

INTERGOVERNMENTAL-INTERTRIBAL INFORMATION EXCHANGE MEETING
FOR YELLOWSTONE NATIONAL PARK

TRANSCRIPT OF THE PROCEEDINGS

Held at Mammoth Elementary School
Yellowstone National Park, Mammoth, Wyoming

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1 WHEREUPON, the following proceedings were had:

2 MS. LEHNERTZ: Good morning, welcome to
3 Yellowstone. To get started this morning, we'd like to
4 ask Tony Incashola, from the Confederated Salish &
5 Kootenai, to do our opening.

6 (Invocation was given by Tony Incashola.)

7 MS. LEHNERTZ: Thank you very much. A wonderful
8 way to start our meeting today.

9 My name is Chris Lehnertz; I'm deputy superintendent
10 here at Yellowstone Park. And my colleague to the right,
11 Colin, is also deputy superintendent. There are two of us
12 in the park as deputies today because it takes that many
13 shoes to fill Frank Walker's empty shoes. So we're both
14 happy to be here.

15 We will start with introductions to go around the
16 table, and I would ask that everyone say their name and
17 then whatever they would like to share with the group and
18 let us know a little bit more about you.

19 I come to the National Park Service after spending
20 17 years with the Environmental Protection Agency in
21 Denver. And I was lucky there to be able to work with
22 many tribes in water quality and environmental protection
23 programs; and it was tribes who were within the geographic
24 area of the Dakotas and Montana, Colorado, Utah, and
25 Wyoming, so many of the same affiliations with the folks

1 who have affiliations with the parks here. I've been here
2 just a little bit over a year, and I'm the deputy for
3 resources, which includes human resources, financial
4 resources, business resources, and natural and cultural
5 resources. So I welcome you and look forward to today.

6 MR. VOGEL: Thank you.

7 My name is Bob Vogel, and I am the deputy
8 superintendent at Grand Teton National Park, and similar
9 to Chris and Colin, I, too, am new and this is my first
10 meeting. I'm honored to be here and look forward to
11 talking about some of our issues and, more importantly,
12 look forward to listening, to hear some of your comments
13 and concerns and looking forward to getting to know you
14 better throughout the day.

15 I was born and had my formative years in Missouri. I
16 grew up on the Mississippi River and, really, from an
17 early age, was connected to the land. My parents took us
18 out camping and hiking, and I had many outdoor
19 experiences. And, really, from an early age, I felt a
20 calling to be a steward of the land, and even in the fifth
21 grade formed the Nature's Preservers' Union with my
22 neighborhood kids; and we gathered people together and
23 dealt with a creek in our backyard that was being polluted
24 and wrote a letter to the editor. And I guess through my
25 formative years, I always felt some kind of -- you know,

1 that I was going to do something to help people to be more
2 aware of the importance of the land and their connection
3 to it. And I wasn't exactly sure what that was going to
4 be, but I ended up working a summer season with the
5 National Park Service and found a real connection to
6 there. My background in the National Park Service is as
7 an interpreter, and I felt it really important to -- you
8 know, we want everyone coming to our national parks to
9 have a good time, a fun time, but hopefully we want them
10 to see a connection to the land and to the past of the
11 land, the stories associated with it, and to feel a real
12 connection to the land.

13 So that's who I am, and I happen to work for the
14 National Park Service. And at an early age, we came out
15 to Grand Teton and Yellowstone, and I thought, well, maybe
16 some day I could live here. So I'm fulfilling my dream
17 being in this very, very special place. So, again, I look
18 forward to getting to know you today.

19 MR. JOHN STONE: [Native greeting.] My name is
20 John Stone; I'm the vice chairman for the Yankton Sioux
21 Tribe. I basically am here because when the buffalo came,
22 we made an agreement to take care of each other, so I'm
23 here trying to represent and take care of a brother of
24 mine.

25 MR. JIM STONE: Good morning. Jim Stone; I work

1 with InterTribal Bison Cooperative. Prior to that, I
2 worked for the Yankton Sioux Tribe. I'm here to kind of
3 see the progress and the planning that is in place and
4 needs to be in place to I guess address the situation.
5 I'll probably have more comments later.

6 MR. QUINN: Good morning. My name is
7 Alvah Quinn; I'm a member of the Sisseton-Wahpeton Oyate
8 in northeast South Dakota. I'm also on the board of the
9 directors for the InterTribal Bison Coop, and we're here
10 concerned about the slaughter.

11 Thank you.

12 MR. GARVIN: My name is Cecil Garvin; I'm a
13 member of the Ho-Chunk Nation in Wisconsin. I am the
14 Ho-Chunk People's representative to the InterTribal Bison
15 Cooperative. We've gained a lot by being members of this
16 buffalo cooperative. And my primary interest is to see
17 how we're taking care of the source of the buffalo that
18 goes back to tribal lands in this country. I understand
19 we still have 57 tribes within the Coop. I'm certain that
20 there will be more joining eventually. And I'm hoping
21 that the buffalo will be available through the national
22 park. It's where we got ours; we totally appreciate that.
23 And they are very useful to us.

24 I will have more comments later. Thank you.

25 MS. CONSOLO-MURPHY: Good morning. I'm

1 Sue Consolo-Murphy, from Grand Teton National Park, where
2 I'm the chief of resources there, so I work with our bison
3 and elk and other natural and cultural resources as well.
4 I've been in the Greater Yellowstone Ecosystem for more
5 years than I want to mention there, a quarter of a century
6 or so. So I have a great fondness for the place, and I
7 appreciate that all of you do, too, and hope to hear today
8 about your interests and concerns.

9 MS. TUELL: Good morning. My name is
10 Yvette Tuell; I work with the Shoshone-Bannock Tribes from
11 Fort Hall. I'm the environmental coordinator working on
12 the technical side of protecting our tribe's
13 off-reservation treaty rights.

14 MR. BRONCHO: Good morning. My name is
15 Claude Broncho; I'm a member of the Shoshone-Bannock
16 Tribes. I'm the fish and wildlife policy representative
17 for the tribe and want to welcome everybody to part of our
18 aboriginal territory.

19 Thank you.

20 MR. KNIFE: Good morning. My name is Ted Knife,
21 Jr., and I'm from the Cheyenne River Sioux Tribe. I live
22 in a little community called Red Scaffold on the southwest
23 part of the Cheyenne River Reservation. And I'm on the
24 tribal council, and I'm the vice chair of the
25 Wolakota Committee and also an alternate for the ITBC; and

1 Chairman Brinks Plenty couldn't make it this week, so he
2 wanted me to come.

3 I'll have more comments later.

4 MS. SUCEC: Welcome to all of you, and thank you
5 so much for coming, whatever the distance. We appreciate
6 it.

7 My name is Rosemary Sucec; I work at Yellowstone
8 National Park. Welcome.

9 MR. CARLSON: Good morning, everybody. I'm
10 Ervin Carlson; I'm from the Blackfeet Nation, and also,
11 I'm the president of the InterTribal Bison Cooperative.
12 It's good to have this meeting, I guess. It seems like --
13 I guess we're here to hear a lot of the comments or the
14 concerns that the Indian people have about the buffalo,
15 which is a real treasure, cultural resource to us. But
16 not only that, all of the animals are very dear and sacred
17 to us as Indian people, the land and also our water.

18 I guess what we're really here for, also, one of
19 the big reasons is, you know, we all have these meetings
20 maybe once or twice a year, and the comments are from like
21 2000, and they always say it's a tribal consultation. You
22 know, I hope that within this meeting here, we can
23 actually make things a lot better than that, I guess, just
24 a once-or-twice-a-year consultation: Well, we talked to
25 the Indians, now we've got that out of the way, let's...

1 I'd like to see us come away with a little more
2 involvement from the tribes, bringing them in maybe on a
3 decision-making from the beginning to the end and not
4 having the plan -- which happens not only here, but in a
5 lot of issues that involve tribes, that the decisions are
6 made well ahead of time, and then to say we'll have the
7 consultation with tribes. I would like to see us have an
8 agreement where we're at the table from the beginning and
9 all the way through. Because the buffalo -- and like I
10 said, not only them -- are very, very important and dear
11 to us.

12 So I hope we can get into some of that dialogue today.
13 Thank you.

14 MS. MARVILL: I'm Kristine Marvill; I'm the
15 wildlife biologist for InterTribal Bison Cooperative.
16 I've been there about four or five years now. Prior to
17 that, I was the wildlife biologist for the Oglala Sioux
18 Tribe. In the process of all this, I'm currently working
19 on my dissertation in biogeochemistry, looking to address
20 some of the brucellosis issues. And in my position at
21 ITBC, I provide technical services on bison management and
22 natural resource management to all 57 tribes.

23 MR. GRANT: Good morning to you all. My name is
24 Brady Grant; I am the tribal historic preservation officer
25 and natural resource director for the Turtle Mountain Band

1 of Chippewa. I'd like to welcome you all, and I hope
2 something good comes out of this meeting.

3 MR. YATES: My name is Benjamin Yates; I'm from
4 Nambe Pueblo in New Mexico. I'm a board member with
5 InterTribal Bison Cooperative also. I'm here concerned
6 about the buffalo here in Yellowstone.

7 MR. INCASHOLA: Good morning, everyone. My name
8 is Tony Incashola; I represent the Confederated Salish &
9 Kootenai Tribes. I am the director of the Salish Culture
10 Committee. I have been part of that group for the past
11 35 years, and in that capacity I have the opportunity of
12 working with my tribal elders on everything that we do as
13 a committee, trying to protect our way of life as Indian
14 people. And I'm here, I guess, the same as everyone else,
15 concerned about a part of our resource that has been a big
16 part of our lives for thousands of years.

17 We are here to try to find ways of protecting our
18 resource that becomes more and more difficult as time goes
19 on. As newer generations arrive, the newer generations do
20 not understand, I guess, the importance of the bison, the
21 importance of the buffalo, and what part they play in this
22 environment that we live in. And so in my job as a
23 director, I try to instill in the younger generations the
24 history of the buffalo and what it meant to Indian people
25 for thousands of years. It's a connection to our past,

1 and it will be a connection to our future; and it's part
2 of our value system, it's part of our culture. And
3 without that, without that link, our cultures will start
4 to disappear. So I try to make sure that not only our
5 children, but other generations that are arriving
6 understand the importance and how we need to find ways of
7 protecting it so that it continues to exist and play its
8 role in the environment that we live in.

9 Thank you.

10 MR. BAPTISTE: Good morning. My name is
11 Brooklyn Baptiste; I'm a councilman from the Nez Perce
12 Tribe, also serve as the Natural Resource Subcommittee
13 chairman. It's an honor to be here this morning with all
14 our relatives here and our elders. As far as being as
15 young as we are, myself and my brother here, serving on
16 our council, it's an honor to be here among our elders and
17 hope that what we say won't offend any of you, but I get
18 your mandate to be here and speak for your people.

19 So I just want to thank the Park Service for, as a
20 federal agency, being able to open this forum up for
21 consultation. And I'm sure it's a requirement, but also,
22 it's something that goes beyond that as far as getting
23 meaningful dialogue between the tribes and the
24 National Park Service as far as access issues, natural
25 resource issues, and management issues as well. And it's

1 going to be very important in the next few years as far as
2 how those comments are taken. We would hope that -- Like
3 my brother said, dialogue that we have between any federal
4 or state agency, we seldom get positive feedback or
5 feedback at all when we give comments as far as a tribe or
6 any issue like that. And so we hope that we get this
7 feedback. And hopefully meetings wouldn't be spread so
8 far apart as far as -- You know, I know it's tough to
9 accommodate tribes and some of their issues, but we would
10 hope that this meeting will disperse further dialogue
11 between the tribes and yourself to see what we can do to
12 help you guys as far as management issues and access
13 issues as well.

14 So I just want to say thank you for having us this
15 morning. Hopefully today will be productive and everyone
16 here will have a blessed road back home and get back to
17 your people and your homes the way you came here. So I
18 just want to say thank you, again.

19 MR. OATMAN: My name is McCoy Oatman; I'm newly
20 elected to the Nez Perce Tribal Executive Committee, and I
21 sit on the Natural Resource Subcommittee. And I just
22 think it's a privilege to be here today among all you
23 people.

24 On a personal note, my ancestors have been coming here
25 for hundreds of years and thousands of years. I'm a

1 descendent of Apush Waiykte, Old Looking Glass, and he
2 used to come over here to hunt, so I think it's an honor
3 to be here in this beautiful country, and I hope that we
4 make some progress here today. And I'd just like to thank
5 everybody for coming here today. [Native language.]

6 MR. CLAIR: My name is Del Clair; I'm from
7 Ft. Washakie, Eastern Shoshone Tribe, and I'm a
8 representative and also belong to the Medicine Wheel
9 Alliance.

10 Thank you.

11 MR. WISE: My name is Haman Wise; I'm a Shoshone.
12 I'm a Shoshone representative and also belong to the
13 Medicine Wheel Alliance.

14 Thank you.

15 MR. BRITTON: Good morning and welcome. My name
16 is Ken Britton, and I'm the district ranger of the
17 Gardiner -- the Gallatin National Forest, the Gardiner
18 Ranger District. And our lands, the Gallatin lies to the
19 north and to the west of Yellowstone Park. So thank you
20 for coming.

21 MR. TIDZUMP: Good morning. My name is
22 Reed Tidzump, and I'm the THPO director for the Eastern
23 Shoshone Tribe over here in Ft. Washakie. And I'm just
24 kind of new to my job, so I'm working with my two elders
25 here and some other elders back home, and we're going

1 around recording historical places where our people have
2 been. And it's kind of informative to be here and
3 learning all the new things.

4 Thank you.

5 MR. OLLIFF: Good morning, I'm Tom Olliff. I
6 work for Chris in one of the resource groups, in natural
7 and cultural resources, which includes wildlife, bison, as
8 well as the cultural resources working with Rosemary.

9 MR. CAMPBELL: Good morning and welcome. My name
10 is Colin Campbell, and, as Chris mentioned, I'm a deputy
11 superintendent here at the park. My responsibilities
12 include interpretation, education, ranger operations, and
13 facilities maintenance of the park. I, too, have been in
14 the park a short time, about a year and a half, with some
15 30 years now with the National Park Service. I became
16 endeared to these special places through travels with my
17 grandfather, and I look forward today to listen and to
18 hear.

