The Place of the Falling Waters

A film by Roy Bigcrane and Thompson Smith

Study Guide

Revised edition, 2023

Salish Kootenai College Media Center and
the Native Voices Public Television Workshop
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Dedication of dam, August 1938

Cover image: Plasí Cocowee (1879-1950) working on construction of dam, c. 1937.

<u>Introduction to the Study Guide</u> (revised, 2023)

More than thirty years after its release in 1991, *The Place of the Falling Waters* remains one of the few documentaries that engages seriously with the history of an Indigenous nation and reservation in the United States—and uses that history to not only provide a deeper understanding of the present, but also to inform the choices the community will be making in the future.

The Place of the Falling Waters examines the history around the construction of a large hydroelectric dam near the center of the Flathead Indian Reservation in northwest Montana in the 1930s. In the mid-1980s, when the idea for the film was being hatched, the Confederated Salish & Kootenai Tribes (CSKT) had just secured an agreement giving them the right to consider taking over the dam in 30 years. And in 2014, the CSKT did just that: they took ownership of the dam, formerly named for Montana Power Company President Frank Kerr, and renamed it SKQ Dam (for Séliš-Kootenai-Qlispé).

The questions at the heart of the film remain relevant today: is this dam inherently destructive of the traditional native cultures? Or can the Tribes use it to help regenerate the way of life it helped destroy?

As those questions suggest, the film is about much more than the story of the dam. Told primarily through interviews with tribal elders conducted in 1988-1989, *The Place of the Falling Waters* uses the history of the dam as a lens to explore the larger stories of which it was just one chapter: the dynamics of invasion and dispossession, transformation and resistance — and ultimately, cultural restoration and continuance — as these have played out for the Confederated Salish, Upper Kalispel, and Kootenai Tribes over the past two centuries.

We offer this study guide to with the primary goal of helping teachers use *The Place of the Falling Waters* in classrooms from junior high through graduate school—and to help students or other viewers think critically about both the content and form of the film.

For each of three half-hour programs, we have provided a historical overview and a list of some key quotations from interviewees.

There are some important issues or questions not raised in this study guide that we hope readers will also consider. A few examples: What is the angle or framing of historical analysis taken by the documentary? Why is Salish, Upper Kalispel, and Kootenai music used for the soundtrack, and how might the film be different—or feel different—if non-Indian musical forms were used? How do viewers feel about the narration, delivered by CSKT member Roy Bigcrane? What is the effect of conducting some interviews in Salish or Kootenai (the Indigenous languages of the Flathead Reservation) with subtitles, given that all interviewees were also fluent in English? What is the effect of visual materials such as photographs, aerial cinematography, and old newsreel footage, and the choice of where in the program they are deployed?

At the end of this guide, we list some additional resources, both in print and on film, on the culture, history and future of the Flathead Indian Reservation.

Part One: Before the Dam

Historical Overview

"Part One: Before the Dam" explores the ways in which the construction of Kerr Dam during the 1930's grew out of "the history of conflict and exchange between deeply opposing ways of life" over the preceding century.

The half hour begins with a condensed portrait of the cultures and ways of life of the Séliš (Salish or "Flathead"), Ql̓ispé (Kalispel or "Pend d'Oreille), and Kootenai people, told largely through interviews with tribal elders. The film considers the cyclical patterns of food gathering, the deeply spiritual relationships with the environment, the communal nature of the native economy, and some of the basic values. Elders note that because the people lived simply and collectively, and nurtured and respected the environment, they enjoyed a great bounty of natural foods. In the brief introductory segment that runs before each of the three half-hour videos, elder Dolly Linsebigler says, "We treasured the mountains, the water, the animals, the birds—everything. That's what our life is, as Indian people." And elder Joe Eneas says, "Well of course it was good, but we didn't know it was *that* good… things are good, but you don't realize."

The elders say that the old people only abandoned traditional ways of life when they were forced to do so. Over the course of the nineteenth century, the non-Indian invasion of western Montana brought a radical decline in the native food sources. In addition, Indians who exercised their treaty rights to hunt, fish, and gather outside the boundaries of the Flathead Reservation were often greeted with violent hostility. Many people, faced with this situation, began to incorporate limited farming and gardening into the traditional cultural framework.

