



January 16, 2015

Interior Secretary Sally Jewell,
US Department of the Interior,
1849 C Street, NW
Washington, DC 20240

GOAL
Box 30,000, #360
Jackson, WY 83002

Website: GOALtribal.org
Facebook: GOAL.tribalcoalition
Email: GOALtribalcoalition@gmail.com

RE: Official resolutions, declarations and letters of twenty-nine (29) federally recognized Indian Tribes in opposition to the US Fish and Wildlife Service's proposed delisting of the Yellowstone grizzly bear (*Ursus arctos horribilis*) from the Endangered Species Act, and the US Fish and Wildlife Service's contravention of the established protocols for tribal consultation in this process.

Dear Madam Secretary,

Enclosed please find both original documents and copies of the aforementioned official resolutions, declarations and letters of twenty-nine (29) federally recognized Indian Tribes in opposition to the US Fish and Wildlife Service's (FWS) proposed delisting of the Yellowstone grizzly bear from the Endangered Species Act (ESA).

Included among these is a resolution by the Eastern Shoshone Tribe, whom you visited in August 2013, a declaration by the Standing Rock Sioux Tribe, to whom President Obama made an official government-to-government visit in June 2014, and a letter from the Crow Tribe, President Obama's adopted people.

In addition, copies of resolutions recently passed by the Northern Cheyenne Tribe and the Great Plain Plains Tribal Chairmen's Association will be forthcoming. In total, this amounts to every tribe in Wyoming, Montana, South Dakota, North Dakota, Nebraska, and some in Idaho and Oklahoma. GOAL (Guardians of Our Ancestors' Legacy) Tribal Coalition, of which I am a co-founder, liaised and coordinated with the respective Tribal Nations and representative bodies in amassing this official documentation.

As articulated in all of the resolutions, declarations and letters, due to the immense spiritual and religious significance of the grizzly bear in tribal cultures, all of the Tribal Nations cite violations of the American Indian Religious Freedom Act (AIRFA–PL 95-341–1978/PL 103-344 –1994) in FWS’s actions to date relative to delisting the grizzly bear.

Similarly, all of the Tribal Nations specify FWS’s disregard for established consultation protocols. Standing Rock Sioux Chairman, Dave Archambault II, succinctly articulates this in his tribe’s declaration:

“Executive Order 13175 (Nov. 6, 2000) ‘Consultation and Coordination with Indian Tribal Governments’ signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a ‘complete and consistent implementation of Executive Order 13175,’ have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, ‘Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations.’ The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Great Sioux Nation.

This lack of consultation by FWS stands in direct contrast to the policy directives of the Obama Administration. President Obama has attempted to strengthen consultation with tribes when federal policies and actions have the potential to affect tribes and have tribal implications. Clearly, removing the Yellowstone grizzly bear from the ESA and permitting states to proceed with high-dollar trophy hunts on our historic cultural landscape fits the criteria.

President Obama made a highly visible commitment to improving dialogue between tribal nations and the federal government when he visited the Standing Rock Sioux Nation in June 2014.”

As you are no doubt aware, the Standing Rock Sioux Tribe is one of the 26 Tribal Nations the federal government identifies as having an ancestral connection to the Greater Yellowstone Ecosystem (“Associated Tribe of Yellowstone” – *Resources & Issues*, NPS, 2010), and is, therefore, one of the 26 Tribal Nations that must be consulted in this latest attempt to delist the Yellowstone grizzly bear.

In your statement of 12/19/2014 pertaining to the National Defense Authorization Act, specifically the Resolution Copper Mining provision, you said that you were “profoundly disappointed” with the disregard for tribal spiritual rights and how the provision “short-circuits the long-standing and fundamental practice of pursuing meaningful government-to-government consultation.” This is precisely what is occurring with FWS’s failure to pursue

“meaningful government-to-government consultation” in the proposed delisting of the Yellowstone grizzly bear.

Further, FWS appears oblivious to your emphasizing that, “the appropriate time for honoring our government-to-government relationship with tribes is before legislating issues of this magnitude.”

In response to questions from the press about the lack of tribal consultation, FWS’s “Grizzly Bear Coordinator,” Dr. Christopher Servheen, recently claimed “we’ve done what we are required to do” (*Bozeman Daily Chronicle* 1/9/15), and identified four letters he sent in April 2014 as validation, one each to the Eastern Shoshone, the Shoshone-Bannock Tribes of Idaho, the Northern Arapaho, and an unidentified tribe in Idaho. From personal contact GOAL has had with the chairmen of each of the tribes identified, I can attest to the fact that they never had sight of a letter from Dr. Servheen.

Dr. Servheen then repeated to the Associated Press (*New York Times* et al 1/11/15) what he stated to the *Missoula Independent* about consultation with the tribes (12/17/14): “They were all sent those letters, and we haven’t heard anything in response to those letters.” This is patently false on two counts; one, not all of the 26 affected tribes were sent letters; and two, the Eastern Shoshone Tribe responded to FWS’s intent to proceed with delisting by issuing their resolution in opposition on 10/28/14, the Shoshone-Bannock Tribes of Idaho did similarly 11/4/14, and as a member tribe of the Montana & Wyoming Tribal Leaders Council (TLC) the Northern Arapaho did the same when the TLC issued a resolution opposing delisting on 12/11/14.

Dr. Servheen’s comment deriding the tribes’ position on sovereignty in regard to this issue (*Bozeman Daily Chronicle* 1/9/15), and the context of his remark to the Associated Press that “we asked for their input and ideas” as if he were the arbiter of the validity of the tribes’ knowledge of the grizzly bear which has been amassed since time immemorial, speaks to an individual lacking in both cultural sensitivity and knowledge relative to the consultation process required by acts of Congress (AIRFA, etc.), Secretarial Orders, and Executive Orders that define the government-to-government status that exists between Indian tribes and the federal government.

Tribes have a relationship with Congress and the Secretary of the Interior; tribes are not required to report to a department coordinator or follow his instructions, as, for example, Dr. Servheen bade the Eastern Shoshone in his April 2014 letter that Chairman Darwin St. Clair didn’t receive, but Servheen released to the press regardless (*Bozeman Daily Chronicle*

1/9/15): "If you are aware of others who should also receive this request, either within your tribe or with another tribe, please forward this letter," he wrote.

The 26 affected Tribal Nations were not consulted by FWS during the process of its previous delisting attempt, a fact Dr. Servheen conceded when he said he "received no comment from the tribes on that proposal" (*Bozeman Daily Chronicle* 1/9/15). Again, this demonstrates a fundamental misunderstanding of the protocols involved; it is the responsibility of the respective federal agency or department to initiate the consultation process with the Tribal Nations that may be impacted by the consequences of federal actions, not vice-versa.

I would be amazed if either you or President Obama would concur that mailing a letter to only four of the impacted Tribal Nations constitutes "meaningful government-to-government consultation," or that either you or the President would agree with Coordinator Servheen that in terms of consultation FWS has "done what they are required to do." Among other tribal leaders, Oglala Sioux Tribal Vice President, Tom Poor Bear, outlined the framework of "meaningful government-to-government consultation" in his tribe's declaration (copy enclosed).

In addition to the abrogation of consultation protocols and the violation of religious and spiritual rights, all of the Tribal Nations have called for FWS to release the raw data from which the Interagency Grizzly Bear Study Team (IGBST) made its recommendation to proceed with delisting the Yellowstone grizzly bear. The American people have funded the collection of this data through their taxes, and as this is not a matter of national security there is no reason why this data should be withheld from public scrutiny. As Chairman Dave Archambault II highlighted in the Standing Rock Sioux Tribe's declaration:

"The Standing Rock Sioux Tribe (and the other affected Tribal Nations) is entitled to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear through the Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531). Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review. The cultural importance of this issue is such that questions and contradictions must be resolved without bias if tribal members, and the public at large, are to have confidence in the outcome."

Madam Secretary, I was present on the Wind River Indian Reservation when you visited in August 2013. During your remarks you said, "I want to be helpful, but you are the experts," and you then concluded with "I'm all ears." I sincerely hope that you will listen to the tribes

on this occasion and intervene to ensure that there is a thorough and “meaningful government-to-government consultation” process, and that you will institute a moratorium on the proposed delisting of the Yellowstone grizzly bear until all of the issues raised by the affected Tribal Nations have been fully addressed.

Néá'ěše/áho (Thank you).

Respectfully,

A handwritten signature in black ink that reads "R. Bear Stands Last". The signature is written in a cursive, flowing style with a long horizontal stroke at the end of the word "Last".

R. Bear Stands Last –
Co-founder, GOAL Tribal Coalition.

cc. Dan Ashe, Director
US Fish and Wildlife Service,
US Department of the Interior,
1849 C Street, NW
Washington, DC 20240

Respective Tribal Chairpersons, Presidents and Vice Presidents.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region



IN REPLY REFER TO:
FWS/R6/ES/EA
ESO-00060617

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

FEB 17 2015

Guardians of our Ancestral Legacy (GOAL) Tribal Coalition
Mr. R. Bear Stands Last
Box 30,000 #360
Jackson, Wyoming 83002

Dear Mr. Bear Stands Last:

Thank you for your January 16, 2015, letter to Secretary Jewell concerning the grizzly bear (*Ursus arctos horribilis*) and the Fish and Wildlife Service's (Service) relationship with sovereign Tribes with ancestral connections to the Greater Yellowstone Ecosystem. We appreciate your concerns and fully understand our obligation to consult with Federally Recognized Native American Tribes on a government-to-government basis.

In accordance with Secretarial Order 3206 (Order), we consult with Native American Tribes when actions taken under authority of the Endangered Species Act (ESA) may affect their lands, tribal trust resources, or the exercise of Native American tribal rights as defined in the Order. We agree that Tribal governments should have the opportunity for meaningful engagement with the Service on the status of all wildlife species of concern to them.

Importantly, no decision has been made on the status of Yellowstone grizzly bears. Before any decisions are reached on the status of the Yellowstone grizzly bears, we will be sure Tribes are offered the opportunity to participate in consultations with the Service concerning this issue.