19 Thank you.

20 MS. LEHNERTZ: And we'll all be spending many
21 hours together today, and hopefully years together in the
22 future, so I want to make sure that everyone in the room
23 has an opportunity to introduce themselves, so I'll start
24 the microphone here and we'll come around.

25 MS. TRISDALE: I'm Paula, and I'm going to hope

1 that nothing goes wrong with the sound system.

2 MR. WALLEN: My name is Rick Wallen; I'm a
3 biologist here at Yellowstone National Park, and I'm here
4 to provide support and help our managers and
5 decision-makers learn everything they can about the bison.

6 MR. REID: Tim Reid, deputy chief ranger,
7 Yellowstone National Park.

8 MR. WHITE: PJ White; I'm the supervisory
9 wildlife biologist. This is my first meeting, and thank
10 you all for coming to share with us. This was also my
11 first winter with the bison conservation and operation, so
12 I look forward to your comments.

13 MS. HANSEN: My name is Emma Hansen; I'm here as
14 an observer. I'm the curator for the Plains Indian Museum
15 at the Buffalo Bill Historical Center in Cody, and I'm
16 here just to listen and to learn.

17 MS. BONOGOFSKY: My name is Alexis Bonogofsky;
18 I'm with the National Wildlife Federation Tribal Lands
19 Conservation Program, and I'm here in place of
20 Steve Torbitt, who couldn't make it today.

21 MS. CLARK: Good morning. I'm Eleanor Clark, and
22 I'm in charge of comprehensive planning here in
23 Yellowstone, and I'll be speaking with you and hearing
24 from you hopefully this afternoon.

25 MR. REED: Good morning. My name is

1 Trevor Reed (phonetic), and I'm just Kristine Marvill's
2 husband.

3 MS. GARDIPEE: Hi, I'm Flo Gardipee, and I'm not
4 Kristine Marvill's husband. I'm a Ph.D. student in
5 wildlife biology at the University of Montana, and I'm
6 studying the genetics here of the Yellowstone National
7 Park bison and also in Grand Teton as well.

8 MS. NICHOLAS FISHER: Danielle Nicholas Fisher,
9 education branch within the division of interpretation
10 here in Yellowstone.

11 MS. FRANKE: Mary Ann Franke, here in Yellowstone
12 with Yellowstone Center for Resources science
13 publications.

14 MR. PLAIN FEATHER: Jason Plain Feather; I'm a
15 student at the University of Montana and an intern at
16 Grand Teton National Park and an enrolled member of the
17 Crow Tribe.

18 MR. DUGI SHAW: I'm Dennison Dugi Shaw; I'm a
19 senior at Haskell Indian Nations University, and I'm an
20 intern at Grand Teton National Park.

21 MS. HART: I'm Alice Hart; I'm the museum curator
22 at Grand Teton National Park, and I have the great
23 privilege to take care of a wonderful Native American art
24 and artifact collection. And along with my colleagues, I
25 participate in NAGPRA consultations, and I'll be talking

1 with you and hearing from you about both of those later
2 today.

3 MS. ST. CLAIR: I'm Jacqueline St. Clair, and I'm
4 the archeologist at Grand Teton National Park.

5 MR. THOM: [Native greeting.] My name is
6 Laine Thom. I'm from the Shoshone, Goshute, and Paiute
7 Tribes. I'm an enrolled member of the Skull Valley Indian
8 Reservation west of Salt Lake City, and I'm with
9 Grand Teton National Park in interpretation.

10 MS. RIDDLER: [Native greeting.] My name is
11 Dagmar Riddler, and I'm representing the International
12 Indian Treaty Council and Aim West and Vallejo InterTribal
13 Council.

14 Thank you.

15 MS. POPPER: My name is Ilona Popper; I'm a
16 volunteer here with Rosemary Sucec's office in the
17 national park. I'm also a member of the Bear Creek
18 Council.

19 MS. KLINE: Good morning. My name is
20 Molly Kline; I've had the privilege to work with Rosemary
21 in the ethnography office for the past six weeks. In the
22 rest of my time, I am a gate ranger at the west entrance
23 gate here in Yellowstone.

24 MS. JOHNSON: My name is Sue Johnson, and I'm
25 also a volunteer with Rosemary Sucec. I just started in

1 January and I'm really enjoying my volunteer work.

2 MS. WYMAN: My name is Becky Wyman, and I provide
3 administrative support for the branch of natural resources
4 and the ethnography program.

5 MS. LITTLE THUNDER: You'll see her throughout
6 the day. That's my great-granddaughter.

7 My name is Rosalie Little Thunder, and I am a
8 representative for the Rosebud Sioux Tribe. I was hoping
9 my chairman would be here; probably on his way. But I'm
10 also co-founder of Buffalo Field Campaign, which is known
11 in these parts, and I'm also observing and reporting to
12 Tonya Frichner, who is the North American rep to the
13 United Nations Permanent Forum on Indigenous Issues. And
14 I'm glad to see International Indian Treaty Council here.
15 Thank you for coming.

16 Thank you.

17 MR. GEIST: Good morning and welcome. I'm
18 Darrell Geist; I'm a member of the Buffalo Field Campaign
19 and also the habitat coordinator for the group.

20 MR. NELL: I'm George Nell, a local resident and
21 longtime seasonal employee for the National Park Service.
22 And I work with anybody who wants to talk about buffalo
23 pretty much, Buffalo Field Campaign, National Wildlife.
24 Anyone who really wants to talk to me, I'll certainly do
25 that, and I invite anyone, actually tribal members and

1 anyone else that wants to really talk about what goes on
2 on the ground right in the Gardiner area. Of course, this
3 is where most of the slaughter happens involving the
4 National Park Service; the west side is mostly the
5 State of Montana and other agencies.

6 So the way these buffalo move on the landscape, it's
7 interesting to understand and know where the hunt zones
8 are. A little confusion this year on that. So definitely
9 get in touch with us. I'm also a member of Bear Creek
10 Council and, like I say, anybody else that will work with
11 buffalo.

12 Thank you.

13 MS. SPOTTED EAGLE: [Native greeting.] Good
14 morning. My name is Faith Spotted Eagle; I'm Ihanktonwan/
15 Nakota/Dakota from the Yankton Reservation in southeastern
16 South Dakota. I'm on the Cultural Committee, I'm the
17 traditional cultural property survey coordinator, and just
18 lately, I'm on the Treaty Steering Committee. But I would
19 like to extend my hand to the Nee-Me-Poo and the other
20 Salish people here. I lived in Spokane for about
21 14 years, so it's good to see the people and recognize you
22 in this arena, in your homeland.

23 We also have a customary and usual oral history of
24 being in these areas, and so we thank you for caring for
25 them. And we come here also to pray. My father used to

1 talk about passing through these mountains on the way to
2 what is now Utah to gather salt to take home to our
3 people, and they would stop and pray and do the necessary
4 things that they needed to do here. So it always feels
5 good to be able to come here and offer prayers, and I'm
6 sure that we've crossed paths in our ancestors' ways. So
7 I give you thanks for being here with us in the circle
8 today.

9 We also have some input on some concerns and some
10 ideas that we have in how that be can promoted in a good
11 way for the survival of our Pteoptaye, the Buffalo Nation.
12 So good morning and thank you. [Native language.]

13 MS. HONOMICHL: Good morning. I'm
14 Judy Honomichl; I'm also on the Cultural Committee for the
15 Ihanktonwan Nation.

16 MS. WARNER: My name is Paula Warner (phonetic),
17 from the Sisseton-Wahpeton Oyate.

18 MR. LOOKING HORSE: [Native greeting.] My name
19 is Arvol Looking Horse. I am the 19th-generation keeper
20 of the sacred Chanupa, the sacred pipe. Lakota/Dakota/
21 Nakota Oyate are known as the great Sioux Nation, and I've
22 been this bundle keeper since the age of 12 years old.
23 Spirit Woman, the Buffalo Calf Woman brought this Chanupa,
24 this pipe to our people, so we have a lot of sacred
25 buffalo teachings.

1 And the buffalo is pretty important in our ceremonies,
2 and I grew up being taught by elders to respect not only
3 the buffalo, but the eagle and all the animals that hold
4 those sacred teachings on this sacred land. And we
5 followed the buffalo, so our people came here to this
6 sacred site, Yellowstone, to do prayers. But today, you
7 know, we live on reservations, but we still maintain our
8 spiritual ways on this -- these sacred sites and our
9 sacred buffalo. We hold high respect for the buffalo and
10 our animal nation. [Native language.]

11 MR. DRAPEWE: [Native language.] I want to say
12 good morning to all you relatives. My name is
13 Glenn Drapewe. I come from the Ihanktonwan Nation, the
14 Yankton Sioux Nation in southeastern South Dakota, and I'm
15 a member of the Cultural Committee with the Ihanktonwan
16 Nation and also here to share interest of the Pteoptaye,
17 the Buffalo Nation, and to share some concerns that we
18 have and offer any type of input of how we endear our
19 relatives of the Buffalo Nation to all of our relatives
20 here. [Native language.]

21 MR. SPOTTED EAGLE: [Native greeting.] My name
22 is Spotted Eagle, from the Yankton Sioux Tribe in
23 South Dakota. I'm a tribal cultural property monitor and
24 a surveyor on the ** Missouri River. I wanted to hear
25 what was going on and learn some stuff today.

1 MS. LEHNERTZ: Thank you, everyone, for your
2 introductions.

3 You know, I was hiking in the park this weekend on
4 Sunday on a trail just here outside this area, on
5 Beaver Ponds Trail. And as I was hiking, I was thinking
6 about this meeting and being able to meet you all this
7 weekend. As I thought about the meeting, I thought, what
8 is it to listen? You know, what does it mean to listen to
9 each other and to people? And I was reminded of a time
10 when I was at my grandparents' house in Denver. I grew up
11 in Denver.

12 I was in the backyard with my grandfather, and he was
13 always teaching me things and telling me things. And we
14 were walking around looking at the gardens, and he said,
15 "I have a word and I'm going to spell it for you and I
16 want you to tell me what it is." And so he said
17 "S-O, M-E-T, I, M-E-S." I said, "Well, it's so-meti-mes."
18 He said, "Let me spell it again and you tell me when you
19 know what the word is." He said, "S-O, M-E-T, I, M-E-S."
20 And I was a stubborn kid, so, of course, I said the same
21 thing again, "So-meti-mes." He says, "Is that a word you
22 learned in school?" I said, "No." He says, "Well, that's
23 not what the word is. It's sometimes. And sometimes we
24 have to take our time to listen and think about what's in
25 front of us and not think we have the answer right away."

1 And so I thought about that when I thought of today and
2 when I think about what we can do today and how we can get
3 to know each other.

4 The staff here at Yellowstone Park and at Grand Teton
5 works very hard to solve problems every day, and the pace
6 of life is so fast sometimes when you look at the number
7 of areas where we work. And today is a real gift to us,
8 for you to travel and to come here and to spend an entire
9 day, including the travel time to come here and travel
10 time to go home safely, but to let us sit and just talk
11 with you and listen to you and understand where we are
12 from and what we mean and share some of the difficult work
13 that we all are doing. So I think listening is something
14 we really feel is a gift, to have the time to do that.
15 And I want to thank everyone who has traveled here today
16 and let you know how much we appreciate it, and we're very
17 much looking forward to the rest of the day.

18 The next thing on our list, on our agenda -- Rosemary.

19 MS. SUCEC: May I say a few words about the
20 transcription?

21 MS. LEHNERTZ: Please.

22 MS. SUCEC: Thank you. And I think I can speak
23 loud enough, but let me know if someone can't hear me.

24 We do have a court reporter here today. She's taking
25 verbatim your words, and so Cheryl takes her business

1 seriously and wants to hear you. She may interrupt and
2 ask for you to repeat what you just said. She does need a
3 break to protect her wrists; she's beginning to experience
4 carpal tunnel syndrome.

5 Thank you, again.

6 MS. LEHNERTZ: So I thought what we could do is
7 to take a look at our agenda and also at the ground rules
8 that were established and make sure everyone understands
9 what's on there, any changes anyone would like to suggest,
10 anything we may not have captured, and then talk a little
11 bit through the ground rules and make sure we all agree
12 with those still.

13 So in your packet is a blue sheet, and that is our
14 proposed agenda for today. And this morning, we really
15 are focusing on our conversations on bison management.
16 We'll take a break for one-and-a-half hours at 12 o'clock
17 to have a lunch, and before we break we'll talk a little
18 bit about different places to go eat. And then we'll
19 gather back and start around 1:30 this afternoon with a
20 number of different issues. We'd like to introduce some
21 new staff. We'll do a briefing on some residential camps.
22 We'll have a conversation on NAGPRA and objects at
23 Grand Teton, talk a little bit about comprehensive
24 planning and park planning projects at both parks. And
25 then there are some additional items, including discussion

1 on camp fee waiver, 106 planning and compliance process,
2 sacred sites and access to those sites, and collection of
3 natural resources. Then we will open up the agenda to any
4 other topics, as well as an open microphone, and then
5 we'll close. And at 6 o'clock, we hope everyone can join
6 us from 6 to 9 for the potluck this evening, which I think
7 we'll have some delicious things to share and time to
8 spend in conversation.

9 So is there anything anyone would like to say about
10 the agenda, to add or to change?

11 (No response.)

12 MS. LEHNERTZ: Thank you. And as we go through
13 the agenda, if something seems askew, please just let us
14 know and we'll make adjustments as we go as well.

15 The second thing I would call your attention to is a
16 white sheet in your packet, called Ground Rules. It's a
17 pink sheet in your packet instead of white, and these are
18 ground rules that were established by the delegates at the
19 spring 2006 meeting. And I've kind of summarized them on
20 a chart up here (indicating), but there are five different
21 ground rules, and I wanted to walk through each and see if
22 anyone has an update or a change or anything they would
23 like to add.

24 So the first one is allowing presenters to finish
25 their presentations before asking questions and opening up

1 for discussion. Is everyone still all right with that
2 ground rule?

3 Go ahead, Ervin.

4 MR. CARLSON: I guess I just had a comment about
5 the ground rule about questions, you know, during it. One
6 thing that I always see, a lot of times during somebody's
7 presentation or whatever, there might be questions right
8 during that you want to ask, and then if you wait until
9 later maybe you lose your thought on it to really get it
10 out there. And I always thought that, even when I talk,
11 that I would like, you know, if anybody had questions
12 during that time, to ask during that so we that could get
13 it out. That was just my personal thought.

