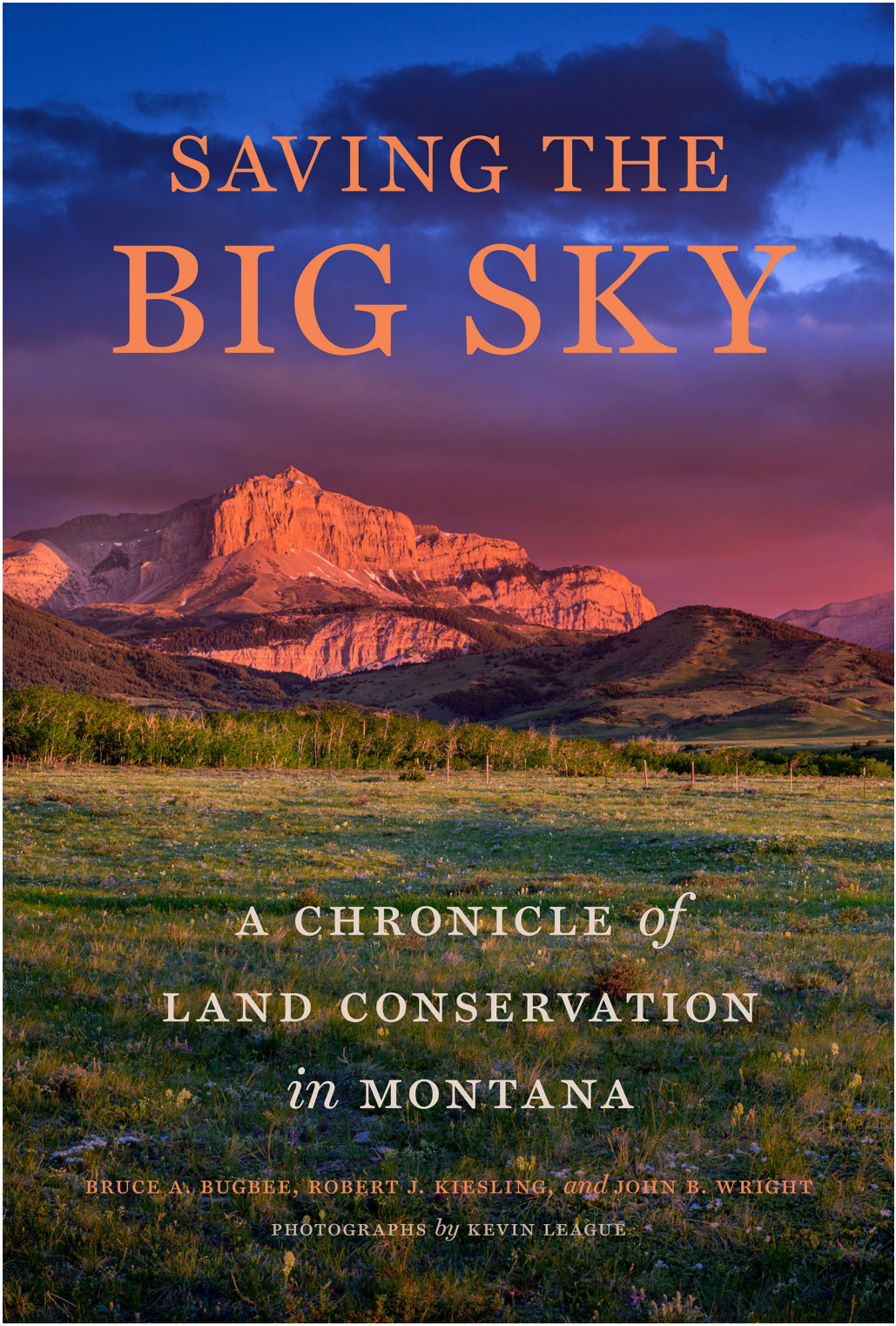




SAVING THE BIG SKY

A CHRONICLE *of*
LAND CONSERVATION
in MONTANA

BRUCE A. BUGBEE, ROBERT J. KIESLING, *and* JOHN B. WRIGHT

PHOTOGRAPHS *by* KEVIN LEAGUE



CHAPTER 14

The Flathead Reservation

Introduction

*by Bruce Bugbee, Robert Kiesling, and John Wright,
with contributions from CSKT staff*

In this chapter, we are honored to offer the Confederated Salish and Kootenai Tribes' (CSKT) own telling of their remarkable conservation story. It is a story of the tribes' relationship with the land—what they have cherished from time immemorial, and what they have protected and restored in recent decades by implementing traditional cultural values with the tools of modern governance and science.

What follows touches on only some of the many conservation efforts that have unfolded on the Flathead Reservation. The CSKT have conveyed their accomplishments more fully in a wide range of materials, some of which are referenced under "Further Reading" at the conclusion of this chapter.

Of the twelve tribes and seven Indian reservations in Montana, the CSKT and the Flathead Reservation face unique challenges. The reservation sits in the middle of the US Highway 93 corridor, stretching from the Glacier National Park area and the Flathead Valley in the north to Missoula and the Bitterroot Valley in the south. It is one of the fastest-growing regions in the state, besieged by ever-intensifying pressure from developers. For the CSKT, the problem is compounded by the US government having taken unilateral action more than a century ago, in violation of the 1855 Treaty of Hellgate, to make reservation lands available to non-Indian ownership and development. The CSKT have responded to the loss of land and jurisdictional challenges with resilience and innovation.