Thank you for your interest in the grizzly bear in the Yellowstone ecosystem. If you would like to discuss Tribal relationships further, please contact Ivy Allen, Tribal Liaison by email at ivy_allen@fws.gov or by phone at 303-236-4575. If you have questions about the grizzly bear or its status, please contact and Chris Servheen, Grizzly Bear Recovery Coordinator at 406-243-4903.

Sincerely,

Deputy Regional Director



SPIRIT LAKE TRIBE

5059

OFFICE OF THE TRIBAL CHAIRPERSON
MYRA PEARSON

P.O. BOX 359 • FORT TOTTEN, ND 58335 • PHONE 701-766-4221 • FAX 701-766-4739

December 17, 2014

For the attention of:

Secretary of the Interior, Sally Jewell;

Dan Ashe, Director – US Fish and Wildlife Service;

Other Parties Concerned:

The sovereignty and spiritual rights of the Spirit Lake Sioux Tribe are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Service (FWS).

The Spirit Lake Sioux Tribe is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone (“Associated Tribe of Yellowstone” – *Resources & Issues*, NPS, 2010). Ten of the identified associated Tribal Nations are from the Oceti Sakowin (Great Sioux Nation), but to date none have been consulted in this process.

Federally recognized tribes have a unique nation-to-nation relationship with the federal government that requires consultation to be held at a government-to-government level; and government-to-government consultation is conducted under existing protocols and within an established framework.

Yellowstone and the Greater Yellowstone Ecosystem is a matrix of sacred and cultural sites of great significance to the twenty-six affected tribes, and those tribes’ Tribal Historic Preservation Offices (THPOs) must be engaged in an initial process of consultation consistent with the criteria of the THPOs designated mission (Section 101(d)(2) of the National Historic Preservation Act), in addition to consultation with tribal governments (executive and legislative branches), and recognized spiritual leaders.

Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture in his November 2014 statement in opposition to delisting of the Yellowstone grizzly from the ESA.

The cultural, geographic and sacred landscape of the Lakota, Dakota and Nakota people demonstrates the cultural importance of the grizzly bear. Numerous sacred sites, along with the names of creeks, rivers and buttes, were inspired by the grizzly bear. Many of our great historical leaders carried grizzly bear names, and those traditional names are present today among families in our communities.

As Chief Looking Horse has demonstrated, the ceremonial significance of the grizzly is an ancient connection. Lakota ceremonies related to the grizzly, historically known as Bear Medicine Ceremonies, are, like all of our spiritual and religious ways, protected by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994). The Act states that laws and policies pertaining to “conservation and preservation of natural species” cannot be “passed without consideration of their effect on traditional American Indian religions.” In its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing so “without consideration of their effect on traditional American Indian religions.”

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) “Consultation and Coordination with Indian Tribal Governments” signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a “complete and consistent implementation of Executive Order 13175,” have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, “Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations.” The proposed delisting of the Yellowstone grizzly bear affects the Spirit Lake Sioux Tribe and the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation).

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes. The Order directs the FWS to “solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes” during the consultation process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people. In the move to delist the grizzly, this has not been followed.

Ignoring these Acts and Orders contradicts the basis of the the government-to-government relationship that exists between not only the Lakota, Dakota and Nakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue.

The Spirit Lake Sioux Tribe rejects the designation of the grizzly bear as a “trophy game animal” to be killed by big game hunters on the lands our ancestors defended. Revered spiritual leaders from the past, the likes of Black Elk and Sword, articulated the perception of the Lakota, Dakota and Nakota people when they said, “The grizzly bear is *wakan* (sacred).”

Today the grizzly bear survives on less than 2% of its original range, with only 2% of its historic population. There is much work to be done before the grizzly bear can be considered recovered. Many areas of biologically suitable habitat exist where the grizzly once roamed, many of them in our ancestral homelands, and the grizzly should be returned to those areas.

Tribal Nations have alternative solutions to the outdated wildlife management practice of killing. Trophy hunting sentient beings appeals only to a tiny minority of the population, a minority that is over 95% white, from high economic strata. Just as the buffalo is being returned to reservation homelands with biologically suitable habitat, some Tribal Nations with appropriate land bases have expressed a desire to develop programs to return the grizzly to their sovereign nations.

Under such circumstances, estimated carrying capacity in one ecosystem would not result in killing but relocation to ignite new populations that would realize the long-projected need for linkage zones between grizzly populations. Today, the two small island populations of grizzlies surviving in two isolated ecosystems in the lower-48 cannot be considered a recovered species appropriate for delisting and subsequent trophy hunting.

Grizzly bear management plans post-delisting should be sensitive to the cultures of the affected Tribal Nations. Rather than have the states influence grizzly bear management on tribal lands, the affected Tribal Nations should be provided with the resources to initiate their own management practices and programs that are consistent with their cultural values. By doing so, tribal sovereignty will be upheld and potential employment and economic opportunity provided.

The consultation process that is mandated by the aforementioned Acts and Orders entitles the Spirit Lake Sioux Tribe (and the other nations of the Oceti Sakowin and affected Tribal Nations) to review the raw data the FWS is basing all of its conclusions upon

relative to delisting the grizzly bear. Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review – the Spirit Lake Sioux Tribe adds its voice to that call.

The Spirit Lake Sioux Tribe supports Chief Arvol Looking Horse's position in opposing the removal of the Yellowstone grizzly bear from the Endangered Species Act, and we support the efforts of GOAL Tribal Coalition to protect the sacred grizzly bear and in doing so defend tribal sovereignty and spiritual rights.

Sincerely,

A handwritten signature in black ink, appearing to read "Myra Pearson", with a long horizontal flourish extending to the right.

Myra Pearson

Spirit Lake Tribe Chairperson



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Mountain-Prairie Region

IN REPLY REFER TO:
FWS/R6/ES/EA
ESO-00060852

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

FEB 17 2015

Great Plains Tribal Chairman's Association
1926 Stirling Street
Rapid City, South Dakota 57702

Dear Tribal Partner:

Based on your organization's concerns, expressed to us through a Guardians of Our Ancestors Legacy (GOAL) letter, please accept this letter as our advance notice of intent to review the endangered species status of the grizzly bear (*Ursus arctos horribilis*) in the Greater Yellowstone Area. While the Interagency Grizzly Bear Committee's Yellowstone Ecosystem Subcommittee has recommended delisting this population, at this time, no delisting actions or proposals have been moved forward. If desired, we would gladly engage in a discussion on the grizzly bear's status.

We recognize each Tribe's inherent powers to make and enforce laws and to manage and control their natural resources. It is our goal to support this authority. We also wish to improve our relationship with your organization. We want to hear your concerns and keep an open line of communication during this process. As an organization, you will also the opportunity for formal comments during the federal register process if any proposal is moved forward.

We are proposing to host three consultation meetings in broad areas were Tribes have expressed interest in this issue. We would like to offer three meetings in late winter or early spring. Ideally, the three meetings would occur within the Great Plains, Northern Rocky Mountains, and Idaho geographical areas. In addition, during the March 19, 2015, Mountain-Prairie Region Tribal Leadership Roundtable we will spend some time discussing this topic.

We are requesting location and venue suggestions for the three consultation meetings. If your organization is interested in coordinating a consultation meeting in conjunction with an organizational meeting, please reach out to the contacts listed below. We are asking for this information no later than **March 6**, as we plan to announce all three consultation meetings with details about locations and times by **March 18**.

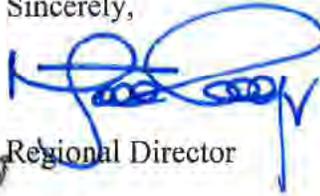
At your request, the Service is available to talk with your organization to share information we have about this species and the status review process. We will also discuss how Tribal information, comments, and expertise can be incorporated into the process.

To ensure Tribal information regarding Yellowstone grizzly bears may be incorporated into our review, we request that the Tribes participate in the consultation meetings or submit any comments and information by **March 31, 2015**. Please send those responses electronically to chris_servheen@fws.gov or by mail to:

Grizzly Bear Recovery Coordinator
U.S. Fish and Wildlife Service
University Hall, Room 309
University Of Montana
Missoula, Montana 59812

If you would like provide recommendations or ideas for the consultation meetings, please contact Ivy Allen, Tribal Liaison, by email at ivy_allen@fws.gov or by phone at 303-236-4575. If you have questions about the species or the comment process, please contact Chris Servheen, Grizzly Bear Recovery Coordinator, at 406-243-4903.

Sincerely,



~~Deputy~~ Regional Director



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Mountain-Prairie Region

IN REPLY REFER TO:
FWS/R6/ES/EA
ESO-00060852

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

FEB 17 2015

Montana Wyoming Tribal Leader's Council
711 Central Avenue, Suite 220
Billings, Montana 59102

Dear Tribal Partner:

Based on your organization's concerns, please accept this letter as our advance notice of intent to review the endangered species status of the grizzly bear (*Ursus arctos horribilis*) in the Greater Yellowstone Area. While the Interagency Grizzly Bear Committee's Yellowstone Ecosystem Subcommittee has recommended delisting this population, at this time no delisting actions or proposals have been moved forward. If desired, we would gladly engage in a discussion on the grizzly bear's status.

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We are requesting location and venue suggestions for the three consultation meetings. If your organization is interested in coordinating a consultation meeting in conjunction with an organizational meeting, please reach out to the contacts listed below. We are asking for this information no later than **March 6**, as we plan to announce all three consultation meetings with details about locations and times by **March 18**.

At your request, the Service is available to talk with your organization to share information we have about this species and the status review process. We will also discuss how Tribal information, comments, and expertise can be incorporated into the process.