14 MS. LEHNERTZ: So there's a suggestion that we
15 make it so that during presentations, people may ask
16 questions as they come to their minds. Do we have any
17 discussion on that?

18 Yes.

19 MS. RIDDLE: I agree.

20 MS. LEHNERTZ: We have an agreed, okay.

21 MR. QUINN: I second it.

22 MR. CARLSON: All in favor say "aye."

23 MS. LEHNERTZ: Okay, I would say that we are
24 changing the ground rule. Thank you for that feedback.

25 And if you would do me a favor, and that is as a

1 presenter is speaking, one of the things you might do is
2 either raise your hand very high or put your name tag on
3 its end so we can really see and make sure we can get to
4 your question. And I'll remind the presenters that we're
5 going to be doing that. They may wonder why you're
6 sideways on the table, so I'll remind them.

7 Yes.

8 MS. RIDDLE: Is it all right if the observers
9 here also raise their hands?

10 MS. LEHNERTZ: I believe that that's all right,
11 unless anyone has a concern with that.

12 Rosemary.

13 MS. SUCEC: It's not a concern, but the delegates
14 who attended that meeting wanted to be sure, since you are
15 the designated representatives of your tribal government,
16 that you had the opportunity to do the business with the
17 park. So delegates respectfully requested to speak first,
18 to ask the question first, and then throw open to the
19 audience or observers. That was the sentiment of the
20 delegates in 2006.

21 MS. LEHNERTZ: So any comments on that?

22 Yes.

23 MR. BRONCHO: In that regard, when those were
24 developed, it was in regards to the word "consultation"
25 and that the tribal people here that have treaties and

1 agreements with the federal government were the first to
2 be recognized. That's what this whole thing was about,
3 was the tribes meeting with the national park, Grand Teton
4 National Park, and the surrounding national forests in the
5 area. So, you know, that's why -- The people that are
6 sitting in the back don't represent tribes or are their
7 delegates, so that was the whole purpose behind these
8 meetings, in order to stay with the agenda of the tribal
9 nations.

10 MS. LEHNERTZ: And so I would ask people to be
11 respectful of that intention and remind you that -- we've
12 jumped to the fourth bullet, but there will be an open
13 microphone at the end of the meeting as well. So anyone
14 in the audience can speak then as well.

15 So the second bullet, seat only delegates at the table
16 and non-delegates in the audience section; have we done
17 that all right? Are we at that place now where we have
18 delegates at the table?

19 Yes.

20 MR. BRONCHO: I have one more issue, though, in
21 regards to some of the cultural issues. That's going to
22 be -- we have representatives from the different tribes,
23 tribal nations, and at that time, we don't want to stop
24 any of the cultural, because that's where our heart and
25 blood comes from. And so the cultural issues would be

1 kind of the exception to the rule, I guess you'd say. I
2 don't know if I'm creating another rule. But you've got
3 to respect the cultural people that are here. Without
4 that culture, we wouldn't be here. So that is one that --
5 in the cultural issues that we talk about, the people that
6 are in the back that come here may not be delegates, but
7 they hold a higher seat in our tribes or our nations, so
8 you've got to respect that. That's something that's
9 unwritten and needs to be respected.

10 MS. LEHNERTZ: Thank you, Claudio. And if you
11 all can help us do that well, we will very much appreciate
12 it.

13 So is the seating all right now? Do we have enough
14 seats for everyone as they should be seated?

15 (No audible response.)

16 MS. LEHNERTZ: The third bullet that was agreed
17 to in 2006 was to put time limits on speakers so that
18 we can adhere to and get through the agenda. Does anyone
19 have any concerns with that, or suggestions?

20 (No response.)

21 MS. LEHNERTZ: Okay, thank you.

22 The fourth one, provide an open microphone. Again, we
23 intend to do that at the end of the meeting to make sure
24 there is an opportunity for speaking.

25 And the last one was to encourage tribes to send

1 consistent delegates so that time isn't necessarily being
2 taken up to bring others up to speed about bison
3 management issues, and I believe we have met that with the
4 group we have here today.

5 I would suggest one more ground rule. For all of us
6 who have electronic gizmos attached to us somehow, if you
7 could please put your phone on quiet, I think that will
8 help us not be interrupted and be able to focus on our
9 conversations.

10 Anything else anyone would like to suggest for the
11 ground rules for 2008?

12 (No response.)

13 MS. LEHNERTZ: Very well. Thank you very much.

14 We will now move into bison management at Yellowstone
15 and Grand Teton National Parks, and I will introduce
16 Tom Olliff to begin the presentation.

17 MR. OLLIFF: Thanks, Chris.

18 I don't want to spend a lot of time talking. I will
19 say that as a broad overview, I think four big things
20 happened this winter that will change the fate of the way
21 we manage buffalo here in the long term, but I don't know
22 how long that will take: The magnitude of the slaughter,
23 the acquisition of the grazing rights in RTR, the GAO
24 audit that happened, I think came out in midwinter, and
25 the success of the hunt in the state of Montana. I think

1 those factors are going to converge to broad things. And
2 I'll just leave it at that for right now as a broad
3 overview and turn it over to PJ to talk about some
4 specifics, and then we can talk about those things as we
5 begin the dialogue.

6 MS. LEHNERTZ: You know, I would just make one
7 suggestion. The microphones on your table are alive, and
8 so please feel free to have someone pass it down to you as
9 you speak so everyone can hear you.

10 MR. WHITE: I would just like to give a brief
11 summary of what happened this winter. Some of the things,
12 Tom has talked about. This was the eighth winter we
13 participated in implementing the Interagency Bison
14 Management Plan, which is designed to manage the risk of
15 brucellosis transmission from bison to cattle, as well as
16 conserving the population and, over time, allowing for
17 increased tolerance of bison outside the park. The
18 Park Service does that, along with the Forest Service, the
19 Animal and Plant Health Inspection Service, APHIS, the
20 Montana Department of Livestock, and the Montana Fish,
21 Wildlife & Parks.

22 Last winter, we had the heaviest snowfall in the park
23 that I think we've had in a decade, and that, combined
24 with a relatively high number of bison, around 4700,
25 resulted in a difficult winter for the bison and also for

1 the staff here at the park and the other agencies. The
2 bison began moving relatively early, trying to migrate
3 towards the boundaries of the park, especially starting
4 from the interior herd in the Hayden Valley and that area,
5 and we began hazing them on the north boundary in late
6 December; and that continued until mid February, when it
7 essentially became ineffective due to the large
8 aggregations of the bison trying to push out of the park
9 on the north boundary here. So we did make the decision
10 to begin to capture bison at Stephens Creek and we began
11 shipping them to slaughter in mid February, and that
12 continued through March.

13 In late March, we began to test the bison for
14 brucellosis and started to hold bison that tested negative
15 for exposure to the disease in the capture facility at
16 Stephens Creek for later release after the spring
17 green-up. And we actually stopped shipping all bison in
18 mid April; again, holding all the animals for release at
19 spring green-up. And that occurred around the 15th of
20 May, when we released about 333 bison; 252 adults and 81
21 calves, I believe. At about the same time, we also
22 hazed -- participated with the other agencies in hazing
23 the bison from Horse Butte out to near West Yellowstone,
24 the west side of the park, back into the park so they
25 could start to move to their summer range.

1 So in summary, we conducted about 128 hazing
2 operations, killed about 1,450 bison, primarily by
3 shipping them to slaughter, we did send 112 calves to the
4 quarantine project just north of the park that's run by
5 Montana Fish, Wildlife & Parks and APHIS, and there were
6 166 bison harvested by state and treaty hunts, for a total
7 management removal of 1,728. And our best estimate right
8 now is that we have between 2,000 and 2,500 bison in the
9 population. We are trying to get a flight in, hopefully
10 as early as tomorrow, to get a better idea of the count
11 and the distribution of the bison.

12 As Tom mentioned, there was the general -- or, excuse
13 me, the Government Accountability Office did do an audit
14 of our progress in implementing this plan during 2007 and
15 the early part of 2008. They concluded that progress has
16 been slow in completing the management steps to increase
17 tolerance for bison outside the park, and they said that
18 we needed to more clearly define our objectives for
19 desired outcomes through this plan and also to adaptively
20 change the plan based on new information so that we are
21 more effective in conserving bison.

22 To address these criticisms, we are currently working
23 on a surveillance plan that includes objectives and
24 activities to evaluate our effectiveness at reaching these
25 goals. There are a series of public meetings that are

1 being planned for this summer between the five agencies
2 that run the plan to discuss basically where the plan is
3 not working well and how we can adapt it to better
4 conserve bison and also manage the risk of brucellosis
5 transmission. And perhaps the most positive thing that
6 we've done so far is Superintendent Lewis and
7 Governor Schweitzer led an effort and obtained an
8 agreement with the Royal Teton Ranch north of the park to
9 remove cattle for 30 years through essentially a lease of
10 the grazing rights, which should provide for more
11 increased tolerance of bison out the north part of the
12 park, and we'll be meeting with Montana Fish, Wildlife &
13 Parks this summer to develop a plan for that area.

14 That's all I have. I'd be happy to answer any
15 questions.

16 MR. QUINN: I've got a question. You mentioned
17 that the five agencies involved in the Interagency Bison
18 Management Plan is going to be meeting. Are there going
19 to be any tribes at that meeting?

20 MR. WHITE: These meetings are public meetings.
21 I have not heard about the coordination with the tribes.

22 MR. QUINN: Okay, thank you.

23 MS. LITTLE THUNDER: The GAO report, you know,
24 pretty much says the plan is kind of askew. Is that
25 something that's going to be under discussion when you

1 have this meeting?

2 MR. WHITE: Yes, most definitely.

3 MR. JOHN STONE: How do you determine the
4 carrying capacity?

5 MR. WHITE: The question was, how do you
6 determine the carrying capacity?

7 We've estimated, if you will, the ecological carrying
8 capacity based on the resources in the park and outside
9 that can support the number of bison, basically through
10 modeling, putting in, you know, all the biotic elements,
11 the forage, the number of bison, those sorts of things;
12 and it's been estimated through that by Mike Coughenour,
13 who did that out of Colorado State University. We're also
14 now assessing essentially what range of bison numbers we
15 would need to maintain genetic diversity in the bison,
16 given the recent evidence in some of the work by
17 Flo Gardipee and others showing that there are genetic
18 differences between the central and northern herds. So
19 we're currently working on that. And, to be honest, it's
20 very complex and we'll probably need to work with Flo and
21 others to get a better estimate of that.

22 MR. JOHN STONE: Is it possible to be able to
23 review that report initially determining the carrying
24 capacity?

25 MR. WHITE: Yes, certainly. I have a copy of it

1 and would be happy to share it with you.

2 MS. RIDDLE: You said that the bison being
3 shipped to slaughter ended on April 19th, but the fact is
4 that as late as the end of May, bison were being shipped
5 to slaughter. There is resolution in United Nations made
6 by the International Indian Treaty Council to protect the
7 Yellowstone bison for indigenous people. And you're
8 talking about increased tolerance, and how can you
9 increase the tolerance with bison that have already been
10 slaughtered?

11 MR. WHITE: Well, I appreciate your comments,
12 and, certainly, you know, as far as conserving bison, we
13 feel we need to get tolerance outside the park for these
14 winters when the bison are going to migrate out.

15 MS. RIDDLE: It should already have been done.
16 It was a horrible thing killing half the herd, horrible.

17 MR. QUINN: You make mention about the animals
18 going outside the park. Now, did an entity or an
19 organization lease up some grazing rights outside the park
20 through the CUT ranch?

21 MR. WHITE: The CUT ranch is the Royal Teton
22 Ranch, where we'd made it -- bought out the lease for
23 30 years. It's currently being finalized, I believe.

24 MR. QUINN: What is that going to cost on an
25 annual basis?

1 MR. WHITE: I believe the total price tag was
2 \$3 million, of which the Park Service came up with
3 a-million-and-a-half dollars.

4 MR. QUINN: That's just the grazing rights?

5 MR. WHITE: Yes.

6 MR. JIM STONE: For 30 years.

7 MR. WHITE: Yes, sir.

8 MR. GARVIN: You referred to the GAO report as
9 criticism. I'm just wondering if that GAO report that you
10 have received, if that mandates or that requires the parks
11 to respond to the GAO report on a certain timeline, or is
12 that just information related to the park system saying,
13 here is a finding for your information? Is there
14 something mandated by that GAO report?

15 MR. WHITE: We did respond to the report,
16 basically saying that we agreed that progress had been
17 slow and we were going to work to address their
18 criticisms. I'm not aware of any --

19 MS. LEHNERTZ: Cecil, the report is an analysis
20 by the Government Accountability Office, which really
21 represents the Congress. And their recommendations are
22 weighed very seriously by the Park Service and Fish &
23 Wildlife Service, everyone involved. There is no
24 directive that comes from that report that holds the
25 weight of law or of regulation. It really is an advisory

1 report, but something we take very seriously. The
2 Park Service is in the executive branch of government, and
3 that's the legislative branch. And should the Government
4 Accountability Office's recommendations take effect as law
5 or statute, the Congress would need to pass a law to do
6 that.

7 MR. GARVIN: That was my question. Thank you.

8 MS. LITTLE THUNDER: I have three quick
9 questions. One of them, the first one, is that the
10 management plan -- You know, to take into consideration
11 the risk of brucellosis transmission, we all know that elk
12 are an issue, and, yet, I don't see an elk management
13 plan. You know, elk are more numerous. I don't know what
14 the figures are, but I know back a while ago, there were
15 100,000 elk in the ecosystem. And, yet, bison are very
16 vigorously managed and elk aren't, and so that's always
17 raising a question of discrimination against the bison.

18 My second question is, the management plan and the
19 actions based on it, I'm very concerned about the genetic
20 diversity of buffalo herds. And thirdly, my third
21 question is -- I'm just trying to pack them in so I'm not
22 up and down -- how do consultation comments factor into
23 the actual actions? Because, you know, I've attended
24 these consultations and there's been input, and I'm trying
25 to figure out, how do we factor in, you know, how do we

1 really factor that into what's happening with the bison?

