

TESTIMONY OF TOM RODGERS,
SENIOR ADVISER, ROCKY MOUNTAIN TRIBAL LEADERS COUNCIL

TRIBAL HERITAGE AND GRIZZLY BEAR PROTECTION ACT (H.R. 2532)
SUBCOMMITTEE ON WATER, OCEANS AND WILDLIFE

MAY 15, 2019

Mr. Chairman, Ranking Member, and Honorable Members of the Committee: My name is Tom Rodgers. I serve as Senior Adviser to the Rocky Mountain Tribal Leaders Council. I am an enrolled member of the Blackfoot Tribe in the heart of the Grizzly Bear Nation, the Crown of the Continent.

The Rocky Mountain Tribal Leaders Council (RMTLC) serves tribal nations located in Montana, Wyoming, Idaho, and Alberta who all called the Yellowstone and Glacier regions home before they were parks. From then until now, the grizzly has been ever-present, albeit tenuously. There is no soundbite that can communicate the importance of the grizzly in our cultures, but that our ancestors wouldn't say the name of the grizzly out of respect, speaks to the Great Bear's cultural significance. It is time that tribal nations had input and parity in decisions that will determine the future survival of our sacred ancestor, the grizzly bear. *The Tribal Heritage and Grizzly Bear Protection Act* provides that opportunity, and the promise of cultural and economic revitalization for tribes who hold a fundamental connection to the grizzly and the habitat that the grizzly once imbued with power, before being taken to the brink of extinction by state and federal policies imposed upon our lands.

For my own people, the Blackfeet, the grizzly bear is associated with our Thunder Pipe Bundles. As I speak, one of our most holy places, the Badger-Two Medicine, is under threat once more from extractive industry after Secretary of Interior Bernhardt reversed Interior policy, to now allow oil leases there. A principal reason why Badger-Two Medicine is sacred to our people is the grizzly. During the grizzly delisting process, Interior failed to answer tribes' questions about the influence of multinational extractive industry corporations on grizzly delisting; from the likes of Amec-Foster-Wheeler, to potential conflicts of interest involving a US Fish and Wildlife Service assistant regional director related to Anadarko Petroleum and Gas. To that end, I submit for the record joint-testimony of some thirty tribes that was made to the Senate Environment and Public Works Committee, dated 10/10/2018.

Greater Yellowstone and the Glacier/Northern Continental Divide Ecosystem is wholly comprised of the ancestral and treaty lands of all member tribes of the Rocky Mountain Tribal

Leaders Council. For our tribes, those areas are a matrix of sacred and cultural sites. Time does not allow me to elaborate, so I submit for the record a document compiled by Northern Cheyenne Sun Dance Priest, Don Shoulderblade, and Cornell and Harvard anthropology alumni, Winfield Coleman, entitled *Almost Ancestors* that speaks to the immense significance of the grizzly in Cheyenne culture. You can replicate that for many of our other tribes.

The Rocky Mountain Tribal Leaders Council was among the first major tribal bodies to oppose the delisting and trophy hunting of the grizzly bear in Greater Yellowstone and the Northern Continental Divide Ecosystem by resolution, in December 2014. Leaders of all RMTLC tribes signed the historic treaty, *The Grizzly: A Treaty of Cooperation, Cultural Revitalization and Restoration*, which is now the most-signed tribal treaty in history with 200-nation signatories. Central to that treaty and now *The Tribal Heritage and Grizzly Bear Protection Act*, are the grizzly reintroduction articles. Instead of trophy hunting the grizzly, tribal nation treaty signatories advocate relocating grizzlies from the GYE and NCDE 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 might 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. Wyoming officials acknowledged the existence of this alternative in July 2016 (WGFD Senior Game Warden Brian Nesvik in *WyoFile*) but rejected any discussion with tribes.