Before we offer their story, we want to offer a glimpse of some of the good work being done by other Indigenous nations across the state:

- The Blackfeet have formed their own land trust. They are creating a large tribal bison herd, blessed with wild bulls and cows. Some of their story is included in chapter 9, "The Rocky Mountain Front."
- The Crow succeeded in having the Forest Service recommend that the Crazy Mountains be declared a wilderness area. The range—known in Crow as Awaxaawippíia—lies more than a hundred miles from the reservation borders, but the tribe's connection to the Crazies remains eternal. Rose Williamson (Crow) says, "When we look to that mountain, we see its spiritual strength and it would be nice if it was left untouched, not exploited, just left alone. Up there it cleanses not just your body, it cleanses your spirit. When you're done, you come out clean."
The Crow have also worked to ensure preservation of the Bighorn Canyon National Recreation Area, which lies within the reservation and is another place of sacred meaning. Crow people tell the story of a boy lost in the canyon who was saved by seven bighorn sheep led by Big Metal, the chief of that herd. The tribe says it "casts a spell over those who would let it. For this is the Bighorn, and as the Bighorn it shall survive." Today, thousands of visitors come to this conserved place.
- The Northern Cheyenne, one of ten bands of the Cheyenne Nation spread across the Great Plains from southern Colorado to the sacred Black Hills of South Dakota, are the first Native nation in the United States to secure Class 1 Air Quality authority, the same level of protection as exists in national parks and monuments. In 1977, the Environmental Protection Agency granted the tribe that designation, providing the Northern Cheyenne with a powerful tool to protect tribal members from pollution caused

by coal development and power plants. (The EPA later designated the Flathead and Fort Peck Reservations as Class 1).

- The tribal governments of the Fort Belknap and Fort Peck Reservations, home to the Gros Ventre, Assiniboine, and Sioux, have allied with the American Prairie organization to return bison to an isolated Great Plains landscape, a story told in chapter 16, “The Prairie.” And they have been crucial partners in the Bureau of Land Management’s “Seeds of Success” prairie restoration program, which combines Western science and Indigenous knowledge. The tribes are helping collect “sacred seeds” of green needlegrass, prairie Junegrass, and blue grama. Savannah Buckman Spottingbird says of the program, “It gave me peace and happiness. Lots of adults on the rez think there is no coming back, that nothing is ever going to change. But change is within ourselves.” Fort Belknap Indian Community elder Donovan Archambault adds, “For too many generations Indigenous people sat in silence and sorrow as they witnessed the gutting and rape of their beloved Mother Earth. The grassland restoration project is a positive step in the right direction. It is time to regenerate a system which our ancestors lived by for generations. Take care of your mother and she will take care of you.” (From 2021 to 2025, the program was supported and overseen by Missoula native Tracy Stone-Manning in her role as the Biden Administration’s BLM Director.)
- Since 2021, the Chippewa Cree of the Rocky Boy’s Reservation (named for tribal leader Ahsiniwin, meaning Stone Child) have also pursued the restoration of bison, building a herd on 1,200 acres they call “The Pasture” near Box Elder. Twenty-one bison were brought in from the CSKT and the American Prairie project, with new calves arriving every spring. Jason Belcourt (Rocky Boy sustainability coordinator) says, “Every donation continues to strengthen our herd and helps revitalize our culture.”
- The Little Shell of the Chippewa are a federally recognized tribe of Ojibwe people, with a tribal council and offices in Great Falls, but they do

not yet have a reservation in Montana. As Chris La Tray conveys in his fine book, *Becoming Little Shell: A Landless Indian’s Journey Home*, the Little Shell continue their long quest for a sovereign reservation and the opportunity to manage part of their homeland according to their cultural values and social needs.

In the pages that follow, the Confederated Salish and Kootenai Tribes relate some aspects of their own conservation story.

