SENATE NATURAL RESOURCES
EXHIBIT NO. 17
DATE 3-21-07
BILL NO. HB460

Fort Belknap Indian Community

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Fort Belknap Indian Community
(Tribal Govt.)
Fort Belknap Indian Community
(Elected to administer the affairs of the community and to represent the Assiniboine and the Gros Ventre Tribes of the Fort Belknap Indian Reservation)

March 20, 2007

Greg Lind, Chair
Senate-Natural Resource and Energy

Dear Chair Lind and Committee Members;

The Fort Belknap Indian Community Council would like to thank you for taking the time to consider an issue of profound importance to the Nakoda (Assiniboine) and White Clay (Gros Ventre) Tribes of Montana.

In July of 2005, the Fort Belknap Indian Community (FBIC) in conjunction with the Montana Environmental Information Center (MEIC) petitioned the Montana Board of Environmental Review (BER) to amend ARM 17.24.116 pertaining to application requirements for operating permits. The amendment that was proposed by MEIC and FBIC stated: ARM 17.24.116(6) the reclamation plan must demonstrate by clear and convincing evidence that, after the period of time allotted by 82-4-336(3), MCA, no treatment of surface or ground water for carcinogens or toxins will be required to meet water quality standards at the point of discharge. For the purposes of this section, completion of mining operations is defined in ARM 17.24.150(1) and (2).

With the current language in House Bill 460 (HB-460), The Fort Belknap Indian Community will have to go on record opposing this bill. The proposal that the Tribal Government supported before the Montana-BER stated that Montana-Department of Environmental Quality may not issue a new mining permit unless the mining company demonstrates that no treatment of water will be required after the mine completes its reclamation. In other words: ***no more perpetual pollution.*** Once a mine is reclaimed, it can no longer pollute Montana's water. That puts the burden where it belongs—on the mining industry.

The Fort Belknap Tribal Government is available to make more specific plans about how we can work together to ensure our water is safe. Once again, thank you for your time.

Sincerely,

Julia Doney

Julia Doney, President
Fort Belknap Indian Community Council