

**TRIBAL COUNCIL OF THE NORTHERN CHEYENNE TRIBE  
NORTHERN CHEYENNE RESERVATION  
LAME DEER, MONTANA**

**SPECIAL SESSION**

**MINUTES  
March 21, 2023**

**CALL TO ORDER:** Acting President Ernest Littlemouth, Sr. called the meeting to order at 10:25 a.m.

**INVOCATION:** Clyde Wolfblack

**ROLL CALL:**

	<b>PRESENT</b>	<b>ABSENT</b>	<b>EXCUSED</b>
<b>Melissa Lonebear</b> <i>*appeared telephonically</i>	<b>X</b>		
<b>Debra Charette</b> <i>*appeared telephonically</i>	<b>X</b>		
<b>Norma Gourneau</b>		<b>X</b>	<b>X</b>
<b>Eva Foote</b>		<b>X</b>	<b>X</b>
<b>Nizhoni Friesz</b>	<b>X</b>		
<b>Serena Wetherelt, President</b>		<b>X</b>	<b>X</b>
<b>Ernest Littlemouth, Sr., Vice President</b>	<b>X</b>		
<b>Torrey Davie</b>	<b>X</b>		
<b>Donavin Limberhand</b> <i>*appeared telephonically</i>	<b>X</b>		
<b>Silver Little Eagle</b>	<b>X</b>		
<b>Gwen Spottedhorse</b>	<b>X</b>		
<b>Melissa Fisher</b>	<b>X</b>		
<b>Total:</b>	<b>9</b>	<b>3</b>	<b>3</b>

Quorum Established

**ELDERLY**

No updates at this time.

**ANNOUNCEMENTS**

No announcements

**DISCUSSION: Item #1**

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL TO AUTHORIZE CHIEF DULL KNIFE COLLEGE TO APPLY FOR AND WHEN SUCCESSFUL TO ADMINISTER MONTANA INDIAN LANGUAGE PRESERVATION FUNDS.**

**Mina Seminole:** Good morning. This morning I asked Clyde to come with me because my voice is real croaky. I can't clear my throat. He has a louder voice. Mainly we are here for our resolution. If there are any questions.

**Councilwoman Little Eagle:** I was wondering about the, like the wherefore be it resolved. At the bottom of the first page. Would that include like the title seven language teachers?

**Clyde Wolfblack:** Not this one. The template had it at the end there but we had to remove it. There's separate funding for title, I mean class 7 people. In this current grant we included them in their professional development and training to continue their continuing education units or any other relevant language training.

**Councilwoman Little Eagle:** So, they're able to apply for their own grant similar to this?

**Clyde Wolfblack:** Not at this time. This is a given to the Tribe and the College.

**Councilwoman Little Eagle:** Ok. That's it. Actually, will you guys be also working with the Cheyenne Language Coalition?

**Clyde Wolfblack:** The Language Coalition, I think that it would be a good idea. I mean, we're open always to making an effort to revitalizing and preserve our language.

**Councilwoman Little Eagle:** Would be able to include that in the resolution? With language of the Cheyenne Language Coalition.

**Clyde Wolfblack:** Amend it to include the Coalition. I think that the Coalition already has established a resolution for their efforts. I wouldn't want to duplicate what this body has already passed.

**Councilwoman Little Eagle:** Ok but they are encouraged to work with Cheyenne language speakers and teachers.

**Clyde Wolfblack:** Yes

**Councilwoman Little Eagle:** That's it.

**Vice-President Littlemouth, Sr.:** Any more questions? Is there a motion on the floor?

**Councilwoman Fisher:** I'd like to make a motion to approve it.

**Councilwoman Spottedhorse:** Second.

Motion made by Melissa Fisher. Second by Gwen Spottedhorse.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN	ABSENT
<b>Melissa Lonebear</b>	X			
<b>Debra Charette</b>	X			

<b>Norma Gourneau</b>				<b>X</b>
<b>Eva Foote</b>				<b>X</b>
<b>Nizhoni Friesz</b>	<b>X</b>			
<b>Ernest Littlemouth, Sr., Vice President</b>				
<b>Torrey Davie</b>	<b>X</b>			
<b>Donavin Limberhand</b>	<b>X</b>			
<b>Silver Little Eagle</b>	<b>X</b>			
<b>Gwen Spottedhorse</b>	<b>X</b>			
<b>Melissa Fisher</b>	<b>X</b>			

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**Mina Seminole and Clyde Wolfblack left the chambers @ 10:30 a.m.  
Joseph Walksalong, Joe Limberhand and Scott Williams entered the chambers @ 10:35 a.m.**

**DISCUSSION: Item #2**

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL  
AUTHORIZING SUBMISSION AND SUPPORT OF A COORDINATED TRIBAL  
ASSISTANCE SOLICITATION (CTAS) APPLICATION TO THE DEPARTMENT OF  
JUSTICE FOR UP TO FIVE (5) PURPOSE AREA PROJECTS UNDER THE FY '23  
CTAS COMPETITION**

**Councilwoman Fisher:** Jim Swan.

**Councilwoman Friesz:** I can read these 2.

**Councilwoman Fisher:** Jim Swan is not present so Nizhoni is going to go ahead and present. Are you going to present both of them?