The people were also pushed toward agriculture by the Jesuit missionaries, who had first established themselves in the region in 1841 at the request of the Séliš. But where the Séliš anticipated adding the Blackrobe's ways to their existing spiritual practices, the Jesuits sought not addition but conversion, and pursued an aggressive policy of cultural and religious indoctrination. In discussing this portion of the program, it would be good to recognize the complexities of this cultural exchange. Nearly all the Salish and Pend d'Oreille elders we interviewed — including those who were critical of the Jesuit practices — were devout Catholics for most or all of their lives. Séliš elder Agnes Vanderburg distinguished between the priests at "the Agency" (near present-day Dixon, Montana) and those at St. Ignatius, who she said are now "all down below" (in hell). In parts of his interview not used in the program, Jesuit priest Ignatius Dumbeck expressed genuine regret for the cultural loss that resulted from Jesuit policies that he himself helped carry out—yet he appeared to feel no complicity in that outcome.

The most complicated segment of Part One addresses the Allotment Act, the critical connection between the nineteenth-century history of political and cultural invasion, and the twentieth-century history of more complete economic transformation that culminated in the building of the dam. In destroying tribal communal systems of land tenure, disrupting traditional modes of subsistence, and enabling the taking of many tribal lands, the Allotment Act was aimed squarely at destroying reservations as cultural

havens. In passing the Flathead Allotment Act, Congress and the President violated the Hellgate Treaty, which had guaranteed the reservation for the "exclusive use and benefit of said confederated tribes."

Part One ends with the reminder that despite this relentless series of assaults on the tribes, the people never gave up, never "disappeared" as many imagined they would, never completely abandoned their cultural traditions even as circumstances made them increasingly difficult to practice. This is an underlying theme in all three programs: Indigenous people and Indigenous history are of the present and the future, as much as they are of the past.

In whittling down this history to a 28-minute program, many important issues in the nineteenth-century history of the Tribes were omitted or only minimally treated. We encourage teachers and viewers to look into these, some of which include:

- The 1855 treaties. Many issues were skipped over in our brief program, such as poor translation during negotiations, failure of US officials to communicate many crucial details, including the boundaries of the Flathead Reservation; tribal reserved rights on ceded lands to hunt, fish, and gather plants; or the way U.S. officials saw the treaty not as a solemn pact, but as a tool of invasion, and hid their true objectives from tribal people.
- Policies and actions of various U.S. Indian Agents. The program does not address policies such as the 1885 establishment of the "Court of Indian Offenses," which outlawed many aspects of traditional ways of life, including sun dance, war dance or celebrations, or scalp dance; the practices of medicine people or healers; traditional use of fire to manage the land; and gambling in any form. All were punishable by imprisonment.
- The Northern Pacific Railroad. The Flathead Allotment Act of 1904 and the opening of the Flathead Reservation to white settlement in 1910 in many ways led directly from the 1882-83 construction of the Northern Pacific Railroad through the reservation. The right-of-way "agreement," which tribal members were pressured into signing, set a crucial precedent: the boundaries of the reservation were no longer sacrosanct. The railroad enabled industrialization, urbanization, and the decimation of tribal resources throughout the aboriginal territories—and thus changed the whole balance of power in the region.
- The Salish Trail of Tears. In 1891, the Salish were forcibly removed, under military escort, from their ancestral home, the Bitterroot Valley. The thirty-year struggle of the Bitterroot Salish against removal is only briefly mentioned.
- Repression of off-reservation rights. In the Hellgate Treaty, the CSKT reserved the right to hunt, fish, gather plants, and pasture animals on open and unclaimed ceded lands. However, both government officials and non-Indian citizens routinely denied and repressed this right, sometimes with violence. This pattern culminated in the Swan Massacre of 1908. See http://www.csktsalish.org/index.php/documents/download?path=2018SQCCSwanMassacreBrief.pdf

Part One: Before the Dam

Selected quotations (translations are printed *in italics*)

Tony Mathias, Kootenai elder (1922-1996)

> "When you go huntin' and get one, you feed people... That's how come the people used to get something to eat every day. Never get hungry, because they help one another."

