

**RESOLUTION OF THE GOVERNING BODY  
OF THE  
THREE AFFILIATED TRIBES  
OF THE  
FORT BERTHOLD INDIAN RESERVATION**

- WHEREAS, This nation having accepted the Indian Reorganization Act of June 18, 1934 and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated Tribes does authorize and empowers the Tribal Business Council to enact laws on behalf of, and in the interest of the welfare and benefit of the Tribes and the enrolled members thereof; and
- WHEREAS, The Three Affiliated Tribes, a federally recognized Tribe of Native Americans located on the Fort Berthold Indian Reservation, desires to promote and provide for the protection and conservation of its natural resources through proper management, and for the use by its members and future generations; and
- WHEREAS, In Fiscal Year 2002, Congress authorized the United States Fish and Wildlife Service (USFWS) to use \$5 million of the \$85 million of State Wildlife Grant Program funds to establish the Tribal Wildlife Grant Program (TWG). In Fiscal Year 2003, another \$4,967,500 was appropriated. These funds are combined into a single grant cycle making \$9,967,500 available for the TWG; and
- WHEREAS, Congress has appropriated \$39,740,000 of Fiscal Year 2003 funds for a Landowner Incentive Program for States and Tribes. The USFWS identified \$3,974,000 of those funds for the Tribal Land Incentive Program (TLIP); and
- WHEREAS, the Three Affiliated Tribes Fish and Wildlife Division and Tribal Environmental Division desires to submit grant proposals to the USFWS in the effort to secure funds for the protection, preservation, and enhancement of Tribal Natural Resources, respective to program objectives.
- WHEREAS, the Game and Fish Director and the Environmental Director have presented grant objectives to the Three Affiliated Tribes Natural Resources Committee, and concurred to those grant proposal objectives.

**DRAFT**

**TAT Wildlife Grant and T-LIP Proposals**

**By**

**Todd Hall, Director**

**June 27, 2002**

**July 10, 2002**

**August 11, 2003**

**Each study will be ranked by:**

- 1. Benefit of Project.**
- 2. Ecosystem approach.**
- 3. An effective work plan.**
- 4. Justification of the budgets.**
- 5. Commitment (in-kind or matching funds).**
- 6. Partnerships.**
- 7. Administrative costs (Ranking will improve as the % funds for staff decreases).**

**Big Game Habitat Usage/ Migration Pattern Study.**

**Why is this project needed (needs assessment)?**

- a. No existing data on big game habitat usage on Fort Berthold, i.e. calving/fawning areas, breeding grounds, wintering areas, or other.
- b. Augment tribal hunting regulations to benefit both the members and the resource.
- c. Determine congregation areas to aid in the development of a Wildlife Disease monitoring program and/or contingency plan.
- d. This study will help this department to aid other agencies in the overall range management, grassland usage, species interaction and/or effects of other domesticated and/or wildlife species.
- e. There was one study done several years ago by a graduate student from UND. At the very least, the data may have changed since his study, because individual observation by our department has determined that elk usage on Fort Berthold has changed in its scope as it was discussed in his study. We would like to perform this study to quantify those statements and add solid evidence to this argument.
- f. This study will aid our department in the enforcement of the Chapter 18 Code of Laws for the Three Affiliated Tribes by providing us a better understanding of the species.

**What are the objectives of this study?**

To monitor the species on a regular basis to provide important information on elk seasonal movements, calving information, habitat usage, and timing of those seasonal migrations to aid in the protection and enhancement of the species.

**What are the projects time-lines?**

I propose that this be a two (2) year study.

### **Methodology.**

#### **Elk:**

1. During the month of February or March of Year (1), Ten (5) Elk will be captured and fitted with GPS radio collars to facilitate telemetry studies that should help identify key winter range, calving information, migration routes, and other information related to big game management.
2. Body measurements (girth, length of body, hind leg and tail) will be recorded and blood samples taken from which disease and other information will be gathered. Vaginal inserts will be utilized to help determine calving areas.
3. Aerial net gunning will be utilized to capture big game animals.
4. The GPS radio collared animals will be monitored by the Three Affiliated Tribes Fish and Wildlife Personnel and their coordinates tracked twice per week. Conventional radio collared animals will be tracked and locations plotted on a 1:24,000 USGS topographic map and proper coordinates recorded using GPS equipment. Conventional radio collars are expected to have a longer life than the GPS collars so information will be gathered until the conventional trackers fail. This will give us every possible chance to be as accurate as can be achieved.
5. Hunter harvest of any neck banded or radio collared elk would also be incorporated into data analysis.
6. Seasons will be broken down as follows: spring- from March 1<sup>st</sup> to May 14<sup>th</sup>; calving- from May 15<sup>th</sup> thru June 10<sup>th</sup>; summer- from June 11<sup>th</sup> to August 31<sup>st</sup>; fall (rut)- from September 1<sup>st</sup> to November 20<sup>th</sup>; and winter data will consist of November 21<sup>st</sup> to March 1<sup>st</sup>.
7. Habitat type and usage will be recorded during each data collection. Fecal pellets will be collected if found and analyzed.
8. TATFW and USFWS personnel will cooperatively collect, analyze, and interpret data after completion of data collection, which will take approximately one year.

