about 15,000 acres, has recoverable reserves of about 600 million tons and has been the major source of revenue -- more than $21 million in
royalties — for the tribe since the first train load of coal was shipped out in 1974.9

But the mine has been in trouble, according to Westmoreland Resources General Manager David Simpson.10 He notes that the tribe has earned significant revenue from the mine and says it has provided Indian employment beyond tribal- or federal-government payrolls. But the current energy slump has taken its toll on Westmoreland Resources and the Crow. Further, the mine has not lived up to expectations.

"The people of the Crow Nation view coal as the black gold that will transform welfare recipients into capitalists," according to a Billings Gazette special publication in 1974.11 Crow Minerals Committee member Eloise Pease was quoted at the time as saying: "We're tired of handouts. We would like to exploit our own wealth for a change."12

The article was up-beat, saying that coal was the way for the tribe to reduce its 29 percent unemployment rate. But instead of dropping, the unemployment rate on the reservation has actually risen in the years since coal development began. Instead of the Absaloka Mine producing the anticipated 15 million tons per year, production peaked in 1979 at 5 million tons, and it had leveled off to about 2 million tons in 1986.13 Employment at the mine has declined to about 25 workers, down from an average of 60 to 80 in the
late 1970s and early 1980s. About half those are Crow Indians.

Building a coal-fired generating plant was once considered an appealing tribal option and could have employed hundreds of Crow Indians, but Class I air quality status on the neighboring Northern Cheyenne Reservation has cast a political cloud on that issue. The current depressed price of coal has amplified problems. Now, Real Bird says the tribe is looking at a possible joint venture with another Indian tribe. Crow coal could be shipped to the other reservation, where a generating plant could convert it to electricity. This plan would, no doubt, be controversial.

The Crow also had hoped to develop a second coal mine, this one with Shell Oil Co., but Shell pulled out in 1985, blaming the sagging conditions of the energy industry, conditions that make new coal development in Montana unlikely at present.

According to Simpson, coal companies' problems in Montana are complex. They are tied to the world price of oil, the quality and quantity of coal, the cost of mining, and the cost to transport coal to market. One issue that has been hotly debated is whether Montana's severance tax should apply to Crow coal. The Crow tribe maintains that its coal, held in trust for the tribe by the federal government, falls outside of state jurisdiction and should therefore not be subject to state taxation. Meanwhile, the state claims
that Crow coal is like any other private coal reserves and, as a consequence, it should be taxed. A federal judge has sided with the state, but that ruling was appealed by the Crow Tribe. Regardless of the outcome, the issue is expected to end up in the U.S. Supreme Court.

Nevertheless, Crow coal will continue to be a part of the reservation's economy for years to come. Total recoverable reserves are estimated at 600 million tons. "At the rate we're going, it will take a long time to deplete the lease," according to Simpson.

One thing is for certain, according to Real Bird. Future coal development will most likely involve a joint venture instead of a lease agreement. Joint ventures were allowed for the first time with the passage of the 1982 Indian Mineral Leasing and Development Act. This act has been successfully employed in oil and gas development by the tribes of the Fort Peck and Blackfeet reservations.

Besides coal development, the Crow have been directing their economic development activities toward several other areas:

-- Winning a $60 million to $100 million settlement from the federal government over an alleged surveying error that denied the Crow about 36,000 coal-rich acres. The Crow hired former Secretary of Interior James Watt to represent them, but they recently terminated their contract with Watt. The case is still pending in court.17
-- A small hydro-electric plant on the Big Horn River below Yellowtail Dam is being investigated. Details are being studied with state and federal officials. If the project wins approval, it could provide construction jobs and long-term employment, plus annual revenues from the sale of power.18

-- Sun Lodge, a run-down motel along I-90 near Crow Agency, is being renovated.19 The lodge is located near the Custer Battlefield, where the Northern Cheyenne and Sioux teamed up with various other bands to deliver the U.S. Cavalry its most famous defeat.

-- A business such as the Fort Peck tribes' A&S Industries, which capitalizes on military support contracts, is being sought for a 105,000-square-feet building that once housed a carpet mill.20 The Crow are working with a North Dakota State University professor to match their reservation with a company and product to be manufactured or assembled on their reservation.

-- A small shopping mall, owned and operated by the tribe, is also being considered for Crow Agency.21 Most Crow shop off the reservation in Hardin or Billings, and as a result, money brought into the reservation leaves almost immediately, a problem common with most Montana reservations.

While the above projects are seen as having potential benefits for the Crow, tribal planner Bends
doesn't see any immediate way out of his people's problems. "There is no quick solution," he says, making this prediction: "It's going to take five or six years to turn it around." Given this reservation's track record, Bends may be overly optimistic; merely reaching the top Crow goal of fiscal responsibility will be a significant achievement.
Notes

1 Interview with Richard Whitesell, Billings-Area BIA Director, Billings, Mont., 11 Aug. 1986. All subsequent references to Whitesell were derived from this interview.


4 Statistics provided by Joe Fox, Billings-Area BIA office, Billings, Mont.

5 Updated BIA figures provided by Tom Weist, Rocky Boy's Reservation grants writer, Rocky Boy's Agency, Mont., 11 July 1986.

6 Interview with Richard Real Bird.

7 Interview with John Old Elk, Crow tribal financial manager, Crow Indian Reservation, Crow Agency, Mont. 13 Aug. 1986.

8 Interview with Richard Real Bird. (Note: the Crow Indians rejected the 1934 Indian Reorganization Act, an act that allowed Indians to establish government's modeled after cities or counties.)

9 Interview with David Simpson, Westmoreland Resources general manager at Absaloka Mine, Sarpy Creek, Mont., 13 Aug. 1986. All subsequent references to Simpson were derived from this interview.

10 Ibid.


12 Ibid.


14 Interview with David Simpson.

15 Ibid.
16 Interview with Leonard Bends.


18 Interview with Leonard Bends.

19 Ibid.

20 Ibid.

21 Ibid.
PART TWO

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE WESTERN MONTANA'S FLATHEAD INDIAN RESERVATION
CHAPTER ONE

AN INTRODUCTION TO THE FLATHEAD INDIAN RESERVATION

Salish and Kootenai
find that resources, location
give them an advantage

Confederated Salish and Kootenai tribal officials acknowledge that, compared with other Indian reservations in America, their's is among the most blessed. Tribal vice-chairman Ron Therriault says he's quick to recognize that fact every time he visits another reservation in Montana or elsewhere in the West.¹

While many reservations are on land that includes the poorest in the country, the Confederated Salish and Kootenai Tribes occupy a scenic, 1.2-million acre tract of western Montana that ranges from fertile agricultural land in the valley to commercial-grade forests to mountains, glaciers and high-mountain lakes.

Since the reservation was created in 1855, but mostly since the 1975 Indian Education and Self Determination Act, the Flathead people have been getting
better and better at turning their natural resources into valuable economic assets. They have also become a leading voice for environmental protection.

The Salish and Kootenai have one of the better tribal economies in the nation, and they find themselves best off, economically, of all seven Montana Indian reservations. They play a central role in shaping the economic and political future of a significant portion of Montana: that portion of the state between Kalispell and Missoula. And Indian leaders' presence can be felt in both Missoula and Kalispell.

The Salish and Kootenai tribal government is the largest employer in Lake County, accounting for about 500 jobs. The tribal budget, business enterprises, and salaries boost the local economy by at least $20 million annually, Therriault says. Indians own more than 150 private businesses on the reservation, about half of those are farms or ranches.

Pointing to the tribes' economic contribution to the Valley, Therriault says, "We are not bad neighbors at all."

Unemployment on the Flathead Reservation is about 27 percent, compared with a range of 40 percent to 85 percent on other Montana reservations. All other Montana Indian reservations have suffered sharp drops in tribal revenues, due to crashes in energy, agricultural or timber markets, but the Flathead's have actually risen.
The Flathead tribes brought in $12.5 million in 1985, thanks primarily to a 1984 rent settlement between Montana Power Co. (MPC) and the tribes over the 180-megawatt Kerr Dam near Polson. Similar annual income projections are anticipated for the near future, as the tribes can expect an MPC rent payment of about $9 million (adjusted to inflation) each year through 2015.

By comparison, the annual tribal revenues on the Rocky Boy's, Fort Belknap, and Northern Cheyenne reservations are all under $500,000. The Blackfeet, Crow, and Fort Peck Indians are all able to raise seven-digit incomes off their natural resources, but their combined incomes in 1985 only matched the Flathead's $12.5 million.

On the Flathead Reservation, the economy is not based on the volatile boom-and-bust nature of the petroleum or coal industries. Recreation, tourism, timber, clean industry, and hydroelectric power are viewed as the essential building blocks to stable, long-term economic growth and the realization of self-determination.

The reservation stretches about 60 miles southward from the middle of Flathead Lake to about 15 miles north of Missoula, and about 40 miles westward from the crest of the Mission Mountains to the Lolo National Forest boundary. Indians own or control about half of the reservation's total land area. Most of that is the tribes' 540,000 acres of forest land, 300,000 acres of which are considered by tribal
government to be of commercial value.  

Wet by Montana standards, the Flathead Reservation offers a sharp contrast to eastern Montana Indian reservations, where annual precipitation is generally under 15 inches. On the Flathead, annual precipitation ranges from a low of 15 inches in the Hot Springs area to 20 inches at Polson and Ronan to more than 100 inches in the Mission Mountains. One major river, the Flathead, and two smaller rivers, the Little Bitterroot and the Jocko, flow through the reservation and contribute to more than 460 miles of reservation streams. Approximately 60,000 surface acres (about half) of Flathead Lake lies within the reservation.

The tribes also manage a 90,000-acre high-mountain wilderness area which is home to native trout, deer, elk and at least four endangered or threatened wildlife species: grizzly bears, peregrine falcons, bald eagles, and wolves.

While most of the best agricultural land on the reservation is owned by whites, about 20,000 acres of Indian-owned land (both individual and tribal trust) is farmed, producing a variety of crops including alfalfa, wheat, barley, and silage corn. The Mission Valley is some of the richest land in Montana.

The area is also a major tourism and recreational attraction to local, regional, and national visitors who come to hunt waterfowl on the reservation, hike on wilderness trails, fish its waters, spend time at Flathead
Lake, visit the National Bison Range, or explore nearby Glacier National Park. To its advantage, the reservation is located on Highway 93, the link between Missoula and Kalispell, and one of the major routes between Yellowstone and Glacier national parks. Of the 2.5 million visitors who come to Montana each year, 60 percent, or about 1.5 million, visit Glacier Park, bringing many of those to the reservation.15

In comparison to all other Montana tribes, with the possible exception of Fort Peck's Assiniboine and Sioux, the Salish and Kootenai are clearly off to the best start in the struggle toward self determination. Tribal officials say that this is due to several reasons: less isolation, a tribal population with more formal education, and more than a century of living in close proximity to the dominant white society. But at the top of their list is the relative abundance of natural resources, resources which have provided the tribes with the largest and most stable revenue base of all Montana Indians.

"We are not absolutely dependent upon the federal government, a fact that many non-Indians refuse to believe," says Jim Paro, the former tribal Natural Resources Department director who resigned from his position in early 1987 to become manager of S&K Electronics, a tribal electronics firm.16

Outnumbered by whites by a ratio of four to one, the
Salish and Kootenai have found that survival presents a continuing struggle -- politically, economically, legally, and culturally -- between themselves and the dominant society. They've lost much in the 132 years since their forefathers signed the Treaty of Hell Gate at what would become Missoula; their reservation once encompassed most of western Montana, from Canada to Idaho. What's left is only half under their control, a result of federal policies in the early 1900s that opened the reservation to white settlement.

But the Salish and Kootenai are making a comeback. And they are doing so by gaining control of key natural resources, applying management, and adopting environmental policies that preclude rapid population growth, industrial development or, resource exploitation.

The tribes' resource base -- timber, water, fish and wildlife, clean air, wilderness -- is for the most part renewable, provided management is sound. It is these resources, set in the context of preserving a relatively pristine native homeland, which have become the driving factor behind the Flathead goal of economic self-sufficiency and political self-determination.

Promotional material distributed by the tribes includes a statement that the Salish and Kootenai are following the philosophy of Cherokee Chief Doublehead who said almost 200 years ago: "If we hold our lands, there will
always be a turkey, or deer, or fish in the streams, for those young who come after us."

To this end, tribal government has, in recent years, declared their reservation a nuclear-free zone, adopted the highest air quality standards possible under federal law, regulated the transport of hazardous materials, regulated the shoreline of that portion of Flathead which lies within the exterior boundaries of the reservation, established a 90,000-acre wilderness, assumed control of fish and game management, and established an aquatic lands and streambed protection ordinance.

"People say if you do these things (environmental protection), you can't grow," says Therriault, adding, "Well, maybe you can't grow as an industrial power, but we don't necessarily want to grow as an industrial power."

Therriault, who frequently speaks to non-Indian audiences on behalf of the tribes, rarely makes a public appearance without taking the opportunity to make a reference to environmental protection.

"You've heard of Spaceship Earth," he says, "Well, this is Spaceship Res.," he adds, referring to the reservation. Saying his people cannot save the entire world from environmental destruction, he says they can commit themselves to preserving their corner of the world.

The environmental ethic embraced by tribal government speaks to a spiritual necessity: an overriding
obligation that this generation has to the next, and to the land itself. But it also addresses the political realities of self-determination policy and the demographic realities of being a minority on his own reservation. It is, for example, to his people's advantage to limit the growth of the non-Indian population; whites on the reservation outnumber the Salish and Kootenai about 3,800 to 15,800, creating an inevitable confrontation between Indians and the dominant white society over the reservation's resources.

Policies which limit large-scale development, that would prevent a rapid boom in population, will only help give the Salish and Kootenai more time to establish their government, as well as regain lost cultural ties. Tribal control of resources and environmental regulation helps the Salish and Kootenai people define their concept of a tribal homeland.

