

From: [Matt Hogan](#)
To: scott_aikin@fws.gov
Cc: anna_munoz@fws.gov
Subject: Fwd: GOAL again
Date: Thursday, April 21, 2016 2:23:20 PM
Attachments: [5004F729-B887-4D30-8A65-B86209A4F5CE.png](#)
[53AE660D-093A-4746-BA2B-19609687C44F.png](#)

FYI

Matt Hogan
Deputy Regional Director
Mountain-Prairie Region
U.S. Fish & Wildlife Service
303-236-7920

Begin forwarded message:

From: "Thabault, Michael" <michael_thabault@fws.gov>
Date: April 21, 2016 at 2:17:53 PM MDT
To: Matt Hogan <Matt_Hogan@fws.gov>, Anna Munoz <anna_munoz@fws.gov>
Subject: Fwd: GOAL again

FYI in case you have not seen.

Michael Thabault
Assistant Regional Director
Ecological Services
U.S. Fish and Wildlife Service
Mountain Prairie Region
303-236-4210
michael_thabault@fws.gov

----- Forwarded message -----

From: **Servheen, Chris** <grizz@umontana.edu>
Date: Thu, Apr 21, 2016 at 11:52 AM
Subject: GOAL again
To: "Michael Thabault@fws.gov" <Michael_Thabault@fws.gov>
Cc: "tyson.powell@sol.doi.gov" <tyson.powell@sol.doi.gov>, "Fortin-Noreus, Jennifer" <jennifer.fortin-noreus@mso.umt.edu>, Wayne Kasworm <Wayne_Kasworm@fws.gov>

This was sent to me by a Tribal guy. It came out yesterday or the day before.
Chris

America Calling to answer tribal members' questions
Hello tribal leaders, council members and administrators

Another week, another demonstration of how USFWS does not care what tribal people think about its drive to delist the sacred grizzly bear from the ESA to allow the states of Wyoming, Montana and Idaho to operate trophy hunts of this sacred being on what are unquestionably sacred lands, that tribes hold both treaty rights and reserved rights to.

The USFWS declined to appear on Monday's (4/18) edition of Native America Calling that dedicated an entire program to the USFWS's drive to delist the grizzly bear in Greater Yellowstone. The show featured former Hopi Tribe Chairman, Ben Nuvamsa, a director of GOAL Tribal Coalition, Dr. David Mattson, a former USGS biologist and world-renowned authority on grizzly bears, and Lakota author Donovin Sprague.

The hour-long show can be heard in full here: <https://soundcloud.com/native-america-calling/04-18-16-yellowstone-grizzly-bears-bounce-back> or at www.goaltribal.org <<http://www.goaltribal.org>>

As yet, no mention has been made of the myriad sacred sites that exist in the areas the trophy hunts will take place upon unless this is stopped. Of course, this is due to the fact that no "meaningful" consultation has occurred, and the proposed delisting rule has already been published in the Federal Register. The process is now in the "public comment" phase, and government-to-government consultation cannot be reduced to "public comment"! Attorney Travis Clark, one of the Fredericks, Peebles and Morgan team that will be representing tribes free of charge in forthcoming litigation, provides clarity on the consultation claim:

"The basis for our failure to consult claim is Executive Order No. 13175, which requires all agencies to respect the sovereignty of Indian tribes by engaging in meaningful pre-decisional consultation early in policy decision making processes whenever an agency action will have tribal implications. (E.O. No. 13175, Sec. 2-3, Fed. Reg. Vol. 65, No. 218, November 9, 2000.) In the instant matter the government has already consulted with affected states, conducted its policy analysis, carried out its scientific studies, come to a preliminary decision to delist, and drafted a proposed delisting rule. My firm has had some recent success in failure to consult claims by arguing that holding meetings with tribes during the comment period is not 'meaningful, pre-decisional, or early in the decision making process.' A federal district court recently held that 'consultation' meetings with tribes

during the comment period was insufficient to meet the governments consultation duty to tribes.”

Travis can be reached at 605-791-1515, or by email; TClark@ndnlaw.com<mailto:TClark@ndnlaw.com>

Thank you.

Sara Atiqtalik
National Coordinator at GOAL Tribal Coalition
(406) 850 3747

[cid:5004F729-B887-4D30-8A65-B86209A4F5CE]

[www.goaltribal.org<http://t.sidekickopen01.com/e1t/c/5/f18dQhb0S7lC8dDMPbW2n0x6l2B9nMJW7t5XYg2BgXFqW7fRL3M7fK0G-W4Wzrfn56dz4tf4lrY3g02?t=http%3A%2F%2Fwww.goaltribal.org%2F&si=6299639293149184&pi=aa34f92e-ad38-45b0-ab22-5645de137304>](http://t.sidekickopen01.com/e1t/c/5/f18dQhb0S7lC8dDMPbW2n0x6l2B9nMJW7t5XYg2BgXFqW7fRL3M7fK0G-W4Wzrfn56dz4tf4lrY3g02?t=http%3A%2F%2Fwww.goaltribal.org%2F&si=6299639293149184&pi=aa34f92e-ad38-45b0-ab22-5645de137304)