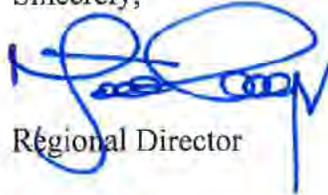
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To ensure Tribal information regarding Yellowstone grizzly bears may be incorporated into our review, we request that the Tribes participate in the consultation meetings or submit any comments and information by **March 31, 2015**. Please send those responses electronically to chris_servheen@fws.gov or by mail to:

Grizzly Bear Recovery Coordinator
U.S. Fish and Wildlife Service
University Hall, Room 309
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Missoula, Montana 59812

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Sincerely,

A handwritten signature in blue ink, appearing to be "Chris Servheen", written over a printed name.

Deputy Regional Director



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Mountain-Prairie Region

IN REPLY REFER TO:
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ESO-00060852

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

FEB 17 2015

Native American Fish and Wildlife Society
80 Garden Center, Suite 152
Broomfield, Colorado 80020

Dear Tribal Partner:

Based on your organization's relationship with Tribal Fish, Wildlife, and Game officials, we would like to let you know a number of tribes have expressed concern over the U.S. Fish and Wildlife Service's advance notice of intent to review the endangered species status of the grizzly bear (*Ursus arctos horribilis*) in the Greater Yellowstone Area. While the Interagency Grizzly Bear Committee's Yellowstone Ecosystem Subcommittee has recommended delisting this population, at this time, no delisting actions or proposals have been moved forward.

We recognize each Tribe's inherent powers to make and enforce laws and to manage and control their natural resources. It is our goal to support this authority. We also wish to improve our relationship with your organization. We want to hear your concerns and keep an open line of communication during this process. As an organization, you will also the opportunity for formal comments during the federal register process if any proposal is moved forward.

We are proposing to host three consultation meetings in broad areas were Tribes have expressed interest in this issue. We would like to offer three meetings in late winter or early spring. Ideally, the three meetings would occur within the Great Plains, Northern Rocky Mountains, and Idaho geographical areas. In addition, during the March 19, 2015, Mountain-Prairie Region Tribal Leadership Roundtable we will spend some time discussing this topic.

We are requesting location and venue suggestions for the three consultation meetings. If your organization is interested in coordinating a consultation meeting in conjunction with an organizational meeting, please reach out to the contacts listed below. We are asking for this information no later than **March 6**, as we plan to announce all three consultation meetings with details about locations and times by **March 18**.

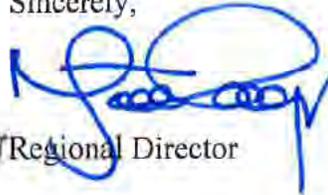
At your request, the Service is available to talk with your organization to share information we have about this species and the status review process. We will also discuss how Tribal information, comments, and expertise can be incorporated into the process.

To ensure Tribal information regarding Yellowstone grizzly bears may be incorporated into our review, we request that the Tribes participate in the consultation meetings or submit any comments and information by **March 31, 2015**. Please send those responses electronically to chris_servheen@fws.gov or by mail to:

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Missoula, Montana 59812

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Sincerely,

A handwritten signature in blue ink, appearing to be "Chris Servheen", written over a typed name.

Chris Servheen
Regional Director

752005



GOAL
Box 30,000, #360
Jackson, WY 83002

Website: GOALtribal.org
Facebook: [Heybear.GOAL](https://www.facebook.com/Heybear.GOAL)
Email: GOALtribalcoalition@gmail.com

March 2, 2015

Interior Secretary Sally Jewell,
US Department of the Interior,
1849 C Street, NW
Washington, DC 20240

RE: Your response to my letter of 1/16/15 –

Official resolutions, declarations and letters of twenty-nine (29) federally recognized Indian Tribes in opposition to the US Fish and Wildlife Service's proposed delisting of the Yellowstone grizzly bear (*Ursus arctos horribilis*) from the Endangered Species Act, and the US Fish and Wildlife Service's contravention of the established protocols for tribal consultation in this process.

Dear Madam Secretary,

Thank you for directing US Fish and Wildlife Service (FWS) Mountain-Prairie Region Deputy Regional Director Bryan to reply to me on your behalf (received 2/21).

While I appreciate the Deputy Director stating that FWS "agree that Tribal governments should have the opportunity for meaningful engagement with the Service" and that FWS "fully understand our obligation to consult with Federally Recognized Native American Tribes on a government-to-government basis," the subsequent actions of Deputy Regional Director Bryan's office, and of the FWS as a whole, call those sentiments into question.

Before raising those concerns, with all due respect, this is no longer – if it ever was – a regional concern. Thirty-two federally recognized Tribal Nations now comprise GOAL Tribal Coalition, the latest being the Cherokee Nation of Oklahoma, the second largest Tribal Nation in the United States. Governor Bill Anoatubby, one of the longest serving and most respected tribal leaders in the country, recently wrote to FWS Director Dan Ashe about this issue (2/2/15), specifically about the lack of meaningful tribal consultation.

When he responded to GOAL Tribal Coalition on your behalf, Deputy Director Bryan also replied to the Montana Wyoming Tribal Leaders Council (TLC). The TLC only received that letter 2/21, yet FWS was insisting that the TLC furnish venues for three meetings by March 6, or alternatively, be prepared to submit thorough presentations on this issue to FWS by March 31.

GOAL: Guardians of Our Ancestor's Legacy

There is no definition existing under which the three proposed consultation meetings described by Deputy Director Bryan as "broad areas where tribes have expressed an interest in this issue" equates to the "meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications" detailed in Executive Order 13175, and twice reaffirmed by President Obama in his 2009 memorandum and 2013 executive order. It would also be similarly dubious to claim that the three "broad area" meetings proposed fulfill the intent of Secretarial Order 3206.

The timescale insisted on for the three meetings is totally unrealistic. The compressed timeframe, with a deadline of March 6, will, in all likelihood, preclude tribes from participating in these meetings. Tribal leaders have a daunting daily workload, and the notion that they will be able to schedule and commit to these meetings in such a short period of time is impracticable.

A requisite of any consultation process is that those being consulted have a reasonable opportunity to participate.

While a positive first step in recognizing that the required consultation process with Tribal Nations must be honored, the three consultation meetings proposed must be viewed as just that – the initiation of the process, not the consultation process in entirety. Additionally, thirty-two Tribal Nations have written to you and Director Ashe in opposition to the proposed delisting of the Yellowstone grizzly bear; the TLC has only ten member tribes.

On the day I received your response via Deputy Director Bryan, GOAL Tribal Coalition was informed that FWS intends to issue the new rule to delist the Yellowstone grizzly bear this June. This would, of course, explain FWS's desire to undertake the minimum the Service thinks it can offer as passable in terms of consultation, and exposes FWS's desire for such an unrealistically short time frame.

In light of this, the intent behind these "three proposed consultation meetings in broad areas where tribes have expressed an interest in this issue" becomes clearer. It appears to be FWS's intent to delist the Yellowstone grizzly bear before the affected Tribal Nations have received a decent and fair opportunity to contribute, and, evidently, if the decision has already been made, FWS and the federal government is simply employing the same patriarchal attitude that has for centuries defined the relationship between our sovereign tribal nations and the United States. This cannot be described as a good faith effort, and runs counter to what President Obama has advocated on tribal consultation.

In all of the resolutions, declarations and letters you have been furnished with from affected tribes, each Tribal Nation has raised the issue of FWS's lack of transparency and the need for the raw data held by the FWS to be subject to open and impartial review by independent scientists. That prescient insight by our tribal leaders has taken on greater urgency in light of the now public testimony given August 18, 2014 in a hearing before the US Merit Systems Protection Board. The case of Gary Mowad revealed rampant scientific fraud and the manipulation and politicization of data by FWS.

The delisting of the Yellowstone grizzly bear has been highly politicized by Wyoming Governor Matt Mead, and Wyoming's Congressional delegation. Not only the citizens of our tribal nations, but every citizen in the US, is entitled to see independent scientific review of the data FWS is basing its claims on relative to delisting the Yellowstone grizzly bear. Taxpayers have funded the collection of this data for decades. This is not an issue of national security, and therefore there is no justification for denying an

open and transparent process so all can be confident that scientific fraud and politicization are not the deciding factors in a delisting decision if this magnitude.

In closing, in my letter of 1/16, I cataloged a series of concerns that demonstrated how unfit to participate in consultation with Tribal Nations FWS's grizzly bear recovery coordinator, Dr. Christopher Servheen is. In response, Deputy Director Bryan failed to address those concerns, and, instead, advised us, and our tribal leaders, to submit cultural information and traditional knowledge to Dr. Servheen by March 31 so he could decide whether it was worthy of inclusion in FWS's review of the Yellowstone grizzly bear. This, simply put, is the height of insensitivity.

Madam Secretary, I look forward to receiving your response to the points raised herein, and working with you to forge a positive path forward on this very important issue.

Néá'eše/àho (Thank you).

Respectfully,

A handwritten signature in cursive script that reads "R. Bear Stands Last". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

R. Bear Stands Last –
Co-founder, GOAL Tribal Coalition.

cc. Dan Ashe, Director
US Fish and Wildlife Service,
US Department of the Interior,
1849 C Street, NW
Washington, DC 20240

Respective Tribal Chairpersons, Presidents and Vice Presidents.

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December 09, 2014

Attn: Director Dan Ashe,
US Fish and Wildlife Service.

All Parties Concerned.

The Cheyenne River Sioux Tribe is one of the twenty-six Tribal Nations recognized by the federal government as having an ancestral connection to Yellowstone ("Associated Tribe of Yellowstone" – *Resources & Issues*, NPS, 2010). Therefore, under the federal government's own criteria, the Cheyenne River Sioux Tribe should be consulted by the federal departments and agencies presently engaged in attempting to remove of the sacred grizzly bear from Endangered Species Act (ESA) protections.

Executive Order 13175 (Nov. 6, 2000) "Consultation and Coordination with Indian Tribal Governments" signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a "complete and consistent implementation of Executive Order 13175," have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, "Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations." The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation).

This issue extends beyond delisting the grizzly bear, and threatens potentially detrimental consequences for tribal sovereignty and our religious and spiritual rights as defined by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994).

