



June 22, 2020

The Honorable John Hoeven  
Chairman  
Senate Committee on Indian Affairs  
United States Senate  
Washington, D.C. 20510

The Honorable Tom Udall  
Ranking Member  
Senate Committee on Indian Affairs  
United States Senate  
Washington, D.C. 20510

*Submitted via email: [Avis\\_dubose@indian.senate.gov](mailto:Avis_dubose@indian.senate.gov)*

**Re: Hearing Record Submission in support of S. 3019, the Montana Water Rights Protection Act**

Dear Chairman Hoeven and Ranking Member Udall,

On behalf of the Natural Resources Defense Council and its three million members and online activists nationwide, I write in support of The Montana Water Rights Protection Act, S. 3019. This legislation is the product of over a decade of negotiations between the Confederated Salish and Kootenai Tribes (CSKT), the State of Montana, and the United States. The CSKT-Montana Water Compact was the subject of dozens of public meetings and has bipartisan support from the Montana State Legislature, Montana Governor, and Montana Attorney General, as well as farmers and irrigators.

By passing S. 3019, Congress will confirm and ratify water rights for the Confederated Salish and Kootenai Tribes, as well as settle Tribal claims stemming from federal mismanagement of the Tribes' water resources. In the process, the Act protects the water rights of many non-Indians on the Reservation and throughout the western two-thirds of Montana who would otherwise have to defend their water rights in litigation. The Act will authorize and fund numerous remediation and restoration projects for waterways and riparian habitats on the Flathead Indian Reservation, as well as improve in-stream flows for fish while creating jobs for people to implement the projects.

In addition, by passing S. 3019, Congress will transfer the management of the National Bison Range from the U.S. Fish and Wildlife Service to the CSKT. For over a century,

**NATURAL RESOURCES DEFENSE COUNCIL**

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the Tribes have sought to be reunited with this land and its bison, and to once again participate in their management. S. 3019 returns the lands in trust for the CSKT to manage the lands for bison and other wildlife, education, and public access. The legislation recognizes that exceptional circumstances led to the creation of the National Bison Range, the transfer into trust will not set precedent for other public lands, and it is now time for Congress to act to return the land to the CSKT.

S. 3019 honors the Tribes' long conservation legacy and provides them the opportunity to share their rich heritage and history with all who visit the bison reserve in the future. The CSKT are well positioned to steward the bison range—for thousands of years the Tribes have had a cultural and spiritual relationship with bison and the Mission Valley landscape. And, the Tribes have a wildlife and land conservation legacy that demonstrates their commitment and knowledge of land and wildlife stewardship. Their achievements include:

- Protecting, through designated management areas, thirty percent, or 400,000 acres, of the Flathead Reservation for fish, wildlife, and cultural conservation.
- Creating the 92,000-acre Mission Mountains Tribal Wilderness, the first actively-managed, tribal-designated Wilderness area in the United States, and then establishing a 23,000-acre wilderness buffer zone to support it and the wildlife who depend on it.
- Reintroducing trumpeter swans, peregrine falcons, northern leopard frogs, and Columbian sharp-tailed grouse to the Mission Valley.
- Restoring the meandering bends of the Jocko River that provide habitat for westslope cutthroat trout, bull trout, and countless other species that depend on the revived riparian areas.
- Redesigning and building—in partnership with state and federal highway managers—U.S. Highway 93 to include 43 wildlife crossing structures—including an overpass, underpasses, and extensive fencing. Called “The People’s Way,” the improvements along this stretch of highway have resulted in the preservation of human life and property and reduced the number of wildlife that perish on the highway.

Thank you for considering S. 3019. The Natural Resources Defense Council encourages you to support this bill and pass it out of Senate Indian Affairs Committee so it can be voted upon by the entire Senate. We appreciate you considering our views.

Respectfully,



Amy McNamara  
Northern Rockies Director