Continuance and Revitalization: Our Conservation Story

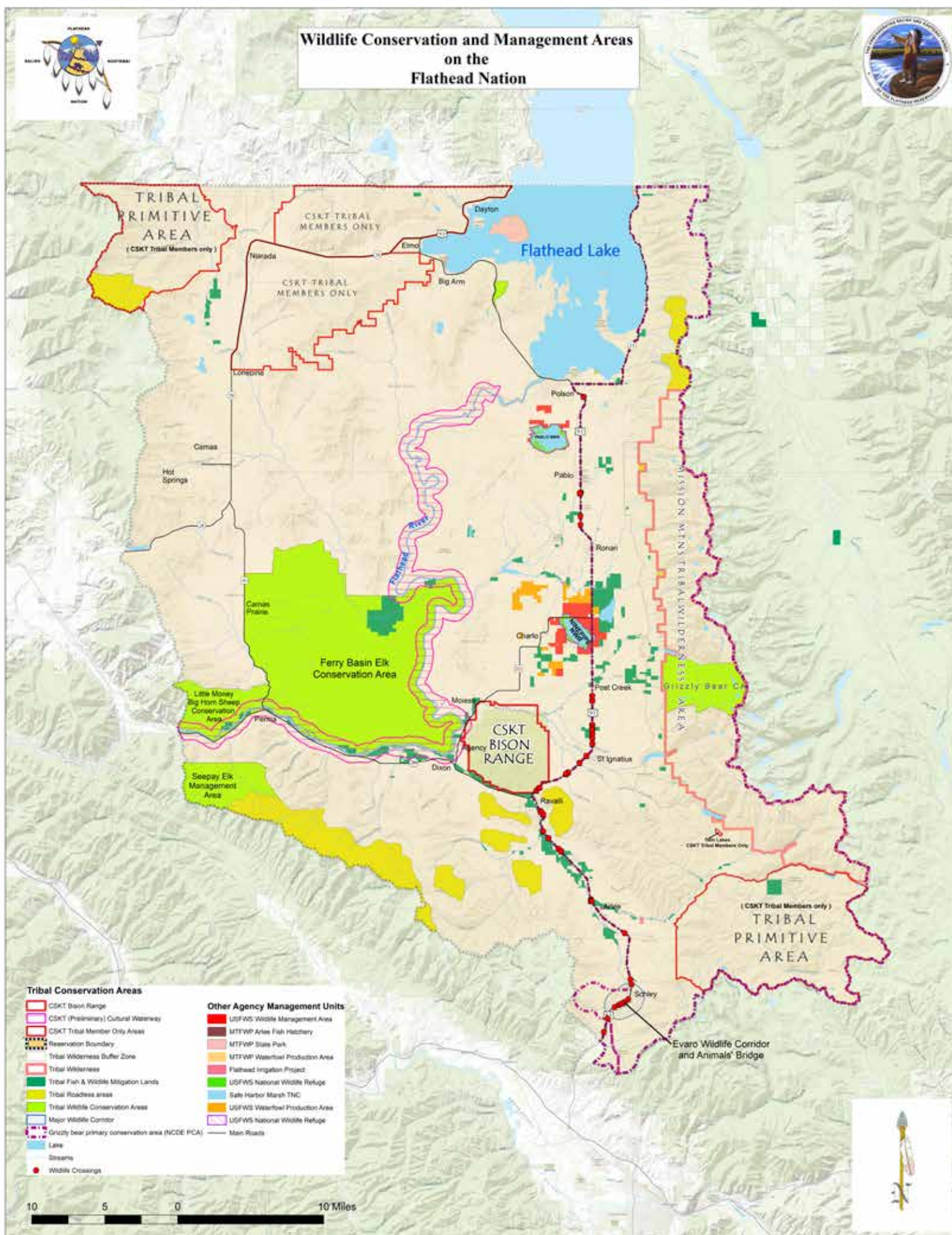
by staff members of the Confederated Salish & Kootenai Tribes, with contributions from Bruce Bugbee, Robert Kiesling, and Jack Wright

In 2019, the Director of the Séliš-Q̓lispé Culture Committee, Antoine Incashola Sr., spoke at a meeting of the Climate Change Advisory Council of the Confederated Salish and Kootenai Tribes. He reminded us that “at the beginning of time, the animals that were here before us left us a near-perfect world. . . . And the elders always say that if you don’t take care of what you’ve got, those gifts are going to leave.”

This perspective has always stood at the heart of our way of life—and for the past half-century, it has formed the foundation of the CSKT conservation work we describe in this chapter.

For thousands of years, the mountains and valleys of what is now western and central Montana and adjacent areas have been home to our people: the Séliš (Salish or “Flathead”), Q̓lispé (Upper Kalispel or “Pend d’Oreille”), and Ksanka (Kootenai) Nations. For the vast majority of that time, we lived well as hunters, fishers, and gatherers, moving with the seasons, drawing from a profound ecological understanding of our vast homelands. We lived in close tribal communities, conducting most activities together for the well-being of the people as a whole.

This is the way of life shown in the beginning by Coyote: a way of respect for one another, and for the lands and waters we have been given. Our



Creation stories teach us that our lives are only possible because of the sacrifice and generosity of the plants and animals. So before harvesting plants or animals, we offer a gift. We give thanks and pray that they will continue to provide for us. Upper Kalispel elder Pat Pierre reminded us many times that we must give before we take, and we must never waste.

During recent centuries, we have endured the invasion and transformation of our homelands. But our people resisted, and over the past half-century, within our remaining sovereign territory—within the Flathead Reservation—we have protected, restored, and revitalized our sovereignty, cultural ways, and natural resources.

In telling this story, it is important to convey that for us, **natural resources are cultural resources**. There is no difference between them. The songs, dances, stories, and our understandings of the origins of human life—all are gifts from the animals, plants, lands, and waters. This basic understanding undergirds CSKT cultures. And it also undergirds the entire CSKT conservation record.

This chapter presents just a brief introduction to our cultural-environmental work. We touch on seven examples. Other CSKT initiatives and programs could merit whole chapters in themselves, but are not discussed here; for example, the Tribal Forestry Program, guided in large part by its revolutionary 2000 Forest Management Plan, which shifted our long-term goals from commodity production to the restoration of former forest landscapes, including reestablishing pre-1850 fire regimes through active prescribed fire programs. Neither does this chapter tell the stories of the CSKT Air Quality and Water Quality Programs; the major stream restoration work under the CSKT Water Compact; the Underground Storage Tank Program; or the Pesticides Program, among others.