At the same time, maintaining environmental quality on the reservation is seen by many, both Indians and non-Indians alike, as perhaps the best long-term economic bet for the future. Non-exploitive use of the area's forests, waters, mountains, wetlands, farmlands, and wildlife could help this area to become a major recreation attraction.

Moving ahead for the tribes is synonymous with establishing control of that region of western Montana known as the Mission Valley. Control issues relating to water, recreation and wildlife will be discussed in subsequent
chapters.

But unfortunately, according to Therriault, moving ahead for the Salish and Kootenai means a confrontation with whites, who not only outnumber the Indians but also control or own most of the land in the valley bottoms and much of the prime shoreline real estate along the southern half of Flathead Lake. Therriault and others in tribal government say the confrontation is frustrating; whites want Indians to become self-sufficient, yet they oppose specific tribal actions that would help them achieve such a goal.

With federal Indian aid decreasing this decade, the Flathead tribes have been forced into raising revenue for today's needs, as well as those needs in a future that will likely see a continued decrease in federal support. As are other Montana Indian tribes, the Flathead tribes are receiving an estimated 30 percent to 40 percent less federal money since 1980.21

The Salish and Kootenai, who manage dozens of programs once managed by the federal government, have seen federal assistance for those programs drop from $16.7 million in 1981 to $10 million in 1987, says Jane Clairmont, tribal grants and contracts officer.22 These programs include water resource studies, law enforcement, education, tribal health, and economic development. The future, according to Clairmont, "is really scary."

The need to raise more tribal funds to supplement
lost federal revenue has pushed the Salish and Kootenai to adopt a number of tribal ordinances that assume control of natural resources on the reservation, and which raise money to cover costs of resource management. But with each new ordinance, all adopted in the name of self-determination, and all assuming some degree of Indian authority over non-Indians, comes a new wave of objections raised by many of the non-tribal members living on the reservation.

Lake County Commissioner Mike Hutchin, one of many whites living on the reservation who oppose the tribal system, finds it hard to believe the Salish and Kootenai have special rights from a 132-year-old treaty signed generations ago under completely different circumstances. However, the Hell Gate Treaty of 1855 does, indeed, exist, and its provisions have been upheld in our nation's highest court.

The result is that questions of jurisdictional control surround virtually all aspects of land and natural resource management on the reservation -- questions such as who owns Flathead Lake, and who should manage it? Is there a difference between ownership of the surface of the lake and ownership of the water itself? How much water should be reserved for the Indians? Who should manage the local irrigation project and power cooperative, originally built for Indians but now serving mostly whites? How much water should be allocated to farmers and ranchers, and how much
should be left in the streams or rivers for fish and related aquatic resources? Who owns the fish and wildlife, and who should manage these resources?

Is there any merit to Hutchin's claim that the reservation is becoming Montana's version of South Africa, where a minority rules over a majority, and where the majority has virtually no representation in government?

Some of these questions have been answered by various courts, and, to date, judgements have generally favored the tribes. For example, the Salish and Kootenai do have the right to exclude non-tribal members from using their land, or hunting their wildlife, or fishing their waters. They also have the right to charge permits to non-tribal members who want to use the reservation as a recreational area, and they can set limits on its use.

The so-called "Namen Decision" ruled that the tribes have the right to regulate the bed and banks of their portion of Flathead Lake; they can set limits on the size of boathouses and docks, and can prohibit the manipulation of the shoreline.

Other questions, such as who will manage aquatic lands and streambeds on the reservation, or who will manage the fish and game, are being debated, as the tribes have assumed responsibility for these resources in early 1987. Negotiations between state and tribal representatives are underway. If cooperative agreements can't be reached, court
court challenges will likely follow.

The Salish and Kootenai people face more than just issues relating to natural resources and tribal jurisdiction. According to Paro, they eventually need to address the issue of continued blood quantum dilution due to decades of inter-racial marriages. They need to continue addressing the loss of Indian culture they've experienced. How long, one might ask, can the Salish and Kootenai people continue to maintain their dwindling cultural identity as they live as a minority in their own homeland, a homeland guaranteed to them?

The Salish and Kootenai have been successful. But, as Therriault notes, that success has come at a tremendous cost: the near-loss of their native languages and cultural identity. To meet this challenge, cultural committees and the staff at the local community college are doing what they can to foster a rebirth in the tribes' traditions. Nonetheless, the tribes' find themselves open to criticism from people like County Commissioner Hutchin, who questions whether many of the Salish and Kootenai Indians are Indians at all.

In fact, about 30 percent of tribal members have less than 1/4 Indian blood. Another 40 percent are between 1/4 and 1/2 Indian blood, meaning that about 70 percent of the tribal membership have less than 1/2 Indian blood.

Given these pressures, it's not surprising that
large-scale economic development, the kind that could bring a large influx of whites on the reservation, is not a tribal goal. For the same reasons, it is not surprising that the Flathead tribes' self-determination activities of the 1970s and 1980s, which clearly can be seen as survival tactics, provide an example by which other tribes may follow.
Notes

1 Interviews with Ron Therriault, vice-chairman of the Confederated Salish and Kootenai Tribes, Flathead Indian Reservation, 24 Aug. 1986 and 25 Aug. 1986. Therriault was tribal chairman at the time. Unless otherwise noted, all subsequent references to Therriault were derived from these two interviews.

2 Lake County, Mont., O.E.D.P. Committees, The Lake County Overall Economic Development Plan 1986 Update, Polson, Mont., p.27.

3 Salish and Kootenai Tribes, Overall Economic Development Plan, Flathead Indian Reservation, Jan. 1985, p. 42.

4 BIA and tribal government statistics provided by economic development offices on each reservation. In the case of the Flathead, the 1980 U.S. Census listed unemployment at 20.2 percent in 1980; by 1981, the BIA estimated it had grown to 23 percent. The 27 percent rate cited in the text was derived from BIA statistics provided by Joe Fox, Billings-area BIA office.

5 Interview with Ron Trosper, Salish and Kootenai tribal economist, 25 Aug. 1986. All subsequent references to Trosper were derived from this interview.

6 Interview with Ron Trosper.

7 Based on personal interview with tribal leaders from the Rocky Boy's, Fort Belknap and Northern Cheyenne reservation, summer 1986.

8 Based on personal interview with tribal leaders from Blackfeet, Fort Peck and Crow reservations, summer 1986.

9 Interview with Ken Dupuis, BIA forestry director, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986.

10 Promotional information printed by Confederated Salish and Kootenai Tribes provided by Ron Therriault.

11 Ibid.

12 Ibid.

Overall Economic Development Plan, p. 41.


Interview with Jim Paro, former Salish and Kootenai tribal natural resources director, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986. All subsequent references to Paro were derived from this interview.

Promotional information on Confederated Salish and Kootenai Tribes provided by Ron Therriault.

Ron Therriault, speaking at a Wilderness Lectures Series class, Wilderness Institute, University of Montana, Missoula, Mont., February 1986.

Comprehensive plans for Lake County and the Flathead Reservation both recognize the increased importance of recreation and tourism on the economy of western Montana.


Estimate of reduction in federal aid is based on interviews with numerous tribal and BIA officials in Montana, as well as research of BIA and Indian Health Service total budgets. Tribal and BIA officials point out that determining the exact extent of federal budget cuts would be a major undertaking, because so many programs in such a variety of federal agencies were geared for Indians.

Interview with Jane Clairmont, Salish and Kootenai tribal grants and contracts officer, Flathead Indian Reservation, Pablo, Mont., 3 Feb. 1987.

Interview with Mike Hutchin, Lake County commissioner, Lake County Courthouse, Polson, Mont., 5 Feb. 1987.


Ibid.


28 Ibid.
CHAPTER TWO

THE NATURAL RESOURCES:
WATER

Water resources considered to be most valuable on reservation

Water, especially Flathead Lake and River, is the Salish and Kootenai people's most important resource, says former Confederated Salish and Kootenai Natural Resource Department Director Jim Paro.¹

Even though questions of who owns the water, and who will have the right to regulate its use, have yet to be settled, the tribes derive significant monetary and non-monetary benefits from the reservation's relatively abundant water resources.²

Water is the life-blood of the Salish and Kootenai Tribes' land: their forests, their range, their wildlife, and their fish. It has tremendous scenic value in the form of pristine high-mountain lakes, glaciers, waterfalls, streams, rivers, and wet-land marshes.

The Salish and Kootenai can count 89 lakes on their reservation.³ The biggest is Flathead Lake, of which about 60,000 acres, the southern half, is located within the
reservation's exterior boundaries. There are also more than 460 miles of streams or rivers; the largest is the Flathead River, flowing south out of Flathead Lake through the middle of the reservation. It meets the Clark Fork River near Paradise at the reservation's southwest corner.

Scenic, recreational, and ecological values of the reservation's water resources are difficult to measure. Consider subsistence deer hunting, for example. Water plays an essential role in supporting this activity, a year-round right to tribal members. Subsistence hunting puts a valuable commodity, meat, in the freezer, but subsistence hunting is also part of a traditional lifestyle many Indians hold as priceless.

Water is also a cornerstone in the tribes' growing recreation and tourism efforts centered around Flathead Lake, Flathead River, Ninepipe and Pablo national wildlife ranges, the National Bison Range, and the Mission Mountain Tribal Wilderness. The value of abundant and clean water to plants and animals occupying these areas, and to human visitors, is virtually impossible to measure.

However, the Salish and Kootenai Tribes believe that people will be willing to pay to use their lands and waters if they are maintained in a relatively pristine condition. Indeed, many people are already paying to swim in or waterski on Flathead Lake, to hunt waterfowl on the reservation's wetlands, to fish its waters, or hike in
wilderness drainages. Tribal regulations require all non-members to buy a permit if they want to do any of these activities on tribal lands or waters.

There are problems, though. Enforcement has been difficult. Wildland Recreation Department Director Herschel Mays says that not everyone knows he or she is supposed to buy a permit, and others who are familiar with the regulations choose to ignore them. But according to Mays, people have become more cooperative; in recent years, tribal government has been able to raise about $100,000 annually from permit sales, or twice as much than in 1979.

Starting in 1987, the tribes hope to have a new permit system that will impose higher fees, carry a much broader jurisdiction and will be enforceable through civil actions in tribal court. Fish and Game Law Enforcement officer Frank Acevedo says up to $300,000 will be raised each year under the new system. (These regulations, found in tribal ordinance 44-D, will be discussed in Chapter 5).

Water is also important to farming and ranching. The Flathead Irrigation and Power Project (FIPP), operated by the federal government, provides irrigation to 2,600 customers, about 90 percent non-Indian, and 127,000 acres of agricultural land within the reservation. FIPP has been the subject of great controversy in recent years, as the Salish and Kootenai are demanding that fish and aquatic resources be protected by the establishment of minimum in-stream flows
at the expense of irrigation needs.

Actions centered around the power division of FIPP have also raised controversy. The Salish and Kootenai Tribes, through the "638" contracting provisions of the Indian Self Determination and Education Assistance Act, are currently trying to secure the authority to manage the power division of FIPP, which supplies electricity to about 20,000 people living on the reservation. The tribes were given initial approval by the BIA in 1986, but that action has been challenged in court by opponents who object to Indian control over non-Indians.

Small-scale hydropower is also being developed. A 350-kilowatt dam on Boulder Creek in the northern Mission Mountains was recently built and financed by the tribes. Tribal economist Ron Trosper says the project is starting to make money. Other potential sites, such as Lower Crow Creek, Post Creek, Dry Creek and Mission, have been identified for their potential small-scale hydropower value, although their proximity to the tribal wilderness may cause management conflicts, and their economic potential is unknown.

Several potential hydropower facilities have been proposed for the Flathead River. The most recent would have dammed Buffalo Rapids below the existing Kerr Dam south of Polson. In May 1986, the tribal council decided against conducting feasibility studies for this proposed project.
Ron Therriault, tribal chairman at the time, was quoted in the tribal newspaper as saying: "Our prime question was, 'Do we want to dramatically alter the river?' We answered 'No, unanimously.'"12

Several months later in an interview, Therriault said that, not only would the dam have "changed the nature of things," it would have also been a poor business venture, because it would have been many years before the tribes would have seen any revenue.13

Obviously, that view was not shared by the dam's primary promoter Fred Houle Jr., a former tribal executive secretary. According to Houle, the dam would have provided jobs for hundreds of tribal members and long-term tribal and Indian income. "The tribes need meaningful jobs that fit the purpose of the reservation, which is to be a permanent homeland," he said at the time the tribal council rejected the plan.14

But councilman Vic Stinger of Pablo countered his argument with what seems to typify the present conservative nature tribal government has toward resource development and environmental protection. According to Stinger: "If we erred, we've done it correctly. The dam can still be built in 20 or 30 years if there's a need."15

A dam at Buffalo Rapids would have become the second dam on the Flathead River. Kerr Dam, which began operating in the early 1930s, is by far the most dominant water
project on the reservation. It is also the tribes' biggest money maker, although its economic value to the Salish and Kootenai has only recently been realized.

This 180-megawatt facility is on 2,000 acres of tribal land. Montana Power Co. (MPC) owns the dam and holds the federal license to operate it. In 1984, after threatening legal action that could have given the federal license to the tribes, the Salish and Kootenai came to terms with MPC over management of the dam through 2035. The agreement provides the tribes with about $9 million annually in rent payments, adjusted to inflation, for 30 years, and then allows the tribes the option of buying out MPC's interest in the dam and assuming management of the facility for the final 20 years of the license.

