



United States Department of the Interior

FISH AND WILDLIFE SERVICE Mountain-Prairie Region



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APR 27 2007

Mr. Clayton Matt
Natural Resources Department Head
Confederated Salish and Kootenai Tribes
P. O. Box 278
Pablo, Montana 59855

Dear Mr. Matt:

I appreciated the opportunity to meet with yourself, Tribal Council Vice Chair Carole Lankford, and other government officials of the Confederated Salish and Kootenai Tribes (CSKT) on April 9, 2007. As I indicated at the time, the U. S. Fish and Wildlife Service (Service) is interested in working with the CSKT, in partnership, at the National Bison Range (NBR).

I understand that the CSKT Tribal Council has not changed any of its prior positions and continues to seek an Annual Funding Agreement to operate/manage NBR, as part of the National Wildlife Refuge System. The Service is offering an alternative partnership wherein the Service and CSKT could work together through a Cooperative Agreement.

At our meeting on April 9, I provided you with several documents, including the new organizational chart for NBR; the Service's Workforce Plan for Region 6 Refuges; our Vision, Mission, Goals and Priorities document; and a draft paper on management of Service bison herds as a metapopulation. You requested additional documents for your further consideration.

Enclosed please find:

1. Position descriptions for authorized staff positions on the new organizational chart. These are the same documents provided earlier to the Department of the Interior. Please note that some of these position descriptions have not been classified, and there are likely to be some minor adjustments made when any vacant positions are advertised to be filled.

2. A copy of the 1996 – 2001 Cooperative Agreement between the Service and the U. S. Army for operations at the Rocky Mountain Arsenal (RMA)/Rocky Mountain Arsenal National Wildlife Refuge. There have been a series of these Agreements at RMA since 1989, whereby the Army has funded work of the Service at RMA. The agreements have changed over time as Army responsibilities at RMA decline and Service responsibilities grow.

I offered the RMA model as a possible model for partnership between the Service and CSKT at NBR. Clearly, the two places are not totally analogous. At RMA there is a federal statute requiring the Service and Army to work together to transition the site into a National Wildlife Refuge. The RMA agreement is between two federal agencies and does not involve a tribal government. However, there are many attributes of the RMA agreements that may have merit in any future discussions between us.

3. The Refuge Annual Performance Plans (RAPP) for NBR, Pablo, and Ninepipe NWRs for 2006 – 2007. RAPP is a relatively new "annual work plan" process, implemented across the National Wildlife Refuge System at the beginning of FY 06. The FY 08 RAPP will be prepared in August/September 2007 to report our accomplishment against planned objectives in FY 07, and forecast planned accomplishments for FY 08. If we agree to enter a Cooperative Agreement beginning in October 2007, we would want CSKT participation in the preparation of that plan.

I appreciate your consideration of a different path of partnership, and understand that your government will need time to consider this. I also know that the negotiation of any new Cooperative Agreement will require significant work by both parties. I am willing to work on a draft document for your consideration, but I need some communication from the CSKT Tribal Council indicating a serious desire to begin negotiations. Understanding that all items are subject to future negotiations, the Service proposes a Cooperative Agreement that could include the following:

1. The Cooperative Agreement would be between the Service and CSKT, operating through the CSKT Division of Fish, Wildlife, Recreation and Conservation, and provide a role for CSKT in operation of NBR and associated refuges within the boundaries of the Flathead Reservation.
2. The Cooperative Agreement would begin on October 1, 2007, with funding for FY 08. The Agreement would be for a period of 5 years, renewable annually at the mutual agreement of both parties.

3. The CSKT Division of Fish, Wildlife, Recreation and Conservation would provide employees to fill any vacant, non-supervisory permanent positions and any Term or Temporary positions funded on an annual basis. For FY 08, the permanent positions available are: a 0.5 FTE Maintenance Worker, and a permanent full-time Park Ranger. A Biological Technician (Term), and several seasonal Park Ranger positions (Temporary) would also be available. Pending mutually satisfactory results, additional positions could be offered to CSKT in subsequent years.
4. All work performed at the NBR would be supervised by the Service's Refuge Manager. Each party would agree to allow the other party to have input in its staffing decisions. The Service would not be able to terminate or discipline a CSKT employee, but would be able to withhold funding and bar an employee from the refuge work if an individual's performance or conduct was unacceptable to the Service. Such decisions would be subject to a dispute resolution process.
5. The Agreement would provide for rapid dispute resolution at the lowest level possible. The Service's Refuge Manager and Manager of the CSKT Division of Fish, Wildlife, Recreation and Conservation would be charged to informally resolve all disputes at the local level. Regular meetings would be required at that level and any unresolved issues would be elevated rapidly to higher authority. Ultimate resolution of any disputes would be by the Service's Regional Director, whose decisions would be final.
6. The Service would agree to negotiate modification of signs at NBR to indicate to the public that the refuge is managed by the Service, but in cooperation with the CSKT.
7. The CSKT Division of Fish, Wildlife, Recreation and Conservation would be involved as a full partner in preparing annual work plans for management of NBR and its satellite refuges.

Please let me know if your government is interested in further discussion of the Service's proposal. If so, it would be good to initiate that work soon, with a goal to finalize an agreement by mid-summer.

I understand that the Service's Zone Fire Management Officer, Bob Rebarchik, met yesterday with CSKT Fire Management personnel and that we are working quickly toward an agreement for CSKT to provide for fire suppression/initial attack services at the NBR Complex. Please let me know if you have concerns about those negotiations.

Mr. Clayton Matt

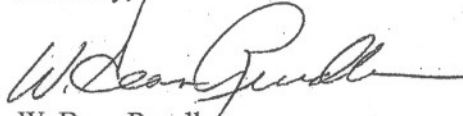
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Finally, I noted that CSKT Communications Director, Rob McDonald, was quoted in the newspaper as being concerned about the celebration of the centennial of the establishment of the NBR. Although we are making changes at NBR, the Service will host a public celebration of the NBR Centennial next year, and it will be an outstanding event. The NBR Centennial offers an outstanding opportunity for the Service and CSKT to work together. I think the possibilities to showcase both the refuge and the culture and heritage of your Nation, in a cooperative way, are great.

Whether or not your government is interested in a Cooperative Agreement for general operations at NBR, the Service would be very interested in working with the CSKT to celebrate the Centennial. There are opportunities to leverage special funding for a Centennial celebration through the Service's Challenge Cost Share (CCS) Program. Those proposals will be due this fall, but you may want to begin considering whether CSKT would be willing to provide matching funds for a joint celebration in 2008. CCS projects generally run in the \$5,000 - \$20,000 range, and require a minimum 50% non-federal match. Please let me know if the CSKT would be interested in pursuing a partnership for the NBR Centennial.

I hope this information is helpful. Please let me know how your government would like to proceed.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Dean Rundle", with a long horizontal flourish extending to the right.

W. Dean Rundle
Refuge Supervisor

Enclosures