Laws and policies related to "conservation and preservation of natural species" cannot, as had been the norm prior to the Act, be "passed without consideration of their effect on traditional American

The blue represents the thunderclouds above the world where live the thunder birds who control the four winds. The rainbow is for the Cheyenne River Sioux people who are keepers of the Most Sacred Calf Pipe, a gift from the White Buffalo Calf Maiden. The eagle feathers at the edges of the rim of the world represent the spotted eagle who is the protector of all Lakota. The two pipes fused together are for unity. One pipe is for the Lakota, the other for all the other Indian Nations. The yellow hoops represent the Sacred Hoop, which shall not be broken. The Sacred Calf Pipe Bundle in red represents Wakan Tanka – The Great Mystery. All the colors of the Lakota are visible. The red, yellow, black and white represent the four major races. The blue is for heaven and the green for Mother Earth.

Indian religions." However, in its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing precisely that.

In his statement of November 2014, Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Oceti Sakowin, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture.

The Lakota cultural and geographic landscape demonstrates the cultural importance of the grizzly bear. Many physical features and sacred sites are known by names inspired by the grizzly bear. Our people still carry names that reflect the significance of the grizzly. Throughout our history, numerous great leaders have borne grizzly bear names.

Opposing the removal of ESA protections from the Yellowstone grizzly bear, and the proposed trophy hunting of the grizzly, is consistent with CRST Ordinance 57, the Cheyenne River Sioux Tribe's Cultural Resources Protection Act, which affirms: "The spiritual and physical well-being of the Cheyenne River Sioux Tribe and its members is directly related to the preservation of the historical traditions and cultural heritage of the Lakota people."

In this process to date, FWS is yet to abide by the Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), which established the protocols to be followed when actions taken under authority of the ESA have tribal implications.

The Order directs the FWS to "solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes" during the consultation process, and "cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes" social and cultural impacts on tribal people.

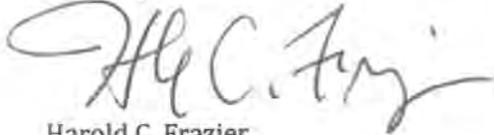
The thought of trophy hunters killing grizzly bears on our sacred lands is painful for the Lakota people. The image that came to represent the 1874 Black Hills Expedition that contravened the 1868 Fort Laramie Treaty is the photograph of Custer with the grizzly he killed for a "trophy." That violation of the 1868 Fort Laramie Treaty resulted in the annexation of the Black Hills. We cannot allow a repeat 140-years later on lands our ancestors fought so hard to protect when they opposed the construction of the Northern Pacific Railroad along the Yellowstone in 1872 and 1873, which was also a violation of the 1868 Fort Laramie Treaty. Some of the principal leaders in that resistance were from the Lakota bands that comprise the Cheyenne River Sioux Tribe.

Through the aforementioned Acts and Orders, the Cheyenne River Sioux Tribe (along with the other 25 affected Tribal Nations) is entitled to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review so that questions of credibility might be answered.

The Cheyenne River Sioux Tribe joins the other affected Tribal Nations that have issued resolutions, declarations and statements in opposition to the US Fish and Wildlife Service's proposed delisting of the Yellowstone grizzly bear. We support the positions expressed by Chief Arvol Looking Horse, and the efforts of GOAL Tribal Coalition to protect the grizzly bear and defend our sovereignty and spiritual rights.

If you should have any questions or concerns, please contact me at 605-964-4155.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold C. Frazier". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Harold C. Frazier,
CRST Chairman

CC: File



CROW CREEK SIOUX TRIBE

P.O. BOX 50
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TEL: (605) 245-2221 – FAX: (605) 245-2470

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To Whom it May Concern:

The sovereignty and spiritual rights of the Crow Creek Sioux Tribe and the Lakota, Dakota and Nakota people of the Great Sioux Nation are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Service (FWS). The Crow Creek Sioux Tribe is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone ("Associated Tribe of Yellowstone" – *Resources & Issues*, NPS, 2010). In total, ten of those Tribal Nations are from the Oceti Sakowin (Great Sioux Nation), but to date none have been consulted in this process.

Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture in his November 2014 statement in opposition to delisting of the Yellowstone grizzly from the ESA.

The cultural, geographic and sacred landscape of the Lakota, Dakota and Nakota people demonstrates the cultural importance of the grizzly bear. Sacred sites like Mato Tipila (Devils Tower) and Mato Paha (Bear Butte) are inseparable from our ceremonial connection to the grizzly. Numerous traditional and current family names, along with the names of creeks, rivers and buttes, were inspired by the grizzly bear. Many of our great historical leaders carried grizzly bear names, Smutty Bear, Medicine Bear, White Bear, and Two Bears among them.

As Chief Looking Horse has demonstrated, the ceremonial significance of the grizzly in our spiritual lifeway is an ancient

connection. Like all of our spiritual and religious ways, ceremonies related to the grizzly are protected by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994). The Act states that laws and policies pertaining to "conservation and preservation of natural species" cannot be "passed without consideration of their effect on traditional American Indian religions." So far, in its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing precisely that.

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) "Consultation and Coordination with Indian Tribal Governments" signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a "complete and consistent implementation of Executive Order 13175," have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, "Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations." The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation).

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes. The Order directs the FWS to "solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes" during the consultation

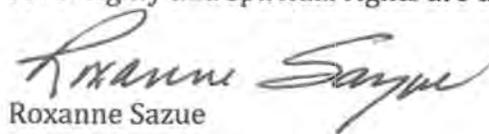
process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people. In the move to delist the grizzly, this has not been followed.

Ignoring these Acts and Orders contradicts the basis of the the government-to-government relationship that exists between not only the Lakota, Dakota and Nakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue.

The Crow Creek Sioux Tribe rejects the designation of the grizzly bear as a “trophy game animal” to be killed by big game hunters on the lands our ancestors defended. As one of those defenders, the respected Lakota Bear Medicine Man, Sword, said, “The grizzly bear is *wakan*.”

The Acts and Orders cited herein entitle the Crow Creek Sioux Tribe (and the other 25 affected Tribal Nations) to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review, which must happen.

The Crow Creek Sioux Tribe supports Chief Arvol Looking Horse’s position in opposing the removal of the Yellowstone grizzly bear from the Endangered Species Act, and the work of GOAL Tribal Coalition. We join the other affected Tribal Nations that have issued resolutions, declarations and statements in opposition to delisting the grizzly and call for the FWS to begin the process of consultation to ensure that our sovereignty and spiritual rights are upheld.



Roxanne Sazue
CCST Chairwoman



OGLALA SIOUX TRIBE



Office of the Vice President

Tom Poor Bear
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605.867.8411 Office—605.867.1449 Fax
TomPB@oglala.org
www.oglalalakotanation.org



*Silvia Hernandez
Administrative Post*

*Tamara Trumbull
Executive Secretary*

*Don Garnier
Cultural Liaison*

Attn: United States Fish and Wildlife Director, Dan Ashe;
All other affected parties.

The sovereignty and spiritual rights of the Oglala Sioux Tribe (Oglala Lakota Nation) and the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation) are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Service (FWS).

The Oglala Sioux Tribe is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone ("Associated Tribe of Yellowstone" – *Resources & Issues*, NPS, 2010), and as such must be consulted in this process.

Federally recognized tribes have a unique nation-to-nation relationship with the federal government that requires consultation to be held at a government-to-government level; and government-to-government consultation is conducted under existing protocols and within an established framework. Unsolicited correspondence from a federal agency coordinator or similar does not constitute consultation between a tribal nation and the federal government.

Yellowstone and the Greater Yellowstone Ecosystem is a matrix of sacred and cultural sites of great significance to the twenty-six affected tribes, and those tribes' Tribal Historic Preservation Offices (THPOs) must be engaged in an initial process of consultation consistent with the criteria of the THPOs designated mission (Section 101(d)(2) of the National Historic Preservation Act), in addition to consultation with tribal governments (executive and legislative branches), and recognized spiritual leaders.

Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture in his November 2014 statement in opposition to the planned delisting of the Yellowstone grizzly from the ESA.

The cultural, geographic and sacred landscape of the Lakota, Dakota and Nakota people demonstrates the cultural importance of the grizzly bear. Sacred sites like Mato Tipila (Devils Tower) and Mato Paha (Bear Butte) are inseparable from our ceremonial connection to the grizzly. Numerous traditional and current family names, along with the names of creeks, rivers

and buttes, were inspired by the grizzly bear. Not without reason were Crazy Horse and his mentor, High Back Bone (Hump), described as “the grizzly and his cub.”

As Chief Looking Horse has demonstrated, the ceremonial significance of the grizzly is an ancient connection. Lakota ceremonies related to the grizzly, historically known as Bear Medicine Ceremonies, are, like all of our spiritual and religious ways, protected by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994). The Act states that laws and policies pertaining to “conservation and preservation of natural species” cannot be “passed without consideration of their effect on traditional American Indian religions.” In its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing so “without consideration of their effect on traditional American Indian religions.”

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) “Consultation and Coordination with Indian Tribal Governments” signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a “complete and consistent implementation of Executive Order 13175,” have yet to be followed by the FWS during this process.

Executive Order 13647 (June 2013) states, “Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations.” The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation) on cultural and religious grounds.

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes.

The Order directs the FWS to “solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes” during the consultation process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people. In the context of attempting to delist the Yellowstone grizzly, this equates to the FWS having to consult with respected spiritual leaders such as Chief Arvol Looking Horse.

Chief Arvol Looking Horse describes this present movement to remove ESA protections from the grizzly and allow the states of Wyoming, Montana and Idaho to operate profligate trophy hunts as an extension of the “disease of the mind” that enabled Manifest Destiny; the massacres of our people, and the near extermination of the grizzly, the wolf and the buffalo in the 19th Century. The world will see this in play again if the grizzly is delisted. Each spring and fall, some visitors to Yellowstone National Park will see grizzlies gutted by the sides of the roads leading to Yellowstone, or bloody grizzly carcasses strapped to vehicles.