This plan provides for cultural and environmental revitalization for participating tribal nations. As outlined by a multitude of tribal organizations and in numerous individual tribal resolutions, returning the grizzly bear to participating tribal nations could be an economic lifeline to communities burdened by unemployment rates that routinely exceed 50% and above. From eco-tourism plans centered upon grizzly re-introduction, similar to those already successfully operated by First Nations in British Columbia, to vocational opportunity for tribal members in the field of grizzly biology and management. Tribal grizzly management plans would reflect each tribes' cultural and economic imperatives and be grounded in Traditional Ecological Knowledge.

A July 2014 study in the *Journal of Environmental Management* found that 99% of tourists traveling to Yellowstone and Grand Teton want to see a grizzly. A previous USDA Forest Service study, *Insights into the Economic Value of Grizzly Bears in the Yellowstone Recovery Zone*, provided analysis of how valuable grizzlies are to Yellowstone gateway economies, which was subsequently supported by *The Economics of Roadside Bear Viewing*. Since 2012, out of state visitors alone to Yellowstone have spent over \$398 million annually in the area. In 2017, visitors to Yellowstone National Park provided \$499 million to gateway communities. Tourists travel to Yellowstone and Glacier to see grizzly bears alive, not stuffed or hacked into rugs. The tribes of the Rocky Mountain tribal Leaders Council should be permitted to benefit from this influx of revenue to our traditional lands. *The Tribal Heritage and Grizzly Bear Protection Act* can contribute to the realization of that.

The grizzly delisting process once again demonstrated the necessity for a set, across-the-board standard for tribal consultation. Again, time does not allow to catalog the shredding of the federal-Indian trust responsibility that occurred during the grizzly delisting process, so former Interior Secretary Zinke's testimony before the House Natural Resources Committee (HNRC) on June 22, 2017 will suffice. Congressman Wm. Lacy Clay questioned Zinke on tribal nations' opposition to grizzly delisting, and asked him, "Will you commit to consult with affected tribes prior to any delisting announcement?" To which Secretary Zinke replied, "I will commit to that. I think it's not only a right, it's the law. Two things. But it's the right thing to do." However, approximately two-hours after concluding his testimony to the HNRC, Secretary Zinke announced the ESA delisting of the grizzly in Greater Yellowstone. Tribal nations seek to be partners not plaintiffs, but we will not compromise our sovereignty, our religious and spiritual freedoms, or our treaty rights. Cultural preservation is not up for negotiation.

The only path to true grizzly bear recovery is *The Grizzly: A Treaty of Cooperation, Cultural Revitalization and Restoration* which is reflected in *The Tribal Heritage and Grizzly Bear Protection Act*. Former Montana Fish, Wildlife and Parks Director, Jeff Hagener, provided one of the most compelling reasons for not trophy hunting the grizzly when delisting seemed inevitable. Hagener told the Montana Conservation Lands Advisory Committee that, "The likelihood of any migration between populations might be severely limited," upon opening grizzly hunting seasons. In reality, the only way the grizzly can and ever will be a recovered species is for connectivity to exist between isolated populations, which it does not. This requires linkage zones and corridors, neither of which presently exist. Within our plan, we involve our communities in conflict reduction measures and education, which can become community initiatives for young and old alike. If the tribal reintroduction plan is not explored, the grizzly on the flag will remain the only grizzly in California where once there were approximately 10,000 of the estimated 100,000 that ranged between the Missouri and the Pacific Ocean. Our sister tribal nations in Northern California signed the treaty, knowing that grizzly habitat still exists in their traditional territory. We are not going to set our people or the grizzly up to fail.

Thank you for the opportunity to provide the voices of the tribal nations represented by the Rocky Mountain Tribal Leaders Council.

The Rocky Mountain Tribal Leaders Council (RMTLC) serves tribal nations located in Montana, Wyoming, Idaho, and Alberta, specifically the Blackfoot Nation, the Chippewa-Cree, the Confederated Salish & Kootenai Tribes, the Crow Tribe, the Eastern Shoshone, the Fort Belknap Indian Community, the Fort Peck Tribal Executive Board, the Little Shell Tribe of Chippewa Indians, the Northern Arapaho Tribe, the Northern Cheyenne, the Shoshone-Bannock Tribes of Idaho, and the Piikani Nation of the Blackfoot Confederacy.