Our people have been here a long time. Tribal creation stories contain memories of the last Ice Age, echoed in archaeological sites dated to almost 13,000 years ago, about the time of the last draining of Glacial Lake Missoula. If we take just the most recent 9,000 years of our history and compress it into a single 24-hour day, 1800 would arrive around 11:29 p.m.—about half an hour before midnight. In the context of tribal tenure, all of the

change that has come to our homelands and our people since then is very recent and very sudden.

In 1855, US officials and tribal leaders “negotiated” the Treaty of Hellgate, which in many ways defined and shaped the subsequent political, legal—and environmental—landscape of western Montana. Poor translation limited how much the chiefs could understand, but according to the terms of the treaty, we ceded most of our territories to the United States. We reserved tribal rights to hunt, fish, and gather plants on those ceded lands, and also reserved from cession a small fraction of our vast homelands, including the Flathead Reservation, as sovereign homelands. The treaty guaranteed the reservation for “the exclusive use and benefit” of CSKT people.

Less than fifty years later, Congress broke that promise with passage of the Flathead Allotment Act, despite nearly unanimous tribal opposition and unrelenting efforts by tribal leaders to stop the bill. The 1904 law made large swaths of the Flathead Reservation available to non-Indian homesteaders, who quickly took control of much of the agriculturally and commercially valuable land. For the CSKT, allotment was the single most devastating policy ever implemented by the federal government, bringing the dispossession of over half a million acres, the radical weakening of our sovereignty, and the transformation of the reservation’s economy and culture. The result was the complex, sometimes conflicting mix of land-ownership and jurisdiction that characterizes the Flathead Reservation to this day.

In 1934, FDR’s Indian Reorganization Act finally ended the disastrous allotment policy and gave us the opportunity to reconstitute as the Confederated Salish and Kootenai Tribes. We began rebuilding our governing capacity. We also started reacquiring land; today, the CSKT own over two-thirds of our 1.3-million-acre reservation.

In the mid-1970s, our Tribal Council took a crucial step by establishing Séliš-Q̓lispé and Ksanka Culture Committees. Arising from the concern of tribal elders over the loss of cultural knowledge in the community, the culture committees are charged with preserving, protecting, and perpetuating the cultures, languages, and history of the Salish, Kalispel, and Kootenai people. With the guidance and direction of Elders Cultural

Advisory Councils, the culture committees helped restore traditional cultural values—including respect for the environment—to the heart of CSKT operations.

The following decades saw the development of many CSKT departments and programs, including the Natural Resources Department. Terry Tanner, who worked for both the Séliš-Qłispé Culture Committee and the Natural Resources Department, said, “We honor our ancestors through our stewardship of the land and by maintaining and exercising the rights we kept in our treaty. This is our generational responsibility that we grow up with as Indian people.”

Seven examples illustrate that generational responsibility in action.

THE MISSION MOUNTAINS
TRIBAL WILDERNESS

In 1982, the CSKT Tribal Council passed an ordinance establishing the Mission Mountains Tribal Wilderness, encompassing some 92,000

acres—the first tribally designated wilderness in the United States.

Like federal wilderness areas, the CSKT wilderness excludes roads, motorized vehicles, or other machines. But in other ways, the Missions are managed as a uniquely tribal conservation area, springing from the mountains’ deep cultural, spiritual, and historical importance for our people. While federal wildernesses are defined by the minimization and sometimes the erasure of human presence, the Missions are held by the CSKT as a haven for tribal cultural continuance. This was expressed eloquently by former Séliš-Qłispé Culture Committee Director Clarence Woodcock: “The Mission Mountains have served as a guide, passageway, fortification, and vision-seeking grounds, as well as a place to gather medicinal herbs, roots, and a place to hunt for food for the Pend d’Oreille, Kootenai, and Salish people. They have become for us . . . sacred ground. Ground that should not be disturbed or marred.”

For much of the twentieth century, the CSKT had to fend off attempts by the Bureau of Indian



Mission Mountains on the Reservation

Affairs to log the mountains. In the 1930s, shortly after our adoption of a new Tribal Constitution, the first Tribal Council tried to permanently protect the Missions, but the BIA ignored the request. In 1974, the BIA proposed a timber sale that would have clear-cut some 2,000 acres in the heart of the range near Ashley Lakes. When the Tribal Council met to consider the potentially lucrative plan, Councilman Thomas “Bearhead” Swaney invited three highly respected tribal elders to speak: Annie Pierre, Louise McDonald, and Christine Woodcock, known to the community as the Three Yayas (grandmothers). They told the Tribal Council that “the Mission Mountains were a treasure and that it was important not to destroy them in the short time we are here.” Tribal educator Germaine White, who accompanied the Three Yayas, recalled that the council listened, thanked the Yayas, and waited for them to leave. They stayed. When the tribal chair asked whether they had anything more to say, one of the grandmothers said, “We’ll just wait here until you vote.” By a 6–2 margin, the Council took the unprecedented action of tabling the timber sale.

Over the next eight years, Tribal Council took a series of steps, including hiring the Wilderness Institute at the University of Montana to create boundaries and management guidelines. Council actions were supported and encouraged by tribal members such as Thurman Trosper, a retired US Forest Service supervisor and past president of The Wilderness Society, and Doug Allard, who was helping lead a newly formed group called the Save the Mission Mountains Committee.