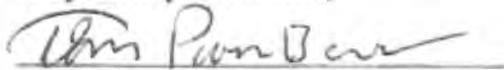
We reject the designation of the grizzly bear as a “trophy game animal.” It is shameful that a sentient being – one our people revere as sacred – is to be killed for “fun” by affluent trophy hunters. Great Lakota holy men like Black Elk, and Lakota Bear Medicine Men like Sword, articulated our feelings when they said, “The grizzly bear is *wakan*.” The Oglala Lakota people will not stand idle and watch this sacred being be slaughtered on the lands our ancestors fought to defend.

The thought of trophy hunters killing grizzly bears on our sacred lands is painful for the Lakota people. The image that came to represent the 1874 Black Hills Expedition that contravened the 1868 Fort Laramie Treaty is the photograph of Custer with the grizzly he killed for a "trophy." That violation of the 1868 Fort Laramie Treaty resulted in the annexation of the Black Hills. We cannot allow a repeat 140-years later on other sacred ancestral lands.

Ignoring these Acts and Orders contradicts the basis of the the government-to-government relationship that exists between not only the Lakota, Dakota and Nakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue. These Acts and Orders entitle the Oglala Sioux Tribe (and the other 25 affected Tribal Nations) to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. Several nations of the Oceti Sakowin, and other affected Tribal Nations, have already called upon the FWS to release that data not only to the tribes, but also to independent scientists for analysis and review. To date, FWS has refused to do so. If the data is sound, it will not be undermined by scrutiny.

The Oglala Sioux Tribe supports Chief Arvol Looking Horse's position in opposing the removal of the Yellowstone grizzly bear from the Endangered Species Act, and the work of GOAL Tribal Coalition in bringing this important issue to the fore. We join the other affected Tribal Nations that have issued resolutions, declarations and statements in opposition to delisting the grizzly, and call for the federal government to begin the process of thorough consultation in accordance with the existing mandates, to ensure that our sovereignty and spiritual rights are upheld.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Poor Bear", written over a horizontal line.

Tom Poor Bear, OST Vice President



ROSEBUD SIOUX TRIBE

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Rosebud, SD 57570
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Cyril Scott, President
Willie Kindle, Vice President
Julia M. Peneaux, Secretary
Byron Wright, Treasurer
Glen Yellow Eagle, Sergeant-at-Arms

December 9, 2014

For the attention of:

Dan Ashe, Director – US Fish and Wildlife Service;
Chris Servheen, Grizzly Bear Recovery Coordinator – US Fish and Wildlife Service;
Other Parties Concerned:

The Rosebud Sioux Tribe is one of the twenty-six Tribal Nations recognized by the federal government as having an ancestral connection to Yellowstone (“Associated Tribe of Yellowstone” – *Resources & Issues*, NPS, 2010). Therefore, under the federal government’s own criteria, the Rosebud Sioux Tribe should be consulted by the federal departments and agencies presently engaged in attempting to remove of the sacred grizzly bear from Endangered Species Act (ESA) protections.

Executive Order 13175 (Nov. 6, 2000) “Consultation and Coordination with Indian Tribal Governments” signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a “complete and consistent implementation of Executive Order 13175,” have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

This issue extends beyond delisting the grizzly bear, and threatens potentially detrimental consequences for tribal sovereignty and our religious and spiritual rights as defined by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994). Laws and policies related to “conservation and preservation of natural species” cannot, as had been the norm prior to the Act, be “passed without consideration of their effect on traditional American Indian religions.” However, in its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing precisely that.

In his statement of November 2014, Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Oceti Sakowin, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture.

The Lakota cultural and geographic landscape demonstrates the cultural importance of the grizzly bear. Many physical features and sacred sites are known by names inspired by the grizzly bear. Our people still carry names that reflect the significance of the grizzly. Throughout our history, numerous great leaders have borne grizzly bear names.

The specter of trophy hunters killing grizzly bears on our sacred lands is painful for the Lakota people. The most famous image of the 1874 Black Hills Expedition that contravened the 1868 Fort Laramie Treaty – and resulted in the theft of the Black Hills – is the photograph of Custer with the grizzly he killed for a “trophy.” We cannot allow a repeat 140-years later on lands our ancestors fought so hard to defend when they opposed the construction of the Northern Pacific

Railroad along the Yellowstone in 1872/73, which was itself a violation of the 1868 Fort Laramie Treaty.

The Rosebud Sioux Tribe (along with the other 25 affected Tribal Nations) is also entitled to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review so that questions of credibility might be answered.

The Rosebud Sioux Tribe joins the other affected Tribal Nations that have issued resolutions, declarations and statements in opposition to the US Fish and Wildlife Service's proposed delisting of the Yellowstone grizzly bear.

A handwritten signature in black ink, appearing to read 'Cyril Scott', with a stylized flourish extending to the right.

President Cyril Scott
Rosebud Sioux Tribe

Dave Archambault II
Chairman

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Rock Creek District

Robert Taken Alive
Running Antelope District

Samuel B. Harrison
Porcupine District

December 8, 2014

Daniel M. Ashe
Director
United States Fish and Wildlife Service

Dear Mr. Ashe:

In his November 2014 statement opposing the proposed delisting and subsequent trophy hunting of the Yellowstone grizzly bear, Chief Arvol Looking Horse outlined the sacred nature of the grizzly bear in Lakota, Dakota and Nakota culture. As the 19th Generation Keeper of the White Buffalo Calf Pipe of the Oceti Sakowin (Great Sioux Nation), Chief Looking Horse's insights are those of a highly respected spiritual leader.

To date, there has been no discussion in this process related to the impact delisting the grizzly bear, and the subsequent trophy hunting of the grizzly, will have on Native American spirituality, namely the religious practices of traditional tribal people, protected by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994).

Though this proposed action is to take place on defined ancestral lands of the Great Sioux Nation, the Standing Rock Sioux Tribe has yet to be consulted. As one of the 26 Tribal Nations the federal government acknowledges as having an ancestral connection to Yellowstone ("Associated Tribe of Yellowstone" - *Resources & Issues*, NPS, 2010), the US Fish and Wildlife Service (FWS) is required to consult with the Standing Rock Sioux Tribe, as, like many of the other affected tribes, due to the cultural significance of the grizzly bear in Lakota, Dakota and Nakota culture, our people will be detrimentally impacted if the grizzly is delisted and trophy hunted in lands once familiar to our ancestors.

Executive Order 13175 (Nov. 6, 2000) "Consultation and Coordination with Indian Tribal Governments" signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a "complete and consistent implementation of Executive Order 13175," have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, "Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations." The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Great Sioux Nation.

This lack of consultation by FWS stands in direct contrast to the policy directives of the Obama Administration. President Obama has attempted to strengthen consultation with tribes when federal policies and actions have the potential to affect tribes and have tribal implications. Clearly, removing the Yellowstone grizzly bear from the ESA and permitting states to proceed with high-dollar trophy hunts on our historic cultural landscape fits the criteria.

President Obama made a highly visible commitment to improving dialogue between tribal nations and the federal government when he visited the Standing Rock Sioux Nation in June 2014.

The American Indian Religious Freedom Act states that laws related to "conservation and preservation of natural species" cannot, as was the norm prior to the Act, be "passed without consideration of their effect on traditional American Indian religions." So far, in its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing that.

The Standing Rock Sioux Tribe (and the other affected Tribal Nations) is entitled to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear through the Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531). Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review. The cultural importance of this issue is such that questions and contradictions must be resolved without bias if tribal members, and the public at large, are to have confidence in the outcome.

efore the Lewis and Clark Expedition, there were an estimated 100,000 grizzly bears in the Western US, many in the environs of the Missouri River where the Standing Rock Sioux Tribe is now located. Today the grizzly bear survives on less than 2% of its original range, with possibly 2% of its historic population. The Yellowstone grizzly bear is a genetically isolated, island population that numbers in the hundreds. In a historical context, and by the spirit and intent of the ESA, it cannot yet be considered recovered.

Until the aforementioned issues have been addressed and resolved to the satisfaction of all of the affected Tribal Nations, we believe that it is premature to even consider delisting the iconic Yellowstone grizzly bear from ESA protections. It is imperative that tribal sovereignty and the spiritual rights of our people be upheld. Thank you for your attention to this matter, and please feel free to contact me should further discussion be helpful.

Sincerely,



Dave Archambault II, Chairman
Standing Rock Sioux Tribe





Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION

Office of the Tribal Chairman

P.O. Box 509

112554 BIA Hwy 711

Agency Village, South Dakota 57262

Phone: (605)698-3911

December 10, 2014

Dan Ashe, Director – US Fish and Wildlife Service;

Chris Servheen, Grizzly Bear Recovery Coordinator – US Fish and Wildlife Service;

Other Parties Concerned:

The sovereignty and spiritual rights of the Sisseton Wahpeton Oyate and the Lakota, Dakota and Nakota people of the Great Sioux Nation are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Service (FWS).

The Sisseton Wahpeton Oyate is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone (“Associated Tribe of Yellowstone” – *Resources & Issues*, NPS, 2010). In total, ten of those Tribal Nations are from the Oceti Sakowin (Great Sioux Nation), but to date none have been consulted in this process.

Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture in his November 2014 statement in opposition to delisting of the Yellowstone grizzly from the ESA.

The cultural, geographic and sacred landscape of the Lakota, Dakota and Nakota people demonstrates the cultural importance of the grizzly bear. Numerous sacred sites, along with the names of creeks, rivers and buttes, were inspired by the grizzly bear. Many of our great historical leaders carried grizzly bear names, and those traditional names are present today among families in our communities.

As Chief Looking Horse has demonstrated, the ceremonial significance of the grizzly in our spiritual lifeway is an ancient connection. Our spiritual and religious ways related to the grizzly are protected by the American Indian Religious Freedom Act (PL 95-341–1978/PL 103-344 –1994).