That negotiated agreement came after battle dating to the 1920s. When the original plans for the dam were first revealed, a number of power sites were identified along the Flathead River below Flathead Lake. These sites were seen by the Montana Power Co. as having potential to supply electricity for the Anaconda Company's mining and smelting operations at Butte and Anaconda. They were also seen by Indian advocates as the "cheapest imminent development in the United States (and), "next to the Osage (Indians) oil field and certain great timber stands, the most valuable natural resource in Indian possession." It was predicted that hydropower development of the
Flathead River could give the Flathead tribes "a large permanent income" and "self-supporting jobs" near their homes. That prediction, only now beginning to come true, was made more than five decades ago.

Tribal officials were clearly pleased when the MPC settlement was announced. On Oct. 6, 1984, Teresa Wall, a tribal attorney during the MPC negotiations, was quoted in the Missoulian as saying the settlement was a "major victory and a wonderful thing." Kevin Howlett, a tribal councilman at the time, said: "What happened . . . was kind of like a dream come true."

The 1984 agreement did dramatically increase the tribes' compensation and set them apart from all other Montana Indians. But tribal attorney Dan Decker says, in retrospect, that the agreement with MPC only serves to illustrate how the tribes were undercompensated throughout the dam's first half century of existence. He notes that part of the compromise the tribes made with MPC was that they wouldn't ask MPC for retroactive payments, a point that was acknowledged at the time by an MPC spokesman. The Missoulian reported that MPC spokesman Dean Conklin said the negotiated settlement was "forward-looking," because it contained no retroactive payments.

Historical accounts support Decker's viewpoint, and they indicate that the Salish and Kootenai were exploited like other Indian tribes. In 1926, the original plan for
hydropower development at the Kerr site called for no compensation to the tribes. A political struggle ensued, pitting the tribes against utility interests, backed by the powerful Anaconda Co. and the federal government. By 1930, the tribes had won what was billed as a partial victory by securing rent payments of $175,000 annually.

While that sum was considered reasonable at the time, rent payments stayed at about that same level for almost 40 years, ignoring inflation or growing MPC profits, according to Wall. By 1970, rental payments had been increased to $240,000 annually. In 1978, two years after the tribes had filed a request to assume control of the dam, MPC agreed to boost its rental payments to $2.6 million annually, retroactive to 1975. That's the amount the tribes were paid through 1985, the first year of the most recent MPC-Salish and Kootenai agreement.

The consequences of the current agreement are impossible to ignore, as Kerr Dam is just beginning to live up to its early predictions as a source of significant tribal income. One immediate result of the Kerr Dam settlement is that, with a guaranteed $9 million coming into tribal government every year, the tribes no longer have to depend on the volatile timber industry for the majority of their revenue.

The nature of the tribal economy has changed, as the reservation's forests no longer have the burden of raising
the bulk of tribal income. Timber sales from the reservation's 300,000 acres of commercial forests were once as high as $5 million annually, accounting for as much as 90 percent of total tribal revenue in some years. But not anymore. In 1985, the first year of the MPC agreement, tribal revenues were $12.5 million, with about $9 million coming from MPC. Meanwhile, income from timber sales dropped to under $1 million.

While Kerr Dam provides an example of how water is responsible (albeit indirectly) for significant tribal income, perhaps the best way to measure the value of water to the Salish and Kootenai people is by examining the degree to which they will go to preserve water quality and quantity on their reservation. In this regard, the tribes control the bed and banks of their portion of Flathead Lake; they limit the size of docks or boathouses built along the shore, and they regulate shoreline modifications. Tribal government has also established a 90,000-acre wilderness area, an action that will help to protect water quality. And the tribes recently adopted an ordinance that seeks to prohibit the manipulation of all streambeds, riverbanks, and wetlands.

These actions (discussed in greater detail in subsequent chapters) are consistent with tribal goals of self-determination, preservation of the environment, and the encouragement of recreation and tourism.

However, the ultimate test for the tribes -- and all
Montanans, especially western Montanans — may very well be
the maintenance of Flathead Lake as a clean and healthy body
of water. An environmental impact study in 1983 reported
that the quality of water throughout the Flathead Basin area
is generally excellent, including Flathead Lake. But water
quality is on the decline.

According to that report: "Conservation of water
quality in Flathead Lake presents the greatest management
dilemma (in the Flathead Basin), with federal, state,
provincial, tribal, county, municipal and private land-use
decisions in the upper Flathead drainage all influencing
conditions downstream. Although a multitude of regulations
govern local land uses and water quality impacts, no agency
is specifically charged with conserving water quality or
monitoring the cumulative effects of land uses on Flathead
waters."

Already the lake is showing signs of stress. Algae
blooms, a sign of nutrient-loading and excessive
eutrophication, are being recorded in greater numbers each
summer. Timber harvesting practices (road building and tree
skidding, for example), fertilizer from agricultural lands,
inadequate city sewage treatment facilities, and improper
septic systems are speeding the rate of eutrophication.

The tribes, like other agencies or organizations
involved, are playing an important role in addressing these
problems, problems that will only be solved through
Tribal and BIA research on quantification of streams, ponds, and lakes, water use, fisheries, wildlife, and waterfowl is being conducted throughout the reservation. In addition, the tribes financially support the work of the University of Montana Biological Research Station at Yellow Bay.

But the Salish and Kootenai Tribes could do more. They could become the leading voice for a clean Flathead Lake.

Tribal attorney Dan Decker believes the tribes, through the strength of their treaty, may have the strongest legal claim to clean water of all people in the Flathead River basin. The U.S. Supreme Court, in upholding the Namen Decision, had this to say about non-Indian development efforts along the shoreline of Flathead Lake: "Such conduct, if unregulated, could increase water pollution, damage the ecology of the lake, interfere with treaty fishing rights, or otherwise harm the lake, which is one of the most important tribal resources."}

Those are powerful words. They show the U.S. Supreme Court recognizes the lake is vital to the tribes, and they have a superior say over the lake's biological condition. This legal clout could be used to apply pressure upstream in the Kalispell, Bigfork, Whitefish, and Columbia Falls areas, where a growing population is adding significant environmental pressures on the lake. Decker says, "Things
like (the) Namen (Decision) help us to make assertions."
Notes

1 Interview with Jim Paro, former Salish and Kootenai tribal Natural Resource Department director, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986.

2 The state of Montana's Reserved Water Rights Commission has been trying to negotiate water-rights settlements with the multitude of water users in Montana. If negotiated settlements can be reached, expensive litigation can be averted. As of this writing, the only Indians to settle with the state are the Assiniboine and Sioux of the Fort Peck Reservation. Negotiations on the Flathead are ongoing. They are not discussed outside of tribal government.

3 Promotional material on Flathead Indian Reservation provided by Ron Therriault, tribal vice-chairman, during interviews at Salish and Kootenai tribal headquarters, Flathead Indian Reservation, Pablo, Mont., 24 Aug. and 25 Aug. 1986. Therriault was tribal chairman at the time.

4 Ibid.


6 Interview with Herschel Mays, Salish and Kootenai tribal Wildland Recreation Department director, Flathead Indian Reservation, Pablo, Mont., 25 Aug. 1986.

7 Ibid.

8 Interview with Frank Acevedo, Salish and Kootenai tribal Fish and Game Law Enforcement Department director, Flathead Indian Reservation, Pablo, Mont., 3 Feb. 1987.


15 Ibid.

16 "Kerr Dam — A Look at the Past," Char-Koosta News, 10 July 1984, pp. 5-8; Historical information derived from a reprint of an article by John Collier written for American Indian Life, Bull. 16, July 1930.

17 Ibid.

18 Ibid.


20 Ibid.

21 Interview with Dan Decker, Salish and Kootenai tribal attorney, Flathead Indian Reservation, Pablo, Mont., 28 Oct. 1986.


27 Leo K. Cummins, Flathead Indian Reservation Forest Land: An Environmental Impact Assessment, Salish and Kootenai Tribes, Flathead Indian Reservation, Pablo, Mont., Table 8, p. 9-12.


30 Ibid. p. 39.

31 Jack Stanford, director of University of Montana Biological Research Station, Yellow Bay, Mont., writing in Yellow Bay Journal, Jan. 1985, p. 4.

32 Ibid.


CHAPTER THREE

THE NATURAL RESOURCES:
TIMBER

Timber resource: the long-time economic asset

Steady revenues from Kerr Dam have lessened tribal demand on its vast timber resources. They have also allowed the tribes to express a growing displeasure over what some tribal leaders feel has been a historic abuse of the reservation's timber resources.

With millions of dollars coming in annually from Kerr Dam, the tribes can now, for the first time, afford to reduce pressure on their forests and pursue goals more compatible with esthetics, recreation, and a clean environment.

But perhaps even more important, according to tribal economist Ron Trosper, is that the tribes have become less dependent upon the federal government, which manages forests on this and all reservations.¹ Forest management is one of the few so-called "trust responsibilities" -- obligations the federal government has to Indians -- that both Indians and federal government officials agree upon.

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The Flathead Reservation's forest resources are considered among the most studied, developed, and managed Indian forest holdings in the West, dating back to the establishment of the reservation itself.\(^2\) A review of this history, with a look at widely changing federal policy and economic conditions, helps to reveal why some tribal leaders today are disenchanted with the practice of forestry as they have come to view it from their experiences with the BIA.

Some tribal members, like Salish and Kootenai tribal water quality manager Thomas "Bearhead" Swaney, say that Indians did just fine managing their forests before the white man moved in.\(^3\) It's only been since then that there have been problems. Swaney says he hasn't much use for foresters: "A forester's motto is 'Black is beautiful; burn it, and pave the sucker.'"\(^4\) Tribal official Jim Paro explains why people like Swaney believe as they do: "In the old days, it was rape the forests and get the revenues," even though that policy was generally supported by tribal government until the 1970s and early 1980s.\(^5\)

The experiences of the past have led the Salish and Kootenai Tribes to an environmental movement of their own, albeit that movement is coming a decade after the national environmental movement, Paro says. The tribes, he says, are now looking at a more balanced approach to forest management than in the past. Water quality, recreation, wilderness, and wildlife are now being emphasized instead of timber.
production.

The most extensive historical account of the reservations' forest practices was published by Historical Research Associates (HRA), a Missoula organization, in 1977. It reveals early practices of hygrading, when only the best trees were selected from the forest, leaving the genetically inferior trees to reproduce. Outbreaks of the forest disease dwarf mistletoe, which affect more than one-third of the reservation's Douglas fir, larch and lodgepole pine forests, can be traced to those poor forest practices of the past.

The HRA report also reveals constantly changing federal policies and varying harvest rates, providing the tribes with a valuable resource, but one that never provided a stable income. For the first 45 years of the reservation to the year 1900, timber activity was minimal, as the area remained relatively wild and uninhabited. The Catholic church built a mill in 1856 at St. Ignatius, and the federal government followed with two mills of its own: one at its Indian agency headquarters on the Jocko River, near what is now Arlee, and the other at a sub-agency office near Ronan.

The purpose of these mills was to provide materials to Indians who were developing farms. "When finished lumber was required, the Indians hauled logs to the government sawmills... Trespass was not a problem, and commercial logging was still in the future," the HRA report states.
But the turn of the century brought many changes to the Salish and Kootenai people and their lands. The government began enrolling Indians on the reservation in 1902 in anticipation of an allotment policy that would be adopted by Congress two years later. Each Indian received either 80 acres of farmland or 160 acres of grazing land, in keeping with the federal government's national Indian policy of assimilation under the Dawes Act of 1887.

On April 1, 1910, the Flathead reservation was officially opened to homesteaders. After reserves were set aside for timber, townsites, future allotments and the bison sanctuary, nearly all — approximately 1.1 million acres of the reservation's total 1.2 million acres — became available to new settlers. Through subsequent legislation and an aggressive buy-back program, the tribes have since regained control to about half of their land. During the years that the Dawes Act was in effect, most of the forest lands were neither allotted to Indians nor homesteaded to whites. These lands and the forests upon them were to be managed by the federal government until they were disposed of under the Dawes Act. Proceeds from timber sales typically went to federal government accounts with the understanding that they would help support federal Indian policy.

An estimated 38 million board feet of timber was cut on the reservation prior to 1917. But it was in that year, with a much-improved timber market and increased demands due
to World War I, as well as a growing western Montana population, which propelled the reservation into 14 years of its heaviest forestry activity ever.

The year 1917 saw more than 19 million board feet of timber removed from the reservation. The following year, almost 57 million board feet were cut. Timber harvesting peaked in 1923, when nearly 71 million board feet were cut. The pace continued through 1930, when the nation fell into a decade of economic depression.

The 1930s brought the Civilian Conservation Corps (CCC) and the passage of the Indian Reorganization Act of 1934. Both significantly affected forestry practices on the reservation. While the CCC was building roads, trails, and working on water development projects in the reservation's forests, the Indian Reorganization Act redefined federal Indian policy by allowing Indians to establish federally recognized constitutions and governing bodies. It also marked the end of allotment policy and closed reservation's to further homesteading. Much of the unallotted forest lands were returned to the tribes.

But perhaps even more significant was that the Indian Reorganization Act directed the Department of Interior to manage Indian lands on a sustained-yield basis. By 1945, the BIA had written its first management plan for the forests of the Flathead Reservation. That plan said cutting had been far too extensive for sustained yield.
It predicted that the reservation, which had yielded an average of 24 million board feet annually between 1911 and 1944, would run out of wood by 1962. To delay what the BIA seemed to think was inevitable, it set an allowable cut of 10 million board feet per year which would, as predicted, extend logging operations on the reservation through 1988.

The goal of limiting annual harvest to 10 million board feet was never achieved, due to an increased demand for wood products during World War II years, a booming housing market that followed the war, and problems associated with a government agency managing a private forest. While the government was telling the tribes to cut less, the tribes were asking to cut more. They needed revenue and jobs.