2 Thank you.

3 MR. WHITE: Certainly, elk are an issue with
4 brucellosis, and there is a dichotomy in management. I
5 believe all the known transmissions to cattle recently
6 that could be traced back have come from elk, not from
7 bison, so you certainly have an excellent point there.

8 How the comments are factored in, in the surveillance
9 plan that we are addressing, one of the attempts is to be
10 better at disclosure and getting information out and also
11 incorporating those comments into the record and how we
12 consider them. So we hope to be better at that in the
13 near future.

14 MR. JOHN STONE: Has there ever been a documented
15 transmission of brucellosis from a buffalo to a cow?

16 MR. WHITE: The question was, has there ever been
17 a documented transfer of brucellosis from a bison to a cow
18 in a wild setting? I'm not aware of any.

19 Yes, sir.

20 MR. CARLSON: You mentioned that the slaughter
21 this year was 1,400 animals. What was the real reason, I
22 guess, for the 1,400 animals being slaughtered; the
23 carrying capacity, or, you know, was there any other plan,
24 I guess, other than just the slaughter? You know, you
25 talk about a quarantine facility; if all of these animals

1 could be tested, I guess, and then be in the quarantine
2 facility. And that's our big concern, that they soon go
3 out to whoever, and the big thing is the tribes that do
4 raise buffalo would like to have those. And that's the
5 big issue here, is that the last pure genetic herd be
6 saved, but here we are, this year, a record 1,400 -- a
7 record number of animals being slaughtered. You know, why
8 is the reason for that many animals this year being
9 slaughtered?

10 MR. WHITE: Yes, sir. What happened was we had
11 lots and lots of bison push the boundary of the park where
12 we could no longer haze them back into the park, which is
13 what we're supposed to do on the north side in this stage
14 of the plan. So because of that -- We can't hold all the
15 bison in the capture facility, we don't have that
16 capacity. And we don't want to hold them from, say,
17 December until May because we're worried they'll get
18 habituated to food and return down there in coming years.
19 So we made the decision to start shipping them to
20 slaughter at that time.

21 We are very concerned that this, you know, is the
22 second winter in the last five years, I believe, where
23 we've shipped or killed more than a thousand -- almost a
24 thousand bison or more. And what we'd like to explore
25 this summer is, you know, other ways of maybe removing

1 bison from the herd at whatever levels, whether it be
2 through a state or tribal harvest, those sorts of actions,
3 moving animals to quarantine, to basically not have these
4 large-scale culls every three to five years. Which we
5 also have big genetic concerns about these culls also.

6 Yes, sir.

7 MR. CARLSON: I'm still not done with my
8 questions.

9 Within your plans, is there like maybe increased
10 tribal hunts of these animals? But also within your
11 plans, is there, in the future, a plan to look at not
12 having to slaughter so many animals, that some other plan
13 is in place to save these animals, such as really going
14 forward with, you know, the testing and getting the
15 animals into a quarantine, then further from there in
16 subsequent years to tribes? Are you going to put those in
17 place?

18 MR. WHITE: Well, we certainly -- certainly would
19 like to not be shipping animals to slaughter. And we are,
20 right now, evaluating the potential for doing vaccination
21 on a large scale. We are intending to probably have an
22 environmental impact statement to assess that decision by
23 next year sometime, in 2009. So we are pursuing that. We
24 certainly support sending the calves to quarantine and
25 would like, I mean, eventually to see that go operational.

1 The first calves from that, or I should say the first
2 bison that went into that feasibility study for the
3 quarantine are calving right now, and if none of the
4 calves are seropositive, then hopefully next year they
5 should be available to be sent somewhere to start a new
6 herd. And we are involved with the other agencies and the
7 ITBC to get out requests for proposals this summer and
8 assess them.

9 MR. CARLSON: You know, you didn't answer
10 Rosalie's question. I mean, she asked about you have this
11 buffalo management plan and it plans everything around
12 them and all the intention is on them over brucellosis,
13 and then you'd also just said within that that there was
14 no scientific or no data, or even no proof, showing that
15 the brucellosis was passed from the buffalo to the cattle,
16 but that from elk, there was. And her question was, is
17 there a plan for elk, because they're larger maybe in
18 numbers than buffalo, but everything is focused or blamed
19 on the buffalo? And then she asked if there was anything
20 being done about it. You know, that question wasn't
21 really answered.

22 MR. WHITE: Well, I apologize for that.

23 We do not have a disease management plan for
24 brucellosis for elk. We do test them periodically when we
25 do captures for radio-collaring and those sorts of things,

1 and they're also tested by the State of Montana from their
2 hunt. But we do not have a similar plan for elk and at
3 this point have not had any discussions about having one.

4 MR. CARLSON: The other one, I guess, you talked
5 about there's going to be five, I guess, interagency
6 meetings, and then Alvah asked the question if tribes or
7 tribal representatives are going to be involved. You said
8 it was open to the public. But I guess that's what we
9 come here to the table for, is to request that tribes are
10 sat at the table from the beginning to the end and not
11 always just here for comment after a plan is all done.
12 You know, I guess that's the real big issue that I see
13 with us being here, why we're mainly here, is that we're
14 just as concerned as you are and have a longer-standing
15 relationship with buffalo.

16 So are there plans, I guess, to have somebody sitting
17 on your team or that being implemented so that you have
18 tribal representation from the beginning to the end? Are
19 we really going to do something like that; is that really
20 going to happen?

21 MR. WHITE: All I can say at this point is I'll
22 pass it on to Superintendent Lewis. These meetings, you
23 know, we're just trying to come up with agendas. And I
24 haven't been involved with the discussions that
25 intimately.

1 MR. CARLSON: And we had that little talk
2 yesterday amongst ourselves, too, you know. And what we
3 said in there, and I said, is that we're going to go back
4 to the table again here just like the other meetings and
5 it's going to be the same question like that. If I'm
6 going to ask a question like that and then you say, well,
7 I'll relay that back to the superintendent -- And that
8 happens to us all the time as Indian people. We come and
9 sit down at the table as representatives, tribal
10 representatives or the people that make decisions, but
11 then the people that make decisions on your side are not
12 there to give us a straight answer, that this is what is
13 going to happen. And it goes back that way too many
14 times.

15 So that's a real big concern, I guess, that we have
16 here.

17 MS. LEHNERTZ: And may I just interject here a
18 little bit. We definitely will make sure that the tribes
19 are notified of those five meetings, and that will be an
20 important piece. But I would also like to say, in
21 conversations with the superintendent -- In the past,
22 there has been a conversation about the possibility of a
23 meeting between the tribes and the IBMP partners. And
24 when I spoke to the superintendent about that, she very
25 much is wanting to encourage the tribes to send a letter,

1 a formal letter to the IBMP to request a meeting. It's
2 not a public meeting, but it's a meeting between the
3 tribes and the partners. And she would very much support
4 that letter in speaking with the partners and encourage
5 the partners to have such a meeting. So I hope that that
6 is something that is an opportunity that can be pursued as
7 well.

8 MR. CARLSON: And I understand that. And you're
9 just saying, you know, again that we'll make sure the
10 tribes are informed. And even though it's in the comments
11 here, you know, it's the consultation with tribes, you
12 said, well, we called them and this and that. But, again,
13 I'm going to say it again, we want to get an answer if we
14 can be right there at the table as a decision-making
15 partner, I guess, within that from beginning to end and
16 not just, well, we'll let you know that there's a meeting
17 in place.

18 So I guess with a formal letter, I guess maybe that
19 will get us a little further along, and maybe even a
20 meeting with the people who are going to make the
21 decision.

22 MS. LEHNERTZ: Correct.

23 MR. JOHN STONE: Why isn't the superintendent
24 here?

25 MR. WHITE: I'm not sure where Suzanne is today.

1 MS. LEHNERTZ: Suzanne is unfortunately not
2 available. She just got back from Billings and she's
3 getting ready to go to Bozeman.

4 MR. BAPTISTE: And along the lines as far as
5 consultation, I appreciate that, and I understand that you
6 as one federal agency can't influence another federal
7 agency to commit themselves to something as far as
8 accepting tribes as far as our influence. But I think
9 what he's talking about is pretty much a template letter
10 for each tribe as far as asking -- And it's kind of tough
11 because as federal agencies, you have a trust obligation
12 to the tribes that's a legal, binding obligation, not
13 just, you know, an offering, do you want to come and
14 comment. And we, as policy people, are here to comment
15 because we have an obligation as policy representatives
16 from our tribe, and the trust responsibility that you have
17 for those tribes, but also our spiritual leaders as well.
18 That's something that's not recognized. We have to either
19 have a degree or you're listening to someone else as far
20 as a Ph.D. or someone who has done a dissertation and then
21 you're going to use that information, but not actually the
22 words from the people themselves.

23 And it's hard to get that across as far as what they
24 mean to us, our relatives, and how we're connected to our
25 resources rather than just business. And to be frank, I

1 understand that it's tough because brucellosis was given
2 to these buffalo by cattle and now they're being
3 stringently -- you know, create this large buffer zone and
4 the buffalo are not giving the disease. It's the elk; the
5 elk don't have a management plan, they don't have disease
6 control. I know it's based upon funding as well.

7 So in that aspect, I think the tribes have a better
8 opportunity of increasing that funding as far as what can
9 we do to change that management plan so that you include
10 and incorporate disease control management for elk.
11 Because the buffalo are paying the highest price for elk
12 giving that disease to cattle. And to be honest, we
13 understand as well you do that the reason we're here is
14 because the cattle industry is the political driving force
15 behind the Montana State Department of Livestock's being
16 able to -- Because I talked to them. We have a hunting
17 season as far as exercising our treaty right in our
18 treaty, but, you know, talking to them, they need
19 increased funding as far as what they can do. And they
20 said, "If you can help us get the funding so we can do the
21 studies and we can clear these herds, we would like that."
22 Because they don't want to do it either, but there's a
23 mandate from the State of Montana that you should create
24 this buffer zone so it doesn't affect the cattle industry.
25 And that's pretty much what's driving most of it. You

1 know, you're not going to set up a total slaughter because
2 you feel there's a small chance that they might get
3 brucellosis when you don't exactly know if they have it.

4 So that's kind of where we sit as far as my dialogue
5 with the State of Montana and the Fish & Wildlife
6 Commission as far as us exercising our right. And
7 we're trying to help them outside this parameter. Because
8 you guys have got people you answer to, you have people in
9 Washington, D.C. Those are the people that the tribes
10 here, the policy people can contact and let them know we
11 want in as far as this interagency meeting that you have;
12 not because you want to, but because you guys have an
13 obligation to include the tribes in that dialogue, you
14 have an obligation to have those tribes sit there and
15 discuss and take our information, give meaningful
16 responses back to the tribes. I would hate to have that
17 as the same conversation -- which we probably did two
18 years ago at the last meeting, we're going to come back
19 and say the exact same thing.

20 So these are things that we want you to express to us
21 as far as you will commit yourself to having an
22 information exchange with the rest of the interagency --
23 the board there so that we can be there at the table so we
24 can tell those people as far as what our concerns are with
25 the management plan. And if there isn't a disease

1 control, then help us help you get that disease control in
2 the management plan for elk. Because these buffalo are
3 paying too high of a price for those elk giving us that
4 brucellosis.

5 You know, there's only two cases that put them on that
6 status now. And it is the cattle industry that's driving
7 this, and they have a large political pull when it comes
8 to the State of Montana. It's a billion-dollar industry.
9 They're the ones right now who are in the driver's seat
10 and we're the ones in the back seat trying to tell them --
11 trying to steer them, and that just ain't happening.

12 Through your help and through your responsibility, I would
13 hope that you can get that information to them, get them
14 interested in having us sit at the table as far as input
15 from the tribes and get that dialogue. But we can help
16 you guys manage that.

17 As far as the climate changes go, that's probably why
18 we're going to see more numbers of them slaughtered.

19 Because they're coming down in droves because it's easier
20 and staying warmer a lot longer. The winter's not as bad
21 up there anymore so they're coming down and they're
22 staying in larger numbers and they're starting to spread
23 out because the habitat is more open and the seasons are
24 staying open longer. And it's just going to get worse as
25 far as more buffalo coming out of the park and they stay

1 there longer because that habitat's a lot warmer lower.
2 And so then, you know, they give birth, so the numbers are
3 going to go up.

4 As far as the tribe, the Nez Perce Tribe and the
5 Salish & Kootenai, when we exercise our treaty right,
6 we're discussing with the State of Montana as far as,
7 okay, we have to fight over 666 buffalo that we try to
8 take in the best possible way for subsistence for the
9 tribes, but then just on the other side, you're going to
10 go and slaughter 1,400 animals; whether they're carrying
11 babies or not, you're just going to kill them no matter
12 what. And we have to fight for half and half with the
13 State of Montana as far as their tags. So we would rather
14 get into that other arena, instead of, well, why do we
15 have to fight for this many when you guys are just going
16 to go and slaughter them whether they're carrying or not,
17 whether they have brucellosis or not, just slaughter them
18 without regard.

19 So those things are what issues we have. So if you
20 can definitely be that spokesperson for the tribes as far
21 as getting us in that door in an interagency meeting, then
22 we would appreciate that, and hopefully we'll get there so
23 we won't be here next year or the year after talking about
24 the same exact issue.

25 I'm sorry I took so much time. Thank you for the

1 opportunity to speak.

2 MR. WHITE: Thank you.

3 MS. TUELL: I have several issues. First off, I
4 want to remind the National Forest Service -- I mean, the
5 Park Service that it's not the tribes' duty to consult,
6 it's the federal agencies' duty, and we as the tribes
7 request or invite you to invite us to consult. It's not
8 our duty to -- it's our duty to respond to your request.

9 Secondly, the tribes are not members of the general
10 public. You've identified that the public meetings are
11 for the public. At this point, we request that the
12 National Park Service develop a consultation plan for the
13 tribes and we'd like to see that implemented.

14 Next, looking at -- And I thank you for the handout
15 that you provided, because this is very helpful to looking
16 at the past consultation with the tribes and how it was
17 implemented in the ROD. Unfortunately, it's pretty --
18 pretty poor. Going to page 42 of this summary of the ROD,
19 looking at this section on tribal consultation, it's very,
20 very poor. All it is, is the procedural requirement to
21 consult.

