

Standing Rock Indian Reservation  
July 26-28, 2011  
Class VI Seminar #7 Report

## **Tuesday, July 26 – Fort Pierre to Fort Yates**

Wakpa Sica Reconciliation Place, Stacey LaCompte, Executive Director

The Wakpa Sica, (“Bad River”) Reconciliation Place is being developed to help strengthen Tribal and US government relations. Started in 2002, the center has several missions: Tribal and government reconciliation, Economic Development, Interpretive and education center, and a Justice center. Initial funding of \$18.2 million was provided by HUD and the US Ag and Interior Departments. While Senator Daschle was in office there was funding of around \$1-2 million per year; since then it has dropped to almost nothing. The center is only about half built due to funding issues. Ms. LaCompte referred to the building being in the shape of an Eagle, but since it is incomplete, the Eagle has a broken wing. When completed, the building will house a supreme court and interpretive center, as well. The seven teepees around the facility represent the seven council fires.

The facility sits on 12.6 acres of land that was deeded back to the tribes. This is the only land returned to the tribes without bloodshed. This is a sacred site where the Great Plains Tribes would meet, camp, and trade. Known as “Neutral Ground”.

## **JR LaPlante, Secretary of Tribal Relations**

Governor Daugaard elevated the office of Tribal Relations to cabinet level in an effort to improve relations between the government and native populations. JR talked about some of the different Treaties and Acts implemented by the U.S. government that caused harm to the native populations. The Dawes Act of 1887, also known as the Homestead Act, is considered one of the most damaging because it opened up the land to settlers and essentially removed lands from being owned communally by the tribes. It allotted normally 160 acres to individual Indians in an attempt to assimilate tribal members into a larger white society. It wasn't long before the vast majority of previously-held tribal lands was now owned by whites. Mr. LaPlante discussed what it was like growing up Indian on a reservation and how he stays connected to his people and culture today, working and living in Vermillion and Pierre.

## **International Destination**

Finally, after months of waiting we found out that our international seminar is going to be to China departing in early February.

Following our meetings at the reconciliation place we headed west, as they say, to Hayes, South Dakota.

### **Mortenson Ranch Tour**

We started our tour on the Mortenson Ranch, deserving winner of the 2011 Leopold conservation award, on a hill looking over the ranch and the Cheyenne River. Todd talked about his ranching philosophy and conservation practices. The ranch was quite green and lush for this time of year. We moved on to Todd's draw where several small damns have been constructed to help hold water and sub irrigate the trees and grass in the draw. Later we went to Foster creek where Todd showed us how proper rotational grazing can restore a previously gully-washed draw in to a lush grassy plain. Todd also pointed out large mud balls that form when the water washes down the gullies. Then we proceeded to the Cheyenne River to see how far the flooding of the Missouri has backed up on his land.

Then our group found a quiet ravine with a cool clear spring. We enjoyed a feast provided by Lola Roseth, Cole and Ed Briggs, all SDARL alumni. We then proceeded north up the Missouri River, following in the footsteps of Lewis and Clark to Fort Yates.

### **July 27, 2011** Standing Rock Reservation Tribal Headquarters & Sitting Bull College

The SDARL Class VI left the Prairie Knights Casino at 8 a.m. and went to the Standing Rock Reservation Tribal headquarters. There we heard from Jaime Pinkham, Vice President of the Archibald Bush Foundation of St. Paul and a member of the Nez Perce tribe. The Bush Foundation was founded by Archibald Bush, the owner of 3M. The goal of the foundation is to help the Native American population develop a new "normal" for the tribes.

Then the class met with the Chairman of the Standing Rock Tribal Council, Charles Murphy. He gave the class an overview of the reservation saying the reservation had 2.3 million acres, 17,000 members with have of those members living off the reservation. The two main economic influences are Ag and the Prairie Knights Casino.

Jesi Shanley, Management Specialist, spoke about economic development on the reservation. Her goal is to change the tribe's philosophy from a welfare philosophy to a working philosophy.

The group next heard from Jack DuBray with the Tribal Historical Preservation Office. He talked about his job, which included analyzing the homesites for Indian artifacts and inspiring the youth about their history and culture.

Troy Davis with the Tribal EPA was next on the list. It was interesting to learn that they do not have to follow the EPA rules that come out of Washington, D.C. The tribe does

set its own EPA regulations that help set the standards for roads, water, lead testing, pesticide applications, storage, environmental quality codes and they are the enforcement office. His goals are to add air quality and energy.

