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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 19<sup>th</sup> 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