22 At this point, I'd ask that the comments that were
23 provided to us from the October 11th, 2000 meeting, that
24 that be carried forward into the next planning process,
25 whether it's this comprehensive plan that you're going to

1 propose, apparently, but also for future evaluations
2 for -- Apparently it's some kind of surveillance plan that
3 you're going to develop next; is that correct?

4 MR. WHITE: We are working on one right now, yes.

5 MS. TUELL: Well, I ask that these comments,
6 because they are substantial comments, be carried forward
7 and entered into the record for the planning process to
8 consider.

9 I'd also ask that -- And it's a bison management plan.
10 This is not a disease management plan. You know, don't be
11 limited to disease management, because it's not. That's a
12 part of it. But I'd ask that that be reevaluated,
13 reopened perhaps, even a supplemental EIS, to provide the
14 comments that are made by the tribes. Because it's not
15 addressed. The consideration in the ROD is very poor on
16 tribal issues. And I challenge the agency here to do a
17 much better job. I challenge the implementation section
18 to be much more detailed with tribal issues.

19 For example, establish areas of responsibilities to
20 the tribes, put it right in the Record of Decision. That
21 makes it a legal document that the agencies must do and
22 allows a much more effective consultation meeting and
23 dialogue with the tribes, because it shows that you
24 understand our issues and you're actually implementing and
25 taking into -- trying to involve the tribes much more

1 actively rather than simply coming here and speaking with
2 us once a year.

3 Allow for more positive solutions that can be driven
4 involving the tribes, utilizing the tribes as possible
5 action agencies to help. I mean, that's what some of the
6 people have already indicated, that we want to be a part
7 of the solution.

8 And also, I would like to see perhaps at next year's
9 meeting to have a report of how both the Grand Teton and
10 Yellowstone are implementing the tribal issues that are
11 being brought up. And I know Rosemary is doing something
12 with the youth interpretation, some kind of program this
13 summer. Well, that's real positive stuff, and we would
14 like to hear it. You know, we don't want to just hear the
15 negative, we want to also hear the positive efforts that
16 the agencies are doing.

17 You know, I also would like to see much more of this
18 type (indicating) of information. I think there needs to
19 be another column here that says, "What is the action that
20 the agencies are going to do?" Not just the issue
21 identification, not where the FEIS tried to address it but
22 didn't, but where are they going to go from there? Why
23 they didn't address it? If you look on page 3, it simply
24 says the FEIS does not recognize, does not address, does
25 not address, did not address. Why was it not addressed?

1 Tell us why. Help us provide more effective comments by
2 giving us feedback.

3 But this (indicating) is very -- it's a start, but
4 there needs to be much more work done.

5 MS. SPOTTED EAGLE: I wanted to echo Yvette's
6 comments. I'm really glad that you brought that out,
7 because that is a woeful, woeful statement on tribal
8 consultation. I think that coming from the tribal
9 perspective, we have developed a high degree of skill in
10 consulting with federal agencies because we get to see a
11 profile of what you know. And four pages is a lot of what
12 you don't know -- I mean, four lines in a consultation.

13 We just finished -- It was due June 1st. We just
14 finished a draft MOA with the Corps of Engineers on the
15 Missouri River, and we went through very many meetings
16 like Yvette is talking about where we would sit here and
17 we would say, "This is what we believe," and then we'd
18 have to struggle to get it incorporated in there, and
19 sometimes it wouldn't come across because of cultural
20 barriers, because of who-knows-what. And so what we did
21 is we told the Corps, we said, "Let us write it. We need
22 to write it because you're not understanding what we're
23 talking about." So we just developed a 23-page
24 consultation protocol for the Corps of Engineers with the
25 Yankton Sioux Tribe, and we just submitted that on

1 June 1st. We also have attached on there four or five
2 documents that explain some of the things that I hear the
3 tribes being frustrated about.

4 And so I think there's a learning curve here that
5 needs to be looked at, and perhaps an individual session
6 on not only skill-building, but conversations on how you
7 develop protocols that really capture the best of
8 everybody. Because for us coming here, it's a heavy price
9 that we put on our tribe, but we're willing to do it to
10 come here, to travel to visit with you. It cost us \$1,900
11 to come. But it's important that we be here, but it's
12 important that our time is valued, too.

13 And so I think that if you look at that consultation
14 document that we did with the Corps of Engineers -- It's a
15 draft. We just submitted it Friday, May 30th, but we're
16 pretty proud of it. And it's taken us nine years to get
17 to that point. And so I think, echoing what -- I'm proud
18 of my former student, Yvette from Fort Hall. But I think
19 it's something that needs to be looked at in a working
20 session. And we can share that document with you, we can
21 pull it off the Internet, off my e-mail if I can get on
22 somewhere. But four lines is pretty woeful, and so I'd
23 just like to make that as a matter of record.

24 The other thing is, you know, the Park Service is
25 known for Bulletin 38, traditional cultural properties. I

1 guess I would like to know for the record if you've done
2 any TCPs in Yellowstone.

3 MS. SUCEC: There are tribes who have identified
4 properties that have that stature, several, multiple in
5 this park. I have not ever encountered as many in any
6 national park.

7 MS. SPOTTED EAGLE: Okay.

8 MS. SUCEC: However, there has been a reluctance
9 to formally request, officially request documentation
10 because of potentially violating confidential information,
11 in other words, making public, knowledge about those
12 places in the agency.

13 MS. SPOTTED EAGLE: I think that's a conversation
14 perhaps our tribal delegation can have and figure out what
15 would be safe to talk about. And so I wanted to explore
16 that more, with the consent of the other delegates. So
17 that's just barely touching that topic.

18 The third thing, and pardon my naiveness about this
19 question on the fencing, is the fencing a management
20 issue?

21 MS. SUCEC: There is a handout in your packet on
22 fencing to increase -- and I might ask Tom to speak to
23 this -- native vegetation, and it does involve enclosing
24 an area with fencing.

25 Tom, do you want to respond to that?

1 MR. OLLIFF: If you're referring to the Gardiner
2 Basin Restoration Project?

3 MS. SUCEC: Yes.

4 MR. OLLIFF: If you've been to the
5 Gardiner Basin, you know it's an old agricultural field
6 that has gone from an exotic perennial to pretty much
7 annual mustards. And there's at least -- there's probably
8 700 acres that need to be worked on down there. We have
9 kind of a pilot project where we are proposing to fence
10 63 acres just to see what we can do with restoring that
11 area. Ken is doing some work north of the park, we're
12 doing some work in the park. We kind of held a joint
13 workshop to understand what techniques would work best.
14 And so we're working through a proposal to fence 63 acres
15 down pretty much in the flats toward Reese Creek, mostly,
16 from Stephens Creek.

17 Right now what we're working through is trying to
18 understand the implications to wildlife with the fencing.
19 You know, it's a difficult -- I mean, in the long term it
20 will be very good for the wildlife; in the short term,
21 there's some impacts.

22 MS. LEHNERTZ: Mr. Wise?

23 MR. WISE: This is about the third time I've been
24 here in this meeting, and it's always about the bison. I
25 want to ask that man over there (indicating) if they ever

1 went through with what I asked them to do, to make a study
2 on why the buffalo leave the park, what was their reason.
3 And I told him the reason why they leave the park:
4 Because they have to have this medicine plant to take care
5 of all their ailments in their body. So that plant grows
6 off the park; they know where it grows, and that's why
7 they leave the park. Nobody knows but the animals.
8 They're way smarter than our scientists, because they know
9 what to eat to take care of this disease they have, what
10 they're getting blamed for, what the cows gave them a long
11 time ago.

12 And talking about the elk, they're carriers, too. How
13 come the Montana ranchers don't refuse the elk? They're
14 carriers, too.

15 That's my questions. This is the third time I've been
16 here at this meeting. And that's why I ask that question;
17 every time I come here, nothing has been done. Just like
18 that man over there (indicating) was talking about; he
19 said every time we come here, it's always the same thing.
20 You don't listen to us.

21 MS. SUCEC: Mr. Wise.

22 MR. WISE: Yes.

23 MS. SUCEC: I'm pleased to say I remember that
24 first meeting in the year 2000 when you asked us that
25 question, and we did listen. We were fortunate enough to

1 find the funds to sole-source contract with nine tribes
2 who are identified, seven who are referenced in treaties
3 as being related with this landscape, including the
4 Eastern Shoshone Tribe, the Shoshone-Bannock Tribe, the
5 Nez Perce Tribe, and others. And one of the questions we
6 asked tribal government and elders is that very question
7 that you asked of us.

8 We remembered that. We felt that was important for us
9 to pursue, certainly in response to your needs and an
10 acknowledgement that we may not know, we recognize that we
11 do not have all the answers. So we've asked each of those
12 tribes if they could speak to the significance of buffalo
13 to educate us and to also tell us, are there medicines,
14 plant medicines that buffalo need in different habitats
15 and that might contribute -- may be one of the
16 contributing reasons why they migrate out of this zone and
17 down to lower elevations.

18 So thank you. We listened. And I'd be happy to share
19 those reports with as you they come back. We'll shortly
20 be receiving the Eastern Shoshone draft.

21 MR. WISE: Thank you.

22 MS. SUCEC: You're welcome. Thank you.

23 MR. LOOKING HORSE: [Native language.] Thank
24 each and every one of you, my relatives, for being here.
25 I want to talk about the buffalo a little bit this

1 morning. I want to kind of tell you about some of the
2 elders, what they told me and what I learned about our
3 life within the states here, South Dakota, Wyoming,
4 Montana.

5 As the Lakota today, I guess we have a lot of
6 educators and we know -- all of us have been going through
7 school to learn about history, which is knowing our tribal
8 government, our state government, and U.S. Government.

9 And a lot of times I feel like -- You know, I'm a
10 spiritual leader, and a lot of times I feel like I should
11 be a lawyer, because I feel like -- you know, just the
12 things that we're up against within our territory.

13 Because I feel like our being raised by elders and hearing
14 the stories -- Our people signed a treaty with the
15 U.S. Government, the territory that we used to occupy.

16 When it comes to our people, we're aboriginal people
17 that, you know, we have -- we say sacred teachings how we
18 came upon the Earth. And the buffalo people, our first
19 people were known as the buffalo people, and a bundle was
20 brought to us. It's a sacred White Buffalo Calf Bundle
21 that my family have taken care of for 19 generations,
22 before there was any treaties that was signed. What
23 happened to our people -- I have many grandfathers,
24 great-great grandfathers that told stories how they killed
25 the buffalo, starved the people put on the reservation,

1 concentration camp; a good Indian can get a pass to get
2 off the reservation. So those are, I guess, what we grew
3 up with, that we have to learn the treaties.

4 And today, you know, we come here to protect the bison
5 or the buffalo because this is our responsibility today
6 which is left by our ancestors. Now, they prayed that our
7 ways with the buffalo and our animal nations, our sacred
8 teachings, that our people would live in good health. And
9 buffalo -- You know, when something is not right, the
10 animals, they know it. A lot of times they leave the
11 area. And I know that, you know, there's no fence that
12 was made. Long ago when they put the people on the
13 reservations, they said put fences up. And if you go to a
14 city, they spend thousands of dollars, millions of dollars
15 probably to put up these big fences for the sound.
16 Imagine that, people making a big wall to -- a fence that
17 costs a lot of money because of the sound that these cars
18 are making.

19 And here we are in Yellowstone talking about buffalo
20 going off from their territory. And it's sad, because
21 what the people read and what we put out in the world, all
22 over the world, that buffalo are being massacred, killed
23 at Yellowstone. It doesn't matter what country. We have
24 Internet, we have a lot of media, and how we -- the news
25 that goes out. And we're supposed to be -- You know, this

1 country was found on freedom of religion and yet our ways
2 were outlawed, and it wasn't until 1978, the Freedom of
3 Religion Act. And to me, I thought, you know, we were on
4 the same page, trying to bring peace, unity, and how we
5 can create a better to environment to live in as a global
6 perspective.

7 I feel that, you know, something is not right.
8 Because we're taught as a spiritual leader not to speak
9 out of anger, but when I come here to speak about the
10 buffalo, it hurts my feelings; my heart is heavy that, you
11 know, today as we speak this is happening. And I wish
12 today that, you know, this would stop. We need to come to
13 a better solution. As dignitaries, as spiritual people,
14 we need to think about the future, how we can be a better
15 person to create a better environment for our children.
16 Because this is not good that people are reading or that
17 children are seeing. It's very painful, abusive, and we
18 sure don't want history to repeat itself.

19 So today, you know, meeting here is very important.
20 It's very important because people back home are waiting
21 to see what is going to happen. We hold our buffalo in a
22 very high honor, respectful way. How they are is how the
23 people are, and there's many teachings that goes with our
24 way of life here within our territory. I would say that
25 we need to really bring attention, because, you know -- I

1 said earlier that these animals, our ancestors spoke about
2 how buffalo is important to us to be made a seal, or the
3 eagle as an emblem or seal. So we need to protect them
4 the best way that we can. [Native language.] Thank you.

5 MR. JIM STONE: I have, I guess, a few comments.
6 The majority of the tribes here are members of ITBC, and I
7 work for ITBC, so I guess directly, I work for the tribes
8 that are here. And one thing that kind of came to my mind
9 is that there's a real -- there's a conflict and a flaw in
10 this system, the structure that's taking place today.

11 You have tribes here under the premise of consultation
12 under the government-to-government relationship. And in
13 that spirit, what these tribal people are telling you,
14 you're supposed to take back and take direct action to
15 implement their concerns. Yet, with the bison management
16 in Yellowstone, the National Park Service has divested
17 themselves of their authority by entering into the
18 Interagency Bison Management Plan. We're in the seventh
19 year of a fifteen-year plan. So all the comments the
20 tribes are making here under consultation cannot be
21 implemented by you because you're entered into an
22 agreement that you're only halfway through.

23 So what I would like, for clarity for myself and the
24 tribes that I work for, is the structure defined to me.
25 What is the mechanism? How is this going to make an

1 impact on the Interagency Bison Management Plan? Because
2 on one hand, you're saying here we have a
3 government-to-government relationship, and on the other
4 hand, you're saying come to a public meeting; that's how
5 you're going to impact the management of buffalo in
6 Yellowstone, by standing with the everyday citizen and
7 voicing your concerns. So, really, the consultation in
8 the government-to-government relationship does not exist
9 with regard to bison management in Yellowstone because you
10 do not have the authority to implement anything the tribes
11 want.