Larry Parker, Salish/Nez Perce elder (1914-1995)

> "That's why in the old days we did have an awful lot of fishes in…any kind of a fresh body of water, and the prairies and the woods and everywhere was full of game birds and wild game animals. That was because we conserved them… because we were trying to save them for the future."

Betty White, Salish educator (b. 1954)

> "I think that the Jesuit way of viewing their religion as the only way, the one true religion, is very ethnocentric…I think that constitutes cultural invasion. When you determine that your way is superior to another group of people, and you go in, no matter what way—whether it's as a missionary or as a soldier—and you decide that you're going to eradicate someone else's religion or someone else's culture because you deem that yours is superior and theirs is inferior, that's invasion."

Mary Beaverhead Smallsalmon, Pend d'Oreille elder (1909-1995)

> *"I said us Indians, we were poor. But we were not really poor — we had gardens, we deer meat, and we make deer dry meat. My father's mother, my brother Pyel, they would make deer dry meat."*

Margaret Finley, Salish elder (1926-2005)

> "I learned lots from [the boarding schools]. I learned how to cook, I learned how to… do things…in the white man's world."

Agnes Vanderburg, Salish elder (1901-1989)

> *"When we would get together and talk our language* [in the boarding school]*, we would be made to stand in the corner. The Black Robes would tell us, "Do not talk your language." Sometimes they would make us stand up together and they would spank us. And that's why I said they're all down below now."*

Ron Therriault, Salish Kootenai College, (1931-2014)

> “As time passed, the non-Indian even became aggressive over the existence of the Reservation…they would say, ‘Look at all that wonderful farming land, and here’s all these Indians, and they don’t know what to do with it — so it should be opened for settlement so some good use could be made of the land.’ ”

Joe Antiste, Kootenai elder (1894-1989)

> *“The President said for the Indians to take eighty acres or forty acres for their own land. A letter came telling this to all the Indians. All the Indians went crazy; they didn’t know what was going to happen to them. And me, I didn’t know.”*

Antoine “Tony” Incashola, Sr., Séliš-Ql̓ispé Culture Committee (1946-2022)

> “My grandparents, my parents always felt like they didn’t belong in certain parts of town, when in reality this was *their* land. This was their home first, before anybody’s. They are not the visitors; they are the residents of this area. But they were made to *feel* like visitors.”

Larry Parker, Salish/Nez Perce elder (1914-1995)

> “A lot of the lands where the wild food grew, those lands were sold to the whites by the Government…they homesteaded there… if Indians went up there, they’d say, ‘Could we pick some fruits which are in your land?’ If the man was mean, he’d say, ‘You go to Hell! You get it elsewhere! This is private property!’ But if the man was kind enough, he’d say, ‘Yeah, go ahead.’ And then they’d dig. And then after a while, wherever the wild food grew…it was plowed up — then that would kill off those wild foods. There’d be none left.”

Joe Antiste, Kootenai elder (1894-1989)

> *“The President, he knew good and well we got nothing, we got no plow or anything. We didn’t have anything. He [the Presiden] knows that the Indians have lots of kids, and then the white people are coming. He says, “You sell your land, you sell your land.” Eighty acres, just like that -- no more land!”*

Part Two: The Road to the Dam

Historical Overview

"Part Two: The Road to the Dam" take viewers from the time of the Flathead Allotment Act through the completion of Kerr Dam in 1938. Part 2 centers on the cultural conflicts that underlay the construction of the dam, and how the choices made by some people during this time — including whether to accept jobs in building the dam — were shaped or constrained by the destruction of the tribal economy and way of life, and the taking of Tribal resources, in the wake of the government's opening of the Reservation to non-Indian homesteading and development.

After the introductory segment, Part Two examines the Flathead Irrigation Project, established by Congress in 1908. The project served as a supplement to the Flathead Allotment Act. Both laws were pushed through by Rep. Joseph Dixon under the pretext that they would help Indian people in the "inevitable" transition to farming. And both laws were opposed by most tribal members. Some opposed the irrigation project because of the enormous harm it brought to the pristine creeks of the Reservation and their abundant fisheries; others simply opposed non-Indians claiming eminent domain over their allotments and bisecting them with huge, impassable ditches. In telling this part of the story, Part Two includes numerous historic photographs of the construction of the project.