**Councilwoman Friesz:** Yes.

**Councilwoman Fisher:** Nizhoni is going to go ahead and present both of them for Jim.

**Councilwoman Friesz:** I really appreciated Jim Swan coming over yesterday, traveling to come be with us and just explain where things are at with our grants so I'll read these 2 resolutions.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL  
AUTHORIZING SUBMISSION AND SUPPORT OF A COORDINATED TRIBAL  
ASSISTANCE SOLICITATION (CTAS) APPLICATION TO THE DEPARTMENT OF  
JUSTICE FOR UP TO FIVE (5) PURPOSE AREA PROJECTS UNDER THE FY '23  
CTAS COMPETITION**

**WHEREAS**, the Northern Cheyenne Tribal Council authorizes submission of applications and requests funding for the following purpose areas and amounts:

- Purpose Area #1 - Public Safety and Community Policing (COPS), Assistance Listing Number (ALN) 16.710: Up to \$900,000 over 3-5 years; and
- Purpose Area #2 – Comprehensive Tribal Justice Systems Strategic Planning (BJA, COPS, OJJDP, OVC), ALN 16.608: Up to \$150,000 over 5 years; and
- Purpose Area #3 – Tribal Justice Systems Program (BJA), ALN 16.608: Up to \$900,000 over 5 years; and
- Purpose Area #6 – Children’s Justice Act Partnerships for Indian Communities (OVC), ALN 16.583: Up to \$450,000 over 3 years; and
- Purpose Area #9 – Tribal Youth Program (OJJDP) Category 1: (Seeding Change Planning Grant), ALN 16.731: Up to \$100,000 over 2 years.

**WHEREAS**, the projects which we have designed are eligible activities under the **CTAS** guidelines, and there are no funds available from existing tribal resources to address the needs identified in the purpose areas; and

**THEREFORE BE IT RESOLVED**, the Northern Cheyenne Tribal Council authorizes submission and support of a Coordinated Tribal Assistance Solicitation (CTAS) application to the Department of Justice for up to five (5) Purpose Area projects under the FY ‘23 CTAS competition.

That is my motion.

Motion made by Nizhoni Friesz. Second by Silver Little Eagle.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN	ABSENT
<b>Melissa Lonebear</b>	X			
<b>Debra Charette</b>	X			
<b>Norma Gourneau</b>				
<b>Eva Foote</b>				
<b>Nizhoni Friesz</b>	X			
<b>Ernest Littlemouth, Sr., Vice President</b>				
<b>Torrey Davie</b>	X			
<b>Donavin Limberhand</b>	X			
<b>Silver Little Eagle</b>	X			
<b>Gwen Spottedhorse</b>	X			
<b>Melissa Fisher</b>	X			

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**DISCUSSION: Item #3**

**Councilwoman Friesz: Alright we have:**

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AUTHORIZING SUBMISSION OF A GRANT APPLICATION FOR ENVIRONMENTAL REGULATORY ENHANCEMENT (ERE) THROUGH THE ADMINISTRATION FOR NATIVE AMERICANS (ANA) UNDER FUNDING OPPORTUNITY NUMBER: HHS-2021-ACF-ANA-NR-1907 (CDFA NUMBER 93.581)**

**WHEREAS**, the project is an eligible activity under the Environmental Regulatory Enhancement guidelines; the project has not been designed to require ANA funding on a recurring basis; and there are no other funds to address the needs identified in the project; and

**WHEREAS**, the Northern Cheyenne Tribal Council is requesting a three-year grant of up to \$300,000 per year from ANA to develop regulations and establish a regulatory structure to support the Implementation of the Northern Cheyenne Tribal Lands Leasing Act of 2021;

**THEREFORE BE IT RESOLVED**, that the Northern Cheyenne Tribal Council hereby fully supports, commits resources to, and authorizes this application for a grant proposal to the Administration for Native Americans for environmental regulatory enhancement under Funding Opportunity HHS-2021-ACF-ANA-NR-1907.