Allowable cuts were modified in the 1955 to 26 million board feet for the following year, 20 million board feet for the next few succeeding years, and eventually stabilizing at 10 million board feet. That goal was also never achieved. In the early 1960s, a new inventory of forest resources was conducted, resulting in the 1962 Forest Management Plan. Forest reserves were estimated at this time to be much larger than before, and in a remarkable turnaround, the BIA increased allowable harvest to 71 million board feet. In 1968, the allowable cut was set even higher, at 76 million board feet, and nearly that amount of wood was removed that year from the reservation.
As intensive forestry practices increased in the 1960s and 1970s, the tribes were able to raise more and more money from timber sales. Revenue went over the $1 million a year mark in 1966 and continued to bring in at least $1 million every year through 1984.17 About 300 million board feet were cut between 1970 and 1975, raising $18 million in revenue. And since 1975, the BIA reports the following statistics:

-- Between 1975 and 1984, timber sales totaled $28.7 million despite a recession in the early 1980s.18

-- During that same time, sales of other wood products (logs, posts and poles, firewood, Christmas trees) totaled $5.7 million.19

-- Forest-related employment from 1975 and 1984 paid a total of $8.1 million in wages or salaries.20

But times have changed; the wood product's industry is evolving, and the affects of that change can be seen on the reservation as well as all of Montana. The state's once vast reserves of virgin, old-growth ponderosa pine, larch, and Douglas fir are being replaced by younger and smaller trees. Mills geared to process the large-diameter virgin wood are becoming outdated.

To Montanans -- including the Salish and Kootenai, who have on occasion supplied up to 4 percent of the state's total harvest -- this means the number of jobs available in forest industries will continue to decline as it has since
the late 1970s, according to Charles Keegan, a University of Montana forest industries researcher.\footnote{21}

The recession of the early 1980s, caused by high interest rates and a near stand-still of the national housing market, resulted in Montana's statewide wood-products workforce dropping from an all-time high of 11,000 in 1978 and 1979 to about 7,500 in 1982.\footnote{22} Total income for wood products workers dropped from $260 million to $170 million, measured in 1982 dollars, over the same period.\footnote{23}

A corresponding break-down of figures for the Flathead Reservation were not available, but BIA Forestry Division Director Ken Dupuis says the recession placed a significant burden on the tribes, who supply wood to their own post and pole operation as well as to Plum Creek at Pablo, Missoula White Pine Sash, and Flodine Lumber Co. at Plains and Thompson Falls.\footnote{24} Dupuis says Indian and non-Indian employment, and total harvest from reservation lands, have decreased since the late 1970s. The reservation came out of the wood product's recession in 1984, when the tribes sold 34.9 million board feet for $5.2 million.

Keegan says the wood products industry will continue to play a vital role in western Montana, where it accounts for about half the region's economic base. But he predicts changes — changes that are already under way and could dramatically affect communities which rely heavily on the wood products industry.\footnote{25} For example, he says:
-- Mills are becoming more computerized, mechanized and efficient, which often results in a declining demand for labor.

-- Large-log sawmills and plywood manufacturers are finding it difficult to adapt to the smaller size of trees available in the woods. These mills are more labor intensive and may be phased out.

-- Small-log sawmills, waferboard plants and pulp and paper mills are more highly mechanized and less labor intensive. They will be better suited to what's available from the forest as Montana moves into the 21st century.

These changes will bring both good and bad news, according to Keegan. On the bright side, he says, "You do have an industry that is more competitive." Competitiveness should create an industry that will be less susceptible to dramatic swings in employment like Montana experienced during the recession of the early 1980s. To meet new market demands, the tribes' post and pole mill is now making deluxe suburban fences. These fences use small-diameter lodgepole pine and cater to a growing market in urban areas.

The bad news, however, is that some mills which are not suited to the new state of the industry will have to re-adjust or close, although he predicts that the rate of closures and lay-offs will decline in the coming years.

Meanwhile, with $9 million in annual revenue from Kerr Dam, tribal leaders have de-emphasized timber production, and the
future of reservation-based wood products industries is unclear.

Harvests in 1985 and 1986 were under 10 million board feet each year and brought in less than $1 million annually, the first time such timber revenues have fallen below a seven-digit figure since 1965. Allowable cut has been reduced to 39 million board feet a year. The number of forest acres classified as commercial has been reduced by the tribal council from 330,000 to under 300,000. And tribal government has virtually banned clearcutting.

Forestry practices on the Flathead Reservation, where selective cuts (a form of uneven-age management) are the rule, now are nearly opposite to those on nearby national forest, where clearcutting (a form of even-age management) is the common practice, according to Dupuis. In addition to making a financial mistake (lost future income from smaller and less efficient harvests, and from lost growth potential), Dupuis warns that the tribes may be making a silvicultural mistake as well. Clearcutting, common on surrounding national forest lands, provides the best treatment for dwarf mistletoe, a disease that has affected portions of western Montana's forest land. While the tribes allow some clearcutting as a silvicultural tool for mistletoe-infected forests, Dupuis says more is needed.

For the most part, though, the tribes' current direction toward forest management is following many of the
suggestions offered in a 1974 environmental analysis by several University of Montana professors. Clearcuts, when allowed, are not as big; re-planting efforts have been improved; watershed management is now being carried out, and road closures within the reservation's forests reduce hunting pressure on deer.

However, the Salish and Kootenai have chosen to ignore other parts of that 1974 assessment. The assessment, for example, in making a pitch for "quality timber management," warned against leaving portions of the reservation's forests unroaded and in a natural condition.

"The economic loss to the tribes and other individual would be irreversibly and irretrievably committed if the unroaded areas were set aside as natural areas," according to the report. "Over the long term, massive fuel build up could lead to a high-intensity wildfire and result in irreversible and irretrievable losses in wealth and amenities." The report said that "timber harvesting will introduce greater diversity. . . ."

However, intensive forest management with timber production as a primary goal "doesn't square" with the present notion of what a tribal homeland should be, according to Jim Paro. Nevertheless, forest industries will continue to play a role in what tribal government sees as a growing and diversifying economy. Even with today's reduced emphasis on timber, economist Trosper estimates that more
than 200 Indians work in the woods each summer, supplying local mills or the tribal post and pole operation with timber. A significant number of Indians also fight fires on various fire crews.

It is important to note that the present forest management plan, drafted with the assistance of tribal government, does not preclude timber harvesting. And it does allow for some clearcutting when best suited to deal with insect or disease. Its goals and objectives are admirable. Among them:

-- Developing, maintaining and enhancing commercial forest lands in perpetuity by applying sound silvicultural methods and economic principles to reforestation, growth and harvesting of timber.

-- The preservation of the forest in its natural state whenever the tribal council determines that recreational, cultural, esthetic or traditional values represent the highest and best use of the land to the tribes.

-- To conduct forest management on a sustained yield basis.

-- To vigorously pursue the salvage of both dead and near-dead trees whenever possible.

-- Close roads when needed to protect wildlife habitat and guard against arson, trespass and poaching.

-- Continue collecting base-line data on vegetation
types, wildlife, soils and hydrology. The plan is another example of cooperative management between the tribes and the federal government. It seems to take into account the controversial nature of forest planning -- that professionals from various disciplines disagree on best management, and that the forest has value beyond timber. If the plan's goals are met, and if the current tribal government's philosophy of environmental protection continues, the Salish and Kootenai tribal forest will meet the needs of a diverse constituency, and its worth to the tribes will be measured beyond mere stumpage value.
Notes

1 Interview with Ron Trosper, Salish and Kootenai tribal economist, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986.


4 Thomas "Bearhead" Swaney, speaking to Native American Fish and Wildlife Society meeting, Missoula, Mont., 8 April 1986.

5 Interview with Jim Paro, former Salish and Kootenai tribal Natural Resource Department director, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986. Paro was director at the time of the interview.

6 Historical Research Associates, Timber, Tribes and Trust, 415 pp.

7 Leo Cummins, Flathead Indian Reservation Forest Land: An Environmental Impact Assessment, Salish and Kootenai Tribes, Flathead Indian Reservation, Pablo, Mont., p. 23.


9 Ibid. p. 318.

10 Ibid.

11 Ibid.

12 Ibid.

13 Ibid. p. 96.

14 Ibid. p. 129.

15 Ibid. p. 130-132.
16 Ibid. p. 159.

17 Ibid. p. 318, plus current BIA statistics provided by Ken Dupuis, BIA Forestry Division Manager, Flathead Indian Reservation, Pablo, Mont.


19 Ibid.

20 Ibid.

21 Interview with Charles Keegan, forest industries researcher, University of Montana Bureau of Business and Economic Research, School of Business, University of Montana, Missoula, Mont., 17 Feb. 1987.


23 Ibid.

24 Interview with Ken Dupuis, Flathead Indian Reservation, Pablo, Mont., 25 Aug. 1986. All subsequent references to Dupuis were derived from this interview.

25 Interview with Charles Keegan, 17 Feb. 1987. All subsequent references to Keegan were derived from this interview.

26 Interview with Ken Dupuis.

27 Ibid.

28 Ibid.

29 Ibid.

30 Leo Cummins, Flathead Indian Reservation Forest Lands: An Environmental Assessment.

31 Ibid. p. 35-39.

32 Ibid. p. 39.

33 Ibid.

34 Ibid.
35 Ibid.

Recreation, tourism stand to gain from tribal self-determination policies

The Flathead Indian Reservation's scenic beauty and natural heritage are among western Montana's primary economic assets.

The reservation's natural beauty, its good land and moderate climate, and the opportunities for hunting and fishing have brought nearly 16,000 whites to live among the Indians on this 1.2-million acre reservation. No other Montana Indian reservation has been such a draw to the white man.\(^1\)

History shows us, though, that whites learned long ago how to "sell" the reservation's scenic beauty. And they've done just that during the first part of the 20th century, beginning with federal policy under the Dawes Act which opened up Indian reservations to white settlement. One good example came in 1915, when the federal government advertised the sale of 905 "villa" lots around the southern
shore of Flathead Lake at places like Big Arm, Wild Horse Island, and Finley Point.2 These lots were all within the reservation's present boundaries, although maps and documents erroneously indicated that the reservation had ceased to exist.3

The following description, as it appeared in promotional literature, complete with a map, was published on March 20 of that year by the Department of Interior:

Flathead Lake, Montana, is situated near to and slightly southwest of Glacier National Park, the region of eternal ice, which may be reached by automobile from the lake in about three hours. The lake is in a valley 15 miles wide and 30 miles long, between the ranges of the Rocky Mountains of scenic beauty, whose slopes are covered with fir, larch, and pine trees. The lake has an area of about 360 square miles. The Flathead National Forest lies north, west, and east of the valley. The lake and streams abound in fish, and hunting is excellent. The lake is utilized for bathing, sailing, boating, yachting, and several steamboats ply between various towns on its borders. The shores are well adapted for the erection of wharves.

The lands abutting the north half of the lake were disposed of many years ago, and numerous homes and fruit orchards have been established thereon. The south half of the lake is within the former Flathead Indian Reservation. The climate is delightful, the thermometer ranging from about zero to 75° to 80° above. Apples, pears, cherries, peaches, and small fruits of the finest quality are raised upon lands bordering he lake, many without irrigation."

... These villa sites are not only well adapted to summer villas for persons of wealth but for permanent homes for persons of moderate means and for fruit farming. Good roads, adapted to automobile use, skirt the
shores of the lake.\textsuperscript{4}

While whites have shown an ability to use the reservation's natural beauty and environmental attributes to achieve their economic and political goals, it has been only in recent years that tribal government has acted upon a similar realization. Attracting the recreational or tourist visitor have not been top tribal goals; in fact, they have only surfaced as such in the past couple of years.\textsuperscript{5}

The 1985 tribal comprehensive plan devotes just one paragraph to the untapped recreational potential of the reservation.\textsuperscript{6} It reports that the tribes have been unsuccessful with their tourism efforts in the past, then notes that the tribes do raise some revenue from recreation permits sold to non-tribal members who use the Mission Mountains, Flathead Lake, and Flathead River, or other reservation property. There was no discussion of how the tribes might improve the recreation program, encourage more non-tribal members to purchase permits, or develop other recreational opportunities.

The plan did, however, address the needs of the approximately 70 Indian-owned services and retail businesses on the reservation, many of which cater to the needs of visitors.\textsuperscript{7} These are part of an Indian private sector involving about 150 businesses, not including farms or ranches. While the plan noted that the Indian private sector
was large on this reservation (most Montana reservations have just a few Indian-owned businesses), it reported that most of the businesses needed assistance in marketing, management, and finance.

Tribal government did at one time experiment with a couple of tourist enterprises: a resort/motel on Flathead Lake at Blue Bay, and the spa/bathhouse at Hot Springs. But these projects were plagued by problems shared by other Montana Indian business ventures: poor planning, mismanagement, and inadequate marketing. Like the Crow Reservation's Sun Lodge on Interstate 90, all lost money and eventually went broke.

Lately, though, the Salish and Kootenai have made public efforts to draw visitors. They disseminate colorful brochures describing the reservation's various recreational advantages. They extend an open invitation to visitors. They boast that the Mission Mountains are known as the "Alps of America." They encourage a visit to the 133-year-old Catholic mission at St. Ignatius. And they note that the reservation provides excellent opportunities for bird hunting, fishing, boating, skiing, snowmobiling, and backpacking.

The recent emphasis on recreation is more of a by-product of tribal self determination policies than the result of direct action aimed at luring visitors to the reservation. External forces have encouraged recreational
development. Some of those forces include:

-- The forest industries recession of the early 1980s, which illustrated the dangers of dependence on a single industry.

-- A growing understanding by Indians that tribes which fail to assume control over their resources may lose the authority to manage them. If Indians don't manage their resources, some other agency will, and not necessarily according to tribal goals. Since the reservation is blessed with recreational resources, recreation management is a logical function of tribal government.

-- The white population is growing faster than the Indian population. In 1980, Indians totaled 19.2 percent of the reservation population; by 1985, Indians totaled about 16.6 percent. Environmental protection policies that limit rapid development might "preserve a way of life that is irreplaceable," according to a tribally commissioned air quality study that recommended Class I air for the reservation. Class I air is the highest standard under federal law, generally reserved for national parks and wilderness areas. As tribal leader Jim Paro says, "there won't be any steel mills on the reservation."