Almost all of the farms that were in fact served by the Flathead Irrigation Project were owned by non-Indians who began farming on the Reservation after 1910, lured in part by the passage of the Irrigation bill two years before. Irrigation, farmers believed, made the prospect of a successful homestead far more likely. This is perhaps the biggest reason why the Flathead Reservation came to have such a large majority of non-Indians.

Thus, the Allotment bill was passed over the objections of the overwhelming majority of tribal people; then the Irrigation bill was passed, again over their objections, effectively assuring a crush of non-Indian settlers. And as Part Two then makes clear, the Department of the Interior in turn approved Kerr Dam's construction by the Montana Power Company, again over tribal objections, in order to bail out the financially ailing Irrigation Project.

In the meantime, the Allotment Act had brought a level of poverty to the tribal people that they had never before experienced. For the first time, most were now dependent on cash for their survival. Indian people had to get jobs, and they had to buy things in stores, because the wild sources of sustenance had been so circumscribed. This dependency gave a new kind of power to market forces on the Reservation. Alcohol played an important role in accelerating the slide into poverty, dependency, and despair. Many people, unable to get the cash they now needed in an alien economic system controlled by hostile non-Indians, became heavily dependent on the BIA's rations program, even though it provided very little.

The people's growing dependency on the market made the tribes less able to resist incursion onto the Reservation by powerful market forces, such as the Anaconda Copper Mining Company and the Montana Power Company. Since the early twentieth century, these two interlocked industrial giants had held nearly total control over Montana's economy and political system. In the twenties, they came together to form a jointly owned subsidiary called the Rocky Mountain Power Company. RMPC's sole purpose was to build a dam on the lower Flathead River, near the very center of the Flathead Indian Reservation. The BIA actively helped these corporations obtain the federal license to build the dam, despite opposition from the tribal government. In the end, John Collier's American Indian Defense Association helped the tribes secure some concessions in the final deal, which would prove crucial in the tribes' attempts to gain greater control of the dam in the 1980s.

For the upper Kalispel and Kootenai, the falls of the Flathead River — the site of the dam — was a place of great sacredness. For many tribal members, it was also an important fishing site. As Agnes Vanderburg relates, some did refuse to work there for cultural reasons. But when Montana Power launched its massive construction project, some two hundred tribal members signed on; in the midst of the Great Depression, it was difficult to resist a job at 45 cents per hour.

But it was dangerous work. In 1937 alone, fourteen workers, including ten tribal members—three of them still teenagers—were killed during construction, and others were badly injured. Kootenai elder Alec Lefthand said, "White people didn't care about it [because the workers were]…Indians. That's why a lot of them got killed there." Ql̓ispé elder John Peter Paul said if a certain number of workers were killed, the construction company would lose its contract to build the dam. It was only at that point that he and other workers began seeing "a bunch of 'safety men,' they call them. All they do is go around."

Despite the dam, despite the opening of the reservation to non-Indians and other violations of the Hellgate Treaty, despite the loss of tribal lands and resources — despite all these things, the cultures and languages of the Séliš, Ql̓ispé, and Kootenai people continued. Part 3, "The Dam and the Future," considers how cultural continuance helped shape the rebuilding of tribal sovereignty as the middle of the twentieth century approached — and, looking to the future from the vantage point of 1991, how those deeper cultural perspectives might shape the path taken by the CSKT if and when they would take control of the dam in the twenty-first century.

Part Two: The Road to the Dam

Selected quotations (translations are printed *in italics*)

Agnes Vanderburg, Salish elder (1901-1989)

> *"The white people just came here to lie. In order to get the irrigation ditches, they told the Indians, "If we build the ditch, there will be a lot of water for your gardens. If you plant potatoes, you'll have water." And the Indians thought, "Yes, that would be all right." So the whites built the ditches, but when they finished, then they said they needed to be paid."*

Teresa Wall-McDonald, former Tribal Council member (b. 1954)

> "Beckwith [Mercantile Co.] ended up acquiring a lot of the Indian allotments for an eighty dollar debt at the store [and] through foreclosure when tribal members owed the Irrigation Project for water delivered."