The Act states that laws and policies pertaining to “conservation and preservation of natural species” cannot be “passed without consideration of their effect on traditional American Indian religions.” So far, in its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing precisely that.

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) “Consultation and Coordination with Indian Tribal Governments” signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a “complete and consistent implementation of Executive Order 13175,” have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, “Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations.” The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation).

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes. The Order directs the FWS to “solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes” during the consultation process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people. In the move to delist the grizzly, this has not been followed.

Ignoring these Acts and Orders contradicts the basis of the the government-to-government relationship that exists between not only the Lakota, Dakota and Nakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue.

The Sisseton Wahpeton Oyate opposes the designation of the grizzly bear as a “trophy game animal” to be killed by big game hunters on the lands our ancestors

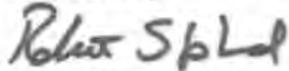


defended. Revered spiritual leaders from the past, the likes of Black Elk and Sword, articulated the perception of the Lakota, Dakota and Nakota people when they said, "The grizzly bear is *wakan*."

The consultation process that is mandated by the aforementioned Acts and Orders entitles the Sisseton Wahpeton Oyate (and the other nations of the Oceti Sakowin and affected Tribal Nations) to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review – the Sisseton Wahpeton Oyate adds its voice to that call.

The Sisseton Wahpeton Oyate supports Chief Arvol Looking Horse's position in opposing the removal of the Yellowstone grizzly bear from the Endangered Species Act, and we support the efforts of GOAL Tribal Coalition to protect the sacred grizzly bear and in doing so defend tribal sovereignty and spiritual rights.

Respectfully,



Robert Shepherd
Tribal Chairman
Sisseton-Wahpeton Oyate





OFFICERS:
ROBERT FLYING HAWK, CHAIRMAN
JEAN ARCHAMBEAU, VICE CHAIRWOMAN
GLENFORD "SAM" SULLY, SECRETARY
LEO O'CONNOR, TREASURER

COUNCIL:
QUENTIN "JB" BRUGUIER JR.
JASON COOKE
EVERDALE SONGHAWK
JUSTIN SONGHAWK
MONA WRIGHT

For the attention of:
Dan Ashe, Director – US Fish and Wildlife Service;
Other Parties Concerned.

The Yankton Sioux Tribe supports Chief Arvol Looking Horse and GOAL Tribal Coalition in opposing the US Fish and Wildlife Service's intention to remove the Yellowstone grizzly bear from Endangered Species Act protections.

Chief Arvol Looking Horse, the 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Nakota, Lakota, and Dakota culture in his November 2014 statement. As Chief Looking Horse demonstrated, the ceremonial significance of the grizzly in our spiritual life way has existed from time immemorial.

The American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994) protects the spiritual and religious ways of the Nakota, Lakota and Dakota people related to the grizzly bear. The Act states that laws and policies pertaining to "conservation and preservation of natural species" cannot be "passed without consideration of their effect on traditional American Indian religions." In its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is contravening the Act.

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but also the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) "Consultation and Coordination with Indian Tribal Governments" signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a "complete and consistent implementation of Executive Order 13175," have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, "Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations." The proposed delisting of the Yellowstone grizzly bear affects the Nakota, Dakota and Lakota people of the Oceti Sakowin (Great Sioux Nation).

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes. However, during the proposed delisting process, this framework has also not been followed.

During his official June 2014 visit to the Standing Rock Sioux Tribe, President Obama told the people of the Oceti Sakowin (Great Sioux Nation), "My administration is determined to partner with tribes, and it's not something that just happens once in a while. It takes place every day, on just about every issue that touches your lives. And that's what real nation-to-nation partnerships look like."

The delisting of the sacred grizzly bear, the subsequent trophy hunting, and the virtual cull proposed by the state of Wyoming, will touch the lives of the Flandreau Santee Sioux people. The cultural, geographic and sacred landscape of the Nakota, Lakota and Dakota people demonstrates the cultural importance of the grizzly bear.

Ignoring these Acts and Orders contradicts the basis of the government-to-government relationship that exists not only between the Nakota, Dakota and Lakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue. It is imperative that tribal sovereignty and the spiritual rights of our people be upheld.

The Yankton Sioux Tribe is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone ("Associated Tribe of Yellowstone" – *Resources & Issues*, NPS, 2010). As such, the Acts and Orders cited herein entitle the Yankton Sioux Tribe to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. We join the other tribes of the Great Sioux Nation that have called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review.

Today the grizzly bear survives on less than 2% of its original range, with only 2% of its historic population. There is much work to be done before the grizzly bear can be considered recovered. Many areas of biologically suitable habitat exist where the grizzly once roamed, many of them in our ancestral homelands, and the grizzly should be returned to those areas. Two small island populations of grizzlies in two isolated ecosystems in the lower-48 cannot be considered to constitute a recovered species.

In the spirit of our ancestors, and to ensure that our children and future generations will grow-up in a world where grizzlies are returning to parts our ancestral homeland where they ranged before they were extirpated post-the Lewis and Clark Expedition, the Yankton Sioux Tribe opposes delisting the Yellowstone grizzly bear – preserving the grizzly equates to cultural preservation.

A handwritten signature in black ink, appearing to read "Robert Flying Hawk". The signature is fluid and cursive, with a large initial "R" and "F".

Robert Flying Hawk
Chairman
Yankton Sioux Tribe
December 11, 2014

CROW TRIBE EXECUTIVE BRANCH



Office of
Chairman Darrin Old Coyote

Bacheeltche Avenue
P.O. Box 159
Crow Agency (Baaxuwuwashe), Montana 59022
Phone: (406) 638-3732/638-3786
Fax: (406) 638-7301

Darrin Old Coyote

CHAIRMAN

Dana Wilson

VICE CHAIRMAN

Alvin Not Afraid Jr.

SECRETARY

Shawn Backbone

VICE SECRETARY

November 26, 2014

To all parties concerned:

The area now known as Greater Yellowstone lays within the boundaries of Crow Country that were defined by Chief Sits in the Middle of the Land at the 1851 Fort Laramie Treaty Council. For centuries, the Crow people have had a deep spiritual connection to the landscape, a relationship that continues to this day. Today, right in the heart of Crow country, exactly where Chief Sits in the Middle of the Land described, the federal government intends to delist the grizzly bear from Endangered Species Act protections and permit the State of Wyoming to open high-dollar trophy hunting seasons on the grizzly.

In common with the land, the Crow People have an ancient relationship with the grizzly bear. In Crow culture, the grizzly bear is referred to as biiké, elder brother, which connotes great respect for the bear. From the stars to the rocks, images of the bear communicate that sacred relationship the Crow people have with the grizzly, knowledge that was preserved by Crow elders and passed on to future generations. For example, Daxpicheeshuulissúua, the Bear Song Dance, was one of the most sacred ceremonies of our people. The grizzly bear is a significant symbol for ceremonies for certain families in the Crow Tribe. The symbolic parts of a grizzly bear are used during ceremonies for healing. These parts of the grizzly bear has been handed down generation to generation and also used during competitions such as the handgames and other Crow traditional games. The elders say that a bear symbol can be seen in the palms of hands signifying power of the grizzly bear.

Though this proposed action is to take place on traditional Crow land, the Crow Tribe has yet to be consulted. As one of the 26 tribal nations the federal government openly acknowledges has an ancestral connection to Yellowstone, the US Fish and Wildlife Service (FWS) is required to consult with the Crow Tribe, like many of the other affected tribes. Due to the cultural significance of the grizzly bear, the Crow people will be detrimentally impacted if the grizzly is delisted and subsequently trophy hunted.

The Kiowa Tribe of Oklahoma, the historic allies of the Crow people, articulated the issues arising from the proposed delisting of the grizzly bear in its declaration of 10/10/14 and the Crow Tribe supports those positions.

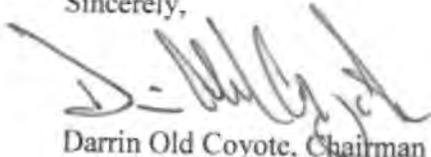
The Crow Tribe is entitled to review the data the FWS is basing its conclusions on under the Secretarial Order issued by the Secretary of the Interior and the Secretary of commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531). The Crow Tribe joins with the other affected tribal nations that have called upon the FWS to release that data not only to the tribes, but also to independent scientists

The Great Apsáalooke Nation: "Teepee Capital of the World"

for analysis and review. Transparency is essential if tribal members and the public at large are to have confidence in the outcome.

The Guardians of Ancestors Legacy (GOAL) Tribal Coalition is doing valuable work in its efforts to preserve and protect the Yellowstone grizzly bear and in the process defend tribal sovereignty and spiritual rights.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Old Coyote". The signature is written in a cursive, somewhat stylized font.

Darrin Old Coyote, Chairman
Crow Tribe



NORTHERN CHEYENNE TRIBE

ADMINISTRATION

P.O. Box 128
LAME DEER, MONTANA 59043
(406) 477-6284
FAX (406) 477-6210



September 12, 2014

To Whom It May Concern:

This letter is in support of the GOAL Tribal Coalition. The Northern Cheyenne Tribe opposes the federal government's proposed removal of the Yellowstone grizzly bear from Endangered Species Act protections through the US Fish and Wildlife Service and we believe the federal government's determination to remove the grizzly bear from Endangered Species Act protection contravenes the American Indian Religious Freedom Act (AIRFA. PUBLIC LAW 95-341--AUG. 11, 1978).

As one of the twenty-six federally recognized tribes the federal government acknowledges has an ancestral connection to the region now known as Yellowstone National Park and the Greater Yellowstone Ecosystem the US Fish and Wildlife Service is thus required to consult with the Northern Cheyenne Tribe, yet the US Fish and Wildlife Service has refused to release the data it has based its conclusions on for independent scientific review, that data being the basis for the federal government's proposal to remove the grizzly bear from Endangered Species Act protections.