The Mission Mountains Tribal Wilderness has a number of unique attributes, including a special grizzly bear management zone (closed to all use during certain periods of the year to protect bears feeding in high elevation areas) and what is called the “Buffer Zone” along the western base of the mountains—an area outside the official wilderness boundaries, but managed to protect the ecological and cultural integrity of the wilderness itself. An adjoining area to the south is designated as a tribal-member-only “Primitive Area”; although it is accessible by vehicle, it is otherwise protected and pristine. Areas abutting the wilderness on the north are designated as CSKT Roadless Areas. The ecological value of these adjoining areas,

particularly for the connectivity of wildlife habitat, is further augmented by nearby off-reservation conservation lands, including the federal wilderness encompassing 73,877 acres on the east side of the Missions, and across the Swan Valley, the sprawling Bob Marshall Wilderness, covering over a million acres.

In 2022, the three yayas—Annie Pierre, Christine Woodcock, and Louise McDonald—were honored for their leadership with induction into the Montana Outdoor Hall of Fame. But their greatest legacy—the legacy of so many elders, cultural leaders, CSKT staff, and consultants—is the permanent protection of these spectacular, powerful mountains.

THE BISON RANGE

The relationship with *q̣ʷeyq̣ʷay*. (buffalo) stands at the heart of our cultures and histories. It is a relationship of reverence and respect. The elders have told how our lives, human beings and buffalo, are intertwined. Our people have always sought to take no more than we need; to use all parts of the animal; to waste nothing. Throughout our history, we have worked to ensure that buffalo will be plentiful for all the generations to come.

In the years after the 1855 Hellgate Treaty, we could see that buffalo were declining, due primarily to non-Indian hunting. Intertribal conflicts over the dwindling resource were intensifying. In response, a Ql’ispé man named Ataticé? (Peregrine Falcon Robe) brought a profound idea before the chiefs: bringing buffalo back to establish a herd within the Flathead Reservation. His son, Susép Łatati (Joseph Little Falcon Robe), later carried out his father’s vision, capturing some orphaned calves and herding them west. In 1884, tribal members Michel Pablo and Charles Allard purchased the growing herd, eventually augmenting them with buffalo purchased from others. It became the largest remaining herd in the United States, thriving in the tribal lands along the lower Flathead River. Allard died in 1896; some of his buffalo were then sold to the Conrad family in Kalispell.

Over the next few years, CSKT bison conservation efforts were upended by the federal government. The Flathead Allotment Act of 1904 would



transfer many reservation lands to non-Indian homesteaders, eliminating much of the reservation's open range. US officials told Michel Pablo he had to get rid of his buffalo. No American buyers emerged, so in 1906, Pablo sold them to the Canadian government. He then organized buffalo roundups, which continued each year until 1912.

During this very same time period, wealthy New Yorkers formed the American Bison Society (ABS), whose honorary chair was Theodore Roosevelt (who as President signed the Flathead Allotment Act). In 1909, the ABS convinced Congress to expropriate reservation land from the Flathead Nation to form a National Bison Range. Elders have told how tribal leaders voiced their vehement opposition to this taking of prime hunting grounds, but US officials told us we had no choice in the matter.

The government, having forced the elimination of a tribal herd, now seized tribal land—some 18,882 acres—to form a herd under their control. The United States furthermore determined, unilaterally, the amount it would pay for the land—and then expended those funds to cover the administrative costs of making reservation lands available to non-Indian homesteaders. One act of dispossession funded another.

In further irony, the ABS then acquired 34 buffalo from the Conrad herd in Kalispell—descendants of the buffalo saved decades before by Little Falcon Robe—and donated them to the federal government to seed the National Bison Range. (Portions of Allard's buffalo had been sold to Howard Eaton, who later sold his animals to Yellowstone Park. Thus the buffalo originally saved by the tribes also helped seed the famed Yellowstone herd.)

Beginning in the 1990s, CSKT Tribal Council and staff pursued a variety of strategies to regain control of the Bison Range. This became a reality in 2020, when Congress passed Public Law 116-260, under which the Bison Range remains federal land but is now held in trust for the CSKT. After more than a century of dispossession, the CSKT is reconnecting with this land at the heart of the Flathead Reservation. Now managed by our award-winning Natural Resources Department, the Range is home to about 350 adult buffalo, with about 50 to 60 calves welcomed to the world each year. Visitors still have the opportunity to see bison rolling in dusty wallows, grazing in large herds, calves frolicking next to cows, bulls moving with quiet power across the land. The Range's loop road traverses places that now bear names rooted



Bull Bison on
the Range



At the dedication of the CSKT Bison Range, May 21, 2022, Tribal Council Chair Tom McDonald stands with Deb Haaland (Laguna Pueblo), who served the Biden Administration from 2021 to 2025 as the first Indigenous Secretary of the Interior in American history. Photo by Tailyr Irvine (CSKT) , courtesy CSKT.

in CSKT culture and history, such as Peregrine Falcon Robe’s Home and Place Where You Watch Out for Something That’s Coming—a high point offering expansive views of the prairie hills sloping down to St. Ignatius, and beyond, the snowy crest line of the Mission Mountains. Here, we will carry on for the generations yet to come our ancient relationship with q̣ʷeyq̣ʷay.

