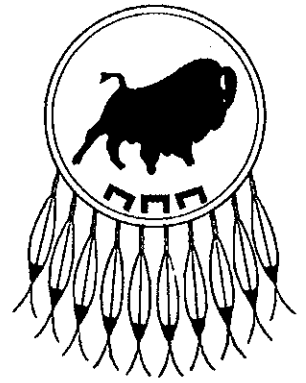


Piikani Nation Chief and Council



P.O. Box 70, Brocket, Alberta T0K 0H0 TELEPHONE: (403) 965-3940 FACSIMILE: (403) 965-3098

September 12, 2016

Hon. Sally Jewell,
Interior Secretary –
US Dept. of Interior,
1849 C St. NW
Washington, DC 20240

Dear Secretary Jewell,

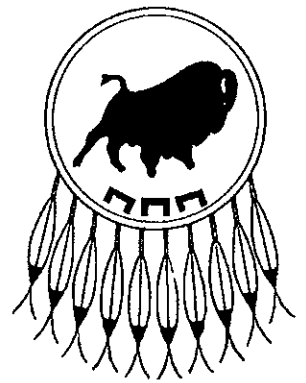
RE: DELISTING OF THE YELLOWSTONE GRIZZLY BEAR/THE DAKOTA ACCESS PIPELINE

With this declaration, the Piikani Nation of the Blackfoot Confederacy reaffirm our previously stated positions in respect to the imminent delisting from the Endangered Species Act (ESA) of the Yellowstone grizzly bear, and the circumstances and issues arising from the construction of the Dakota Access Pipeline. We stand in solidarity with Chairman Dave Archambault II and the Standing Rock Sioux Tribe. Chairman Archambault II remains at the forefront of both struggles, and through information obtained via Freedom of Information Act requests it is now apparent that the motivational factors behind both the delisting of the grizzly bear and the construction of the Dakota Access Pipeline are closely aligned.

Following the denial of relief to the Standing Rock Sioux Tribe in US District Court, the Department of Interior (DOI) in conjunction with the Department of Justice (DOJ) and the Department of the Army (DOA) announced a “pause” in the construction of the Dakota Access Pipeline to implement what, to all intents and purposes, is a moratorium on the issue, to “invite tribes to formal, government-to-government consultations” to “better ensure meaningful tribal input” into decisional reviews “and the protection of tribal lands, resources, and treaty rights,” and to deduce if “new legislation be proposed to Congress to alter that statutory framework and promote those goals.”

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The articles cited by the DOI, DOJ and DOA are ostensibly those that some fifty-plus Tribal Nations have petitioned the Dept. of Interior to address in relation to the delisting of the grizzly bear. In its declaration of August 26, 2016 the Navajo Nation requested “an immediate moratorium to be instituted” by the Dept. of Interior for those critical issues to be fully accounted for and resolved within the context of a “meaningful” consultation process, which has yet to be undertaken in respect to the delisting of the Yellowstone grizzly bear. The Piikani Nation fully support the Navajo Nation’s call for a moratorium, and a “pause” in the US Fish and Wildlife Service’s (USFWS) fast track to remove federal protections from the Yellowstone grizzly bear.

The necessity for such a “pause” is now imperative; federal mandates require government-to-government consultation to be “meaningful,” a standard that has not been met in this instance, and “pre-decisional.” A high-ranking official at the Dept. of Interior has confirmed that the USFWS has targeted the end of November 2016 to finalize the grizzly delisting process, and that Interior’s Interagency Grizzly Bear Committee (Yellowstone Ecosystem Subcommittee), will approve the post-delisting regulatory mechanism, the Conservation Strategy, at its October meeting. All Tribal Nations, including the federally recognized Associated Tribes of Yellowstone, have been excluded from the Conservation Strategy, despite continued appeals for inclusion, which is one of many violations of tribal consultation requirements. Clearly, no consultation can be categorized as “pre-decisional” now, as the outcome is, and has been for a considerable period of time, predetermined – a fact the official record demonstrates.

If no “pause” is granted by the Dept. of Interior, the delisting process for the grizzly bear in Yellowstone will continue to be conducted in violation of the UN Declaration on the Rights of Indigenous People (UNDRIP). President Barack Obama supports the UNDRIP, yet the Dept. of Interior is failing to abide by it in this instance, as the Piikani Nation articulated to you in our letter of July 2015. The DOI, DOJ and DOA joint Dakota Access statement references how Tribal Nations have expressed “heartfelt concerns about the environment and historic, sacred sites.” We hereby do the same in relationship to Greater Yellowstone, where, if protections are removed from the grizzly bear through delisting, what protections exist for the land will be relaxed or removed. Greater Yellowstone contains innumerable sacred and historic sites to not only the Piikani Nation and our sister tribes of the Blackfoot Confederacy, but also to the other Associated Tribes of Yellowstone. As many Tribal Nations have emphasized in their respective resolutions opposing the delisting of the grizzly bear, Tribal Historic Preservation Offices must be engaged to survey, determine, and catalog these many sacred and historic sites before delisting is implemented, for if they are not, these sites will be subject to desecration and ultimately lost, resulting in irreparable injury to a multitude of tribes.