Motion made by Nizhoni Friesz. Second by Gwen Spottedhorse.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Melissa Lonebear</b>	<b>X</b>			
<b>Debra Charette</b>	<b>X</b>			
<b>Norma Gourneau</b>				
<b>Eva Foote</b>				
<b>Nizhoni Friesz</b>	<b>X</b>			
<b>Ernest Littlemouth, Sr., Vice President</b>				
<b>Torrey Davie</b>	<b>X</b>			
<b>Donavin Limberhand</b>	<b>X</b>			
<b>Silver Little Eagle</b>	<b>X</b>			
<b>Gwen Spottedhorse</b>	<b>X</b>			
<b>Melissa Fisher</b>	<b>X</b>			

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**Discussion: Item #4**

**RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPROVING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TRIENNIAL REVIEW OF THE NORTHERN CHEYENNE SURFACE WATER QUALITY STANDARDS.**

**Joseph Walksalong Jr.;** Thank you for getting us on the agenda today. We have been working on this for a long time, on these standards. The regulations that all our surface waters here on the reservation. I didn't put the chronology on here but our chronology goes back to 2003. I'll

get that together and I'll give everyone a copy of our chronology of all the events that took place before we received regulatory authority from the Region 8 administrator for EPA. I know they've had quit a few turn overs in their department too so we are constantly working with different department heads and people that approve these kinds of regulations. The regulations, when we first got authority back in 2006, we had to apply for what they call a treatment as a State to be recognized in the same capacity as the State of Montana. That was successful. So we do have authority, not complete authority to issue permits but we can review any permits or anything that has to do with our Tribal waters. Even the shared waters that we have with the State of Montana on Tongue River and also Rosebud Creek. So, most of the waters that we have listed in our tables are within the boundaries of the Northern Cheyenne Reservation. So, it's quit a bit of work. 285,000 acres on the Tongue River side and about 185. No, roughly figure about 285 on this side and 185 on that side on all the water sheds that we monitor and that we submit our plans to gather samples and do all our work. If you get a chance, look through that and locate them and see where they're at. It always helps when we have a good idea of what it is we're doing here with the clean water act. So today we're presenting the surface water quality standards that are going to be reviewed by the US EPA. What they have asked us to do is present these to you as the Tribal Council, as the government entity. As part of their policies, we have to bring it before you before we can proceed to submit all of this to the regional administrator in Denver. It's a process that we are working on today. We have competed pretty much all of the comments and responses that we have or the comments that we received. I know when we first did this, we had quit a few comments from different industries when the coalbed methane was on the map. Back then we were very concerned because the outlook for drilling for coalbed methane was really high and we know that during that time they were planning on pumping a lot of ground water into the Tongue River so we had to set up some protections so that the water didn't become unusable or not usable enough to protect our cultural uses, our drinking water and recreation, fishery. We look at all of that in our document and we list every one of them and we check off the boxes that they fall under; cold water, warm water, class 1, class 2. Even industrial, we look ahead. We make sure we have all those things listed that so none of those industries or even that State of Montana can come back and try to say, well, you don't have numbers for that. So, when we do our document, we do all the chemical, physical things that are listed. Pretty much on the US EPA national criteria list. We added some more in there. One of the big ones was cultural use. They have never really approved any kind of use like that until the Northern Cheyenne Tribe came along. We pushed pretty hard to protect that cultural use. The second one was during the time of coalbed methane, when we adopted a number for sodium. The ratio that they use, sodium absorption ratio for calcium, magnesium and sodium. Now combined, these things that were the main constituents of pumping coalbed methane water out of the coal seams was that it would create a water that if used by irrigators or even sub-irrigation, it would get the soil really hard. The soil would become really hard and the water no longer could infiltrate as deep as it should be. You know to sustain the natural plants and even the crops. So, we had a lot of work that we put into it to put these two items, our main items on there. Then list all the other ones for metals and nutrients, anything that comes out of this lagoon or any lagoons above us. We look at all that. Even the emergency uses. If there is a major spill, we have a protection for that in our department. We also do what's called Hazwoper so we are refreshed pretty much every year on chemical spills and any kind of hazardous materials that may get into our water. We look ahead and today we are going through this document today and asking for your approval so that we can submit all this to the EPA. Once they do that, it's going to be reviewed by their general council. They have up to 90 days after we submit

it to either disapprove or approve that. The last time we submitted these in 2010 it took them 3 years, 3 years of reviewing to eventually come to the consensus and approval from their headquarters in D.C. and also the headquarters out of Region 8 in Denver to finally respond and submit a document to us to say that they approve these and we are pretty concise on everything that we have in here. If we leave anything out, we are always given the option and ability to revise those to become more protected or if it's going to affect anything in our Tribal businesses or Tribal Agricultural things, we can always adjust the numbers so that it meets the Cheyenne tribe's needs and that's how we proceed. I've given you the draft resolution. It's been some years since I've drafted a resolution but this a draft that I came up with for this meeting so we can proceed and give all this information back to them so that they can re-review it and give their okay or their approval again once again for these standards, which we developed last year. In June of 22, we finally got some final revisions and we had a consultant out of Salish Kootenai College who's and expert on doing this type of work and she helped us. Georgia Shmees, out of Salish Kootenai College, helped us with reviewing and revising all this and working with the Region 8 water quality unit. I want to open it up to see if there are any questions.