The CSKT herd is now helping other Indigenous nations replenish and repopulate their buffalo. And here at home, we are planning to establish a herd outside the Bison Range that will serve our Food Sovereignty Movement as a sustainable food source.

The full circle of the CSKT, buffalo, and the National Bison Range is encapsulated in the story of Big Medicine. On May 3, 1933, range rider John McDonald came across something rare and revered in our culture: a newborn white bison bull. Within days, tribal people conducted a ceremony to welcome this special gift from the Creator. Some came to call the buffalo “Big

Medicine.” After he died in 1959, CSKT chair Walter McDonald—John’s brother—expressed the community’s wishes that the white buffalo be preserved and kept on the Flathead Reservation. However, National Bison Range officials instead conveyed the hide to the Montana Historical Society. For half a century, the taxidermized buffalo stood on public display at the MHS museum in Helena. CSKT members, including many elders, made numerous journeys to visit Big Medicine and pray for his return. On October 20, 2022, those prayers were finally answered. At the urging of tribal leaders, the MHS Board of Directors voted unanimously to return the white buffalo to the CSKT Bison Range. For our people, this makes complete the restoration of the Bison Range. Vice-Chair Tom McDonald—Walter and John’s grand-nephew—said, “Big Medicine represents the past that has carried us forward to the present, and the work yet to be done to protect our identity, culture, and well-being into the future.”



Sandhill Liftoff

WILDLIFE MANAGEMENT AND CONSERVATION AREAS

The CSKT's Wildlife Program has garnered widespread recognition and awards for its achievements in carrying out the "protection, enhancement and management of terrestrial wildlife species and habitats" on the Flathead Reservation. The program's work can be seen in almost all the other sections of this chapter, including in the discussions of the Bison Range, the Mission Mountains Tribal Wilderness, Wetlands, and the Highway 93 Wildlife Crossings. CSKT wildlife biologists have been very active in the recovery of federally listed threatened and endangered species of native wildlife, including bald eagles, peregrine falcons, northern gray wolves, grizzly bears, Canada lynx, trumpeter swans, and northern leopard frogs.

The program has mapped five prime habitats for elk, bighorn, and grizzly bears within the reservation, including the Grizzly Bear Conservation Area (CA) in the Mission Mountains, the Ferry Basin and Seepay Elk CAs, and the Little Money and Hog Heaven Bighorn Sheep CAs.

CSKT staff have worked hard and with great expertise in managing and sustaining the Mission Mountains subpopulation of grizzlies, who frequently venture out into the increasingly subdivided valley.

Again, this area of CSKT conservation work springs from a deep cultural foundation. Salish elder Johnny Arlee said, "These animals were here before us and we respect them in this way."

WETLANDS

The Flathead Reservation is home to an astounding number and variety of wetlands, including Flathead Lake, the lower Flathead and Little Bitterroot Rivers, major streams issuing out of the Mission Mountains, and hundreds of glacial pothole ponds in and adjacent to the Pablo and Ninepipe National Wildlife Refuges. As Vice-Chair Tom McDonald has said, these are "places of special abundance." CSKT efforts to protect wetlands again spring from the cultural importance of the resources found there: plant foods, medicines, and materials, including edible

valerian, gooseberry, cattail, and bulrush, among many others; and animals including turtles, frogs, muskrats, bald and golden eagles, great blue herons, snipe, bitterns, and waterfowl. Trumpeter swans—once locally extirpated—now thrive in the valley thanks to the CSKT's reintroduction and recovery program.

The CSKT maps and monitors the health of reservation wetlands, working to prevent or minimize draining, filling, and pollution. Other CSKT programs track and control invasive species. The CSKT and the US Fish and Wildlife Service work together in numerous ways, including installing cattle-exclusion fencing around wetlands. And under the historic Water Compact, CSKT staff are addressing impacts from the Flathead Indian Irrigation Project, including restoring numerous vital wetlands.

CSKT FISHERIES AND JOCKO RIVER RESTORATION

Across the Flathead Reservation, the CSKT Fisheries Program has implemented a range of programs to fulfill its stated mission of "restoring, fostering, and maintaining wild, self-sustaining fish populations to meet cultural, subsistence, and recreational needs." From surveying fish populations to restoring habitat, from meeting the threat of aquatic invasive species to addressing the unique biological and jurisdictional challenges of Flathead Lake, the program has a long record of accomplishment.

These initiatives serve a resource whose importance in tribal life and history has been powerfully conveyed by elders. The CSKT's award-winning environmental education project, *Explore the River: Bull Trout, Tribal People, and the Jocko River* (2011), reveals the critical role played by fishing and the abundant fisheries of CSKT territories—how the steady availability of fresh, high-quality aquatic protein functioned as a key element when some other traditional food sources were more seasonal or sporadic. Salish educator Germaine White said, "We knew where the streams were, where there were upwellings, where there were a lot of fish. We knew how to deal with seasonal abundance and we knew how to take advantage of this high quality protein source." Upper

Kalispel elder Mitch Smallsalmon conveyed how the fisheries were a critical underpinning of tribal well-being: *Kʷem̓t šey̓ še nkʷúlexʷ qe sqʷyúlexʷ tiʔe l sewtkʷ*. “By that, we were wealthy—from the water.”

