

## TESTIMONY OF LYNNETTE GREY BULL

### TRIBAL HERITAGE AND GRIZZLY BEAR PROTECTION ACT (H.R. 2532)

#### SUBCOMMITTEE ON WATER, OCEANS AND WILDLIFE

MAY 15, 2019

Chairman Grijalva, Acting Chairman Neguse, Ranking Member McClintock, Honorable Members: My name is Lynnette Grey Bull and I am Senior Vice President of Global Indigenous Council and spokesperson for the Northern Arapaho Elders Society of the Wind River Indian Reservation, located in Grizzly Country, Wyoming.

The grizzly bear is integral to the culture and spiritual practices of the Northern Arapaho people. Our elders teach how the grizzly bear brought us our medicines. ‘Grizzlies know not only about roots and herbs for physical healing but also about healing mental conditions,’ they say. In the socio-economic bondage we survive in, our reservation communities need that healing more than ever today. The grizzly bear isn’t a ‘trophy game animal,’ the grizzly is our relative, a grandparent. The frontier-mentality practice of “trophy hunting” our relative is abhorrent to us, and in no way reflects the “best available science” precept of the ESA. The terms we use for grizzly bears are those we use for people; we call female grizzly bears ‘woxúúsei,’ bear women, and their cubs ‘hi-níisóono,’ meaning her child or children.

In the long struggle to protect the grizzly and in turn our sacred, ancestral lands that the grizzly protects for us, we defended our sovereignty from state and federal intrusion; we defended our treaty rights; we fought flagrant abuses of consultation mandates; and we defended our spiritual and religious freedoms. *The Tribal Heritage and Grizzly Bear Protection Act* reflects those essentials, inspired as it was by the historic treaty, *The Grizzly: A Treaty of Cooperation, Cultural Revitalization and Restoration*, to which our Northern Arapaho elders and spiritual leaders were signatories.

To communicate the significance of the grizzly bear to tribal nations across Indian Country, I would like you to view this short film, *Not In Our Name*, that features the Northern Arapaho elders, and was directed by my brother, Rain.

The Northern Arapaho Elders Society was a plaintiff in the federal lawsuit, *Crow Tribe, et al. v. Zinke*, in which the tribal alliance prevailed with members of the environmental community and saw ESA protections returned to the grizzly in Greater Yellowstone.

The Northern Arapaho Tribe, as a member of the Rocky Mountain Tribal Leaders Council, first stated its formal opposition to the delisting and trophy hunting of the grizzly bear in a Rocky Mountain Tribal Leaders Council Resolution dated 12/2014. Subsequently, both the Northern Arapaho Elders Society and the Northern Arapaho Business Council submitted numerous documents to federal and multi-jurisdictional authorities opposing the delisting and trophy hunting of the grizzly bear in the Greater Yellowstone Ecosystem. Regardless of whether we sent letters, made statements, or presented sworn affidavits, none of those submissions or our concerns were addressed.

I hereby enter into the record two of those documents: a letter from the Northern Arapaho Business Council dated 10/18/2016 that was a “Cease and Desist” sent to the Department of Interior regarding consistent misrepresentations of the Northern Arapaho Tribe’s position on grizzly delisting; and also an affidavit dated June 29, 2016, from the Northern Arapaho Elders Society that catalogs the range of abuses suffered by the Northern Arapaho during the failed delisting process. Our elders were among those who felt vulnerable as the delisting contention grew, which was due to the hostility that was generated toward our people at interagency and state grizzly bear meetings in Wyoming. The media reported on this; the few who tried to attend and contribute shared their experiences; and we watched it on YouTube. For the record, I enter an email to former USFWS Director, Dan Ashe, which cites some of the incidents.

The Northern Arapaho Elders have governing authority under the traditional governmental system of the Northern Arapaho Tribe. The Northern Arapaho Tribe did not adopt the Indian Reorganization Act. The Northern Arapaho Business Council is the elected governing body of the Northern Arapaho Tribe. Authority for matters related to the grizzly bear rests with the Northern Arapaho Elders, which is an important distinction. In the delisting process, the Department of Interior failed to uphold its fiduciary responsibility to ensure that “meaningful” consultation was undertaken with impacted tribes. Before the House Natural Resources Committee on June 22, 2017, former Interior Secretary Zinke provided a graphic example of this; Secretary Zinke committed to Congressman Lacy-Clay that he would consult with the affected tribes, and stated that it was, quote, “the law,” but approximately two hours later Zinke proceeded to announce the GYE grizzly delisting rule.

The preservation of our sovereignty is critical to the Northern Arapaho people. Grizzly delisting was a “Trojan Horse” that threatened to undermine our sovereignty and our religious and spiritual freedoms. In its delisting rule, the US Fish and Wildlife Service cited an outdated “Wind River Reservation Grizzly Bear Management Plan” repudiated by both the Northern Arapaho Tribe and the Eastern Shoshone Tribe, independently, in official resolutions and communications. Our elders responded in writing, “The Northern Arapaho people will not adopt any grizzly bear management plan authored by the State of Wyoming, the USFWS, or a collaborative document influenced by both, as the Wyoming Game and Fish Department and USFWS attempted in 2007.”

The blueprint for grizzly bear management is the historic treaty, *The Grizzly: A Treaty of Cooperation, Cultural Revitalization and Restoration* upon which *The Tribal Heritage and Grizzly Bear Protection Act* is based. Our people are not lacking in knowledge or ability to manage our own lands and endangered species; what we lack is the funding to implement programs to do so. In 2019, it should not be necessary to state that the paternalistic attitude toward tribes by some agencies of the federal government and states is anachronistic. The grizzly reintroduction plan at the heart of the treaty and *Tribal Heritage and Grizzly Bear Protection Act* provides for cultural and environmental revitalization for participating tribal nations. Both the physical and cultural environments of tribes have been incomplete since the federal and respective state governments eradicated the grizzly. Returning the grizzly bear to participating tribal nations with biologically suitable habitat in the grizzly's historic range, can 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 reintroduction. 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, states will not only kill the sacred grizzly bear, but also kill economic and cultural revitalization for tribes.

The Wyoming Game and Fish Department and employees of the US Fish and Wildlife Service and US Geological Service continue to present the impression that in northwest Wyoming, there's a grizzly around every corner. I live in Grizzly Country. I have only seen two grizzlies on our reservation, a mother and a cub, high in the mountains near Moccasin Lake, miles from any communities. In June 2011, a subadult grizzly was caught on a trail cam near Sinks Canyon, not far from Lander and our reservation. In response, Wyoming Game and Fish Department's Brian DeBolt warned us through the press of "uncontrolled population growth." That was nearly a decade ago. A month ago, USGS scientist and delisting advocate, Frank van Manen, presented a computer model intended to show the same. I live on the land, not in virtual reality models. There is no "uncontrolled" grizzly population expansion into the southern Wind River Mountains of my home. For it to be true, among those sporadic sightings there would have to be sows with cubs, as without them there is no population, just transient young boars. What we know to be fact is that since 2015, grizzlies in Greater Yellowstone have suffered the highest recorded human caused mortality on record, which, by some estimates, equates to nearly 10% of the current population annually; that death toll now rising to 60-plus bears a year. Now that is uncontrolled, and once more emphasizes the need for the *Tribal Heritage and Grizzly Bear Protection Act*.

Thank you.