Agnes Vanderburg, Salish elder (1901-1989)

> *"They did not like the irrigation water. One person tried to stop it they would survey where the water would be going into the ditch. They would put a stake in the ground. This old person would take out the stakes and burn them. He thought that would stop them. So they didn't survey it, and they made the ditches anyway."*

Agnes Vanderburg, Salish elder (1901-1989)

> "Well, I must have been about six or seven. I remember when my folks started buying stuff . . . .Well, they didn't buy a whole lot -- they just buy what they really need, you know. But still we had our own food."

Larry Parker, Salish/Nez Perce elder (1914-1995)

> "Hunger is a feeling that I hate to go through anymore — that is, forced hunger. You probably heard of the gnawing pains of hunger. Well, that's how it feels — it hurts."

Adeline Mathias, Kootenai elder (1910-2007)

> "And Mr. Kerr bought all the groceries for the Indians that were camping out. He was so generous and nice because he wanted to build that dam. He even handed out cash to the chiefs…for the chiefs to take care of their people with while they were camping out. That's how much he wanted the dam, the falls so he could build the dam. He was pretty loose with his money!"

Chief Koostahtah, Kootenai elder (1857-1942)

> *"It's true what this man is saying. I know that today, he has a big name in this country. Today, I give him an even bigger name, this area. I know he has wealth. Today, I'm giving him even more wealth, this man."*

Agnes Vanderburg, Salish elder (1901-1989)

> *"My husband was still young…it didn't fall into his head or occur to him to go work up there. He kind of disliked the dam. That isn't the kind of work he did. He didn't want it."*

Tony Mathias, Kootenai elder (1922-1996)

> "Well, some of them didn't like it, because that was…where the spirits is at."

Joe Eneas, Salish/Spokane elder (1896-1997)

> *"Maybe it was 45 cents that we received per hour.* (Laughs) *It was good! Later they raised it to 50 cents* (laughs). *50 cents is what we were paid for one hour of work. It was good* (laughs)*."*

Alec Lefthand, Kootenai elder (1913-1996)

> "And before I started working here, we lost Chief Mathias's son…That's what that 'something' said, why they don't want to let this place go. It cost us the Chief's son."

Tony Incashola, Flathead Culture Committee (1946-2022)

> "There's a whole generation, different generations of people, who in their own way had to fight, had to survive in order for me and the rest of the tribal people to be here."

Part Three: The Dam and the Future

Historical Overview

"Part Three: The Dam and the Future" moves quickly from the 1930s to the 1980s—briefly addressing the Indian Reorganization Act, the effect of World War II, and the subsequent period of accelerated cultural loss on the Flathead Reservation and in other tribal communities—and then focuses on the questions surrounding the agreement reached on Kerr Dam in 1984.

Under the agreement, approved by the Federal Energy Regulatory Commission (FERC), the Montana Power Company would control the dam for thirty more years — until the year 2015. During that time, they would pay the Confederated Salish and Kootenai Tribes an annual "rental fee" for the damsite of $9 million, with annual Cost of Living Adjustments. In the year 2015, the tribes would have the option to take direct control of the dam for the first time. In the 1980s, before Montana Republicans deregulated the state's energy industry, some analysts estimated that Kerr Dam was bringing a net profit of as much as $50 million per year.

What would CSKT of this powerful resource mean for the Reservation and tribal people? What should the tribes do with the money? A diverse array of CSKT members offer their answers—and their visions for the future.

For many people interviewed for *The Place of the Falling Waters*, the best use of the dam would be in helping restore tribal sovereignty in a more meaningful way; that is, in helping the tribes regain control of the Flathead Reservation economy. Many felt that a key was restoration of the land base. Naida Lefthand of the Kootenai Culture Committee expressed a desire to once again "own all of western Montana."

Some interviewees address the meaning of "tribal sovereignty," and make the argument that it has to do not only with political and economic control, but also the restoration of strong indigenous cultures and ways of life. In short, this means the restoration of tribalism. Here the question of the Confederated Tribes' best use of Kerr Dam becomes considerably trickier.