Dell LeCompte, a well-known rodeo announcer and auctioneer for the tribe, spoke on tribal land development as he serves as the Land Development Coordinator. The tribe bought 58,000 acres in the last 18 years and has 40,000 land owners. His goal is to have the tribe own all of the 2.3 million acres in the future.

Jay Taken Alive addressed the class next. He is a tribal council member and a past Council Chair. He really wanted the Lakota language to be revitalized and available to all ages because he thinks this will help youth feel respect for themselves and not commit suicide. He believes the tribe is in a decolonization period and the tribe does live in two worlds, but they do do it in a respectful manner.

Margaret Gates with tribal health gave stats for reservation saying 60 % are on welfare and they average 17 x-rays per day with only five ambulances across the reservation. She says there is a huge need for more doctors and services.

The class then went to Sitting Bull College where Vice President Koreen Kessler told us it is one of the original five Indian colleges started in 1973. They have 300 students a semester and the average age of students is 31. They have a ten million dollar budget/year with no debt.

Gary Halverson wears many hats for the college. Among them is serving as Ag Director. He emphasized the college's hands-on, in-the-field teaching approach along with the college's emphasis on research.

Dr. Mafany Mongoh an Ag and Science instructor at SBC spoke to us about the importance of student-focused research and outreach programs at SBC.

The group proceeded back to the hotel with a sit down supper. Class member and Standing Rock Sioux Tribal member, Ron Brownotter, spoke to us about growing up on the reservation and the challenges he's faced to get to where he is today. We thank him for sharing that with us.

### **Thursday, July 28, 2011**

Bureau of Indian Affairs, Fort Yates, ND

Class VI was welcomed this morning by Mr. Dave Archambault at the BIA in Ft. Yates. Our first speaker was Mr. Robert Demery, the Land Operations Officer for the SRST. Mr. Demery, in a very humorous, engaging fashion helped us to understand the complicated matter of land units, allocations, and permits. There are 235 range units, covering

600,000 acres, on the SRSR. Range units are defined by Title 25 Part 166 of the Code of Federal Regulations (CRF). They are specifically for the management and administration of grazing, and may be a combination of private and tribal land. Permits are defined as written agreements between range owners and permittees. Permits expire every five years and tribal members get first use via allocation. On the SRSR 165 of 235 range units are used by a tribal member. All non-allocated range units are managed by the BIA through formal contracts between the user and the US government. The Tribal Council makes a grazing resolution every five years and the allocation process for range units is determined by the tribe. The BIA enforces both the CRF and the tribal resolution. The Office of Special Trustee comes up with the price of the land each year. Currently the price for a private grazer on allotted land is \$14.46/AUM. For a tribal member the price is \$10.00/AUM on allotted land. There is also a one-time tax of \$7.00/head and \$ 0.25 per acre for outside cattle (non-tribal), and tribal members are not taxed. There are three types of land on the reservation: Tribal Land which is owned by tribal members or the tribe itself, Individually Owned Land, and Government Land (17,000 acres of corp. of engineers taking area along the Missouri River and adjoining waterways). The tribe has determined by resolution what taking area goes with what range unit allotment. The taking area has the same stocking rate (the best rate is 2.0 acres/AUM) as the assigned range unit. Taking areas with on/off permits include privately owned fee land. This gives the BIA permission to go onto fee land to look at numbers, brands, etc. Range units must also have a conservation plan in place, and the BIA will work with the owner/permittee to develop a plan. The BIA is also responsible for noxious weed control. Mr. Demery has to compete US wide, with all tribes, to get money to control weeds. The SRSR gets about \$30,000 to \$40,000 per year for weed control from the federal government but could use much more.

One last difficult concept that Mr. Demery explained was that of Undivided Interest. The Dawes Act of 1887 allotted each tribal member 160 acres of land. As persons owning allotted land passed on their land was divided between their heirs (those that were registered tribal members), and since this has been going on for more than a century there is very little land owned by a tribal member in its entirety. There are also no "identifiable" acres. Each person owns a percentage of every acre. There are some 160 acre parcels with as many as 800 or more owners. It takes 51% owner agreement to decide what to do with the land. Tribal members can apply for a Partition of Undivided Interest. It takes 100% of the remaining owners to agree to the partition so one member owner can have sole ownership of their identifiable acres as determined by the Partition. The Indian Land Consolidation Act of 1983 allows for the trading of parcels of tribal land so that one owner's land can all be in one location. Also, tribal land can only be sold to another tribal member or to the tribe itself. Fee land, or privately owned land on the reservation can be bought by the tribe. And tribal member owned land can be turned into fee land through a Fee Patent however this doesn't happen often because the tribe doesn't want to lose the land.

