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APR 14 2015

Superintendent's Office
Yellowstone National Park



GOAL

Box 30,000, #360
Jackson, WY 83002

Superintendent Dan Wenk,
Yellowstone National Park,
PO Box 168,
YNP, WY 82190-0168

Website: GOALtribal.org
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April 10, 2015.

**RE: Resolution of the Montana Wyoming Tribal Leaders Council,
and Declaration of the Pawnee Nation of Oklahoma.**

Dear Superintendent Wenk,

Four months has elapsed since the Montana Wyoming Tribal Leaders Council (TLC) unanimously passed a resolution opposing the US Fish and Wildlife Service's planned delisting of the Yellowstone grizzly bear. In that resolution the TLC also called for significant changes to be undertaken in Yellowstone National Park relative to the lack of tribal interpretation at sites of great cultural significance, and the necessity to change some offensive names that sully not only Yellowstone, but the National Park Service as a whole.

The TLC passed that resolution following a presentation by GOAL Tribal Coalition. GOAL Tribal Coalition is now among the largest tribal coalitions in North America, consisting of thirty-three (33) Tribal Nations, which equates to every tribe in Montana, Wyoming, South Dakota, North Dakota, Nebraska, a plurality in Idaho, and arguably the most influential tribes in Oklahoma.

We had hoped to receive a response from you that would have initiated the process called for by the TLC. To quote from the TLC resolution, "America's first national park should no longer have features named after the proponents and exponents of genocide, as is the case with Hayden Valley and Mount Doane." However, to date it appears that you have chosen to ignore the TLC resolution, given that the only

comment emitting from your administration came from YNP's spokesman, Al Nash, in an entry published by Wyo-file.

Mr. Nash's insistence that the naming, and any subsequent changes to those names, originates with the US Geological Service (USGS) is not an acceptable reason to disregard this matter. It stretches the bounds of credulity to imagine that if Yellowstone National Park made a representation to the USGS, recommending that the names of these features be changed, that the USGS would not be inclined to act upon that submission.

Further, it is the position of GOAL Tribal Coalition and the Pawnee Nation of Oklahoma, that the Pawnee Nation should be expeditiously added to the existing 26 "Associated Tribes of Yellowstone." Chairman of the Pawnee Nation, the Hon. Marshall Gover, articulates the Pawnee position in the enclosed declaration.

An appropriate first step in this process would be to convene a meeting between YNP executives who are empowered to act and TLC Executive Director, Cheryl Belcourt, Chief Arvol Looking Horse, the 19th Generation Keeper of the Sacred White Buffalo Calf Pipe for the Great Sioux Nation (over a third of the Associated Tribes of Yellowstone belong to the Great Sioux Nation), Councilman Adrian Spottedhorsechief of the Pawnee Nation, and a GOAL representative.

The Centennial of the National Park Service would seem to offer the perfect opportunity to unveil these necessary and much needed changes. As the TLC evinced, "Where Doane participated in genocide, Dr. Ferdinand V. Hayden advocated it." A century of dishonor is long enough. Now is the time to act, not to seek excuses within bureaucracy to avoid doing so.

I look forward to your response and to the initiation of this process at your earliest convenience.

Yours faithfully,

A handwritten signature in black ink that reads "R. Bear Stands Last". The signature is written in a cursive, flowing style.

R. Bear Stands Last -

Co-Founder, GOAL Tribal Coalition.

cc. Jonathan B. Jarvis, Director, National Park Service.

TLC Executive Director, Cheryl Belcourt.

Pawnee Nation Business Council.



Montana & Wyoming Tribal Leaders Council

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Website <http://www.mtwytlc.org> Email: Cheryl@mtwytlc.com

Open Letter Approved By Official Resolution No. 11Dec2014-04 of the MT WY Tribal Leaders Council on December 11, 2014

The sovereignty and spiritual rights of Tribal Nations in Montana and Wyoming are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Services. Ten of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone are located in Montana and Wyoming, but to date they have not been consulted in this process.

The grizzly bear holds a unique position in the traditional cultures, ceremonies and spiritual practices of the affected tribes. If the Yellowstone grizzly bear is delisted, the management plans of the states of Wyoming, Montana and Idaho propose trophy hunting the grizzly on both the ancestral and current homelands of the affected tribes, which not only represents a threat to tribal sovereignty, but also contravenes the American Indian Religious Freedom Act (AIRFA) PL-95-341.

