

THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

September 28, 2015

Hon. Sally Jewell
Interior Secretary
1849 C St. NW
Washington, DC 20240

Dear Secretary Jewell,

The apparent imminent publication in the federal register of a new rule to delist the grizzly bear from the Endangered Species Act (ESA) is a matter of great concern to the Hopi people. Leigh Kuwanwisiwma, the Director of the Hopi Cultural Preservation Office, provided Secretary Ashe with an insight into the significance of the grizzly bear in Hopi culture in his letter of 9/16. Further, the Bear Clan of the Hopi, believed to be the first people to inhabit what is now the Southwest, presented a detailed report to you dated 9/17. Both of those documents expressed opposition to delisting the grizzly bear from the ESA, and this office is in full support of that position.

The Hopi Tribe is in accord with the forty-two federally recognized tribes that have presented the federal government with resolutions and declarations against removing federal protections from the grizzly, and enabling states to open trophy hunts on the grizzly. Given the spiritual, religious and cultural significance of the grizzly to tribal people, this issue is not restricted to environmental concerns; for tribal nations, delisting the grizzly bear and allowing state sponsored trophy hunts is an infringement of tribal sovereignty. It is a violation of the federal trust responsibility to ignore tribal interests and impose a delisting rule that benefits three states over the cultural imperatives of tribes from Montana to Arizona. This policy has clear implications for tribal religious and spiritual rights, potential threats to tribal sovereignty, negative economic impacts, and undermines tribal self-determination.

In this letter it is not necessary to debate whether or not the grizzly bear is recovered, being as the government's own population estimates show that there may be fewer than 1,400 grizzlies

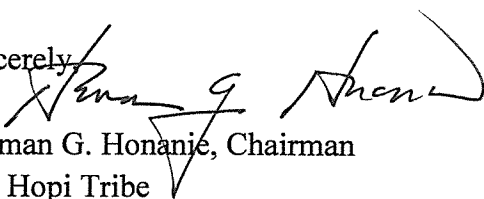
remaining in the contiguous United States, where, pre-Anglo European contact, it is believed that the grizzly population was in excess of 100,000. Some former government biologists warn that if federal protections are lifted, the grizzly could be doomed to the path of extinction within a decade. It is not the role of the federal government to restrict grizzly bears to two small, genetically isolated pockets; under the letter and intent of the ESA it is the government's responsibility to facilitate a full recovery. It is estimated that some 110,000 square miles of biologically suitable grizzly habitat exists in this region alone, much of which our Hopi ancestors knew intimately.

The Department of the Interior must ensure that the US Fish and Wildlife Service (USFWS) follow the consultation protocols reinforced by President Obama. Numerous Executive Orders, Secretarial Orders and Acts exist that require the federal government to engage in what President Obama has described as "thorough" and "meaningful" consultation with tribes before any policy is initiated that impacts affected tribes. The U.S. Departments of Interior and Commerce issued an order on June 5, 1997, specifically regarding tribal consultation obligations in the context of the ESA. That order provides that USFWS, "shall coordinate with affected Indian tribes in order to fulfill the Service['s] trust responsibilities and encourage meaningful tribal participation" in listing and delisting decisions.

On his recent trip to Alaska, President Obama referenced the "need for us to work more intensively and more collaboratively" with tribal communities, and offered Alaska Natives "direct input into the management of Chinook salmon stocks." This is exactly what tribal nations in the lower-48 are asking for in regards to the grizzly bear. The Hopi Tribe is one of those tribes. The Hopi people have had a connection to the grizzly for time immemorial, and it is only fitting that we have a voice in its future and, accordingly, are engaged in the consultation process, which we formally request be initiated. In response to the National Defense Authorization Act rider that transferred land sacred to the Sand Carlos Apache to the Resolution Copper Mine, you rightly stated, "The appropriate time for honoring our government-to-government relationship with tribes is before legislating issues of this magnitude." That same standard must be applied to this issue.

In closing, as Chairman of the Hopi Tribe, on behalf of the Hopi people and Bear Clan Society members, I urge the Secretary as an officer of the Federal Government, to take the correct steps. That is to take steps of taking our position and to aggressively advocate our interest. To lose or see the extinction of the grizzly bear to trophy hunters will be a sad chapter in the history of our country. While the Federal Government has the moral and legal duty to preserve such treasurers, we strongly urge your office to carry out our position accordingly. Thank you.

Sincerely,



Herman G. Honanie, Chairman
The Hopi Tribe

cc. Director Dan Ashe,
US Fish and Wildlife Service.