-- Montana in general has been suffering an economic recession in just about all sectors of its economy, except one: tourism and recreation, which seem to be growing despite little promotional help from state government.
Lake County, with economic development goals similar to the tribes, reports that travel-related jobs in Montana increased by 2,600 between 1979 and 1983.\(^{17}\) Travel expenditures by all visitors totaled $814 million in 1983, up 9 percent since 1979.\(^{18}\) And travel industry income (wages, salaries, profits, etc.) increased from $188 million in 1979 to $204 million in 1983, up 9 percent.\(^{19}\)

Meanwhile, internal forces acting upon the tribes, all geared toward fulfilling self-determination goals as well as raising revenue to counter Reagan administration federal budget cuts, have also played a role in boosting tribal interest in recreation and tourism. Among those factors are:

--- The settlement between the Montana Power Co. and the tribes over operation of Kerr Dam. That agreement, which assures the tribes about $9 million annually (adjusted to inflation), relieved logging pressure on tribal forests and is making it easier for the Salish and Kootenai to manage their forests more for recreation and wildlife than timber.

--- Court decisions have given the tribes control over the bed and banks of the southern portion of Flathead Lake as well as the tribes' land, fish, and wildlife resources.\(^{20}\) This means that the tribes have been able to charge non-members a fee, in the form of a recreation permit, if they want to use those resources. Recreational permits raised about $100,000 in each of the past two years,
1985 and 1986. Revenues are used to fund management.

-- The designation of a 90,000-acre tribal wilderness in the Mission Mountains meets a number of tribal objectives: preservation of the scenic Mission Mountain front, water quality maintenance, protection of certain spiritual grounds, and the protection of wildlife, including the grizzly bear. But designation of these mountains as wilderness, along with the establishment of the tribes' Wildland Recreation Department, helps to ensure that the reservation will continue to offer quality backcountry experiences -- experiences non-members pay for by purchasing recreation permits. Wilderness use is expected to increase in the coming years, as the availability of high-quality wildlands diminishes, says Herschel Mays, who directs the tribal Wildlands Recreation Department.

-- Establishing the strictest air quality standards possible under federal law and virtually banning unsightly clearcuts. Each action makes a clear statement about current tribal values.

The above factors have caused tribal leaders like Therriault, Mays, and Paro to recognize the growing importance of recreation and tourism to the tribes, as their's and other leaders' views on conservation and resource management are laying the foundation for a reservation economy that will preserve and enhance present recreational opportunities well into the next century.
A look at two existing tribal programs, both aimed at meeting tribal self-determination goals, serve as an example. They show how the Salish and Kootenai are improving recreation and tourism opportunities within the reservation, while simultaneously meeting self-determination and economic development goals.

Shoreline Protection

The controversial Namen Decision of 1982 allowed the tribes to move ahead with their Shoreline Protection ordinance, which is aimed at regulating the bed and banks of the southern shores of Flathead Lake.

Current codes were adopted in 1983, when the tribes opened their Shoreline Protection Office. Directed by J. Lloyd Jackson, this branch of tribal government has taken on the responsibility of protecting tribal rights to the portion of Flathead Lake that courts have recognized as theirs.

Jackson says the primary tribal goal is, "to maintain the shoreline as nature meant it to be." The lake, according to Jackson, "is a natural resource that is worth a lot of money. And we are going to take care of it." Keeping the lake as esthetically pleasing as possible, "instead of trashing it," will only help to encourage quality recreational experiences for all who use this resource, whites or Indians, he says.
The tribes enacted the ordinance because they believed the shoreline around the lake was in trouble due to "increasing population and ever greater utilization" of the shorelines, thereby decreasing the value of the shoreline and lake. According to the ordinance, "there exists an immediate need to regulate such activities and manage the shorelines so as to preserve and protect them and, to the greatest extent possible, restore them to their original condition."

To accomplish these goals, the tribes have, among other regulations, taken the following actions:

-- Established a seven-member Shoreline Protection Board to carry out the provisions of the Shoreline Protection ordinance. The tribes allow three non-members to serve on the board, which has broad authority to issue rules, regulations, standards, conduct hearings, and authorize variances -- all, of course, subject to the oversight of the tribal council. Allowing non-Indians to serve on the board helps enhance relationships between the two races, especially since most of the people affected by the Shoreline Protection Ordinance are white.

-- Banned shoreline manipulation (landfills or dredging, for example) without approval.

-- Required shoreline owners to obtain building permits for wharves, docks, or breakwaters, established setback requirements for shoreline buildings, and limited how
far docks can extend into the water. Plans for any shoreline structures must meet specific tribal codes, and they ultimately must be approved by the tribal council.

--- Banned boathouses or garages below the lake's high-water mark.

--- Began a program of shoreline and recreation management on the lake that usually places at least two representatives of tribal government on the southern portion of the lake each day in the summer months. These tribal employees inspect the shoreline and construction activities, check for damaged docks, check for recreation permits, and mark hazards in the lake.

According to Jackson, fees and fines from this program raise about $35,000 a year, which pay for 20 percent of the tribes' cost to run the program. The ordinance has jurisdiction over 1,343 lakefront property owners along 108 miles of shoreline. While it initially met with significant opposition (it was challenged all the way to the U.S. Supreme Court), Jackson says all but about a dozen lakefront property owners are now cooperating.

Wilderness Management

The Salish and Kootenai tribal government carries out an ambitious plan for managing the reservation's wildland resources, centered on the Mission Mountain Tribal Wilderness.
And while the tribe's wilderness holdings and management is far from being lucrative, the wilderness management program has become another example of the tribes successfully managing one of their resources in a way that is compatible with self-determination goals, helps preserve tribal members' cultural connections to the land, yet enhances the quality of life for all Monantans.

Herschel Mays likes to note that the Salish and Kootenai were the first Indian tribes in the nation to "intentionally and willingly" follow concepts of the 1964 Wilderness Act by declaring part of their land wilderness and adopting a management program aimed at retaining the land's pristine and wild values. Mays uses the words "intentionally and willingly" because there have been Indian wilderness areas before, but none resulting from tribal actions.

Wilderness advocate Bob Marshall, when he was in charge of forestry on Indian lands, championed the idea of managing some of those lands as wilderness. And in 1937, Secretary of Interior Harold Ickes designated a number of "roadless and wild areas" within Indian country. One of those areas included 127,000 acres of the Mission Mountains on the Flathead Indian Reservation.

The government order calling for roadless management of the Missions was rescinded in 1958 at the request of the tribes, which maintained that they could lose the potential
to harvest a significant amount of timber. The tribes feared the area might be included in a national wilderness act that was being drafted in Congress.

But according to historical accounts, the tribes were not opposed to wilderness. In fact, the tribes had suggested that the area be managed as an Indian national park as early as 1936. Although nothing ever became of that idea, the concept is intriguing. According to a 1936 press release:

> It is planned to maintain the Park in its pristine natural state. Roads will not be built throughout the area. A complete system of trails will be built, and some trails are already constructed in this region. These trails will, for the most part, follow old Indian trails.

> Indian guides will be available to conduct parties through the Park. The visitor will be able to hire these guides by the day or week, as suits his plans. For those who do not wish a guide, special trips will be outlined in advance and instructions furnished on application.

> Indians will be encouraged to camp and live in the Park. Visitors will thus be able to see and come to know them.

In subsequent years, the tribes opposed efforts by timber companies and the BIA to harvest trees from the Mission "face," clearly visible from throughout the valley. However, the tribes came to see federal actions to set regulations on the Mission Mountains as a violation of their rights to do what they want with their land. Then in
1975, the tribes declared the south and north forks of the Jocko drainage as "tribal wild areas." That action was followed in 1979 by establishing the present-day 90,000-acre Mission Mountain Tribal Wilderness.

Mays also likes to point out that simply declaring an area wilderness is one thing; drafting, adopting, and implementing a management plan is another. The Salish and Kootenai have done both.

Just as many managers of parks or wildernesses say their jobs require more people management than resource management, such is the case in the tribal wilderness, Mays says. Although use of the wilderness is considered slight, Mays says it grows each year, primarily as more people from Missoula or Kalispell discover its diversity.

The tribal wilderness management plan is a 102-page document that covers history, tribal goals, management objectives, and specific policies, along with chapters on the wilderness' vegetation, fish, wildlife, watershed, and cultural resources. In drawing up the wilderness management plan, the tribes sought help from the University of Montana Wilderness Institute -- showing tribal willingness to go off the reservation for expertise.

The plan has been modeled after the 1964 Wilderness Act, Mays says, but with certain exceptions. For example, some motorized equipment is used in maintenance, although the practice is discouraged. Highlights from the plan
include:

— Requirements that non-tribal members purchase recreation permits to use the wilderness. These are the same recreational permits that non-tribal members must purchase to use all Indian lands or waters. In 1986, recreational permits cost $10 yearly, $6 for three days, or $3 per day. This fee structure has been restructured as follows: $5 yearly for a recreational permit; $10 for a fishing stamp, and $15 for a hunting stamp. It is hoped that the new fee schedule will raise an additional $200,000 yearly.  

— Establishment of a 10,000-acre special management area surrounding McDonald Peak for grizzly bears. A dozen or more grizzlies congregate there each summer to feed on ladybugs and army cutworm moths. The tribes close the area to people from mid-summer through Oct. 1. The primary concern is for the safety of people, as the area is popular with backpackers, but the tribes say they also want to give bears some peace and quiet for their own sake.

— The Mission Mountains have served as "a guide, passage way, fortification and vision seeking grounds, as well as a place to gather medicinal herbs, roots, and a place to hunt for food..." Under the management plan, these values will be retained. It is possible, for example, for a tribal member to kill a grizzly bear, provided it is in the context of traditional religion and has been approved by the tribal council. Generally, matters of spiritual and
cultural importance are guarded closely by the tribes. For example, the wilderness management plan requires that archaeological and historic sites remain undisturbed, and the location of spiritual sites will not be disclosed.

-- Management of the wilderness area is to be in such a way as to preserve the primal nature of the land, vegetation, and animals. One of the beauties of this wilderness, Mays says, is that it has relatively few trails, not many signs, and is diverse and rugged. People like to visit it for these qualities, he says, and the management plan prohibits major changes. No more trails can be built, for example, although existing trails or bridges can and are being improved.

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By implementing these and other ordinances relating to recreation and conservation, the Salish and Kootenai Tribes have clearly stated their desire to manage the reservation and its resources in such a way that will allow them to determine their own destiny under self-determination policy as well as preserve the natural environment.

Clean air, clean water, wildlife habitat, fisheries, protection of shorelines and streambeds -- all these have become matters of tribal jurisdiction in recent years. By setting up management programs that protect these resources, the Salish and Kootenai are showing that they can govern
themselves, raise money for management, and encourage high-quality recreation opportunities. If the tribes win their battle for self-determination, it appears that the real winners will be all those who seek the Flathead Reservation for recreational pursuits.
Notes

1 Statistics from 1980 U.S. Census supplied by Joe Fox, Billings-area BIA office, Billings, Mont.

2 "Regulations for the sale of the villa-site lots around Flathead Lake, in the former Flathead Indian Reservation, Mont.," supplied by Lake County Commissioner Mike Hutchin during interview, Lake County Courthouse, Polson, Mont., 5 Feb. 1987.

3 That the Department of Interior advertised the sale of the villa sites as being in the "former" Flathead Reservation provides fuel to the claim by some reservation opponents, including Mike Hutchin, who believe the reservation was terminated. However, U.S. courts have upheld the reservation's right to exist under the Hell Gate Treaty of 1855. Nevertheless, it's clear that the federal government is responsible for creating a great deal of confusion that exists today.

4 "Regulations for the sale of the villa-site lots. . .," as supplied by Mike Hutchin.

5 Interviews with Ron Therriault, Salish and Kootenai tribal vice chairman, Flathead Indian Reservation, Pablo, Mont., 24 Aug. and 25 Aug. 1986. Therriault was tribal chairman at the time.


7 Ibid., p. 42.

8 Ibid.


10 Promotional material on Salish and Kootenai Tribes, Flathead Indian Reservation, supplied by Ron Therriault.

11 Ibid.

12 Comments made by John Carter, Salish and Kootenai

13 Salish and Kootenai Tribes, Overall Economic Development Plan, p. 31; plus updated population estimates reported by William L. Bryan Jr., in Montana's Indians Yesterday and Today, Montana Geographic Series, Montana Magazine Inc., 1985, pp. 120-121.

14 University of Montana, Environmental Studies Laboratory, Flathead Reservation Class I Air Quality Redesignation, prepared for the Salish and Kootenai Tribes, Flathead Indian Reservation, Pablo, Mont., 15 Oct. 1980, p. 94.

15 Interview with Jim Paro, former Salish and Kootenai tribal Natural Resource Department director, Flathead Indian Reservation, Pablo, Mont., 24 Aug. 1986. Paro was director of the department at the time. All subsequent references to Paro were derived from the same interview.

16 "Diverting bed tax is poor proposal," guest editorial written by the Missoulian, appearing in the Great Falls Tribune, 10 March 1987, p. 8A.


18 Ibid.

19 Ibid.


21 Interview with Herschel Mays, Salish and Kootenai tribal Wildland Recreation Department director, Flathead Indian Reservation, Pablo, Mont., 25 Aug. 1986. All subsequent references to Mays were derived from this interview.

22 Confederated Salish and Kootenai Tribes, Wildland Recreation Department, Mission Mountain Tribal Wilderness Plan, Flathead Indian Reservation, June 1982.
23. Interview with Herschel Mays.


25. Interview with J. Lloyd Jackson, Salish and Kootenai tribal Shoreline Protection Department director, Flathead Indian Reservation, Pablo, Mont., 25 Aug. 1986. All subsequent references to Jackson were derived from this interview.