#### **Geographic location (maps included).**

The study will take place in the Mandaree Unit of the reservation, which is known as Big Game Management Unit #1. The Three Affiliated Tribes recently purchased ranch known as the Figure 4, which sets adjacent to the reservation, it shall constitute a portion of the study area also for the purpose of data collection and animal participation. Many of the elk on this ranch are known to migrate on and off of the reservation. Too what extent is not known. There are Public BLM lands intermingled with or ranch and others. This study may extend to as far as Burnt Creek during the monitoring process. Local landowners' permission will be sought before any ground monitoring takes place on their land.

#### **Monitoring Plan.**

See methodology.

**Other relevant information.**

1. Partners will include the Three Affiliated Tribes, BIA, USFWS, BLM, USFS, NRCS, Local ranchers and others.

**Pronghorn Study:**

1. This study will run concurrent with the elk migration study.
2. Many of its objectives are consistent with the same concerns that were expressed for elk.
3. The methodology will remain the same but will be made to accommodate this species.

**Methodology and Geographic location:**

1. The entire reservation will be utilized in this study since all 4 big game management units have pronghorns present.
2. In the Mandaree Unit #1, six (6) animals will be collared with GPS collars. Two animals in three separate herds will compose those 6. It is not known whether these herds intermingle or are completely separate. Two will be collared in the McGregor Butte herd, two in the Independence herd, and two in the Northern Four Bears area.
3. Two animals will be collared in the Shell Creek area Unit #2.
4. Two animals will be collared in the White Shield area Unit #3.
5. Two animals will be collared in the Twin Buttes area Unit #4.
6. Methodology and process will be similar to the elk study.

**Shell Creek Deer Study:**

This study is needed to gain a better understanding of deer habitat usage and possible migration patterns between different hunting units within the reservation. The deer numbers during the annual surveys and the number of animals reported in the annual deer harvest questionnaires indicate that the numbers are fluctuating in this area at the very least. This leads to a certain degree of uncertainty while issuing an adequate number of deer licenses or concerns of over-harvest. Law enforcement remains difficult, as well. This study will give us a better understanding of the species and enable us to develop better schemes to optimize their productivity. Available habitat is not an issue and the fluctuation in numbers remains a mystery, why are the animals moving or are they moving at all?

**Methodology and Geographic Location:**

1. Two mule deer and three white tailed deer will be captured and tagged with GPS collars.
2. Methodology and process will be similar to the elk study.

## **2. Watershed, wetlands areas. On 6 watersheds within the reservation boundaries.**

### **Why is this project needed (needs assessment)?**

1. Facilitate better water quality.
2. Creation and enhancement of wetlands areas, impacts from fluctuating lake levels will be minimized.
3. Slow the siltation process. Prevent erosion.
4. Facilitate better range management through enhanced water distribution. This has direct and indirect benefits to the overall native habitat through better grazing practices.
5. Enhance the fisheries of Lake Sakakawea.

### **What are the objectives of this study?**

This project will employ one person with a biology or science background to gather, develop and use available information to be used in implementing the baseline information gathered into an overall wetlands project to be utilized by the Three Affiliated Tribes in its creation of our wetland proposal to be developed in the future. To date, there has been quite an abundance of information gathered on Lake Sakakawea to facilitate this project, but, the problem remains that the information exists in so many locations and different organizations that one person is needed to explore what each has and to bring that information together for implementation into one program. This is a much cheaper alternative than to create a new baseline data source, which would more than likely is a repetitive effort of some other department or organization any way.

1. Create wetlands/multi-use ponds in 5 different areas of the reservation.
2. Cooperate with federal and private individuals to accomplish this goal.
3. In Mandaree management Unit #1 wetlands will be put in the Squaw Creek watershed, and the Bear Den watershed.
4. In the Twin Buttes area Unit #4 wetlands will be put in on the Hans Creek Watershed and the Beaver Creek watershed.
5. In the White Shield is Unit #3 wetlands will be put in on the Nishu watershed and in the Deep Water Bay area.

### **What are the projects time-lines?**

1. It will take approximately 2 years to accomplish this project's goals of gathering and sorting information to be useable in one document.
- 2.

### **Methodology.**

1. One person would be hired to gather, and facilitate information that would be usable for a wetlands project in the magnitude that would encompass the watersheds that have been mentioned. This person would cooperate with tribal, federal, and state officials to facilitate the projects baseline information that is needed to project future costs and feasibility of a major watershed project.
2. The main cooperators in this plan shall be the Three Affiliated Tribes Fish and Wildlife Division, TAT Environmental Division, Fort Berthold Community College, BIA, NRCS, USFWS, and the Corps of Engineers. There is a possibility of other external sources that will be determined (Ducks Unlimited?).
3. Those entities will meet, do site visits and determine the best areas and what types of structures will best accomplish habitat creation and enhancement for those areas that have been listed.
4. A cost analysis will be done as a whole or individually for each project, finalized and then implemented.
5. Construction of each project shall begin.