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We do not need to elaborate upon the impact the trophy killing of a being we consider to be fundamental to our culture and spiritual well-being will have on our people and their ability to practice their religion, or how that will be exacerbated if that killing is committed on sacred land in proximity to sacred sites, but we do need to raise the specter of the destruction of these sacred sites if, as appears inevitable, corporate energy development is initiated on the lands the grizzly presently protects through its ESA status. Unless Congress repeals the 1872 General Mining Act, that law will hold primacy in respect to the 28 mining claims with operating plans in Yellowstone that USFWS references in its grizzly bear delisting rule. Those mines are in core grizzly bear habitat, and it remains unclear how many such claims exist throughout Greater Yellowstone. Upon development, those mines will threaten environmental harms to Tribal Nations' sacred and historic sites, and to treaty lands in the region, therefore the National Historic Preservation Act and the National Environmental Policy Act must be observed and adhered to.

Adding to this concern is that USFWS chose one of the world's largest oil and gas services multinationals, Amec Foster Wheeler, to manage the scientific peer review of the delisting rule. That a former Halliburton executive, Jon Lewis, is now CEO of this company, and that one of USFWS's principal delisting agents, Mountain-Prairie Regional Deputy Director, Matt Hogan, has so far refused to reveal the extent of his apparent ties to Anadarko Petroleum and Gas, the largest landholder and lease holder in Wyoming, has understandably led the Oglala Sioux Tribe to call for a Congressional investigation into the delisting process. Not only do questions exist about the influence of multinational energy companies on the delisting decision, but associations between high-ranking USFWS officials and trophy hunting giant, Safari Club International, exemplified by Mr. Hogan's role as a former chief lobbyist to Capital Hill for Safari Club, require transparency, and we, therefore, request that the House Natural Resources Committee (Democrats) pursue this matter.

In closing, we wish to reiterate the ancient connection of the Piikani Nation to Greater Yellowstone. Niitsitapi, the people of the Blackfoot Confederacy, harvested sacred plants in the region, and collected medicines the grizzly taught us to use. Our ancestors named many of the prominent features in Greater Yellowstone, such as the Beartooth Mountains, Heart Mountain, the Bull's Nose (Bull Mountains), and The Rattle (Rattlesnake Mountain), and they gave their lives to protect the sanctity of that land in encounters with Anglo-European explorers and fortune seekers like Daniel Potts (near West Thumb, 1826), Osborne Russell (Pelican Creek, 1839), and Baptiste Decharme (Indian Pond, 1839). Many of these deeds and expeditions were preserved not only in oral history, but also in our Winter Counts, and upon individual robes, an example of which is "Calf Robe's Journey," described by Brings-Down-the Sun. From statements made by the USFWS, it is apparent that if the grizzly bear in Yellowstone is delisted, the grizzly bear in our current homeland – classified by USFWS as the Northern Continental Divide Ecosystem in the "Crown of the Continent" – will be next. We realize that what is to be visited upon our sacred relative, the grizzly,

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and upon the sacred land of Yellowstone the grizzly protects, will soon be inflicted upon what remains of our traditional homeland. However, the struggle to protect the sacred in the face of multinational energy companies with existing and prospective leases is not new to us.

The Piikani Nation's relationship with the United States is enshrined by treaty. The Piikani Nation, the Blood Tribe, and the Blackfoot Nation have held a government-to-government relationship with the United States since entering into the 1855 Lane Bull Treaty, of which all are signatories. The DOI, DOJ and DOA concluded their Dakota Access statement by saying, "It is now incumbent on all of us to develop a path forward that serves the broadest public interest." We believe that same sentiment must now be applied to the delisting of the Yellowstone grizzly bear. We remain the stewards of the land, and our ancestors and spiritual practices will forever be the conscience of the land. Water is the lifeblood of our Mother Earth, and the grizzly bear is the guardian of both.

Respectfully submitted:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Stan C. Grier

Piikani Nation Chief

cc. Vice President Joseph R. Biden

Karen Diver, Special Assistant to the President – Native American Affairs

Rep. Raúl Grijalva – House Natural resources Committee (Democrats)