

BLUE GOOSE ALLIANCE  
907 Parkview Drive  
Tallahassee, FL 32311

Mr. James Steele, Jr., Chairman  
Confederated Salish and Kootenai Tribes  
P.O. Box 278  
Pablo, Montana 59855

August 1, 2007

Dear Mr. Steele:

I am a bit surprised to receive your letter of July 12, 2007, particularly referencing the Blue Goose Alliance (BGA) letter to House Resources Committee Chairman, Representative Nick Rahall. We have plowed this ground before as regards the diametrical interpretations of the authorities described in the National Wildlife Refuge Administration Act (NWRAA), with subsequent Amendments, and the Indian Self-Determination and Education Assistance Act (ISDEAA). On October 16, 2006, I responded to your letter of September 18, 2006 wherein I addressed the key issues of concern to the BGA. Those issues remain paramount, and that is why they were pointed out in our letter to Mr. Rahall.

Your letter is a study in obfuscation of issues that bear out the accuracy of our concern for the future of the National Bison Range Complex (NBR). Both your letters profess only a benign and cooperative attitude toward the National Bison Range (NBR) that does not square with public statements in the media. A couple of quotes will be useful in making the point: On May 26, 2003, on NPR's *Morning Edition*, reporter Kathy Witkowsky was interviewing Mr. Clayton Matt, Head of CSKT Natural Resources: Mr. MATT: "This bison range, we will manage it. I believe that it's a matter time, and I believe that the buffalo are coming back to us." Ms. Witkowsky: "If his people have their way, Matt's dream will soon come true. The Confederated Salish and Kootenai Tribes have asked to take over management of the bison range..." Then just last fall, on November 22, 2006, a story in *The Missoulian* by Vince Devlin: "Control of the National Bison Range is again on the negotiating table - and again sparking a fierce debate. The Confederated Salish and Kootenai Tribes are talking with the U.S. Department of the Interior and the US. Fish and Wildlife Service about a complete takeover of one of the nation's oldest wildlife refuges, which sits in the heart of the Flathead Indian Reservation. The phased takeover would begin in 2007 and be completed by 2010." Those are just two of many such statements, touting the intentions of the CSKT.

A different type of news article in the *Charkoosta News* on January 18, 2007, "'We look forward to working with the EEO and OIG investigators and correcting the record so we can repair the damage done to CSKT's reputation," said Chairman Steele," and is also quite revealing. We are not aware as to how you correct an investigative report, but the claims of harassment and intimidation does give a hint as to the extent CSKT went to pressure NBR staff in efforts to take over the Bison Range. Your mention of an Equal Employment Opportunity (EEO) investigation has no relevance to a grievance, so far as we know. But, we are not surprised that you have no information on the substance of the grievance since those matters are usually protected under the Right to Privacy Act.

The BGA can understand CSKT accepting without reservations the assurances of some individuals in the DOI that the Secretary has the authority to interpret the ISDEAA and to set policy in a fashion that will allow a takeover of the Bison Range. Those assurances ring hollow when several years ago a Federal District Court denied the Secretary of Interior the right to assign the U.S. Geological Survey the responsibility to manage/oversee a study to assess drilling and its effect on wildlife and other resource values on the Arctic National Wildlife Refuge. This study was mandated under section 1002 of the Alaska National Interest Lands Conservation Act. Part of the rationale for denial was a reference to the NWRAA. It is obvious the expense of time and money and all the disharmony generated over the AFA

could have been avoided if then Secretary Gale Norton would have limited her actions to her delegated authorities.

The CSKT ownership of Ninepipe and Pablo lands is irrelevant to the issue of an AFA. What is relevant is the easement by which these two units are operated as a part of the NWR System. It is our understanding that the CSKT Business Committee originally requested the easement arrangement and supported the special appropriations measure that made payment to the tribes. The BGA have concerns about long unresolved incompatibility issues in both Ninepipe and Pablo. These Issues continue to raise important questions regarding the cooperative spirit of the tribes and their unwillingness to openly accept basic wildlife practices and procedures of the NWR System.

In closing I would like to dispel what I perceive as your distrust of the motives of the BGA for opposing the AFA, and what you describe as misinformation in my letter/s. I have stated that CSKT is not authorized (i.e. "qualified") to assume management of the NBR. I continue to stand by that statement. Congress has delegated management authority for individual refuges and the System as a whole. The practices and procedures which apply to operations of Refuges individually and collectively, defines them as a System of lands and waters dedicated to the preservation, conservation and management of wildlife and their habitats for the benefit and enjoyment of all Americans. Over the past century, the system has evolved as a premiere model in the world for protecting and managing wildlife. Indeed, the NBR would not exist today had it not been for farsighted individuals taking the initial steps to set aside land to save bison. The managers and professional staffs of all NWR go through life-long careers of training and working on a variety of refuges to hone their skills and understanding of how the system functions. Little wonder then that the management of a National Wildlife Refuge is considered an inherent Federal responsibility.

Your invitation to visit is personally appealing. It is hot in Florida, and I have always enjoyed my visits to your part of the world. In fact I managed the National Elk Refuge in Wyoming for several years and have visited the Bison Range when C.J. Henry as well as Marvin Kaschke were the managers in charge. However, in January of this year, our immediate past president, Mr. William Reffalt has been the most recent BGA representative to visit, so we are fairly well in tune with your operations. Thank you for the invitation.

Sincerely,

Don E. Redfearn, President