The grizzly bear holds a unique position in the traditional cultures and ceremonial life-ways of the traditional spiritual practitioners of tribes identified by the federal

LITTLE WOLF AND MORNING STAR - Out of defeat and exile they led us back to Montana and won our Cheyenne homeland that we will keep forever.

government as possessing centuries old, and in some instances, millennia-long connections to the lands where the grizzly now survives.

Clearly cultural imperatives and the preservation of sovereignty require a repudiation of the federal government's desire to delist the grizzly bear from Endangered Species Act protections; and the legislative resolve to deny the states' determination to see trophy hunting of grizzlies on reservations and the extirpation of the grizzly bear from swathes of reservation and ancestral homelands.

We the Cheyenne Nation stand in support of the grizzly bear, and the right of Native peoples to religious freedom

Yours faithfully,

A handwritten signature in cursive script, appearing to read "Llevando Fisher".

Llevando Fisher

President of the Northern Cheyenne Nation



Kiowa Tribe of Oklahoma

P.O. Box 369 · Carnegie, Oklahoma · 73015
Phone: (580) 654-2300 ext. 344 · Fax: (580) 654-8714
OFFICE OF THE LADY CHAIRMAN

October 10, 2014

GOAL Tribal Coalition
PO Box 30,000, #360
Jackson, WY 83002

Respectful GOAL Tribal Coalition Representative,

With Regard to and/or all parties concerned to the GOAL Coalition's efforts towards it's endeavors. The Kiowa Tribe of Oklahoma supports the mission of Guardians of Our Ancestors' Legacy (GOAL) Tribal Coalition to preserve and protect the endangered Yellowstone grizzly bear. In doing so, we will help to ensure that Native American spiritual rights are upheld, and our sovereignty defended.

The area now known as the Greater Yellowstone Ecosystem with Yellowstone National Park at its heart is the ancestral homeland of the Kiowa. It was in this region that our ancestors first established sacred kinship with the grizzly bear.

Our respect and reverence for the grizzly bear is reflected in many Kiowa names; some of the greatest leaders in Kiowa history carried names inspired by the grizzly bear, including Set-tain-te (Satanta) and Set-angya (Satank), and the importance of the bear in our traditional culture can still be heard in our names today.

Narratives pertaining to the grizzly bear are fundamental to many of our sacred sites in what is now Wyoming, and what was once our homeland. We oppose the present attempts by the US Fish and Wildlife Service (FWS) and the states of Wyoming, Montana and Idaho to remove Endangered Species Act (ESA) protections from the Yellowstone grizzly bear.

The Kiowa Tribe of Oklahoma rejects the notion that the sacred grizzly bear should be considered a "trophy game animal" and hunted in our ancestral homeland.

We agree that the FWS's determination to remove the Yellowstone grizzly bear from ESA protection without thorough consultation with the affected tribes identified as possessing an ancestral connection to Yellowstone contravenes the American Indian Religious Freedom Act (PL-95-341). There has been no discussion related to the impact

delisting the grizzly, and the subsequent trophy hunting of the bear, will have on American Indian spirituality, namely the religious practices of traditional tribal people, protected by PL-95-341.

We further agree that by ignoring the affected tribes, the FWS is also in contravention of the Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), which sets forth the framework to be followed when actions taken under authority of the ESA affect tribes.

The American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act Order explicitly states: "The Departments shall take into consideration the impacts of their actions and policies under the Act on Indian use of listed species for cultural and religious purposes (Sec. 5 #4). The Order also directs the FWS to "solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes" during consultation processes. This has yet to happen.

Not consulting with the affected tribes is not only a breach of PL-95-341 and 16 U.S.C. 1531, it constitutes an infringement of our sovereignty.

Clearly the grizzly bear is not recovered under the criteria set forth by the Endangered Species Act. A population of between 500–700 grizzlies surviving on less than 1% of their original range pre-contact could not be considered recovered even if it were not genetically isolated and threatened by the loss of keystone food sources, which the Yellowstone grizzly bear is.

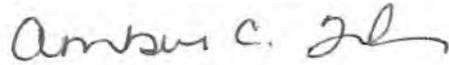
It is essential that the FWS finally makes the data it is basing its conclusions upon available, not only to the affected tribes, but crucially, to the scientific community for independent analysis and review. The affected tribes are entitled to the information under 16 U.S.C. 1531.

By protecting the sacred grizzly bear and in the process defending our religious freedom and sovereignty we honor our ancestors. The tribal heritage of Rain Bear Stands Last, the founder of GOAL, includes Kiowa. One of his ancestors, the great Cheyenne leader, Sleeping Bear, once presented the legendary Kiowa chief, Téh-tóot-sah (Little Bluff), with a famous painted tipi.

This exchange began a tradition amongst our peoples. In supporting GOAL and this effort, we continue that tradition, and in the spirit of our ancestors attempt to ensure that

our children and future generations will grow-up in a world where grizzlies still roam our ancestral homeland so that a large part of our culture and history will remain intact.

Respectfully Submitted,



Amber C. Toppah, Lady Chairman
Kiowa Business Committee
Kiowa Tribe of Oklahoma





SPIRIT LAKE TRIBE

OFFICE OF THE TRIBAL CHAIRPERSON

MYRA PEARSON

P.O. BOX 359 • FORT TOTTEN, ND 58335 • PHONE 701-766-4221 • FAX 701-766-4739

December 17, 2014

For the attention of:

Secretary of the Interior, Sally Jewell;

Dan Ashe, Director – US Fish and Wildlife Service;

Other Parties Concerned:

The sovereignty and spiritual rights of the Spirit Lake Sioux Tribe are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Service (FWS).

The Spirit Lake Sioux Tribe is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone (“Associated Tribe of Yellowstone” – *Resources & Issues*, NPS, 2010). Ten of the identified associated Tribal Nations are from the Oceti Sakowin (Great Sioux Nation), but to date none have been consulted in this process.

Federally recognized tribes have a unique nation-to-nation relationship with the federal government that requires consultation to be held at a government-to-government level; and government-to-government consultation is conducted under existing protocols and within an established framework.

Yellowstone and the Greater Yellowstone Ecosystem is a matrix of sacred and cultural sites of great significance to the twenty-six affected tribes, and those tribes’ Tribal Historic Preservation Offices (THPOs) must be engaged in an initial process of consultation consistent with the criteria of the THPOs designated mission (Section 101(d)(2) of the National Historic Preservation Act), in addition to consultation with tribal governments (executive and legislative branches), and recognized spiritual leaders.

Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture in his November 2014 statement in opposition to delisting of the Yellowstone grizzly from the ESA.

The cultural, geographic and sacred landscape of the Lakota, Dakota and Nakota people demonstrates the cultural importance of the grizzly bear. Numerous sacred sites, along with the names of creeks, rivers and buttes, were inspired by the grizzly bear. Many of our great historical leaders carried grizzly bear names, and those traditional names are present today among families in our communities.

As Chief Looking Horse has demonstrated, the ceremonial significance of the grizzly is an ancient connection. Lakota ceremonies related to the grizzly, historically known as Bear Medicine Ceremonies, are, like all of our spiritual and religious ways, protected by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994). The Act states that laws and policies pertaining to “conservation and preservation of natural species” cannot be “passed without consideration of their effect on traditional American Indian religions.” In its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing so “without consideration of their effect on traditional American Indian religions.”

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) “Consultation and Coordination with Indian Tribal Governments” signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a “complete and consistent implementation of Executive Order 13175,” have yet to be followed by the US Fish and Wildlife Service (FWS) during this process.

Executive Order 13647 (June 2013) states, “Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations.” The proposed delisting of the Yellowstone grizzly bear affects the Spirit Lake Sioux Tribe and the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation).

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes. The Order directs the FWS to “solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes” during the consultation process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people. In the move to delist the grizzly, this has not been followed.

Ignoring these Acts and Orders contradicts the basis of the the government-to-government relationship that exists between not only the Lakota, Dakota and Nakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue.

The Spirit Lake Sioux Tribe rejects the designation of the grizzly bear as a "trophy game animal" to be killed by big game hunters on the lands our ancestors defended. Revered spiritual leaders from the past, the likes of Black Elk and Sword, articulated the perception of the Lakota, Dakota and Nakota people when they said, "The grizzly bear is *wakan* (sacred)."

Today the grizzly bear survives on less than 2% of its original range, with only 2% of its historic population. There is much work to be done before the grizzly bear can be considered recovered. Many areas of biologically suitable habitat exist where the grizzly once roamed, many of them in our ancestral homelands, and the grizzly should be returned to those areas.

Tribal Nations have alternative solutions to the outdated wildlife management practice of killing. Trophy hunting sentient beings appeals only to a tiny minority of the population, a minority that is over 95% white, from high economic strata. Just as the buffalo is being returned to reservation homelands with biologically suitable habitat, some Tribal Nations with appropriate land bases have expressed a desire to develop programs to return the grizzly to their sovereign nations.

Under such circumstances, estimated carrying capacity in one ecosystem would not result in killing but relocation to ignite new populations that would realize the long-projected need for linkage zones between grizzly populations. Today, the two small island populations of grizzlies surviving in two isolated ecosystems in the lower-48 cannot be considered a recovered species appropriate for delisting and subsequent trophy hunting.

Grizzly bear management plans post-delisting should be sensitive to the cultures of the affected Tribal Nations. Rather than have the states influence grizzly bear management on tribal lands, the affected Tribal Nations should be provided with the resources to initiate their own management practices and programs that are consistent with their cultural values. By doing so, tribal sovereignty will be upheld and potential employment and economic opportunity provided.

The consultation process that is mandated by the aforementioned Acts and Orders entitles the Spirit Lake Sioux Tribe (and the other nations of the Oceti Sakowin and affected Tribal Nations) to review the raw data the FWS is basing all of its conclusions upon

relative to delisting the grizzly bear. Several tribes have already called upon the FWS to release that data not only to the affected Tribal Nations, but also to independent scientists for analysis and review – the Spirit Lake Sioux Tribe adds its voice to that call.

