



EXHIBIT # 4  
DATE 3/24/15  
SB 284

InterTribal Buffalo Council  
2497 West Chicago Street  
Rapid City, SD 57702  
Phone: (605) 394-9730  
Fax: (605) 394-7742  
www.itbcbuffalo.com

Chairman Redfield and Members of the House Agriculture Committee:

The Inter Tribal Buffalo Council is writing to strongly voice our opposition to Senate Bill 284, sponsored by Senator John Brenden. We feel if passed, this legislation will dramatically impact the ability for the Montana tribes and ITBC to manage our buffalo herds fully for the respective sovereign nations. All the Tribes in Montana are members of ITBC and in addition I, Ervin Carlson, have served as the President of ITBC for the past 16 years. Mark Azure, the President of the Fort Belknap Indian Community, also serves as the ITBC Region Three Representative to the ITBC Board of Directors.

We do not believe it is the duty of counties to make wildlife management decisions. Montana's counties are not autonomous or sovereign entities, and can only follow the direction of the Montana Legislature.

Wildlife is a public trust resource whose management is best served – as it has been throughout Montana's history – by wildlife professionals at the Montana Department of Fish, Wildlife and Parks, with direction and oversight by the Fish, Wildlife and Parks Commission. ITBC supports the relationships that have been built through the years between Montana Fish, Wildlife & Parks and the Montana tribes. By working together, they have been able to build sustainable, safe, and culturally significant buffalo populations.

Montana's tribal nations have an established track record of managing this culturally important animal on our sovereign lands and using a scientific process that still allows all interested voices to be heard. Bison relocation is a process concerning all of our country's sixty tribal nations and the significance of the species to the tribes, both spiritually and nutritionally, cannot be overstated.

We would like to share our following concerns about Senate Bill 284:

- The Montana tribes feel that they were left out of pertinent discussions when the bill was being developed. Contrary to past years, tribal council members were not notified prior to bringing the bill before committee. Due to this misstep in the drafting process, they were unable to clearly decipher what the implications would be for sovereign tribal nations. We have an established track record of properly managing and respecting buffalo, and hold insurance for each of these animals to deal with any potential risks they present to neighbors and property.
- During the 2011 Montana Legislature, Senate Bill 212 (MCA 87-1-216) was signed by Governor Schweitzer and created a solid framework to address the complex issue of bison translocation. Through the legislative process of SB 212, County Commissioners rose in support of having broadly supported guidelines in place to ensure translocation was safe to livestock, people and landscapes. What has changed since the passage of SB 212?

#### Member Tribes

- Blackfeet • Cheyenne & Arapaho Tribes of OK • Cheyenne River Sioux • Chippewa Cree Tribe of Rocky Boy's Reservation • Confederated Salish & Kootenai • Confederated Tribes of the Umatilla • Crow Creek Sioux • Crow Tribe • Flandreau Santee Sioux • Fort Belknap Gros Ventre & Assiniboine • Fort Peck Tribes • Ho-Chunk Nation • Iowa Tribe of OK • Jicarilla Apache • Kalispel • Leech Lake Band of Ojibwe • Lower Brule Sioux • Mesa Grande Band of Mission Indians • Modoc Tribe of OK • Nambé Pueblo • Nez Perce • Northern Arapaho • Northern Cheyenne • Oglala Sioux Tribe • Omaha Tribe of NE • Oneida Nation of WI • Picuris Pueblo • Pit River Tribe • Pojoaque Pueblo • Ponca Tribe of NE • Prairie Band of Potawatomi Nation • Prairie Island Dakota • Pueblo de Cochiti • Pueblo of Tesuque • Quapaw Tribe of OK • Rosebud Sioux • Round Valley Tribes • Sac & Fox of the Mississippi in Iowa • Salt River Pima-Maricopa Indian Community • San Juan Pueblo • Sandia Pueblo • Santee Sioux of NE • Seneca Cayuga Tribe of OK • Shoshone-Bannock • Sisseton-Wahpeton Oyate • Southern Ute • Spirit Lake Sioux • Spokane • Standing Rock Sioux • Stevens Village IRA Council, AK • Stillaguamish Tribe of Indians • Taos Pueblo • Three Affiliated Tribes • Turtle Mountain Band of Chippewa • Ute • Winnebago of NE • Yakama Nation • Yankton Sioux •

- County Commissions are vital to local governance but are not wildlife managers, Title 7 of the Montana Code Annotated makes it clear that counties are not the arbiters of wildlife policy. All Montanans, regardless of county of residence, have equal claim and interest in wildlife.
- Existing, effective public process provides every Montanan, including local and county government, landowners, hunters, conservationists, landowners and livestock producers to participate fully in wildlife-management decisions. FWP and the FWP Commission are attentive to local interests.
- If signed into law, SB 284 would set a precedent that should be worrisome to all County Commissioners. If the Legislature delegates to county commissioners authority to decide wildlife management, subsequent legislatures will potentially face intense pressure to expand that authority to include decisions about other controversial wildlife – elk, wolves, grizzlies, furbearers, walleyes and other animals. The expense to counties to make and legally defend wildlife-management decisions would grow county government and require increase taxes in order to fulfill the wishes of the Legislature, as well as, requiring staff specifically working on these issues.

In summary, we feel this legislation is unneeded and unnecessary. The buffalo that roam the lands of the sovereign nations in Montana are of critical importance to tribal members for both their cultural and wildlife importance. The Tribes and ITBC continue to work closely with Fish, Wildlife & Parks to ensure the herds are safe to people and livestock, respectful of private property rights, and look forward to building this relationship moving forward. The passage of Senate Bill 284 would jeopardize a framework that is working.

Sincerely,



Ervin Carlson  
ITBC President