Parts One and Two of *The Place of the Falling Waters* showed in some detail how market systems of economy and culture have historically conflicted with not only the "sovereignty" of the tribes, but also with the traditional way of life itself. The U.S. Government implemented the Allotment Act with the explicit intention of breaking apart communal or tribal ownership of the land and instilling private ownership and market-based competition. The elders and other tribal members in Part Three carry those issues forward: if the dam was the ultimate expression of that alien economy and culture, perhaps symbolized in the way its construction destroyed a site of the highest spiritual importance, could it now be used to give new meaning—new power—not only to tribal sovereignty, but also to tribal cultures?

Part Three: The Dam and the Future

Selected quotations (translations are printed *in italics*)

Ron Therriault, Salish Kootenai College (1931-2014)

> “The dam was a symbol…of the domination of tribal sovereignty.”

Margaret Finley, Salish elder (1926-2005)

> “The time when everything really… changed was when we got in war with Japanese, Pearl Harbor, right after that. Everything changed very fast — very, very, fast. How we do things together, happiness, all that. It all changed.”

Universal Newsreel (mid-1950s):

> “’Net Proceeds’ become ‘net profits’ as once again red man bows to white man’s march of progress. A river is harnessed, and the old order passeth.”

Ron Therriault, Salish Kootenai College (1931-2014)

> “[Non-Indians] had a fear…that we would have the dam, the license, the money. And with the money comes that power…it could at least (help in) ending the dependency on the United States.”

Agnes Vanderburg, Salish elder (1901-1989)

> *“They lied about that also. They said you would have electricity, and it wasn’t so.”*

Joe Phillips, Kootenai (1936-1997)

> “I always ask this question to myself, and I always say, ‘Where in the sam hell was the BIA?’ The BIA is a big joke as far as I’m concerned…we [the Confederated Salish & Kootenai Tribes) are going to have to make sure that they [the Montana Power Company]… live up to their obligations. They never lived up to the first one…and if that’s what you’re going to get, then do the…things that we didn’t do, which is send that sucker down the God-dang river in little pieces.”

Alec Lefthand, Kootenai elder (1913-1996)

> “There’s a lot of different things that we’re trying to encourage the young people to come back to the old Indian ways of living.”

Fred Houle, former Tribal Executive Secretary (1928-2004)

> "I think they…celebrate their traditional culture individually, which is fine. But I don't think you'll ever get them to the point where…everything will be share and share alike. They're too capitalistic to do that. A strict tribal community was very socialistic, and I don't think we're headed in that direction."

Kevin Howlett, former Tribal Council member (b. 1951)

> "How much should we develop, how much can the land stand, how much can the culture stand?...we've got to go the way of the Indian. We've got to go the way that preserves the integrity of what we are. We're not brown-skinned people who happen to live along Highway 93. We are the Salish and Kootenai people."

Joe Antiste, Kootenai elder (1894-1989)

> "Now, that's why I was thinking. Pretty soon, we'll all be gone. White man, he didn't know what he's doing. Make dam — dams, all over. You know what's going to happen to us? Just once, it busted all dam -- that dam, water coming out. Water kill us. Lightning come up there, that water get burned. That's what [is] going to happen to us. That's what I'm always thinking to myself. Getting bad! White people just getting too far."

Francis Auld, Kootenai Culture Committee (b. 1953)

> "We can do it. Language can be revived, culture can be practiced — not exactly the way it was done two, three hundred years ago, but I think it can be practiced so the heritage will continue."

Agnes Vanderburg, Salish elder (1901-1989)

> *"I strongly believe that this* [cultural revitalization] *will happen, with my helping them. I think we will make it. I strongly believe this will be."*

Naida Lefthand, Kootenai Culture Committee (1947-2022)

> "But mainly I'd like to see the tribes purchase as much of the land back, and gain control of it, and possibly go into aboriginal territory and start purchasing land…my dream is that someday, the Kootenais and the Flatheads will own all of western Montana."

Afterword, 2023

Much has happened since the completion of The Place of the Falling Waters in 1991.

In 2014, the Tribal Council of the Confederated Salish & Kootenai Tribes decided to act on the opportunity provided in the 1984 agreement: the CSKT purchased the dam, thus becoming the first Native nation in the United States to be the sole owner of a major hydroelectric facility. By that time, the Montana Power Company no longer existed, having dissolved in the wake of the Montana legislature’s controversial deregulation of the energy industry in Montana. MPC sold its infrastructure to Pennsylvania Power and Light, so PPL was the company from which the Tribes acquired the dam.