During this process, the FWS, Department of the Interior, has so far ignored 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."

The AIRFA 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." 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.

Prominent spiritual leaders and elders from the affected Tribal Nations have issued statements in opposition to delisting the Yellowstone grizzly bear.

Given the economic challenges faced by the affected Tribal Nations, and the cultural significance of the grizzly bear, the prospect of the states charging anywhere between the quoted figures of \$10,000 to \$100,000 to trophy hunt this sacred being on ancestral tribal lands is at best disrespectful.

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.

Additionally, the states' grizzly bear management plans also threaten to detrimentally impact tourism initiatives that would aid the economies of the affected Tribal Nations. Recent studies demonstrate that in strictly economic terms, grizzlies are a legitimate "economic powerhouse," worth far more alive than dead.

At the October 2014 meeting of the cross-jurisdictional body, the Interagency Grizzly Bear Committee (IGBC), the State of Wyoming reaffirmed its previously stated position that it wishes to cap the Greater Yellowstone grizzly bear population at 500. Not only is that number inconsistent with the purpose of the ESA, if recent population estimates issued by the tri-states and FWS are accurate, it would result in a virtual cull post-delisting that would have a devastating impact on tribal people relative to the spiritual importance of the grizzly bear.

As of fall 2014, the FWS and tri-states claim that there are now approximately 1,000 grizzlies in the Greater Yellowstone Ecosystem, which, based upon their own estimates, is an increase of 259 grizzlies in one year, which followed an estimated increase of approximately 112 in six months during 2013. The grizzly bear has the second slowest reproduction rate of any mammal, and clearly the Greater Yellowstone population cannot have increased by 35% in one year.

The affected Tribal Nations are entitled to review the raw data the FWS is basing all of its conclusions upon (not just its population estimates) 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. This body echoes those calls.

Every federal agency is required to consult with Tribal Nations before they recommend a course of action that has the potential to affect tribal rights and interests. This must occur in this process, as the affected Tribal Nations cannot permit their sovereignty to be undermined.

The manner in which this process has so far been conducted without the consultation and input of the affected Tribal Nations is representative of the recent history of Yellowstone (post-1872). It must be remembered that Yellowstone was a homeland, a sacred cultural landscape to twenty-six tribes, before it was a National Park. However, a visitor to Yellowstone today would not know that, due to the lack of cultural interpretation. A change in that respect is long overdue. America's first national park should no longer have features named after the proponents and exponents of genocide, as is the case with Hayden Valley and Mount Doane.

Seven months before Lieutenant Gustavus Cheyney Doane, 2nd Cavalry, guided the 1870 Yellowstone Expedition, he had led the massacre of Chief Heavy Runner's Piegan Blackfeet village on the Marias River. On his subsequent application to become Superintendent of Yellowstone National Park, he boasted, "Greatest slaughter of Indians ever made by U.S. Troops." Of the 173 victims killed on January 23, 1870, only 15 were men of fighting age.

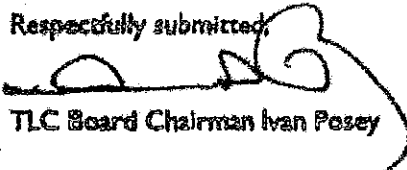
Where Doane participated in genocide, Dr. Ferdinand V. Hayden advocated it. "Unless they are localized and made to enter upon agricultural and pastoral pursuits they must ultimately be exterminated," Hayden said of our ancestors who were about to be dispossessed by the establishment of Yellowstone National Park. "If extermination is the result of non-compliance, then compulsion is an act of mercy," he concluded.

These names must be changed with the input of the affected Tribal Nations, just as any move to delist the sacred grizzly bear on this ancestral landscape must involve consultation with the affected Tribal Nations.

Pre-the Lewis and Clark Expedition, there were an estimated 100,000 grizzly bears in the Western US. 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 these issues cited herein are addressed and resolved to the satisfaction of all of the affected Tribal Nations, we believe that it is premature to even consider issuing a new Rule to delist the iconic Yellowstone grizzly bear from ESA protections.

