

**SEPTEMBER 24, 2015 SPECIAL SESSION
CROW TRIBAL LEGISLATURE**

BILL NO. CLB 15-11

INTRODUCED BY DARRIN OLD COYOTE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

A BILL FOR AN ACT ENTITLED:

**“COOPERATIVE CONSERVATION PLAN FOR GREATER SAGE-GROUSE ON
THE CROW NATION”**

WHEREAS, the Chairman of the Executive Branch has authority and responsibility pursuant to the “enumerated powers” in Article IV, Section 3 of the Constitution and Bylaws of the Crow Tribe of Indians to represent the Crow Tribe in negotiations with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of welfare affecting the Crow Tribe; and to “negotiate and approve or prevent any sale, disposition, lease or encumbrance of Tribal lands, interests in lands or other Tribal assets, including buffalo, minerals, gas and oil with final approval granted by the Legislative Branch;” and

WHEREAS, pursuant to Article V, Section 2(a) of the 2001 Crow Tribal Constitution, the Crow Tribal Legislature (hereinafter, the “Legislature”) is vested with the power and duty to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with the 2001 Crow Constitution and federal laws, and in Section 2(d) of the Constitution “to grant final approval or disapproval of items negotiated by the Executive Branch of Government pertinent to the sale, disposition, lease or encumbrance of Tribal lands, interests in lands or mineral assets;” and

WHEREAS, viable populations of Greater Sage-Grouse exist on the Crow Indian Reservation, and preservation and conservation of this native wildlife species is important to the Crow Tribe and the Crow people; and

WHEREAS, the United States Fish and Wildlife Service (the “USFWS”) of the United States Department of the Interior determined in 2010 that the Greater Sage-Grouse species was warranted for listing as a threatened or endangered species under the Endangered Species Act, 16 U.S.C. § 1531, *et seq.*, but listing was precluded by other higher priority species; and

WHEREAS, as a result of litigation, USFWS was required to reevaluate the status of the Greater Sage-Grouse by September 30, 2015, and on September 21, 2015, USFWS issued a finding that listing as a threatened or endangered species is not warranted at this time due in part to conservation efforts undertaken by public and private entities, but further monitoring

will continue, another status review will be conducted in 5 years, and listing procedures may be reinitiated if warranted by new information; and

WHEREAS, the Crow Nation has the authority and sovereign power to promote and regulate the conservation of Greater Sage-Grouse within the homeland of the Crow Nation, and conservation of Greater Sage-Grouse pursuant to Tribal law and regulation, in cooperation with Federal agencies, will accomplish the objective of conserving the Greater Sage-Grouse within the Crow Nation, while also taking into account the importance of economic development that is critical to the Reservation economy and to provide employment for the Crow people; and

WHEREAS, the Crow Tribal Department of Natural Resources, through its Fish and Game Department, and with the cooperation and input of other Tribal agencies, has developed the attached "Cooperative Conservation Plan for Greater Sage-Grouse on the Crow Nation" (the "Plan"), whereby the Crow Tribe, in cooperation with the USFWS, the Bureau of Indian Affairs ("BIA"), and the Office of Surface Mining Reclamation and Enforcement ("OSMRE"), will have primary responsibility for management and conservation of the species according to the Plan; and

WHEREAS, upon approval of this Act, the Crow Tribal Department of Natural Resources will work with the above-named cooperating Federal agencies to finalize the Plan and undertake the conservation and management activities specified in the Plan;

NOW, THEREFORE, BE IT ENACTED BY THE CROW TRIBAL LEGISLATURE:

Section 1. The "Cooperative Conservation Plan for Greater Sage-Grouse on the Crow Nation," attached hereto and incorporated by this reference, is hereby approved.

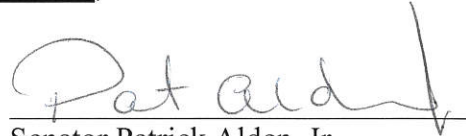
Section 2. The Chairman of the Executive Branch is authorized to present the Plan to the cooperating Federal agencies and work with them to finalize the Plan, provided that any substantial modifications to the Plan shall be subject to final approval of the Tribal Legislature.