12 And we're not here out of self-serving, selfish
13 purposes. We're here -- "We," I mean, some of the tribes,
14 the tribes that are here, treaty rights, treaty
15 responsibilities, trust responsibilities. And as
16 Indian people nationwide and collectively, you know, we
17 have that longstanding relationship with the buffalo, and
18 we treasure it, just like the rest of the country views
19 the buffalo. You know, you look at -- multiple times the
20 buffalo is used as an image to represent states and
21 different agencies, and they hold it in reverence. We
22 hold it in a higher reverence. So we're not here to cause
23 trouble or to break a system. We're here to get our
24 concerns heard and acted on as a government-to-government
25 relationship responsibility. And I don't see where it's

1 going to happen with bison. You know, and if there's a
2 mechanism whereby it can operate, then I would like that
3 put on a piece of paper, you know, the comments from here
4 that go to the National Park Service.

5 Now, in order for the tribes to get their voice heard,
6 do they need to have a consultation meeting with APHIS and
7 express the same things? Because you've got APHIS,
8 National Park Service, U.S. Forest Service, and two
9 Montana departments as a part of that. So do the tribes
10 need to voice their concerns in consultation with all
11 three of the federal agencies in order to get something
12 changed? And I don't think it's going to play any part
13 because the Interagency Bison Management Plan is drafted;
14 it's got goals, it's got objectives. I don't see a
15 mechanism for change inside of there.

16 And if I'm wrong, I would like to be wrong. You know,
17 I would like you to illustrate to me how we could
18 coordinate as tribes to impact a change. You know,
19 because we understand that you people work for an agency
20 and entity that you may not -- actually, I hope you don't
21 support what's going on. I hope you feel as badly as we
22 do. And we would like to work to change it, and that's
23 why a lot of the tribes are here, and that's why our
24 president expressed his concerns about whether there is
25 even going to be an impact. Because tribes have a power,

1 they have a lot of authority, and they can work outside of
2 a system. If this system isn't going to get the tribes
3 what they need, then they need to work through other
4 avenues to impact a change.

5 So, really, I would like to know if there is a
6 mechanism for change within the Interagency Bison
7 Management Plan that tribes have access to, and how do we
8 do that? Because right now, it's really not -- I don't
9 see that mechanism. I don't think this meeting is that
10 mechanism. But we're here basically to hear your concerns
11 and your issues.

12 And I know we're kind of missing a lot of the
13 presentations from your staff, but, you know, for the
14 tribes that are invested in researching this, we kind of
15 know what you're doing. And the small things, they're
16 insignificant in face of the big picture. The tribes are
17 here to address the situation of the ongoing slaughter.
18 And we're in the seventh or eighth winter of a
19 fifteen-year plan. How do we change that? And if we
20 can't, then we need to come up with an alternative plan to
21 impact that change.

22 That's my comments.

23 MR. QUINN: Thank you, Jim.

24 I've got a comment, too. It seems like the focus has
25 been when the buffalo leave the park. Has there been any

1 attention given to maybe doing a feasibility study to
2 determine whether or not a quarantine facility could be
3 developed within the park boundaries, for instance,
4 Stephens Creek?

5 Second, has there been any feasibility study to
6 determine what something like that might cost? Because I
7 think when it comes to the costs, I would think that all
8 of the entities involved could help maybe try and raise
9 the funding to build those facilities, whether it be
10 through congressional testimony to save a national
11 treasure -- Like we mentioned yesterday, the buffalo is
12 the symbol of the Department of the Interior, but, yet,
13 the Department of the Interior is not doing anything to
14 save that symbol and the buffalo itself.

15 So you would think that one of the options that should
16 be explored is the quarantine facilities within the
17 Park Service themselves. I know Montana would still be a
18 player, but at least it would take away some of the
19 decision-making processes and leave that decision up to
20 the federal government entities.

21 I want to take this mic over to Kristine. She's had
22 her name up there for a while.

23 MS. LEHNERTZ: Thank you.

24 And after you speak, I might suggest we take a short
25 break.

1 MS. SUCEC: And, Chris, would you like to respond
2 to Mr. Stone before we break?

3 MS. LEHNERTZ: Yes.

4 MS. MARVILL: Some our of tribes wanted
5 clarification on who truly has jurisdiction over the bison
6 in the park. According to your documents here
7 (indicating), dead carcasses that are distributed out are
8 done under the jurisdiction of the State of Montana. You
9 have no record other than a newspaper article on how
10 that's done. All the other national parks that we have
11 MOAs with, even the carcasses are considered a resource of
12 the park and they're transferred by the park, but within
13 Yellowstone that's not the case. And where do you find
14 the accountability for those carcasses that are
15 distributed?

16 The other question was with the quarantined animals.
17 According to your documents, both within here (indicating)
18 and the Record of Decision, it says once an animal is
19 removed and put into quarantine and is handled on a
20 regular basis, it's no longer considered free-roaming
21 bison of Yellowstone National Park, which ultimately would
22 mean they would be transferred over as livestock to the
23 State of Montana. So then, again, where does the
24 jurisdiction of surplus Yellowstone bison fall?

25 MR. WALLEN: Kristine, you asked a very good

1 question. And the way the issue came to a head in 2000
2 was through many court cases, and the court cases led to a
3 negotiated settlement where each individual agency had
4 their assigned duties in how we implement the overall
5 action.

6 The answer to your question here is that we hold
7 responsibility for keeping the animals from leaving the
8 park at the Reese Creek boundary. Our responsibilities
9 are to catch them in the catch pen, consign the animals to
10 our partners. Our partners take over that action at that
11 point in time. That's a very different process than how
12 bison management at other national parks work, where the
13 tribal members come into the interior of the park and take
14 direct possession. This last winter, that possession was
15 directly to the U.S. Department of Agriculture, APHIS. On
16 the west side of the national park, it's a little bit
17 different because the animals are not encountered until
18 they're actually leaving the national park, and it's our
19 state partners that implement the aggressive action to
20 remove animals.

21 Much of that revolves around the legal matters and the
22 negotiations that were put in place and resolved through
23 mediation in the year 2000 that led to our management
24 decisions.

25 Does that help?

1 MS. MARVILL: I think it does.

2 MR. WALLEN: That only tells you what the
3 situation is, and it probably doesn't make it more
4 comfortable for us getting through the process.

5 Is this our opportunity to move to a break?

6 MR. QUINN: Are you going to try to answer the
7 quarantine facility within the park boundary question?

8 MR. WALLEN: Al vah, that's a really good
9 question, and we addressed that as a study option ten,
10 fifteen years ago. And, again, it was negotiated. It was
11 strictly a negotiation. And we looked at that as a part
12 of the evaluation of the environmental impact statement
13 process. The costs that go into that, I can't recite the
14 precise cost, but it's incorporated into our final
15 environmental impact statement that was put forth in the
16 year 2000. It's very high, and I want to -- a ballpark
17 figure is a couple of million dollars, I think is where
18 that came to after they did those assessments in the late
19 1990s.

20 There's a philosophical argument that was put forth
21 during that planning process, and there was a great deal
22 of argument about whether that was an appropriate type of
23 activity to be conducted by the National Park Service, or
24 was it more appropriately assigned to one of our partner
25 agencies. And the decision at the time was that it was

1 more appropriately assigned to one of our partner
2 agencies, and those two agencies that were designated
3 included the wildlife agency for the State of Montana,
4 Montana Fish, Wildlife & Parks. Because we were hoping
5 that our transfer would be from wildlife as they wandered
6 Yellowstone National Park, when they move into quarantine
7 they remain designated as wildlife and go away from the
8 system here as wildlife. And so that's why the Fish,
9 Wildlife & Parks group was designated. The complication
10 comes with the fact that these animals are -- some of
11 these animals, I should say, are infected with
12 brucellosis, and then that becomes an agriculturally
13 managed disease nationally, and APHIS became a co-partner
14 in quarantine with Montana Fish, Wildlife & Parks.

15 So our hope is that those two partners represent the
16 full partnership well and are able to implement quarantine
17 operationally. And I do have a few comments on how that's
18 being studied at this point in time, with the ultimate
19 goal that quarantine becomes an operational program for
20 bison management to manage that risk of animals in that
21 risk zone around the boundary. And I'd like to wait and
22 finish sharing that with my talking points after the
23 break, if you don't mind.

24 MS. LEHNERTZ: And so we will take a break here
25 in just a moment. I did want to kind of respond to many

1 of the comments from this morning.

2 Maybe at the end of the day, what we all agree is that
3 there needs to be a better solution. I think we all agree
4 to that. The Park Service is in a partnership with other
5 federal agencies and states. It doesn't mean we have the
6 same mission as those agencies or that we agree on
7 everything, and I think that is a place where there is a
8 conflict that we hope can work towards a more positive
9 solution. In the Interagency Bison Management Plan, there
10 are two goals: One is the goal of disease management in
11 terms of brucellosis and protecting livestock, and the
12 other goal is to have a free-ranging herd of bison. Some
13 people see those goals as mutually exclusive, and we are
14 trying to say that those goals can come together and we
15 can achieve both.

16 If I might say, this season for the Park Service, it
17 was a very difficult year, and we saw tears and we saw
18 anger and we saw a lot of things for our employees, for
19 our superintendent, for everyone who saw the bison leave
20 the park. And it was very difficult, and it's in many
21 ways the antithesis of what our mission feels like to us.
22 The only piece of light we were kind of able to hold onto
23 is that at the end of the year, we were able to keep over
24 300 bison in the Stephens Creek facility, and when we had
25 green-up in the park, we were able to move them out of

1 facility and back into the park. And so it perhaps was
2 the smallest of victories we could find in the year, but
3 it was something that all of us felt like was some
4 progress that we could make toward the bison.

5 And so, you're right, the Interagency Bison Management
6 Plan is a Record of Decision and it is a legal document.
7 One of the pieces that the Park Service is relying on and
8 that we have spoken to the General Accountability Office
9 about is, there is, within the framework of the
10 Interagency Bison Management Plan, an approach called
11 adaptive management. And through adaptive management, we
12 evaluate the actions of all the partners under the plan
13 and we talk about what we can change within that
14 framework.

15 One of the things the superintendent has talked about
16 being a priority, and something she really wants to talk
17 about and be able to solve, is when we have bison that are
18 negative for brucellosis, we should be able to find a
19 place for them to go and live, even if it's not to come
20 back into the park. Perhaps it's to live with tribes on
21 tribal ground, perhaps it's other places. And we have to
22 make progress on that. And that may seem like a small
23 step among all the steps we'd like to have for bison, but
24 she's very committed to saying we have to have the
25 conversations. There are laws that don't allow us to ship

1 bison, and we need to partner together to talk about how
2 can those laws be changed. And I think there is some real
3 opportunity for meaning in our dialogue to find ways that
4 we can do that. And these are small steps perhaps, but
5 they're large progress.

6 So I guess I would just let us go to break saying that
7 we'll come back with some more conversations. This
8 dialogue has been very important, and very important for
9 us to hear from you all, and I hope that we can turn it
10 into work that has meaning and makes a difference for the
11 bison.

12 How long do we want to take for break?

13 MS. SUCEC: How about ten minutes? Is ten
14 minutes satisfactory?

15 (No audible response.)

16 MS. LEHNERTZ: So we'll be back a little bit
17 before 11.

18 (A brief recess was taken.)

19 MS. LEHNERTZ: Before the break, we talked about
20 coming back and going into our presentations with
21 additional bison information. I'm wondering if it might
22 be okay with the group if we change that agenda just a
23 little bit and maybe spend some time talking with each
24 other about how we can best take advantage of the
25 opportunity for tribes to have a meeting with the

1 partners, the bison management partners.

2 Not loud enough? Is that better?

3 Okay. I'm wondering if we can have a conversation
4 now, instead doing the bison presentation of additional
5 information, if we can talk with one another about how we
6 could best work together to provide the opportunity for
7 tribes to have a face-to-face meeting with the Interagency
8 Bison Management Partners. I mentioned briefly that the
9 superintendent would very much support a letter from the
10 tribes asking for a face-to-face meeting with those folks,
11 and I wondered if there was a way that we could talk now
12 about whether you all would like to do that, if there's
13 any way that we can provide support to that, and what we
14 might be able to do over the next several weeks to see
15 that that can happen. So if people are agreeable with
16 that, we could use that as our next topic.

17 MR. JOHN STONE: Would it be possible to maybe
18 start an advisory group from the tribes that want to be
19 involved in the process, to maybe formulate a formal
20 advisory team to work with all of these issues?

21 MS. LEHNERTZ: You know, I will take ideas and
22 put them on the flip chart. So I'll capture that one, an
23 advisory group from the tribes.

24 MS. RIDDLE: Yes. I had one question about the
25 comment before the break. It was said that there's a law

1 that keeps them from transporting the bison to like
2 reservations and everything for those reservations that
3 want them. Well, my question is, why is there an
4 exception that the bison can be transported over state
5 lines and through Montana to slaughter?

6 MR. WALLEN: You guys ask hard questions. And
7 probably the best answer to that question is that the law
8 was put in place and enforcement of that law is by the
9 U.S. Department of Agriculture, and that's the only agency
10 that allows us to be able to do exactly that. So the
11 APHIS organization that managed animal transport over the
12 winter is the group that regulates that activity.

13 MS. LEHNERTZ: Yes.

14 MS. LITTLE THUNDER: We really appreciate the
15 Park Service representatives for being here and trying to
16 answer our questions. And, you know, I'm very deeply
17 disappointed that the superintendent doesn't place
18 importance on meeting with so many people that came so
19 far. You know, it takes us a full day to get here
20 practically, and we've been here a couple of days already.
21 And so I think for her to be in the proximity and not meet
22 with us is somewhat indicative of how the tribal voice is
23 treated, you know, with the fate of the buffalo. We've
24 been expressing concern about this a number of years.

25 And I know decisions aren't made among the people in

1 this room, really. I mean, I feel for you. You're
2 charged with a responsibility and you try to fulfill it
3 and, you know, you have other forces at play. And we all
4 know the bottom line, what's driving the slaughter, you
5 know, is the Department of Livestock. And so my comment
6 right now -- I mean, I want to express that disappointment
7 that we're hearing secondhand the superintendent feels
8 this way and feels that way. And we appreciate your being
9 the messenger, but we need to hear it directly.

