



GREAT PLAINS TRIBAL CHAIRMAN'S ASSOCIATION, INC.

Mailing Address: US Post Office Box 988, Rapid City, SD 57701

July 10, 2019

RE: The US Fish and Wildlife Service (FWS) Proposed Rule: Endangered and Threatened Wildlife and Plants; Removing the Gray Wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife.

The Great Plains Tribal Chairman's Association (GPTCA) is composed of the 16 Tribal Chairmen, Presidents, and Chairpersons of the federally recognized sovereign Indian Tribes within the Great Plains Region of the Bureau of Indian Affairs (the states of North Dakota, South Dakota and Nebraska), which includes the Cheyenne River Sioux Tribe, Crow Creek Sioux Tribe, Lower Brule Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Yankton Sioux Tribe, Sisseton-Wahpeton Oyate, Flandreau Santee Sioux Tribe, Standing Rock Sioux Tribe, Santee Sioux Tribe, Spirit Lake Sioux Tribe, the Ponca Nation of Nebraska, the Omaha Tribe, the Winnebago Tribe of Nebraska, Turtle Mountain Chippewa, and the Three Affiliated Tribes (Mandan, Hidatsa & Arikara).

GPTCA member tribes are categorized as "Associated Tribes of Yellowstone" by the Dept. of Interior/National Park Service, and the plurality have treaty rights to that region. For our organization, the Lower Brule Sioux Tribe was at the forefront of cooperative efforts that led to the gray wolf being successfully reintroduced to Yellowstone. According the US Fish and Wildlife Service's own data, only 6,000 gray wolves presently survive in nine states. In the last eight years, on GPTCA tribes' treaty and ancestral lands, some 3,500 gray wolves have been killed by trophy hunters and trappers in Wyoming and Montana, after Endangered Species Act (ESA) protections there were stripped from the gray wolf. That is an ongoing and unresolved violation of treaty rights from the 1851 and 1868 treaties of Fort Laramie. The gray wolf is functionally extinct in most of its historic range, much of that land being the ancestral territory of GPTCA tribes, and tribal nations to the south, west and north of us. Great Sioux Nation tribes in Minnesota, and tribal nations in the Great Lakes, have previously opposed the delisting and trophy hunting of the gray wolf.

This is not the forum to explain the cultural and spiritual significance of the gray wolf. One insight will suffice: for the Great Sioux Nation tribes of the GPTCA, the gray wolf is integral to the sacred narrative that leads to the emergence of our people upon the surface of the earth, our entry into the sacred Black Hills, and our relationship with the Buffalo Nation. Wind Cave, the

sacred site related to this narrative, is a place of genesis. In pursuing this course with the gray wolf, the FWS and Department of Interior (DOI) is following the pattern it established during its attempts to delist and trophy hunt the sacred grizzly bear, and remove leasing restrictions from the lands the grizzly presently occupies that are protected due to the grizzly's ESA status. With our allies throughout Indian Country, we fought to defeat that action and prevailed in the federal court case, *Crow Tribe, et al v. Zinke*.

In this instance, we shall again defend our sovereignty, treaty rights, reserved treaty rights, religious and spiritual freedoms, and hold the Trump Administration accountable to preserve the federal government's fiduciary responsibility to federally recognized Indian tribes. The FWS and DOI are already violating the trust responsibility by once more ignoring the requirement to engage in government-to-government consultation. None of the GPTCA tribes have been consulted on the proposed gray wolf delisting. Government-to-government consultation must be initiated, and FWS and DOI must recognize that consultation must not only be "thorough" and "meaningful" as required by EO 13175, it must adhere to the standard of free, prior and informed consent. In 2010, the US endorsed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) but has yet to honor that commitment. This proposed action on the gray wolf is one more in a catalog of contraventions.

During the Obama Administration, FWS made a commitment to seek input from tribes on listing and delisting decisions, and to consider tribes' Traditional Ecological Knowledge (TEK). TEK was incorporated in FWS's decision to list the polar bear under the ESA. "The idea that TEK has guided modern biology (or Western science) should encourage conservation biologists to investigate TEK more thoroughly," is the prevailing finding of the FWS, published in an FWS paper. Though our TEK was incorporated by the likes of Rumphius, Linnaeus, Darwin and Merriam, the Trump Administration apparently sees it as insufficient for our GPTCA tribes to have a partnership role in the recovery of the grizzly bear, gray wolf, or other species of cultural significance.

The expert panel of five biologists the FWS commissioned to review its gray wolf delisting plan found it to contain "demonstrable errors of fact, interpretation, and logic." We support that position and stand in solidarity with other tribal nations and organizations in opposing this proposal to delist the gray wolf.

Thank you.

A handwritten signature in cursive script, appearing to read "A. Gay Kingman".

A. Gay Kingman, Executive Director
Great Plains Tribal Chairman's Association, Inc.