

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

Volume 22 Number 83  
Council Chambers, Pablo, MT

Held: September 15, 2022  
Approved: September 20, 2022

**MEMBERS PRESENT:** Tom McDonald, Chairman; Len TwoTeeth, Vice-Chairman; Martin Charlo, Secretary; Ellie Bundy, Treasurer; Mike Dolson; Jennifer Finley; and Carole Lankford.

**MEMBERS ABSENT:** Jim Malatare (Rocky Mountain Tribal Leaders Meeting - Lewistown, Montana); James “Bing” Matt (Rocky Mountain Tribal Leaders Meeting - Lewistown, Montana); and Dixon District (Vacant).

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

**Jennifer Knoetgan, Elizabeth Rinehart, Mary Strahan, Jim, Shelly Fyant, and Members of the Friends of the Jocko Valley** gave an update on the proposed asphalt plant and gravel pit for White Coyote Road and Martz Drive in Arlee. The Montana Department of Environmental Quality Opencut Mining Department is administering the permit application. The community members have many concerns about the notification and public comment process and how it pertains to tribal members. The size of this operation is substantial (1,000,000 cubic yards of gravel) and there are huge impacts to the entire community in the Jocko Valley. Community members are concerned about the water quality, air quality, noise and light pollution, impacts to wildlife, and disruptions and contamination to surface water and irrigation water. Recent Montana legislation

has removed many of our protections and rights. A few community members are in discussions with a local legal firm to decide a course of action. Some residents live one-half mile out of the area, so they were not allowed to provide public comments. The groups wants the Tribal Council to ask for a public hearing. Arlee is designated as a cultural property. The group had a list of questions for the council. They asked if the council would join them and oppose the gravel pit. They want to the request for permit to be disapproved. **Len TwoTeeth** supported the group and would like to demand a public hearing take place. The group would like to have Department of Environmental Quality require an environmental impact statement prepared for this project.

**MOTION** by Carole Lankford to send a letter to the Department of Environmental Quality requesting a public hearing for the Arlee community and Tribes and allow the community to step up and be a part of the hearing and have the Department of Environmental Quality engage in a full NEPA environmental impact statement. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

One of the major issues is air quality. The reservation is designated as a Class I airshed, which is a designation only applied to wilderness areas, national parks, and reservations. It is the most pristine class that can be designated. It is imperative that the Tribes ask the EPA to intervene. The group has engaged a legal firm specializing in environmental protection and are prepared to take any necessary legal action. **Randy Ashley**, Natural Resources Department, commented that the gravel pit and anticipated asphalt plant would not reach the level of significance since it is considered a minor source. **Shelly Fyant** informed council that Riverside Contracting received a deficiency letter and has thirty days to respond. Shelly is concerned about the wildlife in the area. Impacts to the species was not included in the permit. Another key issue is that CSKT spent millions of dollars to restore bull trout to the Jocko River and all of Jocko. **Chairman McDonald** will have the resource managers follow up. This issue needs to be addressed legislatively. **Jennifer Knoetgan** was told the Tribes are meeting with the DEQ on September 29. They would like to submit their list of questions to some of the Tribes' authorities to various departments before that meeting so they can be discussed at that time. They want to know the subject matter of the council's meeting with DEQ on September 29, 2022. The group requested to meet with council in **executive session**. **Dan Decker**, Legal Department; and **Velda Shelby**, Economic Development Office; were present for discussion.

Council reconvened into **regular session**.