

**To:** Majel Russell[mrussell@elkriverlaw.com]  
**From:** Cason, James  
**Sent:** 2017-03-19T17:08:53-04:00  
**Importance:** Normal  
**Subject:** Re: Meeting issues  
**Received:** 2017-03-19T17:09:25-04:00

Hi Majel,  
I'll look forward to our meeting. It will be nice to see you again.

Jim

On Fri, Mar 10, 2017 at 4:40 PM, Majel Russell <[mrussell@elkriverlaw.com](mailto:mrussell@elkriverlaw.com)> wrote:

Hello Jim,

Gareth has scheduled a meeting for the InterTribal Buffalo Council on March 21, 2017. ITBC will be represented by Jim Stone, Executive Director; Ervin Carlson, President; and myself. Also representatives of the Fort Peck Tribes (also members of ITBC) will be present including Grant Stafne, Councilman; Ed Bauer, Councilman and Robert Magnum, Buffalo Manager.

We would like to discuss:

1. Funding. ITBC was organized in 1992 to restore and manage buffalo on Indian lands. ITBC has received federal funding since inception through the President's budget and earmarks over the years. In 2009, ITBC was awarded a federal charter under Section 17 of the Indian Reorganization Act has been funded at approximately \$1.4 million since then through BIA, Trust, Natural Resources, Tribal Management Programs. \$1 million of these funds pass through ITBC directly to Tribes for Herd Development Grants that are utilized for infrastructure, employment and marketing efforts. ITBC utilizes the \$400,000 for administration, technical services to Tribes, buffalo transport costs and to collaborate with federal and state partners on buffalo management.

At inception, ITBC had less than 10 Tribes as members with 2000 buffalo collectively. Today, ITBC has 63 Tribes that collectively manage 20,000 buffalo across 23 States. ITBC member Tribes now have 52 separate herds and approximately 26 of them are awarded Herd Development Grants each year. The \$1,000,000 for Herd Development Grants has been stagnant since 2000 despite the growing number of member Tribes and the continued success at buffalo restoration efforts. In 2010, ITBC was awarded a P.L. 93-638 contract for the

Herd Development Grant program and now manages the Tribal grant awards.

ITBC's funding has been at the discretion of the BIA as no specific program for bison restoration/management exists. ITBC has been seeking some permanency/certainty for the program either through creation of the program administratively or through Congressional legislation. We hope to discuss with you the viability of creating the program administratively.

2. Yellowstone Buffalo - Use of Quarantine for Buffalo Management. The National Park Service has conducted an Environmental Assessment on the Use of Quarantine for buffalo management at Yellowstone Park with a pending Record of Decision that includes using the quarantine facility on the Fort Peck Indian Reservation as the preferred alternative. ITBC has long supported quarantine to preserve Yellowstone buffalo for translocation to Tribes which is consistent with the 2000 Record of Decision on Buffalo Management. Fort Peck Tribes constructed the quarantine facility over a period of years at a cost of \$500,000 plus in collaboration with the NPS. However, the NPS has stalled the release of the EA due to objections from the State of Montana. ITBC and the Fort Peck Tribes would like to discuss DOI's position on the EA, possible release date and position on federal pre-emption of State law to transport buffalo from Yellowstone Park to Fort Peck Reservation (federal enclave to federal enclave).

3. ITBC/Tribes Access to National Park Surplus Buffalo. ITBC has long received surplus buffalo from National Parks for translocation to Tribes for herd restoration efforts. ITBC has borne costs for the transportation and entered into agreements to preserve the buffalo for certain time periods. However, the NPS is no longer prioritizing Tribes and is awarding surplus buffalo to special interest groups. ITBC would like to discuss the NPS surplus buffalo policy.

4. DOI Working Group. If the DOI Working Group on Bison Management is continued under the new Secretary, ITBC requests some involvement or information exchange. ITBC serves as the official voice for Indian Country on buffalo matters but has not had involvement with the DOI Working Group on Bison Management. In addition to the Yellowstone issues, ITBC has entered into an MOU with the Grand Canyon National Park on bison management and confers regularly with other Parks. Knowledge of the DOI objectives/positions regarding buffalo would allow for more effective collaboration and cooperation.

Thank you and I look forward to meeting with you.

Majel

Majel Russell

Elk River Law Office

145 Grand Ave, Suite 5

Billings, Montana 59101

(406) 259-8611 office

(406) 860-0558 cell