

Native American Rights Fund

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July 6, 2020

Senator John Hoeven, Chairman
Senator Tom Udall, Ranking Member
Senate Committee on Indian Affairs
United States Senate
Washington, DC 20510

Re: Confederated Salish and Kootenai Tribes Water Settlement

Dear Chairman Hoeven and Senator Udall,

The Native American Rights Fund writes in support of Senate Bill 3019, the Montana Water Rights Protection Act, jointly introduced by Montana Senators Steve Daines and Jon Tester. NARF has a long history of supporting the settlement of Indian water rights claims for our tribal clients and other tribes, and of securing congressional approval of the settlements. For nearly four decades, we've partnered with the Western Governors Association and the Western States Water Council in these efforts, recognizing that we all live in the same river basins and watersheds and have to work together to share in the benefits of these vital natural resources.

This legislation will provide congressional approval for the water compact negotiated between the State of Montana and the Confederated Salish and Kootenai Tribes (CSKT) pursuant to the State's water compacting process. Several other Montana tribes as well as federal agencies have successfully settled their water rights and secured congressional approvals. CSKT will be the last Montana Tribal compact to receive congressional approval. S. 3019 is also noteworthy in that it transfers the National Bison Range located on the Flathead Reservation from the U.S. Fish and Wildlife Service to CSKT. NARF strongly endorses the legislation and

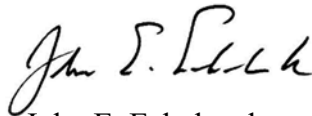
these purposes.

The water compact is the result of years of negotiations between the CSKT, the State of Montana, water users in the Flathead Valley, and the Department of Interior. It was ratified by the Montana Legislature in 2015. This, like all Indian water settlements ultimately approved by Congress, was not a one sided deal. The Tribes relinquished considerable legal rights in order to accommodate water uses that have developed subsequent to the Hellgate Treaty of 1855. The compact was derived from long and intense negotiations. Importantly, it will bring a new structure and process to water management in western Montana, for the benefit of all water users as well and the water and fisheries resources of the region. Its innovative approach to habitat restoration and protection, water conservation, and instream flows is essential to fish and wildlife populations on and off the Flathead Reservation.

The National Bison Range sits within the CSKT Reservation and the Tribes, as sovereigns, are very well situated to take over management of the Range. Bison have tremendous social and cultural significance to the Salish and Kootenai peoples. It is much more than a symbolic gesture to restore the Range and its resources to the rightful management of the Tribes. Their integration of tribal culture into bison management will benefit the animal, as it enriches the experience of the thousands of people that annually visit the Bison Range.

I ask that this letter be entered into the hearing record for S. 3019.

Very truly yours,

A handwritten signature in black ink, appearing to read "John E. Echohawk". The signature is written in a cursive, flowing style.

John E. Echohawk
Executive Director
Native American Rights Fund