Barbara Iron Road, Realty Officer, in charge of Agricultural Leasing and Permitting, under the authority of CFR Title 25, Part 380 spoke next. She went over the 30 plus page power point presentation in its entirety. She has been with the BIA since 1977 and was very knowledgeable about her responsibilities. She did say that if land is not leased within 90 days the BIA superintendent can take authority of the land via an Act in 1940.

Mr. Steve Ipswitch, in charge of Hazardous Fuel Reduction on the SRSR for just one year, has three main responsibilities: Prescribed Fire, which competes with suppression, Fire Prevention, and Mechanical Fuel Reduction. Only fire on wild land is under his jurisdiction but he will go onto fee land to put out a fire anyway. The BIA's thoughts are suppress and ask questions later. If a fire gets too large Mr. Ipswitch can call in an Incident Management Team which involves national mobility. This allows him to stop working on that fire and to focus on other problems. Structural fires are city, county or state responsibility.

There are seven permanent positions in the BIA on the SRSR for Fire Control, an Operations Specialist, a Fuel Specialist, a Prevention Specialist and Engine Captains. There are 60 – 70 emergency fire fighters that are hired only if needed. Other organizations such as US Fish and Wildlife and US Forest Service will also help when needed. Training is done on the reservation for firefighters. Crew bosses, engine chiefs, and specialists much be trained elsewhere.

Mr. Ipswitch explained some of the ways his department works with the range unit manager in noxious weed control. He described how the bison evolved with plants to depend on fire. He said fire and grazing equaled the existence of the Great Plains. Fire is not good or bad, it just is. It is the effects of fire that are good or bad.

The last speaker of the day was Jeff Hunt, who is in charge of Energy/Economic Development. Mr. Hunt grew up and went to school in Louisiana, has worked on off-shore drilling rigs, and in Iran, Saudi Arabia, Tunisia and Spain. He has been with the BIA for 10 years. His department works with everything from windmills to coal mines but his specialty is oil and gas. There has recently been a huge boom in oil production in the Williston Basin Bakken, which is an unconventional petroleum system.

The Williston Basin Bakken was first discovered in the 1950s. Conventionally oil drilling did not work well. Now a process called fracturing or "frac"ing is being used to open small fissures in the reservoirs, using high pressure water and sand, to allow the oil to escape to the surface. The oil bearing layer is 10,000 feet below the surface. There are as many as 20 billion barrels of oil trapped in the Bakken but drilling can only get to about 7 – 10% of it. This will be 3 – 7 billion barrels which will make a dent in consumption of foreign oil but will never become the major source of oil for the US. Saudi Arabia has 30 billion barrels of oil production already booked at this time.

Landowners get money from the wells (20% of oil production and flat-rate payouts for the land used for roads and well pads), but more than just landowners need to be involved in the decisions about where to drill on a piece of land. There are always questions about where to put roads and well pads. The land user knows how the land lays and what would work best.

Last month \$13 million was paid out of the oil fields in ND. \$10 million of it went to individual land owners. The other \$3 million went to the tribe on the Ft. Peck Reservation. In the next 15 - 20 years another 1000-2000 wells will be drilled in the Williston Basin Bakken. The SRSR is sitting on the edge of the basin and may or may not have any valuable oil land under it. Mr. Hunt's feeling was that it would probably cost more to drill on the SRSR trying to find oil than would ever be recovered. But one of his favorite sayings is, "We can learn more from our failures than from our successes". After Mr. Hunt's presentation we had a sack lunch and wrapped up with book reports and a reflection on the seminar. Travis Ellison gave the first book report on the book *Hot, Flat & Crowded*, by Thomas Friedman. His thoughts were that it was a reflection of the far left of the environmental movement. He said there were some good points but some crazy points, such as the fact that we NEED to have \$7 a gallon gas. Government mandates on raising MPG standards would be a good thing. But, he thought the author had egg on his face by saying that petrodicatorships never have a democratic government, but we are seeing democratic revolutions in some very large countries that have historically had petrodicatorships.

Glen Crawford's thoughts made him reflect on the idea in the book that when oil prices are high then petrodicatorships have more money to control people.

We were all invited to the West River Golf Outing September 16, 2011 which is being organized by Chase Adams. And we are also invited to a picnic at the Brown County Fair on Saturday, August 20, 2011, by Connie Groop, Tyler Melroe, Marlin Nilsson, Corey Eberhart, and Glen Crawford. Last but not least there will be an Alumni get together on the Thursday of the State Fair under the grandstands. And then we all headed home.