27. Ibid.


30. Ibid.

31. Ibid.

32. Salish and Kootenai Tribes, Mission Mountain Tribal Wilderness Management Plan, p. 77-78.

33. Ibid.


35. Interview with Frank Acevedo, Salish and Kootenai tribal Fish and Game Department law enforcement officer, Flathead Indian Reservation, Pablo, Mont., 3 Feb. 1987.

CHAPTER FIVE

THE NATURAL RESOURCES:
WILDLIFE

Tribal government asserts control
over fish and game management

As the Confederated Salish and Kootenai Tribes have
done with water, timber, and recreational resources, they
now are doing with their fish and wildlife: using them as
artillery in the battle for political self-determination.

The motivation behind tribal government's self-
determination activities is simple: the belief that if the
Salish and Kootenai people don't manage their resources,
somebody else will -- and not necessarily with tribal
interests in mind. This logic was used by tribal Wildland
Recreation Department Director Herschel Mays in explaining
why the tribes designated a portion of the Mission Mountains
as wilderness, adopted a management plan, and began
implementing that plan. And it was the same logic used by
tribal Shoreline Protection Office Director J. Lloyd Jackson
in explaining why the tribes took control of the bed and
banks of the southern portion of Flathead Lake.²

The case of fish and wildlife management on the
reservation is no different, according to tribal attorney John Carter. He says other Indian reservations have learned the hard way, from bad experiences, that Indian governments failing to assume responsibilities often have responsibilities taken away.

Montana's Crow Indians provide one example. The Crow's fiscal and management performance was so poor in the 1970s that the federal government placed a Bureau of Indian Affairs employee in charge of the day-to-day management of tribal government from 1980 to 1986. And Wyoming's Wind River Reservation provides an example specific to fish and wildlife management. Carter says tribal factions on that reservation were unable to come together behind a comprehensive, reservation-wide hunting and fishing program, so the U.S. Fish and Wildlife Service intervened with a program of its own. Fish and game policies were adopted without tribal input; treaty rights were curtailed, hunting for religious purposes was banned, and violations of law became federal offenses instead of tribal offenses. The federal government told the Indians, "We're going to do it until you can do it yourselves," Carter says.

Allowing a similar scenario to be played out on the Flathead Reservation would be a mistake for tribal members, he says. As a result, the tribes' legal office has drafted a new hunting and fishing ordinance. Known as "44-D" of tribal codes, this ordinance significantly broadens Indian
jurisdiction on the reservation and lays the foundation for
the tribes to eventually take over the lead role in fish and
wildlife management.

The ordinance, which details reservation-wide
hunting and fishing codes for both tribal members and non-
members and sets a fee schedule for non-member licenses,
provides another example of Salish and Kootenai tribal
natural resource policy aimed at self-determination and
economic development.

Under the new codes, non-Indians will be required to
purchase licenses to hunt on all lands within the
reservation, regardless of whether the land is privately
owned, state-owned, or Indian-owned. In addition, non-
Indians will also have to buy a recreational permit to use
Indian lands. Fees have been set at $5 for the recreational
permit, $15 for a hunting stamp, and $10 for a fishing
stamp. Violations of rules or regulations will be enforced
in tribal court through civil procedures, with fines of up
to $5,000.

According to tribal Fish and Game Conservation
Department officer Frank Acevedo, the new ordinance, with
its fee schedule, will raise up to $300,000 a year, and will
help fund fish, game, and recreation management programs on
the reservation. Previously, a $10 per year recreation
permit was the only source of tribal revenue to come from
hunters or fishermen, and total revenue from those permits
Tribal motivation for 44-D is stated at the beginning of the ordinance: "Tribal regulation and control of hunting and fishing on Reservation lands and recreational activities of non-members on trust status lands based on sound management principles will protect and enhance Tribal resources, thus ensuring that those rights guaranteed by the United States Government shall survive and inure (accrue) to the benefit of future generations." 8

The ordinance was approved in 1986 by the Bureau of Indian Affairs. According to BIA wildlife biologist Jim Claar, it is no longer a question of whether it will be adopted, but what form it will take. 9 Claar describes 44-D as "the basis for all fish and wildlife management on the reservation" and says it is part of a course of federal and tribal policy that will eventually result in the BIA turning over its fish and wildlife management responsibilities to the tribes.

"That's what self-determination is all about," he says, adding that he believes the Salish and Kootenai have a good chance at making these policies work. He says Salish and Kootenai efforts in the realm of wildlife and natural resource management are "as progressive or more progressive than any other reservation."

However, the tribes' assumed authority over fish and wildlife has placed them at direct odds with the state,
which also assumes management authority over fish and game on the reservation. Ordinance 44-D, which went into effect April 1, 1987, may end up in court if the state follows through with its threat to sue the tribes.10

Questions that need to be resolved include:

-- Will hunters and fishermen need to buy two sets of licenses, one from the tribes and one from the state, to hunt on the reservation?

-- Will tribal hunting and fishing regulations apply to all lands within the reservation, including lands owned or managed by the state, or private lands that have passed out of Indian ownership? Or will they apply only to Indian lands? This question is critical, since the state owns the Nipepipe Wildlife Management Area, a popular waterfowl hunting area.

-- How are hunters or fishermen going to deal with two sets of regulations over the same resources? Will they cooperate with two sets of game wardens?

-- What court system will deal with violations, tribal, state, or both?

In early 1987, both the state and the tribes were getting ready for a battle over these issues. The state was maintaining that tribal codes should only apply to tribal or Indian lands; the tribes said they will apply to all reservation lands. Until this issue is resolved, hunters or fishermen will probably have to buy two sets of licenses
($25 from the tribes, $35 from the state), and deal with two sets of regulations.

Dialogue at a Feb. 9, 1987 public hearing at tribal headquarters in Pablo indicated that the tribes and the state may be in for a long struggle. The purpose of that hearing was to let the public raise complaints, or ask questions of tribal leaders regarding 44-D. A racially mixed audience of about 75 people attended.

It was at this meeting when the state's objections to 44-D were first publically raised.\(^{11}\) An attorney from Polson, who objected to 44-D, read portions of a letter expressing concern over 44-D from state Department of Fish, Wildlife and Parks Director James Flynn to the tribes.

Flynn, in this Feb. 3 correspondence, questioned whether the tribes' new hunting and fishing codes were based on science. According to Flynn, "A major concern of the Department over the proposed hunting regulations is whether they are based on specific biological information. Because of this problem, we cannot speak with any certainty about their (the regulations') potential effect on the wildlife resource."\(^{12}\)

The tribes, meanwhile, responded that recent BIA and tribal studies on the reservation's fish and wildlife resources were adequate and that the new regulations were based on good data. "We probably have better data than the state ever dreamed of," according to tribal fisheries
biologist Dave Cross, who said: "I would take issue with that portion of the letter." 13

Some whites were sharply opposed to the new rules, but others, like Jack Puckett of the Big Sky Upland Bird Association from Missoula, encouraged the tribes to implement 44-D. 14 "We are glad the tribes are considering doing some management on the land. We encourage you, and we hope you make great progress," he said. Another Missoula resident, Bob Lucas, describing himself as a 20-year waterfowl hunter on the reservation, said he has noticed a continuing depletion of habitat. He said that tribal management activities would be supported by non-tribal members, if the tribes could improve hunting. 15

"If you can improve the opportunities, there's plenty of people who will pay more (to hunt)," he said, adding that the $25 for non-member licenses is not, in his opinion, too high.

Meanwhile, tribal Vice Chairman Ron Therriault firmly asserted the tribes' political position. 16 He would not comment directly on negotiations between the tribes and the state. But what he did say shows the tribes' confidence in their position: "We have a treaty with the United States government, not the state of Montana.

"What we do not intend to do -- as we have done in the past -- is to approach the negotiations from a subservient position." He acknowledged that the tribes and
the state "may end up with one hell of a fight."

The adoption of ordinance 44-D is part of a growing, decade-old effort on the part of the tribes -- with assistance from the federal government and the University of Montana -- to manage their fish and wildlife resources.

In 1976, the tribes created the tribal Fish and Game Conservation Office and staffed it with three officers, says Acevedo, who now directs a staff of nine. Officers from this department enforce tribal fish and game regulations, check for recreation permits, and will play a central role in seeing that provisions of 44-D are enforced.

In 1977, the tribes contracted with the federal government to hire a wildlife biologist, their first, and one of the first Indian staff biologists in the United States. In 1978, two federal wildlife positions within the BIA were established, after pressure was applied by the tribes.

Claar, who was one of those first two BIA biologists, says much of his work has been to help design timber sales to minimize damage to wildlife habitat, and to help mitigate other effects of development such as building new roads. Surveys have also been conducted to determine what species live where, and in what numbers.

The goals of his office include restoring and preserving populations of native species: grizzly bears, black bears, deer, elk, big horn sheep, and west-slope
cutthroat trout, for example. He characterizes the overall wildlife situation on the reservation as good. Unlike many parts of Montana, the reservation is home to at least four threatened or endangered species: peregrine falcon, bald eagle, grizzly bear, and gray wolf, he says. And most of reservation is adequately stocked with a variety of species, he says.

"The general perception that the reservation is devoid of wildlife is not true at all," Claar says, adding: "It is inaccurate to say that the Indians have wiped out the wildlife."

Claar admits that logging and roadbuilding in some areas have diminished what he calls "habitat effectiveness" and have allowed easy access for hunters. Some of those areas are lacking in wildlife. But he maintains that hunting pressure on the reservation, even though it is year-round, is light -- perhaps lighter per unit of area than off the reservation. He says he is working on a study that will assess hunting intensity on reservation lands versus non-reservation lands.

That the tribes regulate their members' hunting activity is also contrary to general perception. But the tribes do regulate hunting and fishing by tribal members, both on the reservation and off the reservation on traditional hunting grounds. Granted, restrictions are minimal compared to state hunting and fishing codes. But
Claar said current tribal codes seem to be working.

Acevedo admits that it has been difficult to convince tribal members of the need to impose rules and regulations on hunting and fishing. Many tribal members believe they have a right to hunt as often as they want, whenever they want, and on all parts of the reservation. That may have been the case in the past, but it isn't any more. The tribes have, in recent years, begun enforcing a number of regulations and closures. Here are some examples from 1986 codes:

-- Females of big game species are not allowed to be taken between Feb. 1 and Sept. 1.
-- Big horn sheep hunting is prohibited.
-- Hunting or trapping native cats is prohibited.
-- The Ferry Basin Area, northwest of the National Bison Range, is closed to elk hunting.
-- Off-reservation moose hunting is generally limited to one animal per tribal member per year, although the tribal council can make exceptions for subsistence purposes.
-- Salmon fishing on Flathead Lake has been prohibited.
-- Trout fishing on the Flathead River between Kerr Dam and the Clark Fork is catch-and-release only.
-- Fishing on the Jocko River is restricted to catch-and-release.
These rules continue to be controversial, but Acevedo says he believes tribal members are learning to recognize the need for tribal government to manage its fish and wildlife in a manner that will ensure tribal control as well as survival of the reservation's natural heritage.

The tribes have been involved in other activities in the realm of fish and wildlife management. All are geared to the conservation of these resources and the maintenance of the Flathead Indian Reservation as an environmentally clean tribal homeland for the Salish and Kootenai people.

Another recent controversial tribal action, the Aquatic Lands Conservation Ordinance, seeks to protect wetlands, streambeds, and riverbanks, all of which are important to fish and wildlife. It would replace county conservation districts with a board of tribal and non-tribal members who would be responsible to tribal council.

Like the new hunting and fishing codes, the tribes maintain that the Aquatic Lands Conservation Ordinance applies to the entire reservation, regardless of land ownership. State and county officials disagree, saying tribal codes should only apply to tribal or Indian lands. Negotiations between the county, state, and tribes were underway in early 1987, but no immediate resolution to this conflict was in sight.

Recently, the tribes and the BIA have taken steps to rebuild populations of big horn sheep, which were
reintroduced at various locations within the reservation. Cooperative studies funded by the Bonneville Power Administration on the affects of Kerr Dam on Canada geese are ongoing.\textsuperscript{18} Other cooperative efforts between the tribes, BIA, and U.S. Fish and Wildlife Service are aimed at boosting native trout populations in tribal waters, including some of the high-mountain lakes in the Missions.\textsuperscript{19}

However, grizzly bears have become the most controversial wildlife species on the reservation, and they pose unique management problems for the entire Mission Valley. Research has indicated that the combined density of people, livestock, and bears on the west slope of the Mission Mountains is probably unequaled in North America.\textsuperscript{20}

Too many grizzlies die prematurely, often after an encounter with people, Claar says. Some bears are poached; some killed by ranchers who suffer losses of domestic animals. And still others are killed after attacking a human.

The current grizzly bear management plan recognizes the precarious status of the grizzly.\textsuperscript{21} Habitat is being lost to new subdivisions in the valley. The grizzly population is on the decrease, and each bear -- especially the females -- are important if the population is to recover, the plan states.\textsuperscript{22} To the tribes' credit, they've protected an essential part of the grizzly habitat. The Mission Mountain Tribal Wilderness provides a relatively
safe haven for part of year: The tribes' wilderness management plan allows for specific trail closures if circumstances call for such a closure, and 10,000 acres of the wilderness are closed to people for several weeks each summer.

Critical grizzly habitat has been identified, and the forest plan for the reservation call for special consideration of the grizzly. Some areas of the reservation's commercial forest have been taken out of commercial status by the tribal council, and forest practices on remaining commercial stands are designed to mitigate adverse effects of logging on grizzly bears.

If tribal and federal goals of grizzly survival are to be achieved, a coordinated, cooperative management effort on the part of the tribes, the BIA, the U.S. Fish and Wildlife Service, counties, and the state is needed. The role of state and county subdivision laws, along with a coordinated education effort aimed at teaching people how to live with grizzlies, will play an increasingly important role.