Explore the River explains that no fish holds more importance, culturally or materially, than the greatest of all the native species: *aáyc̓st*, or bull trout. They swarmed in unimaginable numbers through tribal waters, with the biggest adfluvial fish reaching over three feet in length.

But as with many other traditional foods, bull trout have been devastated by the transformation of tribal territories over the past century and a half. Even within the Flathead Reservation, the species became imperiled in recent decades. Bull trout disappeared from Mission Creek some twenty years ago, and for the past fifteen years, only about 3,000 adults have remained in Flathead Lake, their numbers decimated by non-native lake trout.

The upper Jocko River remained one of the few reservation strongholds for bull trout. The lower Jocko was a different story, where major degradation began with construction of the Northern Pacific Railroad in 1883. CSKT biologists found that in more recent decades, the lower river “had been substantially disturbed by agriculture, irrigation withdrawals, livestock grazing, transportation infrastructure, and residential/commercial development.”

Now the river is becoming an excellent example of ecosystem recovery. In 2008, the Jocko Restoration Project—funded by a Superfund settlement, with additional support from the Bureau of Reclamation, the CSKT’s Séliš Ksanka Ql’ispé Dam, and the CSKT Water Compact—set out to heal the damaged waterway’s lower 22 miles. The Jocko River Master Plan mixed “active restoration” (physically repairing the most degraded reaches of the river) with “passive restoration” (modifying land-use practices). CSKT staff have reconstructed and rehabilitated canals, restored cottonwood ecosystems, removed cattle from sensitive areas, removed riprap, rebuilt meanders and pools, improved fish ladders, and returned floodplains to their natural state. We have also reacquired the majority of lands along the river. At the same time,

SKQ Dam operations were changed to reduce impacts to the lower Flathead River. As of 2024, the whole Jocko system is seeing a rebound in native fish populations, including westslope trout and bull trout. The success in the Jocko bodes well for other CSKT efforts in bull trout recovery, including plans to reintroduce bull trout to Mission Creek, and the ongoing effort to reduce lake trout in Flathead Lake.

THE ANIMALS’ BRIDGE

North of Evaro, a high curving bridge spans US Highway 93. It’s not meant for cars or people. A Salish place-name sign identifies it as *Xʷixʷeyúł N̓xlews*—the Animals’ Bridge. The structure provides safe wildlife passage over the busy highway, thereby protecting both motorists and animals from collisions. Fences guide animals to the bridge. North of there, culvert underpasses and bridging structures, also with funneling fences, provide routes for animal passage underneath US 93. Between the reservation boundary and Polson, a total of 42 crossing structures of various designs are now in place. More will soon be built in the final section of the road awaiting reconstruction, the wetland-rich area of the Mission Valley known as Ninepipes. CSKT’s Natural Resources Department has shared photos of bears, mountain lions, elk, deer, and coyotes safely moving through the structures. Tribal Vice-Chair Tom McDonald reminded us that “wildlife need movement corridors. Animals need a chance to adapt, especially when you think about climate change that’s hitting us so hard. You really have to step back and give wildlife some space.”

The wildlife structures were built as part of US 93’s reconstruction during the early 2000s. They constitute a monumental achievement in rural highway design in the United States, protecting and restoring habitat connectivity by providing safe wildlife movement across the heavily trafficked highway corridor.

The history of the wildlife crossings is part of the larger, decades-long struggle over US 93, which involved environmental issues rarely addressed with any success: the threat of uncontrolled growth and sprawl, the role of highway



Animals’ Bridge

expansion in accelerating those problems, and ultimately, the dominant society's disastrous assumption that we can accommodate and feed infinite growth on a finite planet. When the Montana Department of Transportation (MDT) first proposed a dramatic expansion of the highway in the late 1980s, CSKT and many other local residents saw it as a direct threat to the character of the Flathead Reservation's cultural and natural environment. That radical widening of the pavement would have further intensified the already daunting problem of uncontrolled growth spreading northward from the sprawling city of Missoula. Suburbanization, traffic volume and speeds are particular concerns for the CSKT as we work to regain our land base within the reservation, and with it, the continuance of our social and cultural community. Ultimately, the Tribal Council saw the MDT plan as posing a clear and present danger to tribal sovereignty itself.

For CSKT and especially tribal elders, the deep tribal ethic of living within limits, of not taking too much, underlay our consistent opposition to the MDT plan, and our drive to find a less destructive solution to address safety concerns. With critical support from the Flathead Resource Organization ("FRO," a long-standing local environmental group comprised of both tribal members and non-Indians), CSKT thus took a courageous stand on the biggest issue, lane configuration, opposing the MDT plans for a four- and five-lane undivided highway and instead supporting a "Super Two" lane design (two lanes with alternating passing lanes, consolidated entrances, and widened shoulders). In the historic 1996 Record of Decision on the project's Environmental Impact Statement, the Clinton Administration's Federal Highway Administration (FHWA) backed CSKT concerns. For the first time, FHWA affirmed that highway expansion, in certain contexts, doesn't just accommodate increasing traffic, but also fuels and accelerates uncontrolled growth and sprawl. Recognizing the federal government's "trust responsibility" to the CSKT as a tribal nation, FHWA informed MDT and CSKT that it would only fund the project once the two sides reached agreement on a design. The FHWA decision finally forced MDT to negotiate.