Section 3. This Act shall be effective immediately upon approval by the Chairman of the Executive Branch; provided, however, that the Plan shall become effective when agreed to and executed by the cooperating Federal agencies.

[Remainder of page left blank intentionally.]

CERTIFICATION

I hereby certify that this Bill for an Act entitled "**COOPERATIVE CONSERVATION PLAN FOR GREATER SAGE-GROUSE ON THE CROW NATION**" was duly approved by the Crow Tribal Legislature with a vote of 15 in favor, 0 opposed, and 0 abstained, and that a quorum was present on this 24th day of September, 2015.



Senator Patrick Alden, Jr.
Pro-Tem Speaker of the House
Crow Tribal Legislature

ATTEST:



Sen. Eric Birdinground
Pro-Tem Secretary of the House
Crow Tribal Legislature

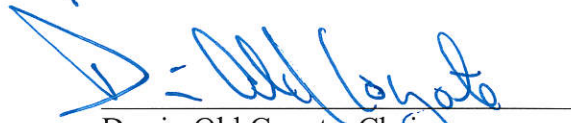


EXECUTIVE ACTION

I hereby

X **APPROVE**
 VETO

This Bill for an Act entitled "**COOPERATIVE CONSERVATION PLAN FOR GREATER SAGE-GROUSE ON THE CROW NATION**" pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians, on this 25th day of September, 2015.



Darrin Old Coyote, Chairman
Crow Tribal Executive Branch

**A BILL FOR AN ACT ENTITLED: "COOPERATIVE CONSERVATION PLAN FOR
GREATER SAGE-GROUSE ON THE CROW NATION"**

Bill or Resolution: CLB15-11 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 9/24/2015
Number

| <u>Representative:</u> | Yes | No | Abstained |
|--|-------------------|-------------------|-------------------|
| G. Three Irons | <u> X </u> | <u> </u> | <u> </u> |
| B. Rogers | <u> X </u> | <u> </u> | <u> </u> |
| C. Stewart | <u> X </u> | <u> </u> | <u> </u> |
| P. Hill | <u> X </u> | <u> </u> | <u> </u> |
| V. Nomee | <u> X </u> | <u> </u> | <u> </u> |
| R. Old Crow, Sr. | <u> </u> | <u> </u> | <u> </u> |
| T. Gros Ventre | <u> X </u> | <u> </u> | <u> </u> |
| V. Crooked Arm | <u> X </u> | <u> </u> | <u> </u> |
| P. Spotted Horse, Sr. | <u> </u> | <u> </u> | <u> </u> |
| L. DeCrane | <u> X </u> | <u> </u> | <u> </u> |
| C. Goes Ahead | <u> X </u> | <u> </u> | <u> </u> |
| B. Hugs | <u> X </u> | <u> </u> | <u> </u> |
| G. Real Bird, Jr. | <u> X </u> | <u> </u> | <u> </u> |
| B. Good Luck | <u> X </u> | <u> </u> | <u> </u> |
| G. Stewart | <u> X </u> | <u> </u> | <u> </u> |
| E. Birdinground <i>Secretary of the House Pro-Tem</i> | <u> X </u> | <u> </u> | <u> </u> |
| P. Alden, Jr. <i>Speaker of the House Pro-Tem</i> | <u> X </u> | <u> </u> | <u> </u> |
| Totals: | <u> 15 </u> | <u> 0 </u> | <u> 0 </u> |

Result of Vote:

Passed

Not Passed

Tabled

Veto-Override

Pat Alden Jr 9-25-15
 Senator Pat Alden, Jr. Date
 Pro-Tem Speaker of the House

Eric Birdinground 9-25-15
 Senator Eric Birdinground Date
 Pro-Tem Secretary of the House