10 Secondly, I want to kind of echo different sentiments
11 that have been expressed here that the tribes do not have
12 a viable role in the management plan, and so we have to --
13 we're spitting in the wind. And I've talked to different
14 folks, you know, and I think right now, I think to really
15 respond to the suggestion of meeting with the IBMP, I
16 think you know, Kristine has had some -- ITBC has had some
17 experience already in trying to be at that table and
18 having no voice, no vote. You know, tribal interests,
19 sovereign nations are reduced to one silent voice or
20 presence at the table that determines the fate of what's
21 central to the Plains cultures.

22 This is something that has been happening repeatedly
23 throughout history. You know, we express our concerns,
24 and you're hearing it here again today. You know, we're
25 not here for material possession of the bison. We want to

1 see to their survival, even if we don't take them home.
2 And it's not self-interest, it's not for gain, and that's,
3 you know, a different language than what's happening.

4 And so I think to properly -- I mean, we want to have
5 that woableze we talked about to put our ideas out there.
6 And I think -- You know, we're always seeking permission
7 from the oppressors, basically has been our lot for a long
8 time; you know, "may I please," "please hear me." And
9 that was my question. And I know you're not
10 decision-makers here. How does our voice factor in? I've
11 been around a long time, 11 years. I go home, you know,
12 tend my family, but I've been here a lot, too. And the
13 tribes, you know, I feel like I represent at least the
14 interest of the tribe because that's what drives me, is
15 people's concern for the buffalo. I have other things to
16 do. You know, I've got a life, I should. This has been
17 my life. And it's because people care.

18 You know, the buffalo helped us survive, really, and
19 showed us a way of life, and so we have that, you know,
20 reciprocal responsibility that we feel very deeply. We
21 can't just walk away and say, 'bye, we ate your flesh, now
22 let's go eat at McDonald's. It's not the way it works for
23 us. We have a responsibility to the buffalo. And, you
24 know, you've been here with them, too, and you cannot not
25 feel that responsibility, too. But it's not you that make

1 the decisions to ship them to slaughter. And I keep
2 wondering, myself -- you know, I saw a fetus gutted out of
3 a pregnant mother. She was shot over in West, gutted.
4 And I walked up there and watched them removing the fetus
5 and wondering, could it have been a white buffalo calf?
6 And I know, you know, in the capture facility, there are
7 heavily pregnant cows loaded and shipped to slaughter, and
8 I don't doubt they're born en route to slaughter. And my
9 question always is, what happens if you capture a white
10 buffalo, a white buffalo calf is born? That's significant
11 to our survival as human beings.

12 And so I think I'm going to propose something now, and
13 I've been feeling -- you know, feeling the energy and
14 talking to folks as we took our break, and we'd like some
15 time, a tribal caucus for us to retreat briefly, pray
16 among ourselves, talk among ourselves, and then we can
17 come back with one voice in saying, yeah, this is what we
18 want to do, this is what we can do; rather than, you know,
19 spitting in the wind, feeling like it. Let's talk among
20 ourselves and let's get our energy together. Collective
21 energy is the way we used to live. And we're coming in
22 fragmented pieces with good thoughts, you know, and we
23 need to put that together and to interact with you in a
24 meaningful way, even though you're not decision-makers,
25 but we need to honor your presence, too, and to contribute

1 to what you're trying to do.

2 So I'm appealing, you know, to all tribal folks. It
3 doesn't mean you have to be brown or have a DNA test, you
4 know, if you represent tribal interest. If we could spend
5 some time briefly now -- we're heading into lunchtime, so
6 we can reconvene after lunch, and by then we would have an
7 opportunity to put our energy together and to pray and to
8 continue this discussion in a meaningful way. So is that
9 agreeable, to ask for consensus? I'll just say, is there
10 any objection to a tribal caucus?

11 (No response.)

12 MS. LITTLE THUNDER: [Native language.]

13 MR. CLAIR: Ladies and gentlemen, we've been at
14 this buffalo deal for 11 years, that I know of. And the
15 very first time I got involved in this deal, Rosalie was
16 the one that got picked up in this neighborhood here when
17 the buffalo got killed. Her and her grandson was
18 arrested. Our tribal leaders back home said, "You better
19 go up and see what's going on." They said, "You go down
20 to Lame Deer." I went to Lame Deer, there was nothing
21 down there. They said to go up here, so I came up here.

22 And ever since then, I've been here. This last few
23 years, I skipped. But we talk about these buffalo. These
24 buffalo mean a lot to all different tribes; they use it a
25 different way. They have ceremony, things like that.

1 They use it in different ways and they believe in it in
2 different ways. So this buffalo means a lot to the
3 Indian people throughout the country.

4 And then here, we let the park rangers -- I don't
5 know, I think it's an idea, a way of getting the buffalo
6 slaughtered. They said they've got a boundary line. But
7 when the Creator created these buffalo, they didn't have
8 no boundary lines for them. They roamed anywhere
9 throughout the world, wherever they wanted to go. And
10 that's what happens here, when the Europeans come in, they
11 slaughter them, they sell them on the black market, they
12 make big money on them. And then when we want buffalo
13 from the park, we have to request for them. Why don't
14 they let them Europeans -- They decide what they call
15 boundary line, the white man's way. Why don't they get
16 them to do the same like they do to the Indian people? We
17 have to ask for it, and they let them guys kill them free
18 out there and they make money on it.

19 When they kill the buffalo here in the park, why don't
20 they give it out to the Indian Reservations? Because the
21 buffalo is a good, lean meat for a diabetic. And the
22 cows -- the people talk about these cattle, and the cattle
23 have got more authority than anything else in this world,
24 no matter where you go. They burn the timber and things
25 like that so they have more grazing land. Why do the

1 cattle have more authority than the buffalo? Why don't
2 they turn around and put the buffalo first and give them
3 the priority, first priority, instead of just slaughtering
4 them?

5 How many -- This is a question I'm going to ask: How
6 many with brucellosis did they find lately here?

7 MS. LEHNERTZ: In bison or cattle?

8 MR. CLAIR: Yes, buffalo, how many with
9 brucellosis did they find?

10 MR. WALLEN: We test them the best way that we
11 can, and we find more than half have had exposure to
12 brucellosis.

13 MR. CLAIR: So what do they do with the ones
14 that's got the brucellosis?

15 MR. WALLEN: They go away.

16 MR. JOHN STONE: What is exposure?

17 MR. WALLEN: Exposure is a way of measuring
18 whether an animal has encountered the bacteria sometime
19 previously in its life.

20 MR. JOHN STONE: Is it transmittable with just a
21 minimum exposure, though?

22 MR. WALLEN: In some it is, in some it's not.

23 MR. CLAIR: Do you see this wall here
24 (indicating)? You might as well walk up next to the wall
25 and talk to that wall: Wall, wall, can you hear me?

1 That's what we're doing as Indian people. We come up
2 here, we talk about these buffalo and things like that,
3 we're just talking to the wall. That's where we stand.
4 We're not getting nowhere. It's been the same thing every
5 year. I've been here 11 years, ever since this lady got
6 arrested. That's where I got started. I've been here for
7 11 years. That little girl running around here, that was
8 her dad that was arrested with her grandma. So I'm glad
9 to see her here, with the way they treated her. Really
10 glad that she still comes back.

11 So this is what's been going on all these years, we've
12 been talking to a wall, brick wall. We're not getting
13 nowhere. There's a lot of good words that's been put out
14 here, to ask them if they could go this way and then if
15 it's possible they could -- "Yeah, well, we'll look into
16 it." "We're working on it." You're still working on it.
17 So that's where we're at now, at today. We've been
18 fighting for these buffalo because it means a lot to the
19 Indian people.

20 That's about it. Thank you.

21 MS. LITTLE THUNDER: I think we are looking -- I
22 mean, we're not telling you what to do, it's voluntary for
23 the tribes, but Arvol is going to -- and anybody that
24 wants to help us with the prayer, just go. He's offering,
25 you know, prayer for us right here just out the door. And

1 we can kind of establish a good comfort level for folks,
2 and maybe we can collect our thoughts and then come back
3 and continue this discussion.

4 (A recess was taken for prayer and caucus.)

5 MS. LEHNERTZ: Welcome back, everyone, from
6 lunch. I hope everyone was able to get something to eat
7 while we were taking our midday.

8 I would like at this point to turn the microphone over
9 and hear from whoever wants to start about the tribal
10 caucus.

11 MS. LITTLE THUNDER: Actually, I have some
12 comments, but I'm going to draft Jim, again, Jim Stone.

13 Nephew, you come here.

14 And I think just the opening comments, I think he did
15 say some good things here, and unfortunately, we kind of
16 missed the opportunity to bring the Park Service back in.
17 I think his comments were very appropriate. And then I
18 can kind of share with you some of the details. But I
19 want Jim to replay and repeat.

20 MR. JIM STONE: I don't know, things come off the
21 top of my head, so they never sound the same the second or
22 third time. But I think a little of what we were
23 discussing was based on some of my initial comments about
24 the consultation process and this consultation process not
25 having I guess a clear and defined mechanism into

1 impacting what's going on currently. You know, most
2 times, consultation with tribes leads to a result. I
3 don't see where the result is here. I don't see where
4 this consultation is going to lead to the buffalo not
5 being slaughtered next year. And that's because you guys
6 are handcuffed by the Interagency Bison Management Plan.
7 And part of the discussion has been working through your
8 guys's systems of if it is -- I'll sit down. I have a
9 couple notes, one or two words I can't remember off the
10 top of my head all the time.

11 Adaptive management, actually. If the Interagency
12 Bison Management Plan is governed by an adaptive
13 management process, now, are there policies in place that
14 will allow us to utilize that? And by "us," I mean, you
15 as the participant. Since we're not a participant, how do
16 we -- how do we direct our efforts to get our desired
17 result? Because ultimately, I believe what we want is
18 what you want, you know, and I can only speak for -- my
19 feelings for the National Park Service. You know, because
20 you guys are trusted with the nation's treasures,
21 basically. It's in your guys's hands to take care of it,
22 and we want to support you. Our support may not
23 necessarily be on that level with the Montana Department
24 of Livestock, the Montana Fish & Wildlife Service, might
25 not even be there with APHIS or the Forest Service, you

1 know, but in this issue, you guys are the caretakers.

2 So we want to know exactly how the process works. And
3 that's some of what the tribal caucus would be; you know,
4 put together some of our minds, our best minds, our people
5 of science, to determine how we can impact that system.
6 And if we can't impact the system that's in place, how do
7 we get rid of it completely? And that's not you're -- you
8 guys can't tell us that, because you guys don't have the
9 authority.

10 We need to know who has the authority and the
11 mechanisms that are in place. We're not telling you to
12 advocate one way or the other. We just want you to
13 explain your systems to us, because they're not our
14 systems. You know, we have real direct ways of getting
15 things done in tribal situations. We're not at that level
16 of -- Most of the tribes have barely hit the basic level
17 required in the Indian Reorganization Act, and that's, I
18 don't know, 70-some years in the making. And you guys
19 have went way beyond what's in the IRA standards, you guys
20 have bureaucracy on top of bureaucracy. So a lot of times
21 we're confused.

22 I don't want my comments put into a little box that
23 quotes me something, I want a directed response. You
24 know, and if that's where you're at, if that's your job,
25 if that's Mary Bomar's responsibility, you know, I want an

1 issue that's elevated and I want a response back -- I'm
2 saying "I." We. But what I would like to see is
3 something from this meeting that's directed to somebody
4 above you, a letter, a memo, an internal memo saying, "Out
5 of that meeting here are the key issues the tribes want
6 elevated and here's the questions they want answered"; and
7 I want to be privy to that, and I think all the tribes do.
8 You know, we want to be courtesy copied. Or if you get it
9 to me, I'll make sure everyone gets it.

10 And then we'll know whose door to knock on next time
11 we're somewhere where there's decision-makers and say,
12 "What did you do with this? The issue has been elevated
13 from this level, what's going on here?" And when it gets
14 high enough to where there's people in positions impacted
15 by politicians, then that's our playground. Because we
16 have tribal leaderships, tribal chairmen, everyone has a
17 congressman or senator that's up on Indian issues and
18 requires an Indian vote at times. So those are the people
19 we'll have to ask the question of your bosses. But we
20 need the issue to get out of this level and get elevated.
21 Because if it gets smothered into, like I was saying
22 before, weeks for the transcripts from the court reporter
23 to get finalized and returned to you and then you to
24 review them and then you to send them to your check and
25 the other check, we'll be a year before it gets anywhere.

1 So I would like, if nothing else out of this I guess
2 tribal caucus, and maybe Rosalie could express those, a
3 couple of concrete requests from the tribe that you
4 elevate, through memo form or whatever your internal
5 policies are that govern it, you know, just for
6 clarification so that we don't feel like we've wasted our
7 time. So by next year, we actually want to see something
8 done. You know, like my elders over there saying,
9 11 years, "Hello, Mr. Wall." Eleven years ago they
10 probably didn't have that climbing wall over there. So
11 things have changed a little bit, but it's just the walls
12 that have changed, you know, it's not the actual problem.

13 And I like to plan things about two years out, maybe
14 three. You know, I don't want to give it that extra part.
15 Because I know the tribes have power, and it's evident and
16 everybody here knows it. Look at the presidential
17 situation that's going on. You know, I'm in South Dakota,
18 Ervin's in Montana. Look at how many visits they made to
19 Indian Country. So, I mean, we have the ability to impact
20 things at that level, you know, and it's like that's
21 always in our back pocket. And that's something we can
22 bring to weigh in on an issue, and this is an important
23 issue across Indian Country.

24 I want to see this consultation have an impact. I
25 can't say whether the other ones have had an impact or

1 not, but this is a recommendation so that you can say, "We
2 actually had a consultation that had meaning, that,
3 actually, the tribal participants that left felt like
4 something was accomplished." Because we spent the whole
5 morning basically hearing outrage about how the other ones
6 haven't got to that. You know, if, as an agency, you want
7 to move forward and make progress, that's one
8 recommendation you should probably strongly consider, is
9 outside of putting things in a box (indicating), a memo to
10 somebody above you.