The issue began gaining national attention. In 1997, CSKT and FRO successfully nominated the entire Flathead Reservation to the National Trust for Historic Preservation's annual list of America's 11 Most Endangered Places. CSKT and MDT finally reached agreement in 2000, ending up with a highway that garnered major awards for "context sensitive design." The new design was not only far less environmentally destructive, but also highly effective in reducing accidents and fatalities on the heavily traveled road, as confirmed in subsequent safety audits.

The "context sensitivity" of the highway's design included wildlife crossing structures as well as Salish and Kootenai language place-name signs. It is important to understand that for the MDT, these were "mitigation" measures they only agreed to in order to gain CSKT compromise on the bigger issue of lane configuration. Neither the wildlife crossings nor the place-name signs would exist today if CSKT elders, Tribal Council, and staff had not taken their courageous stand against MDT's multi-lane strip highway. That stance gave CSKT leverage.

Both the wildlife crossings and the place-name signs were aimed not just at limiting the destruction caused by the highway's reconstruction, but also healing some of the existing damage. They are another example of how CSKT has pursued not only conservation but also restoration. The crossings have enhanced and restored the connectivity of wildlife habitat, and the signs have enhanced and restored travelers' awareness of the peoples and cultures that have shaped this place from the beginning of human time.

THE CULTURAL WATERWAYS ORDINANCE

In 1938, the Montana Power Company completed construction of a dam on the lower Flathead River, about eight miles below the outlet of Flathead Lake. Named after MPC president Frank Kerr, the dam and its operation caused significant ecological harm to the lake and river, cultural landscapes of the highest importance for the CSKT. In the 1991 film *The Place of the Falling Waters*, elders convey that many tribal people opposed the dam

but had no voice in the matter. In the decades that followed, the remaining free-flowing sections of the river were repeatedly threatened by proposals for additional dams. Opposition from our leadership, elders, and the wider community managed to stop those projects. Had they been built, they would have flooded almost the entire river down to its confluence with the Clark Fork near Paradise, Montana. CSKT leaders and staff also had to fight off many other threats, including BIA proposals to log the old growth riparian pines, proposed subdivision developments, and gravel and rock mines.

For nearly 75 years, the dam and its revenue was controlled by Montana Power. But in 2012, CSKT Tribal Council decided to act on the opportunity provided under a 1984 licensing agreement: the CSKT purchased the dam, thus becoming the first Native nation in the United States to be the sole owner of a major hydroelectric facility.

The CSKT also decided that even as they became owners of the dam, they would ensure that the rest of the lower Flathead would be protected. This followed decades of work by CSKT cultural leaders and resource specialists to protect and restore the river's fish and wildlife, reacquire riparian lands, develop management plans, and educate the membership and the public, including hosting the annual River Honoring, one of Montana's largest outdoor environmental education events. All of those efforts culminated on August 10, 2021, when the Tribal Council passed the CSKT Cultural Waterways Ordinance. The ordinance states, "Water is sacred. . . . Our people carry a spiritual obligation to protect our clean, abundant waters, and to maintain the free-flowing nature of those stretches of the river that still remain undammed for the generations to come."

The Tribal Council further designated the Lower Flathead River as the first CSKT Cultural Waterway, "to protect and preserve the Lower Flathead River Cultural Waterway in perpetuity as a Tribal traditional cultural sanctuary and an area of land preserved in a generally natural condition." The ordinance states, "There shall be no additional dams constructed on the Lower Flathead River."

Just as the CSKT became the first Native nation to establish the tribal equivalent of a federal wilderness area when they set aside the Mission Mountains Tribal Wilderness, so the tribes established the tribal equivalent of a Wild and Scenic River. But like the tribal wilderness, CSKT cultural waterway designations are framed first and foremost around the protection and continuance of tribal cultures and cultural values—a powerful reflection of how, for the CSKT, relationships of respect with the waters, the lands, the plants, and the animals stand at the heart of who the Salish, Kalispel, and Kootenai people are.

For the Generations to Come

The seven CSKT projects discussed in this chapter demonstrate how we are finding new ways to bring forward our traditional principles of respect for and reciprocity with the environment. Those deep cultural values govern our resource management decisions.

We know that new and even more daunting challenges lie ahead. For millennia, our people have adjusted successfully to climactic shifts. But now all of us are faced with change of a different magnitude. The climate crisis threatens to unravel all that sustains us and all that we are working so hard to pass on to the generations to come. This is why, in 2016, the CSKT became the first US tribal nation to adopt a Climate Change Strategic Plan. We are doing our best to safeguard our people and our homelands and to continue bringing forward to the world the wisdom and the example of our ancestors. Their example—our history—helps us realize that catastrophe is not inevitable, that we human beings are capable of living in a way that nurtures rather than destroys our only home.

We return to what Tony Incashola Sr. told us at a CSKT climate gathering in 2019: "At the beginning of time, the animals that were here before us left us a near-perfect world. . . . And the elders always say that if you don't take care of what you've got, those gifts are going to leave. . . . Time is getting shorter. . . . The thing that I remember . . . is our elders always used to say, 'Don't give up. Never give up.'"

We are trying to follow that guidance: to never give up, to continue our efforts to protect and restore what we have been given. As elder Pat Pierre told us, “We have generations yet coming. We need to work on it every day.”

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