**Vice-President Littlemouth, Sr.:** The surface water, does that include springs?

**Joseph Walksalong Jr.:** Yes. We have a whole list of springs in our tables of designated uses for water. That's one of things that we put a lot of work into identifying as many springs as we could. We listed over 60 springs that we have listed in there.

**Vice-President Littlemouth, Sr.:** Any other questions?

**Councilman Davie:** Motion to approve resolution.

**Councilwoman Friesz:** I'll second.

Motion made by Torrey Davie. Second by Nizhoni Friesz.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN	ABSENT
<b>Melissa Lonebear</b>	X			
<b>Debra Charette</b>	X			
<b>Norma Gourneau</b>				
<b>Eva Foote</b>				
<b>Nizhoni Friesz</b>	X			
<b>Ernest Littlemouth, Sr., Vice President</b>				
<b>Torrey Davie</b>	X			
<b>Donavin Limberhand</b>	X			
<b>Silver Little Eagle</b>	X			
<b>Gwen Spottedhorse</b>	X			
<b>Melissa Fisher</b>	X			

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**Joe Walksalong, Joe Limberhand and Scott Williams left the chambers @ 10:51 a.m.**

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**Discussion: Item #5**

**A RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF ENERGY -- OFFICE OF INDIAN ENERGY – GRID DEPLOYMENT OFFICE -- TO FUND MICROGRID AND CLEAN ENERGY SCOPING PROJECTS ON NORTHERN CHEYENNE LANDS**

**Councilwoman Little Eagle:** This is the formula grant. So, it’s given to us and we just need to apply for it. We can also meet the match in in-kind. The only other requirement is that me and Kyle have to do like a virtual townhall meeting regarding this grant on what we are going to do with it in our community.

**WHEREAS,** The Department of Energy, Grid Deployment Office, National Energy Technology Laboratory has developed a Formula Grant, BIL – Preventing Outages And Enhancing The Resilience Of The Electric Grid - Formula Grants To States And Indian Tribes pursuant to the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), which is designed to strengthen and modernize America’s power grid against wildfires, extreme weather, and other natural disasters that are exacerbated by the climate crisis; and

**WHEREAS,** The Northern Cheyenne Tribe is eligible for funding allocations set aside in the BIL – Preventing Outages and Enhancing the Resilience of The Electric Grid - Formula Grants to States and Indian Tribes; and

**WHEREAS,** the Renewable Energy Manager has been tasked to help develop the applications and manage all grants awarded under the above referenced applications; now

**THEREFORE, BE IT RESOLVED** that the Northern Cheyenne Tribal Council authorizes the preparation and submission on behalf of the Tribe of The BIL – Formula Grant application and authorizes and instructs the Tribal President to review and submit the application on behalf of the Tribe and take all actions necessary to implement this Resolution.

That’s my motion.

**Councilman Davie:** Second.

Motion made by Silver Little Eagle. Second by Torrey Davie.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Melissa Lonebear</b>	<b>X</b>			
<b>Debra Charette</b>	<b>X</b>			
<b>Norma Gourneau</b>				
<b>Eva Foote</b>				
<b>Nizhoni Friesz</b>	<b>X</b>			
<b>Ernest Littlemouth, Sr., Vice President</b>				
<b>Torrey Davie</b>	<b>X</b>			

<b>Donavin Limberhand</b>	<b>X</b>			
<b>Silver Little Eagle</b>	<b>X</b>			
<b>Gwen Spottedhorse</b>	<b>X</b>			
<b>Melissa Fisher</b>	<b>X</b>			

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**MOTION TO ADJOURN MEETING**

Motion made by Melissa Fisher. Second by Silver Little Eagle.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Melissa Lonebear</b>	<b>X</b>			
<b>Debra Charette</b>	<b>X</b>			
<b>Norma Gourneau</b>				
<b>Eva Foote</b>				
<b>Nizhoni Friesz</b>	<b>X</b>			
<b>Ernest Littlemouth, Sr., Vice-President</b>				
<b>Torrey Davie</b>	<b>X</b>			
<b>Donavin Limberhand</b>	<b>X</b>			
<b>Silver Little Eagle</b>	<b>X</b>			
<b>Gwen Talawyma</b>	<b>X</b>			
<b>Melissa Fisher</b>	<b>X</b>			

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**MEETING ADJOURNED @ 10:56 A.M.**

**PASSED, ADOPTED, AND APPROVED** by the Northern Cheyenne Tribal Council with 11 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions on this 17<sup>th</sup> day of April 2023.

Edina Redstar, Secretary  
Northern Cheyenne Tribe