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## **TRIBAL AND STATE RELATIONS COMMITTEE**

Tuesday, January 9, 2024  
Three Affiliated Tribes Kidney Dialysis Unit, 1058 College Drive Suite B  
New Town, North Dakota  
Tribal Chambers, Tribal Administration Office, 307 Fifth Avenue  
New Town, North Dakota

Representative Zachary Ista, Chairman, called the meeting to order at 11:04 a.m.

**Members present:** Representatives Zachary Ista, Lisa Finley-DeVile, Jim Grueneich, Dennis Johnson; Senators Tim Mathern, Dale Patten

**Member absent:** Senator Shawn Vedaa

**Others present:** Senator Brad Bekkedahl, Williston, member of the Legislative Management Mark Fox, Chairman, Robert White, Councilman, Monica Mayer, Councilwoman, and Sherry Turner-Lone Flight, Councilwoman, Three Affiliated Tribes of the Fort Berthold Reservation  
Lonnie Grabowska, Director, Bureau of Criminal Investigation, Jeb Williams, Director, Game and Fish Department

See [Appendix A](#) for additional persons present.

**It was moved by Representative Grueneich, seconded by Representative Johnson, and carried on a voice vote that the minutes of the September 18, 2023, meeting be approved as distributed.**

### **ECONOMIC DEVELOPMENT**

Chairman Fox provided testimony regarding economic development on the Fort Berthold Reservation. He noted:

- The tribe is working continuously to develop new infrastructure and expand tourism and trade opportunities.
- The tribe, which was once responsible for one of the two major aboriginal trade centers in North America, aspires to revive the trade economy and create a destination resort for tourists.
- The tribe recently completed a new administration building, kidney dialysis unit, interpretive center, casino renovation, hotel, and water park, and plans to continue development.
- Other economic development strategies include enhancing oil and gas infrastructure for the tribe's energy program and adding infrastructure to transport oil to foreign markets.
- 3 percent of the nation's daily oil and gas production is derived from lands within the boundaries of the Fort Berthold Reservation.
- Additional efforts included the construction of new schools, medical clinics, rodeo grounds, track and football fields, roads, and housing in Twin Buttes, White Shield, Parshall, and Mandaree.

### **BEHAVIORAL HEALTH**

Chairman Fox provided testimony regarding the Good Road Recovery Center in Bismarck. He noted:

- Elders within the tribe have continued to voice concerns regarding substance abuse within the tribal community.
- The tribe's vision for treatment is modeled after Arizona's successful Native American Connections behavioral health program.
- The cost of sobriety will increase if the tribe delays implementing behavioral health programs.

- Many tribal members must seek care out of state due to lack of service capacity at the Good Road Recovery Center and Healing Hearts Lodge.
- In the United States, 85 to 90 percent of patients who undergo treatment will relapse within 1 year. However, the majority of patients who undergo the tribe's treatment program remain sober.
- He hopes the state continues to invest in behavioral health programs.

In response to questions from committee members regarding unavailability, Chairman Fox noted:

- Medicare and Medicaid require an institutions for mental diseases (IMD) waiver for any facility treating more than 16 patients.
- Without an IMD waiver, Medicare and Medicaid will not reimburse the facility for treating patients exceeding that number.
- The tribe is requesting the state grant an IMD waiver to allow the tribe to treat more than 16 patients at its facility.

### **WORKFORCE DEVELOPMENT**

Chairman Fox provided testimony regarding workforce development. He noted:

- The tribe relies heavily on outside experts and consultants in areas relating to kidney dialysis, energy development, and law enforcement.
- The need for training facilities, education, supplemental law enforcement, and continued partnerships will remain until tribal members can be trained to assist in these areas.

### **WATER DEVELOPMENT**

Dr. Andrea Travnicek, Director, Department of Water Resources, provided an overview ([Appendix B](#)) of the Department of Water Resources, the State Water Commission cost-share program, and water management in North Dakota. She noted:

- Governor Doug Burgum's 5-year strategic plan will explore opportunities for government-to-government relations with each tribe's leadership and the State Water Commission.
- The Department of Water Resources is comprised of six divisions, which include the administrative services division, atmospheric resource division, planning and education division, regulatory division, water appropriation division, and water development division.
- Major functions and responsibilities of the department include allocation of state waters, cost-share funding, dam safety, drainage and construction permits, floodplain and sovereign land management, water project development, and projects and programs, including the drought livestock program, North Dakota cloud modification project, and drought monitoring through pushing remote sensors.

Ms. Dani Quissell, Executive Director, North Dakota Irrigation Association, provided an update ([Appendix C](#)) on irrigation development in North Dakota. She noted:

- The North Dakota Irrigation Association is an organization that represents irrigators and dealers throughout the state.
- The mission of the association is to strengthen and expand irrigation for economic development.
- About 300,000 of a potential 28 million farmland acres in North Dakota are irrigated.
- Limitations to expanding irrigation development include water availability and funding.
- Irrigation districts are political subdivisions that can provide funding and resources to individual irrigators.
- Irrigation districts are governed by an elected board with the power to establish an assessment to share infrastructure funding costs.
- Irrigation districts may request a 75 percent cost-share from the State Water Commission.

### **FISH AND WILDLIFE**

Mr. Williams provided an update on a joint project with the Three Affiliated Tribes of the Fort Berthold Reservation Fish & Wildlife Division, regarding the introduction of bighorn sheep to the Fort Berthold Reservation. He noted:

- The program was a great success and he appreciates the collaboration between the Game and Fish Department and the tribe.
- The Game and Fish Department and the tribe released approximately 30 bighorn sheep to the Mandaree and Twin Butte region in 2020. The herd has increased to approximately 80 bighorn sheep.

No further business appearing, Chairman Ista adjourned the meeting at 4:37 p.m.

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Austin Gunderson  
Counsel

ATTACH:3