



Mark Anselmi – President;
Wyoming Game and Fish Commission,
3030 Energy Lane, Casper, WY 82604

April 25, 2018.

Re: Chapter 68, Grizzly Bear Hunting Seasons.

The Great Sioux Nation vehemently opposes Wyoming’s plan to trophy hunt the grizzly bear in Greater Yellowstone. In solidarity with all member tribes of the Great Sioux Nation, the Crow Creek Sioux Tribe has been a participant in the passage of official resolutions and declarations opposing the delisting and trophy hunting of the sacred grizzly bear in the Greater Yellowstone Ecosystem (GYE). Further, all member tribes of the Great Sioux Nation are signatories of the historic, intertribal cross-border treaty, The Grizzly: A Treaty of Cooperation, Cultural Revitalization and Restoration, which is now the most-signed treaty in history. With over 200-nation signatories, the treaty is recognized by the United Nations, and was written in accord with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Our rights and titles stipulated in the treaty are protected under UNDRIP, which was supported by the United States in 2010.

Our position on GYE grizzly trophy hunting, and the full scope and impact upon tribal nations, is already a matter of record. Should you mistakenly think that the Great Sioux Nation does not have standing in Wyoming, 34-million acres of the 1868 Fort Laramie Treaty says differently. Like the 1851 Fort Laramie Treaty, the 1868 Fort Laramie Treaty is enshrined in Article VI of the United States Constitution. This is Constitutional law, designated the supreme law of the land by the US Supreme Court. Should you approve and proceed with this trophy hunt, you will be in violation of that law. Let me be clear: The Great Sioux Nation will not stand idly by and let a state undermine and contravene that treaty. The US Supreme Court established in the Cherokee Nation cases that tribal sovereignty preempts state sovereignty (*Worcester v. Georgia* (31 U.S. (6 Pet.) 515 (1832))).

The grizzly bear is fundamental to our ceremonial lifeway and foundational to our culture, and so the notion of “sport” killing this sacred being is sacrilegious to us. Further, you propose to undertake this killing on treaty lands and in areas that hold many of our sacred sites, and sites that are culturally and spiritually significant to a multitude of other tribal nations with reserved and ancestral rights to the region. By proceeding with this trophy hunt, Wyoming will be in violation of the American Indian Religious Freedom Act - which is a law, not an option. A summary of our objections to first the delisting and then the trophy hunting of the grizzly bear in the Greater Yellowstone Ecosystem can be found in the ongoing law suit in federal court, *Crow Tribe et al v. Zinke*.

There is no justification for enacting this trophy hunt. The best available science does not support it. 99% of the American people do not support trophy hunting (and by way of a bellwether in North America, grizzly trophy hunts have just been halted in the province of British Columbia). A recent nationwide YouGov survey showed that 71% of those polled thought that trophy hunting was morally repugnant. Wyoming’s business community does not support a grizzly trophy hunt (see the unanimous vote in opposition to a grizzly trophy hunt by the Jackson Hole Chamber of Commerce). Not only will a grizzly trophy hunt cost Wyoming’s tourism and hospitality industry millions of dollars, the stain upon the state will be indelible.

The mendacity of Wyoming Game and Fish Department (WGFD) officials throughout the delisting process, and the disingenuous statements by Wyoming Game and Fish Commissioners (“This isn’t about hunting grizzlies. This is about delisting grizzlies.” David Rael, July 8, 2016 meeting, Pinedale, WY), have now been fully exposed. Strangely, no attempt was ever made to hide the racism, vitriol, and misrepresentations WGFD officials, donors, and supporters subjected tribal people to throughout this process. One event from that extensive catalog will suffice, the April 2016 WGFD grizzly bear meeting in Cody, Wyoming. There, a Park County Commissioner announced, “If we aren’t going to control these bears we may as well give the land back to the Indians and sail back across the ocean.” Unsurprisingly, given their prior actions, neither Brian Nesvik nor Dan Thompson of WGFD said anything to counter this racist comment and remained silent so that the Park County Commissioner who spewed it could soak up the adulation. The KULR8 TV reporter present said she was “surprised” that the crowd “laughed and clapped.” Sadly, it was no surprise to any tribal leader.

There is no reason for us to think that the Commission will pay any mind to us now, but we will extend the hand of friendship and cooperation one more time in the best interests of the State of Wyoming and of the myriad Tribal Nations impacted. A viable alternative to trophy hunting exists, provided for in *The Grizzly: A Treaty of Cooperation, Cultural Revitalization and Restoration*. Both the Great Plains Tribal Chairman’s Association (representing every tribe in South Dakota, North Dakota and Nebraska) and the Rocky Mountain Tribal Leaders Council (representing every tribe in Wyoming, Montana, and associated tribal nations in Idaho and Alberta) have previously summarized that alternative in official communications with US House and Senate members:

“Central to the treaty are the grizzly reintroduction articles. Instead of trophy hunting the grizzly, tribal nation treaty signatories advocate relocating grizzlies from the GYE to sovereign tribal lands in the grizzly’s historic range where biologically suitable habitat exists among tribes that seek to explore and participate in such a program. The same quota of grizzlies that would be hunted per season by the states, could easily be trapped and relocated to lands under sovereign tribal authority and jurisdiction, removing any possible rationalization for reinstating trophy hunts.

This plan provides for cultural and environmental revitalization for participating tribal nations, as the grizzly is sacred to a multitude of tribes. Both the physical and cultural environments of tribes have been incomplete since the federal and respective state governments eradicated the grizzly. As outlined by a multitude of tribal organizations and in numerous individual tribal resolutions, returning the grizzly bear to participating tribal nations offers to provide great economic potential to communities most at need for economic impetus and investment. Several tribal nations are already working on eco-tourism plans centered upon grizzly re-introduction. Tribal management plans would feature Traditional Ecological Knowledge, and offer vocational opportunity for tribal members in the field of grizzly biology and management. If trophy hunting seasons are opened upon the grizzly bear, the Service will have empowered the states to not only kill the sacred grizzly bear, but to also kill economic and cultural revitalization for tribes across the western United States in the grizzly’s historic range. The tribal reintroduction plan fulfills the criteria of the ESA, which the current GYE delisting rule and state organized trophy hunts do not.”

That is the path of true grizzly bear recovery and cooperative partnership between the State of Wyoming and all impacted Tribal Nations. The pretense that this proposed trophy hunt is “cautious and careful” – the WGFD talking points repeated *ad infinitum* in the regional press - have, I do not doubt, been dismantled by many others in this same public comment period, and so I will not reiterate the plethora of arguments, except to say that Wyoming’s proposal is far more excessive than was represented in the *Memorandum of Agreement Regarding the Management and Allocation of Discretionary Mortality of Grizzly Bears in the Greater Yellowstone Ecosystem*. The notion that you are considering the “sport” killing of 14 females of a species with one of the slowest reproductive rates of any terrestrial mammal that has only just had Endangered Species Act protections lifted, should be sufficient to give the Commission pause.

Pidamaya/Thank you.



Chairman Brandon Sazue, Crow Creek Sioux Tribe, on behalf of the Great Sioux Nation.

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