**Geographic location (maps included).**

1. Squaw Creek Watershed
2. Bear Den Watershed
3. Nishu Watershed
4. Deepwater Bay Watershed
5. Hans Creek Watershed
6. Beaver Creek Watershed

**Monitoring Plan.**

1. The Three Affiliated Tribes Fish and Wildlife Division shall be the lead entity during this project.
2. Preliminary information will be gathered and groundwork prepared for the finalization of the implementation of these projects.
3. Cost analysis will be done after the site inspections have been completed.
4. The final proposal will be done and handed in to the USFWS for approval.
5. TATFW work with our cooperators to bid out the work that is to be done. TATFW will monitor and inspect these areas and work with our partners to ensure that work done is up to specifications.
6. At the projects completion the TATFW will monitor each area consistently for a period of not less than five years to document habitat changes and or ecological benefits derived from each individual project. In those areas where it is applicable current and past water quality data will be analyzed to document the intended benefits of each area, i.e. Deepwater Bay.
7. Species use of each area will be monitored and documented as well. Census and data will include population indexes, brood surveys, intermittent vs. full-time species usage, etc....

8. Upland habitat transects will be developed to determine any benefits derived from possible alterations and enhancements to range management practices as a result of these projects.

**Other relevant information.**

One full-time Big Game Biologist will be employed to assist the Director to coordinate and administer the specifics of the project. Currently the TATFW Division is understaffed and the addition of this person will be very beneficial and imperative to the success of the studies. To make better utilization of this position this person will also be in charge of the wetlands information gathering, analysis of watersheds and rank objectives according to most crucial problems ranking areas that are most degraded. This individual will then identify feasibility of implementation of corrective efforts. The Three Affiliated Tribes Fish and Wildlife Division will provide support personnel and training to this individual for optimal time utilization, resource evaluation and leadership to help with the program. The Three Affiliated Tribes Environmental Division will also provide technical and staffing support to further the goals of the wetlands project while keeping with its own scope and work plan.

At the completion of these studies the information, statistics, and conclusions will be presented in booklet form to the members of the Three Affiliated Tribes, cooperating partners and members of the Native American Fish and Wildlife Society. Oral presentations will be given to the Tribal Business Council of the Three Affiliated Tribes and at the Great Plains Regional Conference of the Native American Fish and Wildlife Society and possibly the National Conference for the purpose of information sharing and the development of more effective management efforts throughout Indian Country.

**Budgets:**

**Personnel**

1 Full Time Big Game/Wetlands Habitat Coordinator/Biologist @ \$20 Hour \* 2080/hrs \* 2 years = \$83,200 \* 27% fringe = **\$105,664 Total Salary**

**Equipment**

|  |                  |
|--|------------------|
| 22 GPS collars @ \$3000/ea =                                   | \$ 6,600         |
| Lap-top computer and software                                  | \$ 5,000         |
| Capture equipment and supplies<br>(splayed gun barrels & nets) | \$ 4,000         |
| Travel (training and out of town)                              | \$ 5,000         |
| Helicopter Rental-60hrs@\$400/hr                               | \$ 24,000        |
| Vehicle OMR  | \$ 12,500        |
| ATV purchase (heavy duty)                                      | \$ 11,500        |
| Vet and Lab costs  | \$ 3,000         |
| TATFW Administrative Costs @10%                                | \$ 22,403        |
| Indirect (on salary @ 44.26%)                                  | <u>\$ 46,767</u> |

**Total Cost of Project:** **\$246,434**

**Tribal In-kind Contribution:**

1. Game and Fish Division Personnel and office support including: Director, 3 Game Wardens, Office Administrative Assistant. 25% time during project duration = \$73,840
2. 1 Vehicle = \$6,000/yr \* 2 yrs = \$12,000
3. Environmental Staff and office support (approximately 25% of TATFW commitment) = \$18,460
4. **Total in-kind = \$104,300 / \$246,434 = 42%**



NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes Tribal Business Council fully supports the efforts of the Three Affiliated Tribes Game and Fish Division and Tribal Environmental Division to develop and submit grant proposals to the USFWS and further support the implementation of those grant objectives, as presented to the Natural Resources Committee, once monies are secured and allocated to the Three Affiliated Tribes.

**CERTIFICATION**

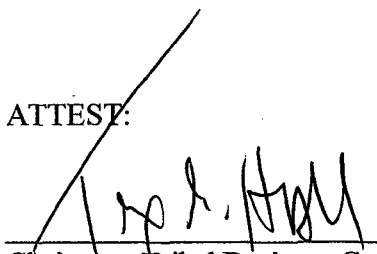
I the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitutes a quorum, 6 were present at a Regular Meeting, thereof duly called, noticed, convened, and held on the 14<sup>th</sup> day of August, 2003; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting and that said Resolution has not been rescinded or amended in any way.

Chairman (voting) (not voting).

Dated this 14<sup>th</sup> day of August, 2003.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council