The CSKT then created a corporate entity named Sxʷnq̓eʔels l Suw̓ečm / Ksukłiłmumał ‘a•k̓ałmukawa’its, Inc. — Energy Keepers (EKI). Tribal Council renamed the facility Séliš-Kootenai-Q̓lispé Dam (SKQ Dam). EKI’s official mission includes “environmental stewardship” and “Honor and respect for the sacred nature of the resources we are asked to manage and preserve for our future generations.”

In *The Place of the Falling Waters*, elders powerfully convey how the dam deeply contradicts traditional cultural relationships with the lands and waters. The CSKT therefore decided that even as they became the owners of the dam, they would also ensure that the rest of the lower Flathead River would be protected. In a historic decision on August 10, 2021, Tribal Council established the Indigenous equivalent of the U.S. Wild and Scenic Rivers Act: the CSKT Cultural Waterways Ordinance. Finding that “water is sacred,” the ordinance states, “Our people carry a spiritual obligation to protect our clean, abundant waters, and to maintain the free-flowing nature of those stretches of river that still remain undammed for the generations to come.” Tribal Council further established “the Lower Flathead River Cultural Waterway, extending from its exit from Flathead Lake down to its point of exit from the Flathead Reservation.” The purpose of the designation is “to protect and preserve the Lower Flathead River Cultural Waterway in perpetuity as a Tribal traditional cultural sanctuary and an area of land preserved in a generally natural condition.”

Most importantly, the ordinance puts to rest the issue that tribal elders have been concerned about since the 1930s: “There shall be no additional dams constructed on the Lower Flathead River.”

Barely a month later, On September 17, 2021, Secretary of the Interior Deb Haaland signed the Confederated Salish and Kootenai-Montana Compact, formally executing the Montana Water Rights Protection Act enacted by Congress on Dec. 21, 2020. For a quarter century, CSKT delegations, including elders such as Pat Pierre, tirelessly worked to defend Tribal water rights and guarantee them for the generations to come. The Settlement Act & Compact protects those rights across the aboriginal territories, and within the Flathead Reservation, authorizes $1.9 billion for specific purposes, including improving the water efficiency of the Federal Flathead Indian Irrigation Project, restoring and protecting Tribal resources, and constructing and maintaining community water distribution and wastewater facilities.

In securing passage of the water rights Settlement Act & Compact, CSKT negotiators convinced Congress to include another measure of truly historic significance: the return to CSKT ownership of the National Bison Range—18,766 acres located in the heart of the Flathead Reservation.

The land had been taken by Congress in 1908 to establish a range for buffalo—at the very same time that the Office of Indian Affairs was forcing Michel Pablo to round up and sell off his herd in preparation for the opening of the reservation to non-Indian homesteaders. These actions had all been set in motion by the Flathead Allotment Act of 1904, the impact of which is described in some detail by tribal elders in The Place of the Falling Waters. The Act was a fundamental violation of the Hellgate Treaty of 1855, which had guaranteed the reservation for "the exclusive use and benefit" of the CSKT.

Now that has been rectified. The Bison Range is now owned and operated by the CSKT. The staff have embraced a deeper commitment to ensuring the continuance of q̓ʷeyq̓ʷay—buffalo—the animals who have given CSKT people life for thousands of years. The Bison Range Visitor Center for the first time incorporates information and perspectives on tribal cultural and historical stories of buffalo.

For the CSKT, this has been a momentous period in the restoration of tribal sovereignty. But given the pressures of existing as an Indigenous nation within the dominant society and the relentless economic incentives to depart from traditional cultural values, the central question raised in the film: will renewed sovereign power be used to revitalize traditional cultures? Will political sovereignty be paired with cultural sovereignty?

In a community struggling with poverty and the social challenges that are the continuing legacy of colonialism—and in world where the invaders' economic system has become dominant—there are looming pressures to pursue short-term economic opportunities even if they may bring long-term cultural and even spiritual damage. The possibility of missteps are always there: whether it is the building of a casino at a location that tribal elders opposed due to cultural concerns; talk of dedicating the dam's electricity to bitcoin operators, who consume vast amounts of energy for no good reason; or electronics contracts that may aid and abet the killing of innocent civilians in Yemen.