The Salish and Kootenai Tribes, with their treaty rights to wildlife and growing authority over reservation resources, have the chance to become the grizzly bear's loudest and most vigorous advocate. Their cultural tie to the bear is the longest and strongest, extending backwards in time for centuries. But the Salish and Kootenai Tribes'
link with the bear exists today and extends into the future, too. Both the Indians and the bear are threatened by outside forces. And it seems that if the Salish and Kootenai can preserve grizzly populations, they will also be saving themselves.
Notes

1 Interview with Herschel Mays, Salish and Kootenai tribal Wildland Recreation Department director, Flathead Indian Reservation, Pablo, Mont., 25 Aug. 1986. All subsequent references to Mays were derived from this interview.

2 Interview with J. Lloyd Jackson, Salish and Kootenai tribal Shoreline Protection Department director, Flathead Indian Reservation, Pablo, Mont., 12 Aug. 1986.

3 Comments made by John Carter, Salish and Kootenai tribal attorney, at public meeting on new hunting and fishing ordinance (44-D of tribal codes), Flathead Indian Reservation, Pablo, Mont., 9 Feb. 1987. All subsequent references to Carter were derived from this same meeting.


5 Comments made by John Carter.


7 Interview with Frank Acevedo, Salish and Kootenai tribal Fish and Game Conservation Department chief, Flathead Indian Reservation, Pablo, Mont., 3 Feb. 1987. All subsequent references to Acevedo were derived from this same interview.

8 Salish and Kootenai Tribes, "Ordinance 44-D (Proposed Regulations)," pp. 2-3.


10 "State may sue tribes over fishing rules," Great Falls Tribune, 8 March 1987, p. 6A.


12 Ibid.

13 Comments made by Dave Cross, Salish and Kootenai


16 Comments made by Ron Therriault, Salish and Kootenai tribal vice chairman, at public meeting on proposed ordinance 44-D, Flathead Indian Reservation, Pablo, Mont., 9 Feb. 1987. All subsequent references to Therriault were derived from this same meeting.

17 Salish and Kootenai Tribes, "Ordinance 44-D (Proposed Regulations), pp. 31-33; plus interview with Frank Acevedo.


20 Ibid. p. 51.


22 Ibid., p.3.


24 U.S. Department of Interior, Bureau of Indian Affairs, and Confederated Salish and Kootenai Tribes, Flathead Indian Reservation Grizzly Management Plan, pp. 2-4, p. 34.
CONCLUSION
A STRUGGLE FOR CONTROL, 
A VISION FOR THE FUTURE

Salish and Kootenai progress offers unique Indian example, but other Montana tribes may not survive

Montanans need not go to Third World countries to see pervasive poverty, widespread unemployment, unmanaged resources, and underdeveloped governments. These problems, as illustrated in this report, can be found, to varying degrees, on all seven Montana Indian reservations.

Montana's Indians today, like all Indians in America, are a product of their past, a result of more than 150 years of interaction with the dominant white society. They are a product of the reservation system. Alcoholism affects most Montana reservation families. Indian health is significantly below the level of the general public; their illnesses are more frequent and severe, and they die younger. Unemployment ranges from 27 percent to 85 percent. More than half of Montana's reservation Indians live beneath the federal government's poverty line.

These problems, not limited to Indians in Montana,
are certainly not new. Indian leaders, academic scholars, writers, and politicians have long sought the solution to the so-called "Indian problem." Interestingly, the dialogue in Indian country today is much the same as it was 100 years ago. Only specific policies have changed; sometimes they've favored assimilation into the larger society, other times they've recognized Indians' sovereign right to exist from treaties. Only recently has there been a concerted effort to mesh the two seemingly polar concepts.

That's good. But it won't be enough. The problems in Indian country are too diverse and too complex. Inadequate education, political instability, racial prejudice and hostility, poor relations between Indian and non-Indian governments, poverty, disease, inadequate land and resource management, the need for continued federal aid: all these issues have to be addressed, and in a comprehensive fashion. Meanwhile, the dominant white society needs to recognize it has a legal and moral obligation to uphold the treaties.

Montanans must acknowledge that this state's Indian reservations are its developing nations; sovereigns within a sovereign, governments unlike any other in the United States. That is because Indians are different from any other ethnic group in America. Right or wrong, like it or not, Indians are special; they are the first Americans, and our forefathers agreed to treaties, making Indians unique, generations ago.
Yet despite these treaties, Indians' continue to fear "termination," the word used to describe the process of treaty abrogation. In the 1950s, the federal government eliminated federal recognition of more than 100 tribes or bands of Indians. At the same time, the federal government was relocating Indian families from reservations to big cities, where Indians were placed in factory jobs to become assimilated into the larger society. Both policies are considered failures.

Today, termination is coming in the form of federal budget cuts which have, during President Ronald Reagan's first six years in office, forced the issue of self-determination. Tribal governments, which have taken on broad responsibilities under self-determination policy, are being forced to find other sources of income to meet the needs of their people. The wealthier tribes -- like those on the Flathead and Fort Peck reservations -- are finding ways to adapt; the poor are not, and their survival is questionable.

Typically, tribes are finding that they must look toward their natural resources for meeting the costs of their growing governments. In Montana, coal, oil, gas, hydropower, water, rangeland, and cropland are all being looked at to fill the financial niche once occupied by the federal government, which seems to be forcing Indians to exploit their resources now and worry about future generations later. The potential effect of this policy on
the land and its people could be devastating.

Montana Indians have learned that merely having natural resources does not provide economic security or the preservation of a culture. Five of Montana's reservations -- Crow, Northern Cheyenne, Fort Peck, Blackfeet, and Flathead -- have significant natural resource bases. Yet only two, the Flathead and Fort Peck, have been successful at turning those resources into relatively strong tribal economies. And only one, the Flathead, has gained financial stability.

For the others, economic and cultural survival will be a difficult goal. Consider the following:

-- Fort Belknap and Rocky Boy's Indians have virtually no source of tribal revenue, small land bases, and limited resources. Their hopes for the future depend on agriculture and the hope of irrigation that may come with the proposed major water diversion project that would link the Missouri River with the Milk River. Since Fort Belknap and Rocky Boy's reservations have no money, and federal aid has dropped sharply, their hope for industrial development is also slim. Wisely, both these reservations are emphasizing culturally sensitive education. They talk of developing their "human resources," since natural resources are nonexistent or unmarketable. Their approach is good, but success will require continued government assistance, especially in education.

-- Politics on the Blackfeet Reservation are called
"cutthroat" and "unstable." Charges of nepotism within tribal government surface frequently. The tribe usually elects an all-new tribal council every two years, preventing long-term planning and steady leadership or direction. Recreation and tourism provide great opportunities for the future; so does petroleum. The new alliance between white environmentalists (the Badger Chapter) and Blackfeet traditionalists over protection of the Badger-Two Medicine area is facilitating a beneficial public debate in the media of Indian religion, treaty rights and Forest Service policy. Eventually, the interaction between the various groups involved in the Badger-Two Medicine issue could lead to an enlightened form of cooperative resource management between the Forest Service and Blackfeet government, helping the Blackfeet to further their self-determination efforts and protecting their historic interest in the region. However, the overall political instability on the Blackfeet reservation makes it impossible to predict how long the alliance between whites and Indians will stay together. The bottom line on the Blackfeet Reservation is that the tribe needs to come together politically if it wants to move ahead.

— Crow Indians had their government taken away from them in 1980. They got it back in 1986. But before they can make much progress in economic development, they must prove that they can deal with the most basic of governmental
responsibilities: fiscal accountability. Their political system, featuring a tribal council of all adult members who meet four times a year, is plagued with political turmoil. While it offers the purest form of democracy in Montana, and perhaps in the entire United States, it must be changed. The Crow version of democracy may have worked in another time and under different circumstances, but it is outdated today and seriously cripples the tribe's ability to compete in the outside world.

-- Annual tribal income on the Northern Cheyenne ballooned into the millions earlier this decade, when Shell Oil Co. entered into an exploration agreement with the tribe. After seven dry wells, Shell pulled out. Today, with most of the Shell money spent, the tribe is going broke and tribal government is in disarray. In 1986, the Northern Cheyenne elected their third tribal chairman in as many years; they tossed out the two previous chairmen amid charges of incompetence and corruption. On the resource front, the Northern Cheyenne have repeatedly refused to develop their coal, citing that they do not want to exploit their land and that they want to keep bad influences -- crime, drugs, alcohol -- off the reservation. Despite their anti-development stance, alcoholism, stemming from poverty and despair, affects nearly every family. The Northern Cheyenne reservation situation illustrates the dilemma that today's Indian leaders face: should they invite the outside
world into their reservation at the potential risk of losing their culture and resource base, or should they bar the door and face continued poverty. Indians lose in either instance.

-- Management skills, generally acquired off the reservations, are lacking on most Montana reservations. College-educated Indians say they are discriminated against by their fellow Indians. Indians successful in business report that they, too, are discriminated against. Indian communities need to resolve these issues, for if they are to achieve economic and political development, they cannot remain entirely isolated from the realities of the outside world.

-- Montana's tribes are part of Montana, and when a recession strikes Montana, it also strikes the reservations. The crash in energy markets has hit the hardest, and those tribes who became the most dependent on energy resources for revenue have learned that exploiting oil, gas, or coal will bring a bust just as sure as a boom.

However, the Montana Indian situation is not entirely bleak, as illustrated by the Fort Peck and Flathead reservations. For example, the Fort Peck tribes, with their successful 500-employee tribal manufacturing plant at Poplar, have kept unemployment levels under 50 percent. Like the Flathead, they have become a role model among Indian reservations by implementing strong planning efforts, maintaining relative political stability and a commitment to
Together, Fort Peck's Assiniboine and Sioux and the Flathead's Confederated Salish and Kootenai Tribes are this state's most successful Indians. While this report clearly sets them above the others, it recognizes that what may be right for one reservation could prove fatal for another. This report offers no single, grand solution to the "Indian problem." Yet it is hoped that these two reservations -- and particularly the Flathead -- can serve as examples not only to other Montana Indians but to Montana's non-Indians, many of whom could learn and benefit from a closer relationship with this state's first residents.

Despite cultural differences (see appendix), the 500 miles between them, and their sharply contrasting land bases, the Indians of the Fort Peck and Flathead reservations share certain things in common. Both reservations are inhabited by more than one tribe. Both reservations have shown that, despite tribal differences, their members have been able to work together toward common goals. Both reservations are close to regional centers. Fort Peck is surrounded by towns like Glasgow, Wolf Point, Poplar, Scobey and Plentywood, and Williston, North Dakota is not far away. The Flathead Reservation is situated between Missoula and Kalispell, and Polson is on the reservation.

One can't help but notice something else: that these
reservations are the two most heavily influenced by whites. They are the only two Montana reservations where Indians have become minorities.

The interaction between whites and Indians on these two reservations has benefited the Indians. These two tribal governments have a long history of dealing with the dominant white society close-up. They seem to mesh more easily with local, state, and federal governments. For instance, it seems significant that Flathead and Fort Peck tribal leaders expressed the fewest complaints regarding the BIA, while tribal leaders on other reservations spoke of poor to terrible relations with the BIA.

However, if interaction with whites has been a significant reason for these reservations' successful economies and governments, that success has come at a cost. The Flathead reservation, the primary focus of this report, provides the best example. For while the Flathead reservation has perhaps gained the most of all Montana reservations, both economically and politically, from living with whites, the Confederated Salish and Kootenai as a people have also paid the highest price for their success.

The first and most significant cost incurred by the Salish and Kootenai was the loss of their lands due to turn-of-the-century allotment policies. Nationwide, Indian lands were reduced from about 156 million acres in 1881 to 47 million acres by 1933, when allotment policies were
curtailed. On the Flathead, current tribal or individual Indian holdings total about about 50 percent of the total 1.2 million reservation acres.

The economic costs of allotment policies can be measured by comparing economic statistics of Indians to whites who live on the same reservation. On the Flathead, Indian unemployment of about 27 percent is two to three times that of non-Indians. And in just about all other socio-economic categories -- annual earnings, poverty, education, health -- Salish and Kootenai tribal members come up short compared to their white neighbors.

The cultural effects of living closely with whites have also been significant. The Salish and Kootenai have experienced a significant dilution of their Indian blood, perhaps the most of all Montana tribes. Inter-racial marriages have created families where some children are tribal members and others are not. Tribal leaders report a near loss of native language and culture -- in essence, ethnic identity.

But, to the credit of current Salish and Kootenai tribal leadership, the Indians of the Flathead are not looking back. While recognizing the importance of Native history and culture, they seem to recognize that it will do them no good to speak their language if in the end they lose control of their reservation in court, where the Indian battles of today are fought in English.
Times have changed. Resources are getting scarce. And Indians, if they want to survive, will have to show that they can function in a modern world. That means they must establish governments that can deal effectively and professionally with local, state, and federal jurisdictions. It means they must risk interaction with the outside world. It means that Indian education, whether in Indian-run or state-run schools, must be culturally sensitive to the needs of Indian youths. The question remains whether Montana's Indians can figure how to have it all: political self-determination, economic self-sufficiency, the ability to mesh with the dominant white society, yet at the same time retain their unique cultural identity.

From an economic perspective, the Salish and Kootenai are pursuing three important conditions for development: control, capital, and management. Their present policies seek to get control of resources, raise capital by making deals with outside organizations or agencies, and provide for tribal management of resources once control is gained. These three concepts are linked. With no capital, it's tough to gain control of resources. Without control of resources, management becomes a moot point. On the Flathead, capital is no longer in short supply due to the Kerr Dam agreement, and tribal government has the financial ability to move ahead in efforts to gain control of resources and begin managing them.
Clearly, the Salish and Kootenai are off to a good, albeit late, start in their drive for self determination. They've shown with their Kerr Dam settlement that Indians can make lucrative, long-term deals with non-Indian interests on their own behalf. They've shown with their Shoreline Protection Office and Wildland Recreation Department that they can manage popular recreational resources that are used primarily by non-Indians. They've shown by creating racially mixed advisory boards that they are willing to be good neighbors, but at the same time, they've shown that Montanans can expect them to assert what they believe are their treaty rights.