Respectfully submitted,



TLC Board Chairman Ivan Posey

CC: Tribal Chairs, Presidents & Councils



Pawnee Nation of Oklahoma

P. O. Box 470 • Pawnee, OK 74058 • Phone: (918) 762-3621

March 3, 2015

GOAL Tribal Coalition
P.O Box 30,000, #360
Jackson, WY 83002

Respectful GOAL Tribal Coalition Representative,

The Pawnee Nation of Oklahoma 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 (PL95-341—AUG.11 1978).

The spiritual rights of traditional Pawnee people are currently being violated through a direct attack on the sovereignty and spiritual rights of 26 other Tribal Nations. The rights of those 26 Tribal Nations, designated as "Associated Tribes of Yellowstone" by the federal government, are currently threatened by the US Fish and Wildlife Service's (FWS) proposed delisting of the sacred Yellowstone grizzly bear from Endangered Species Act (ESA) protections.

Like the "Associated Tribes of Yellowstone," historically the Pawnee people shared a deep cultural relationship with the grizzly bear and the land we both walked upon. Traditionally, the most powerful healers and medicine men among the Pawnee were Grizzly Bear Medicine Men, who when doctoring were transformed and imbued by the spirit of the grizzly. The power, strength and courage the grizzly symbolized is represented by the grizzly bear claw necklaces worn by only the bravest and most esteemed Pawnee veterans.

None should forget that the Pawnee were among those who demonstrated the greatest respect toward the grizzly and initiated the first acts of conservation toward the Great Bear before the term "conservation" existed in the English lexicon; recognizing that the Great Plains grizzly's population was dwindling, the Pawnee and others began the tradition of carving elk antler to make replica grizzly claws and began using those for grizzly claw necklaces instead of actual grizzly claws.



Pawnee Nation of Oklahoma

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Tribal Nations have alternative solutions to outdated "wildlife management" practices, and those solutions and values should be incorporated into any proposed delisting rule. Trophy hunting sentient beings only appeals to a tiny minority of a particular demographic within the US population, and it is antithetical to the traditional cultures and subsistence practices of tribal people. The Pawnee Tribe of Oklahoma, like the other impacted Tribal Nations, comes from a subsistence tradition, not a killing tradition. Our ancestors taught ceremony, responsibility, and reciprocity in our lifeway.

Should the Yellowstone grizzly bear ultimately be delisted, so-called grizzly bear management plans should be sensitive to the cultures of the affected Tribal Nations. Rather than have the states influence grizzly bear management on tribal lands and ancestral homelands, 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 Pawnee Tribe of Oklahoma calls upon the federal government to honor the consultation process with the affected tribes, as mandated by Executive Orders issued by President Clinton and President Obama, the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344-1994), and the June 5, 1997 US Departments of Interior and Commerce order, specifically regarding tribal consultation obligations of the FWS.

This consultation process must be comprehensive and exhaustive, and solicit input from elected tribal leaders, traditional spiritual leaders, elders, and respective Tribal Historic Preservation Offices where they exist.

The abrogation of these acts and executive orders in FWS's attempt to remove ESA protections from the sacred grizzly bear, or any attempt to abbreviate or circumnavigate them, threatens potentially detrimental consequences not only for the religious and spiritual rights of the "Associated Tribes of Yellowstone," but for the sovereignty of all of the Tribal Nations impacted by this issue.

The Pawnee people have a connection to the Greater Yellowstone Area that is rooted in antiquity. Our ancestors had names for the physical features that today define Yellowstone National Park, knowledge that is retained by some of our tribal members. Given the vital nature of our language to our culture, this alone should be enough for the Pawnee Tribe of Oklahoma to be added to the existing 26 "Associated Tribes of Yellowstone."



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Today, the two small island populations of grizzlies in the lower-48 survive on less than 2% of their original range, with only 2% of their historic population. In view of this, the grizzly bear cannot be considered a recovered species appropriate for removal from ESA protections. Many areas of biologically suitable habitat exist where the grizzly once roamed, many of them in our ancestral homelands where our ancestors walked and where the grizzly should walk again.

The Pawnee Tribe of Oklahoma supports the efforts of GOAL (Guardians of Our Ancestors' Legacy) Tribal Coalition to preserve the Yellowstone grizzly bear. We stand in solidarity with the Tribal Nations that have already issued declarations and resolutions opposing the removal of the grizzly from the ESA, and support the conclusions articulated therein.

Sincerely,

A handwritten signature in cursive script, reading "Marshall R. Gover".

Marshall R. Gover
President, Pawnee Business Council