But with the guidance and direction of culturally knowledgeable elders, the CSKT have shown an ability to thread the needle: to expand opportunity and support for the community, while not violating the fundamental values of the traditional culture: respect for one another, respect for our brothers and sisters in the plant and animal world, respect for the lands and waters—and most of all, respect for the generations yet to come. There are many major recent CSKT actions, policy positions, and milestones that provide examples:

- <u>Language</u>. Beginning in the 2000s, the CSKT launched new efforts to save the critically endangered Salish and Kootenai languages, supplementing the decades of work by the Séliš-Ql̓ispé and Kootenai Culture Committees. These neasures include passage of a "Heritage Language Policy," the establishment of the Nk̓ʷusm Salish immersion school in Arlee, and the development of new adult language intensive programs based in the two culture committees.

- U.S. Highway 93. Throughout the 1990s, the CSKT (supported by NGOs) resisted the plans of the Montana Department of Transportation to turn the highway that bisects the Flathead Reservation into a four and five-lane strip that would have accelerated uncontrolled growth and development. The Tribes instead helped bring about a roadway that dramatically improved safety while garnering national and international awards for "context-sensitive design," including less intrusive lane configurations, Indigenous place-name signs, and dozens of wildlife crossing structures that set a new standard for rural highways.

- Forestry. In 2000, the CSKT adopted a new Forest Management Plan that deemphasized commodity production and set the restoration of pre-contact forest conditions, including traditional use of fire, as the guiding long-term goal (see *Fire on the Land* digital education project in Additional Resources, p. 18).

- Fisheries. Even before the historic water rights agreement, the CSKT carried out a number of bold projects to protect and restore the waters—and native fisheries—of the Flathead Reservation, including the Jocko Restoration Project (see *Explore the River* digital education project in Additional Resources, p. 18).

- Food sovereignty. The People's Food Sovereignty Program is a Native-led grassroots organization helping organize the creation of gardens and food distribution on the Flathead Reservation. https://www.facebook.com/PeoplesFoodSovereigntyProgram/

- Climate action. Recognizing the supreme threat posed by the climate crisis to the physical and cultural continuance of the CSKT, the CSKT first adopted a climate resilience plan in 2013, updated in 2016 and 2023. See http://csktclimate.org

Additional Resources

The Place of the Falling Waters is viewable online at both YouTube and as part of the CSKT's Natural Resource Department's online resources (where you will find two other documentary films about the lower Flathead River, *The River is Wider than It Seems* and *The River Lives*:

http://fwrconline.csktnrd.org/Map/Main/Documentaries/

The lower Flathead documentaries page is part of a site contains a great deal of information about the river:

http://fwrconline.csktnrd.org/Map/index.html

CSKT's NRD Online Resources page also includes three other award-winning digital education projects that uniquely combine scientific information, cultural content and perspective, and deep dives into the history of the CSKT.:

Fire on the Land: Native People and Fire in the Northern Rockies

http://fwrconline.csktnrd.org/Fire/index.html

Explore the River: Bull Trout, Tribal People, and the Jocko River

http://fwrconline.csktnrd.org/Explore/index.html

Living Landscapes, about the climate crisis and Indigenous people.

https://www.skclivinglandscapes.org

These freely accessible educational projects were directed by Germaine White and digitally produced by David Rockwell, who also provided the scientific content and the creative design of the websites. History/culture segments were researched and written by Thompson Smith.

Extensive additional information on Salish-Kalispel culture, language, and history, is available from the Séliš-Ql̓ispé Culture Committee. Some materials are viewable online at www.csktsalish.org and all available materials, as of 2022, is included in the SQCC's Brochure and Guide to Available Educational Resources, which can be downloaded as a PDF at this site: http://www.csktsalish.org/index.php/component/rsfiles/download?path=brochure%252F2022-11-22%2BSQCC%2Bbrochure%2B%2526%2Bguide%2Bcopy.pdf&Itemid=101

See also the extensive catalogue of books published in recent years by Salish Kootenai College Press, many of which are compilations of primary documents on CSKT history. They are invaluable resources!