Salish and Kootenai Tribes' motivation is obvious: survival -- political, economic, and cultural. While tribal leaders can accurately and honestly speak of spiritual ties to the land, they also recognize that Indians have become a significant minority on their own reservation, and that environmental regulations, by limiting population growth on the reservation, can be the means to the ends which they seek.

Whites outnumber Indians on the reservation by a ratio of about four to one. The last thing the Salish and Kootenai need is an oil boom, a manufacturing plant, or a pulp mill, each with the capacity to bring several hundred white workers and their families to the reservation. Should the Flatheads become more outnumbered by whites than they
are now, the result could be their ultimate defeat. Clearly, what's needed, from the tribes' perspective, are minimum-impact, clean industries like tourism and recreation, or the tribally owned electronics manufacturing plant.

Tribal policies that limit growth may appear to many -- both Indians and non-Indians -- to run against the best interest of all who live in the Flathead Valley, where jobs are at a premium. Perhaps these critics are right, but if so, they are looking at the issue from a short-term perspective.

Current tribal policy looks beyond the immediate five years and on into the next century. Tribal leaders have a long-term perspective that seems to buck the conventional wisdom of the benefits of growth for growth's sake.

In doing so, the Salish and Kootenai are confirming their place in Montana and the world, as well as making a special promise to Montanans and others who will have the opportunity to visit their land. With each of their new resource management ordinances, together with their overall philosophy of controlled economic development, the Salish and Kootenai have said they will protect and enhance the environment of their reservation. They're betting that these policies will preserve their land and culture and, in the process, provide long-term economic stability.

The Salish and Kootenai have chosen a path that will likely prohibit resource exploitation or industrial growth.
in favor of a course of action that is based on a philosophy which puts environmental protection and regulation at the foundation of economic development policy. Only time will tell whether their approach is right. Certainly, as the Flathead Indian Reservation moves into the next century, it will provide an excellent case study in Indian policy, self-determination, and economic development.

More important to watch, though, is the immediate and growing role the Salish and Kootenai play in shaping economic, environmental, and political actions in western Montana. The Salish and Kootenai can, in certain arenas, pack an environmental punch unmatched elsewhere in western Montana. Their treaty with the federal government ensures them control over many of the reservation's natural resources. They own about 600,000 acres of the Mission Valley, including 300,000 acres of commercial forest and 90,000 acres of wilderness. They own the bed and banks of the southern portion of Flathead Lake. They have exclusive rights to fish and wildlife.

If tribal actions taken in 1986 and 1987 are either left unchallenged or are ultimately upheld by courts, the Salish and Kootenai will control all wetlands, streambeds, and riverbanks within the reservation, regardless of ownership. They will require minimum stream-flows for fish and other aquatic animals. They will manage the local power cooperative. They will manage fish and game. If the Salish
and Kootenai maintain their momentum, the future will see even more Indian control on the reservation. Already Indian leaders are talking about reservation-wide land-use planning and zoning.

What the Salish and Kootenai do with their resources will shape the future of not only their reservation, but the entire Flathead Valley, and, to some degree, the state of Montana. Given the necessity for the tribes' environmental ethic and the potential strength of that ethic, the winner could be the land itself, which in turn provides the basis for long term economic stability and a tribal conservation strategy of sustained development.
APPENDIX

Profile of the Blackfeet Indian Reservation

The People: The Blackfeet Indian descended from three tribes of northern Great Plains: the North Peigans, the "Blackfeet" (South Peigans), and the "Kainai" or Bloods. All three spoke a common language. In the 1700s, the Blackfeet Nation numbered more than 15,000 and lived on both sides of what was to become the Canada-United States border. They were the largest and most dominant tribes in Montana, but wars and diseases (smallpox, for example) that followed the white man West diminished Blackfeet population to about 2,000 by 1885. Montana's Blackfeet still retain ties with relatives who live in Canada.

The Land: The reservation encircles 1.5 million acres just west of Glacier National Park. The first treaties with the Blackfeet were in the mid-1800s and recognized more than half of Montana as Blackfeet territory. Most of this land was subsequently taken away from the Blackfeet, often with no compensation. Tribal boundaries in the late 1800s included the eastern portion of what is now Glacier National Park as well as the unit of land called Badger-Two Medicine. The Dawes Act of 1887 was applied to the reservation in 1907. Each Indian was allotted 320 acres. Remaining land was opened to white settlement.

Portion Owned by Tribe or Individual Indians: about 61 percent.

Tribal Membership: about 12,700.

Resident Blackfeet Population: about 5,525.

Total Reservation Population: about 6,660.

Whites on Reservation: 1,135.

Tribal Unemployment Rate: 36 percent (BIA 1985); tribal government reported 80 percent in 1986.

Blackfeet Living in Poverty: 39 percent (1980 Census); tribe reported 60 percent in 1986.
Approximate Tribal Revenue: $6 million (1985), about 60 percent coming from oil and gas revenues. Falling energy prices were expected to reduce tribal revenue by more than $2 million in 1986.

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Profile of the Fort Peck Indian Reservation

The People: Fort Peck Indian Reservation is home to two tribes, Assiniboine and Sioux. The Assiniboine of Fort Peck are related to the Assiniboine of Fort Belknap Reservation. Both were once part of the same tribe, but from different bands, and have called northern Montana home for 200 years. Fort Peck's Sioux descended from people who were forced from homelands in Minnesota in the 1850s. They moved west to the Dakotas and eastern Montana. Together with the Northern Cheyenne, the Sioux defeated Gen. George Custer at the Battle of the Little Big Horn in 1876. After the fight, some Sioux began settling in the Fort Peck area. Treaties with the Assiniboine and Sioux, setting up the reservation as it is known today, were signed in 1886.

The Land: The Fort Peck Reservation was once part of a large common hunting ground shared by several tribes, including the Assiniboine. Congressional action in 1888 established the present reservation boundaries, encompassing about 2.1 million acres of rolling prairie north of the Missouri River between Porcupine and Muddy creeks. The reservation was opened for white settlement in 1908.

Portion Owned by Tribes or Individual Indians: about 45 percent.

Tribal Membership: about 8,500.

Resident Assiniboine and Sioux: about 4,500.

Total Reservation Population: about 10,000.

Number of Whites Living on Reservation: about 5,500.

Tribal Unemployment Rate: about 40 percent (BIA 1985); tribal government reports same for 1986.

Percentage of Assiniboine and Sioux Living in Poverty: 42 percent (1980 Census); tribe reports 35 percent
in 1986.

Tribal Budget: Tribal revenue figures were not made available. However, the tribal budget for 1986 was estimated at between $2 million and $3 million, a drop of about $2 million from 1985.

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Profile of the Fort Belknap Indian Reservation

The People: The Assiniboine (Stone Cook) and Gros Ventre (Big Belly) tribes, once enemies, share the Fort Belknap Reservation. They were given their names by early French explorers. The Assiniboine prefer "Nakota," meaning "the people," while the Gros Ventre prefer "A'aninin" meaning "white clay people." Both moved independently onto the plains from the Great Lakes region more than two centuries ago.

The Land: Both tribes once shared the huge common hunting grounds which encompassed half of Montana. Today, the reservation covers 653,938 acres of mostly dry farm and range land south of the Milk River to the Little Rocky Mountains, which, until gold was discovered, were part of the reservation.

Portion Owned by Tribes or Individual Indians: 95 percent.

Tribal Membership: About 4,200.

Total Reservation Population: about 2,100.

Total Indian Population: about 1,900. Four neighboring towns -- Harlem, Dodson, Malta and Chinook -- are home to about 400 more tribal members.

Number of Whites Living on Reservation: about 200.

Tribal Unemployment Rate: about 78 percent (BIA, 1985); tribal government reports same in 1986.

Percentage of Assiniboine and Sioux Living in Poverty: 47 percent (1980 Census); tribes report 66 percent in 1986.

Approximate Tribal Revenue, 1985: about $500,000, mostly from land leases.
Profile of the Rocky Boy's Indian Reservation

The People: The Chippewa-Cree Tribe of the Rocky Boy's Reservation are descendents of two tribes with roots in the Great Lakes region. They found themselves displaced and homeless in Montana before the turn of the century. Little Bear, chief of the Cree band, and Stone Child, chief of the Chippewa band, joined forces in seeking a reservation for their people. They succeeded in 1916, when the reservation was established by executive order. The reservation is named in honor of Stone Child, who name was erroneously translated by whites into Rocky Boy.

The Land: By far the smallest Montana Indian Reservation, it extends from the Bear Paw Mountains northwest onto the plains near Havre. The original reservation was 55,000 acres of the old Fort Assiniboine Military Reservation. Subsequent additions doubled the size of the reservation to today's 108,000 acres.

Portion Owned by the Tribe or Individual Indians: Virtually all of it, since it was never opened to white settlement under the Dawes Act.

Tribal Membership: about 3,300.

Resident Chippewa-Cree Population: about 2,000.

Total Reservation Population: about 2,170.

Number of Whites Living on Reservation: Very few.

Tribal Unemployment Rate: 70 percent (BIA 1985); tribal government reports 85 percent in 1986.

Percent of Chippewa-Cree Living in Poverty: 40 percent (1980 Census); tribe reports more than 50 percent in 1986.

Approximate Tribal Revenue, 1985: about $300,000, mostly from land leases and oil and gas revenues. With energy market down, 1986 revenue was expected to be about $200,000.
Profile of the Northern Cheyenne Indian Reservation

The People: The Northern Cheyenne call themselves the "Morning Star People" in honor of Chief Dull Knife, also known as Morning Star. Like many of the Plains tribes, the Cheyenne are believed to have originally lived in the Great Lakes region and subsequently moved west. The Cheyenne were living in the Black Hills when encountered by Lewis and Clark in 1804, and are believed to have moved to Montana 20 or 30 years later. They split into northern and southern groups, with the larger tribe moving south. Together with the Sioux, the Northern Cheyenne defeated Custer at the Battle of the Little Big Horn in 1876. After unsuccessfully trying to force the Northern Cheyenne to live with their distant relatives the Southern Cheyenne in Oklahoma, a reservation along Montana's Tongue River was established in 1884. It was enlarged to its present size in 1900.

The Land: 444,157 acres of range and forest lands just east of the Crow Indian Reservation in southeast Montana.

Portion Owned by Tribe or Individual Indians: about 98 percent.

Tribal Membership: about 3,600.

Resident Cheyenne Population: about 3,100.

Total Reservation Population: about 3,600.

Number of Whites Living on the Reservation: about 500.

Tribal Unemployment Rate: 60 percent (BIA 1985).

Percentage of Cheyenne Living in Poverty: 45 percent (1980 Census); tribe reports over 50 percent in 1986.

Profile of the Crow Indian Reservation

The People: The Crows' roots are in the Great Lakes region. They are believed to have arrived in Montana around 1600. Trading began with whites in the early 1800s. A treaty of friendship was signed between the tribe and the federal government in 1825. Relations between the government and Crows have historically
been good. In fact, Crow scouts aided the U.S.
Cavalry in several regional battles, including the
infamous Battle of Little Big Horn.

The Land: The Fort Laramie Treaty of 1851 established a
reservation of more than 37 million acres in
southeastern Montana and northeastern Wyoming.
Subsequent treaties reduced the reservation to
its present size of 2.2 million acres.
Allotment opened the reservation to white
settlement, further reducing Indian holdings.
Nevertheless, it remains Montana's largest
Indian reservation.

Portion owned by Tribe or Individual Indians:
about 78 percent. The tribe retains mineral rights
to 1.1 million acres of coal-rich rangeland just
north of the reservation.

Resident Crow Population: about 4,000.
Tribal Membership: about 7,000.
Total Reservation Population: about 6,000.
Number of Whites Living on Reservation: about 2,000.
Tribal Unemployment Rate: 57 percent (BIA 1985);
tribal government reported 85 percent in 1986.

Percentage of Crow Living in Poverty: 34 percent
(1980 Census); tribe reported 97 percent of all
households received some form of welfare in 1986.

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Profile of the Flathead Indian Reservation

The People: The Confederated Salish and Kootenai Tribes are
descendents of several tribes, including the Pend
d'Oreille, Kalispel, Spokane, Salish, and Kootenai.
Unlike Montana's other tribes, with historic roots
in the upper Midwest or Canada, the Flatheads'
roots are in the Pacific Coast region. They are
believed to be the state's first residents, having
moved to the valleys of western Montana perhaps
as long ago as 5,000 B.C.

The Land: The Treaty of Hell Gate in 1855 established a
reservation that encompassed the Bitterroot and
Flathead valleys. In 1872, Indians living in the Bitterroot were ordered to the Flathead Valley. A band of hold-outs were forced within the reservation's present boundaries about 20 years later. Today, the reservation covers about 1.2 million acres of the Lower Flathead Valley, including the southern half of Flathead Lake and the western side of the Mission Mountains.

**Portion Owned by Tribes or Individual Indians:** about 50 percent.

**Tribal Membership:** about 6,200.

**Number of Flatheads Living on Reservation:** about 3,800.

**Total Reservation Population:** about 19,600.

**Number of Whites Living on Reservation:** about 15,800.

**Tribal Unemployment:** 27 percent (BIA 1985).

**Percentage of Flathead Indians Living in Poverty:** 35 percent (1980 Census).

**Estimated Tribal Revenue, 1985:** $12.5 million, of which $9 million came from Montana Power Co.'s rent payment for Kerr Dam.
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