The Spirit Lake Sioux Tribe supports Chief Arvol Looking Horse's position in opposing the removal of the Yellowstone grizzly bear from the Endangered Species Act, and we support the efforts of GOAL Tribal Coalition to protect the sacred grizzly bear and in doing so defend tribal sovereignty and spiritual rights.

Sincerely,

A handwritten signature in black ink, appearing to read "Myra Pearson", with a long horizontal flourish extending to the right.

Myra Pearson

Spirit Lake Tribe Chairperson



Chief Arvol Looking Horse

19th Generation Keeper of the White Buffalo Calf Pipe
of the Lakota, Nakota and Dakota People of the
Great Sioux Nation



Statement opposing the federal government's intention to remove the sacred grizzly bear from Endangered Species Act protections and allow the states of Wyoming, Montana and Idaho to trophy hunt the Great Bear on Ancestral Lakota, Nakota and Dakota Lands, and on other traditional Tribal Homelands.

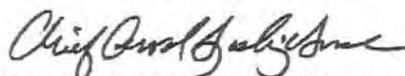
“The birth of the white ones among the *Wámakaškan*, the grizzly bear with a white coat, is a message that is loud and clear for us. We are at that crossroads. Our message to those in authority needs to be equally clear and direct . . .”

the interconnectedness between all beings and all things. In our prayers we appeal to *Wakan Tanka*, the Creator, to bless the *Wámakaškaŋ*, which is part of our prayer for the health and well-being of all in this cycle of life that we live. We see this relationship with the grizzly bear and all living beings of the earth as being part of a healing process, but that is not how others see it.

We talk about harmony, balance, understanding and the sacred relationship between all things, while others talk about trophy hunting. Even the white ones that are born, the sacred messengers of *Unci Maka*, our Grandmother Earth, are being killed and will continue to be killed if this abuse is not stopped. My heart is heavy because of this. These state game commissioners, wardens and government agencies don't see the spiritual nature of this. Even when our people ask, "Why are you doing this?" they will say "It's just part of our job." These are not the words or thoughts of people connected to *Unci Maka*, but we as First Nations' people are very connected to our Grandmother Earth. I am a spiritual leader of the Big Foot Ride on which we honor the 300 Lakota women, children and elders who were murdered on December 29, 1890 at Wounded Knee. I am also a spiritual leader of the Mankato Ride that remembers the 38 Dakota people who were hung in the largest mass execution in American history that happened during Abraham Lincoln's presidency. These rides are part of the process of healing, and the Big Foot Ride began mending the Sacred Hoop. Our ancestors told that the Sacred Hoop of Life was broken when our people were massacred at Wounded Knee. This was the period when those that massacred our people also wiped out the *Wámakaškaŋ*; they wiped out the buffalo, the grizzlies and the wolves, and today that mindset is still there, that "disease of the mind." They had no place for grizzly bears then, and they have no place for them now.

The birth of the white ones among the *Wámakaškaŋ*, the grizzly bear with a white coat, is a message that is loud and clear for us. We are at that crossroads. Our message to those in authority needs to be equally clear and direct: stop the abuse and the massacre of these living beings of the earth. The *Wámakaškaŋ* have a message for the world: the grizzly bear, *Mato*, is a living spirit that is sacred.

Mitakuye Oyasin!


Chief Arvol Looking Horse



"The grizzly bear is a living spirit that is a part of our ceremonies and our ancestors have been using the medicine given by the grizzly bear – *Mato* – for generations."

The SHOSHONE-BANNOCK TRIBES

FORT HALL INDIAN RESERVATION
PHONE: (208) 478-3700
(208) 237-0797



FORT HALL BUSINESS COUNCIL
PO BOX 306
FORT HALL, IDAHO 83203

To Whom It May Concern:

This letter is in strong support of GOAL Tribal Coalition.

The Fort Hall Business Council of the Shoshone-Bannock Tribes of Fort Hall, Idaho oppose the federal government's proposed removal of the Yellowstone grizzly bear from Endangered Species Act protections through the US Fish and Wildlife Service, recognizing that the federal government's resolve to remove the grizzly bear from Endangered Species Act protection contravenes the American Indian Religious Freedom Act (AIRFA. PUBLIC LAW 95-341--AUG. 11, 1978).

Our Tribe is one of the few of the twenty-six federally recognized tribes which federal government openly acknowledges has an original ancestral connection to the Yellowstone National Park and the Greater Yellowstone Ecosystem regions. The connection between our tribe and this land has existed hundreds and thousands of years and requires the US Fish and Wildlife Service to consult with the Shoshone-Bannock Tribes since the American Indian Religious Freedom Act states that laws pertaining to 'conservation and preservation of natural species and resources' were never intended to impact American Indian religious practices.

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the *Endangered Species Act* (ESA) of 1973 (16 U.S.C. 1531) clearly sets forth the framework to be followed when actions taken under authority of the ESA affect tribes. With the proposed delisting of the grizzly bear, the US Fish and Wildlife Service is in contravention of this order which directs the that agency to 'solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes' during the

consultation process, and 'cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes social and cultural impacts on tribal people.'

The Shoshone-Bannock Tribe has been afforded no such consultation throughout the US Fish and Wildlife Service's process proposing a new Rule to delist the Yellowstone grizzly bear, despite the supposed protection of religious practices of traditional tribal people by PL-95-341.

In respecting our unique cultural imperatives, and the preservation of our sovereignty, the Shoshone-Bannock Tribe renounces the federal government's desire to delist the grizzly bear from Endangered Species Act protections. We oppose the legislative resolve to see trophy hunting of grizzlies on reservations and the extirpation of the grizzly bear from swathes of reservation lands.

Additionally, in recognition that that the Shoshone-Bannock Tribe's Fish and Wildlife Department has a seat on the IGBC's (Interagency Grizzly Bear Committee) Yellowstone Subcommittee, this letter of support from the Shoshone-Bannock Tribe countermands any previous votes cast by the Shoshone-Bannock Tribe's Fish and Wildlife Department in favor of delisting the Yellowstone grizzly bear.

Our council hereby officially strongly opposes this position in delisting the Yellowstone grizzly bear.

Respectfully,

A handwritten signature in cursive script that reads "Nathan Small".

Nathan Small, Chairman
Fort Hall Business Council



*Eastern Shoshone Business Council
P.O. Box 538
Fort Washakie, WY 82514
(307) 332-3532/4932
Fax: (307) 332-3055*

To Whom It May Concern:

The Eastern Shoshone Tribe stands beside the other tribal nations that have offered their support to GOAL (Guardians of Our Ancestors' Legacy) Tribal Coalition in their efforts to defend tribal sovereignty and Native American religious and spiritual rights as defined by the American Indian Religious Freedom Act (PL 95-341--AUG. 11, 1978).

The drive by the US Fish and Wildlife Service (FWS) and the State of Wyoming to remove the Yellowstone grizzly bear from Endangered Species Act (ESA) protections to enable Wyoming to manage the grizzly as a "trophy game animal" and generate tens of thousands of dollars for the state from trophy hunters' license fees amounts to an infringement of the American Indian Religious Freedom Act.

Even prior to the Richardson Amendments (HR 4230) that President Clinton signed into law in 1994 (PL 103-344, 108 Stat. 3125), PL 95-341 made plain that laws related to "conservation and preservation of natural species" could not, as had been the norm prior to the Act, be "passed without consideration of their effect on traditional American Indian religions." However, in its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing precisely that.

The grizzly bear is highly respected by tribal people, and has a prominent role in the traditional spiritual practices of our people – the very lifeblood of our culture. The opposition of tribal members on the Wind River Indian Reservation to the delisting and trophy hunting of the grizzly bear has been apparent since our 55th Annual Eastern Shoshone Indian Days and Powwow, at which GOAL began making our tribal members aware of this issue and its consequences.

The Eastern Shoshone Tribe is among the twenty-six tribal nations recognized by the federal government as having an ancestral connection to Yellowstone ("Associated Tribe of Yellowstone" – *Resources & Issues*, NPS Division of Interpretation, 2010). Therefore, by the federal government's own criteria, the Eastern Shoshone Tribe must be included in any discussions pertaining to the removal of the sacred grizzly bear from ESA protections.

To date there has been no consultation with any of the spiritual leaders of the tribes impacted by the proposed delisting of the grizzly bear, which means that the FWS is also in contravention of the Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531), which established the protocols to be followed when actions taken under authority of the ESA affect tribes.

The *American Indian Tribal Rights, Federal-Tribal Trust Responsibilities*, and the Endangered Species Act Order state, among other significant clauses:

"The Departments shall take into consideration the impacts of their actions and policies under the Act on Indian use of listed species for cultural and religious purposes (Sec. 5 #4)."

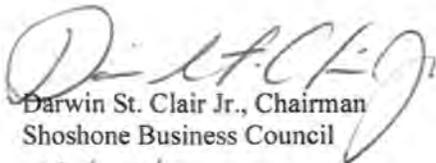
The Order directs the US Fish and Wildlife Service to "solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes" during the consultation process, and "cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes" social and cultural impacts on tribal people.

Clearly, the FWS and State of Wyoming have made no provision to abide by the Order.

The State of Wyoming has identified the Wind River Mountains as one area from which it intends to extinguish the grizzly bear. The FWS has already provided Wyoming Game and Fish with the mechanism to do so if the grizzly is delisted, but attempts to prosecute this action would be tantamount to an infringement of the sovereignty of the Eastern Shoshone Tribe.

The Eastern Shoshone Tribe opposes trophy hunting of the grizzly bear in the Wind River Mountains and will not permit the State of Wyoming to inflict its policies on Eastern Shoshone tribal lands. The leadership on the Wind River Indian Reservation rejected proposals to permit the trophy hunting of wolves on our land when the wolf was delisted from the ESA, and we hold that same position in relation to the grizzly bear. The grizzly bear is not recovered by the standard required to fulfill the ESA. A genetically isolated population of approximately 600 grizzlies existing on less than 1.5% of its original range does not meet the criteria of recovery.

Sincerely,



Darwin St. Clair Jr., Chairman
Shoshone Business Council

10/29/2016