11 You know, I know most agencies have a process to
12 elevate issues. You know, if something happened here that
13 you don't feel comfortable, you don't think it's within
14 your decision-making ability, you elevate it. We want our
15 issues elevated so that we have a record to follow.
16 Because otherwise, we're going to go see -- talk to
17 Jim Cason next time we talk to him and he's not going to
18 have a clue what we're talking about. We'd at least like
19 him to have a heads-up and know what we want so it doesn't
20 take us 20 years.

21 You know, and that's just kind of where I've taken my
22 comments earlier about the consultation of where I don't
23 think they have an impact. And we're going to be
24 reviewing the Interagency Bison Management Plan to see how
25 the adaptive management policy works, because we want to

1 make some requests. You know, we want to get some action
2 taken.

3 And I think that's something that you can take out of
4 this, as well. You know, under that adaptive management
5 philosophy, the comments that the tribal people are
6 making, the requests they are making, you need to bring
7 them into the IBMP next time there's a meeting and say,
8 "Here's requests we're getting to adapt the Interagency
9 Bison Management Plan. These are things the tribes want
10 us to do." And that's what this caucus will be doing; as
11 we get a working group put together, we'll be creating
12 issues that we want action taken. And we'll present them
13 to you in whatever format you need. If you need tribal
14 governments to each write a letter, you know, we need to
15 know the person that needs to get that. You know, who is
16 your signatory on that? Because that's probably the
17 person that's responsible for making that request for
18 change. Who sits in the lead position?

19 And we're going to continue to work within your
20 system, because, you know, that's a way to get things
21 done. But in light of the political climate, you know,
22 getting a new president, probably getting new secretaries,
23 getting a lot of new things, we may run out of patience
24 and we might have to start taking more direct results.
25 Because it actually worried me when you said that the GAO

1 report was recommendations, that that actually didn't
2 scare you, you know. You know, you could throw it away.
3 Like I said, I know you worked in EPA before. I know GAO
4 reviewed one of our tribal programs; we couldn't just
5 throw it away. So I don't know where that means nothing,
6 but if that's a valid and true comment, I'm going to quote
7 you on that.

8 MS. LEHNERTZ: I hope you won't quote that I said
9 we'd throw it away.

10 MR. JIM STONE: Well, no, I'm saying that you
11 said it was recommendations.

12 MS. LEHNERTZ: And we would weigh it very
13 heavily.

14 MR. JIM STONE: Well, we make comments that you
15 weigh very heavily and they get reduced to a box
16 (indicating). You know, I don't want to get into that
17 argument. I'm just saying if a GAO review is
18 recommendations that are heavy or light, they really don't
19 force a change. Because my -- I guess my reading into the
20 history of some of this was that the hearings were
21 requested by members of Congress because they wanted
22 change. Now, if by working through GAO to get a review of
23 the process doesn't cause change, then we need to go back
24 to those same congressional people that have issues with
25 it and say, "Don't ask for another hearing through GAO,

1 because they're saying that's a recommendation that they
2 consider heavily, but it's not an action of change, it
3 doesn't cause things." You know, there's no cause and
4 effect. If we got the same report at the tribal level, we
5 would have to change. But this Interagency Bison --
6 That's what I'm saying. I don't think consultation can
7 impact this process. It almost seems like this thing is
8 made of steel or something; I mean, it's going to take a
9 lot of work to break it.

10 But we talk with congressional people that are very
11 concerned about what's going on, and they're doing what
12 they think they can do to cause change, but if they're not
13 getting that change, then we need to give them some better
14 advice; you know, "Don't ask GAO to review it no more, but
15 schedule some hearings in Indian Country, get our comments
16 from our tribal leadership, government-to-government, get
17 some directives coming out of it." You know, maybe we
18 need some legislation, maybe we need laws changed, like
19 was recommended -- was brought up.

20 But we need to know -- Like was said, \$1,900 spent,
21 thousands, \$2,000 spent to come here. If this ain't the
22 agent for change, we need to spend our thousands on
23 something else. And like I said, I know it's not the
24 staff's place to tell us the up or down. But we would
25 just like to know the processes that are in place, what's

1 your paperwork, what's your system that we have to go
2 through, so that we can figure out where we need to apply
3 the pressure. We just want to get in the game. Because I
4 don't like seeing what's going on. Nobody does. Nobody
5 here does, nobody in this room does. And it's a mentality
6 that a lot of tribal people face. And we know the basis
7 for it; you know, the buffalo was killed to kill us.
8 Well, we're here, they're there; you know, we're all still
9 here. You can try to baffle us with science or whatever,
10 but we've got our own science. We've got our own people
11 going to school and getting educated, and that changes the
12 ballgame. You know, we're not impressed with a PowerPoint
13 presentation. We probably could do our own; probably
14 could do a nice one, too.

15 I mean, I think there's an evolution going on that if
16 you don't like what's going on, you need to embrace the
17 tribal viewpoint. Because we want change for the better.
18 You know, nowhere else do you find people come from all
19 across the country for issues like this where there might
20 not even be a direct impact. But historically, tribes
21 traveled all over the place, so we're all concerned. And
22 like I say, we just want you to impart with us the basis
23 and the foundation of how to change your system so we can
24 work within the system. Otherwise we'll have to go rogue
25 on you -- No.

1 MS. LITTLE THUNDER: Thank you, Jim. I think you
2 spoke well on our behalf.

3 I just wanted to kind of strengthen his comments a
4 little bit. You know, the Park Service folks here are
5 probably between a rock and a hard place, you know, with
6 your responsibility, trying to answer our questions. And
7 we want change in what's happening with -- Our number one
8 concern is the buffalo, you know. And I've seen this too
9 many times. I think practically -- close to 1,100 in '96,
10 '97 and what's happened this year. I didn't think it
11 could happen again, but it did, in those numbers.

12 And so we want change. And as Jim said, you know, I
13 think we pretty much want the same thing, but we're in
14 different cultures. There's the government agency culture
15 and the way it works; and we have some sympathy for that,
16 you know, mainly because how do you pour water uphill.
17 And that's where you're at and that's where we're at. But
18 because we have maintained our status -- And that has not
19 been easy, you know, starting from a time when we were
20 decimated by disease and by the military. We've still
21 endured. And, you know, we speak the same language, no
22 matter which tribe we're from. We've sat here and looked
23 at each other and talked, and we're on the same page. You
24 know, it's frustrating when you -- even if you speak
25 English, if you say something and what you're saying is

1 not understood.

2 Something is happening -- This slaughter, the energy
3 of it, I think, personally, is out of control. Ahniyan, I
4 call it. And I wish Arvol were here, he'd help me
5 translate. I try to translate for him at times, because I
6 know he's very eloquent in Lakota and struggles with
7 English. But likewise, sometimes I need help. Ahniyan
8 is, you know, the need to just, like this (gesturing).
9 That's the best I could describe it. We have come through
10 that. Just everything we do is like -- you know,
11 everything we try to do for survival gets knocked down.
12 We're in a place of poverty and all the things that come
13 with it. And that's the level of ahniyan. Oppression, I
14 guess, if you will; it's kind of a lighter translation of
15 ahniyan. Poverty is not a choice. We didn't raise our
16 hands, you know, who wants to be poor? It's not by
17 choice, it's very deliberate, it's by design. And we've
18 endured that.

19 And we see the same thing happening with the buffalo.
20 You know it, you feel it. The driving force is not from
21 your hearts, not from within, it's coming from elsewhere;
22 we recognize that. And so, you know, we need -- One of
23 the thoughts that came out is we need to help to design a
24 tribal road map to help National Park Service. It's not
25 you talking at us, it's us talking to each other. This is

1 the road map we want, this is the path that we're on.
2 We're not seeking permission of the oppressor. But I hear
3 a lot of determination, you know, we're needing to elevate
4 failing -- You know, IBMP, we had a tribal voice on there,
5 observer status. That failed, of course. We're still
6 trying to figure out, you know, consultation, what impact
7 it has. It's kind of like trying to hold a handful of
8 sand: Here's our comments, and, you know, they're gone
9 like sand, holding sand, our concerns.

10 So, basically, as Jim said, we want change, and we're
11 going to go after change. We've got to figure it out,
12 where are the decisions happening. There was the
13 management plan we tried to input somehow, and the GAO
14 report says that the management plan is not being upheld.
15 So we need a meeting, tribal meeting. And we're going to
16 need, again, you know, some input from the Park Service,
17 of course. It's in your face, the issues. You're
18 surrounded by the buffalo, charged with the responsibility
19 of managing them somehow. I don't buy the disease issue
20 too much, you know, until I see an elk management plan or
21 field mice or pronghorn -- you know, pronghorns are at
22 great risk because of the buffalo killing, the hazing. I
23 mean, you know, it's like, come on, let's get some common
24 sense.

25 So we want to go on common sense and try to find that

1 point of change. And we suspect that we're going to have
2 to go all the way up and move forward towards what we are
3 calling a buffalo summit. We need APHIS, Forest Service,
4 Park Service, Ag, we need those folks at the table who can
5 make decisions, who can effect change. You know, we know
6 we can't do it here. But we can at least honor each
7 other's efforts and intentions. And I will make this
8 statement on behalf of everybody here: We don't, we
9 cannot even consider this consultation when the
10 superintendent chooses not to be here. So it isn't
11 consultation. We do respect -- we're thankful for your
12 hospitality, for listening to us. It's not for nothing.
13 You know, we can hear each other as we try to move forward
14 for finding that place of change.

15 And so the buffalo summit will be the consultation.
16 And we're asking for the Park Service's help in sending
17 that message upstairs, as we will do, too. And it's going
18 to be more than us, it's going to be heads of state of our
19 tribes and the agencies who do make the decisions;
20 Congress, if need be, if we need to go to those levels.
21 We have a lot of questions that still need to be answered,
22 and we need to do it in honesty. I don't know why this is
23 happening, why does this, you know, go on. You know, I
24 have no prejudice about the elk, but I keep my eye on
25 them, how they're treated compared to the buffalo, so I

1 have that contrast. When you see that contrast, you know
2 something is pretty askew here.

3 You don't make policy, you know, somebody makes those
4 policies. And we're perfectly willing -- We put up there
5 "to begin cultural skill level of NPS." You have your
6 culture, we have ours; we need to have that dialogue and
7 that exchange. More than once, we've been asked, why are
8 the buffalo so significant to you, and we look at each
9 other like, I can't believe the question. But it's our
10 language, you know, when we talk about buffalo. And so we
11 need to begin sharing that, you know, because buffalo are
12 here. I'd like to propose we have a buffalo kill ceremony
13 for every single buffalo that's killed from here on, to
14 teach the sanctity of the life of a sacred species. Arvol
15 does that once in a while for hundreds, thousands of
16 buffalo. Why do we do that? To teach ourselves
17 something, to hold ourselves to the line, to discipline
18 ourselves. And so that kind of exchange needs to happen.
19 You know, we're perfectly willing to help with that, bring
20 common sense, you know. It's like somebody was saying,
21 it's illegal to transport buffalo -- I've heard that
22 before -- but you can transport them to slaughter, so
23 somehow that doesn't fit, you know, my common sense.

24 So I think we have a challenge, all of us, whether
25 you're Park Service, tribes, to find that place of change.

1 And we're willing to roll up our sleeves and work. We
2 have good minds, good energy to do that.

3 You know, earlier, I was sensing this frustration that
4 was getting higher and higher; we're asking questions,
5 we're getting answers that don't answer our questions or
6 that don't make sense. And so now, you know, to regroup
7 and to get our energy back and say we've got to think
8 together and act together, and that's the same gesture we
9 make to you. We're all trying to reach the same end, I
10 believe.

11 My daughter once asked me -- You know, she's had to
12 see me gone a lot. She said, "Mom, if it were the last
13 standing buffalo, would they kill it?" And I've called it
14 pathological politics, not at your level, but upstairs.
15 Yeah, they would. Actually, before I answered her, she
16 looked at me, she said, "Oh, never mind." She knew.
17 Could happen. Politics is such that it could happen.
18 That's the threat.

19 So, anyway, that's where we're at, we want a summit.
20 We'll build towards a summit; educate ourselves, talk
21 among ourselves, strategize, and get the decision-makers
22 to this summit. And that's the message. And we'll relay
23 the message ourselves, too. Smoke signals. Somebody is
24 going to have to teach somebody in Washington, D.C., how
25 to decipher smoke signals.

1 Jim, that's your job.

2 MR. JIM STONE: As soon as we get done, we should
3 hear nothing but the clack of that little telegraph,
4 "They're on the warpath in Yellowstone."

5 MS. LITTLE THUNDER: And we've set a challenge
6 for yourselves, too. One of the challenges that we've set
7 for ourselves is to reach that one voice. I think we
8 think alike, so that shouldn't be too hard. But also, you
9 know, within the cattle industry, we need to say, "Hey,
10 you folks get the bad rep for just a few hundred head of
11 buffalo out there in Yellowstone." That needs to be kind
12 of refocused. It's not buffalo versus cattle at all.
13 It's just this particular area that is so troublesome.
14 That needs to be brought into better perspective, too, for
15 those folks that are just trying to make a living raising
16 cattle. It's contentious, these lands right along the
17 border.

18 So we're all headed for a buffalo summit. And we'll
19 have our planning meetings along the way. Here and there
20 we may call on the Park Service to clarify things for us,
21 you know, particularly about the Bison Management Plan,
22 why is this not working, what happened there, those kinds
23 of issues. And so that's -- you know, we've heard a high
24 level of commitment to working to that end. And, you
25 know, we're going to need help from among ourselves

1 and from different agencies.

2 The IBMP, right there, after our planning meeting,
3 we're going to try to achieve woableze, which is looking
4 at all the perspectives, all the finer details of this
5 issue, to then input at IBMP. And you can probably help
6 us with that, you know. But we'll continue moving towards
7 a buffalo summit. Send somebody to the IBMP camp, but,
8 you know, we've got to keep our sights on the consultation
9 as we want it, as we need it to be.

10 Erv, do have any comments? Alvah? Because I think
11 I'm trying to summarize, but I know you guys really
12 inputted a lot, so I'm going to ask you to elaborate a
13 little bit.

14 MR. CARLSON: Thank you.

15 You know, before we broke with you people, we were
16 going to talk about some kind of an advisory group to work
17 along with you. Kind of what we came up with from the
18 tribal side is that we would put together a group or a
19 subcommittee of people that would come and meet with you
20 on the issues. This morning we talked about it's supposed
21 to be a consultation, but, actually, we don't really
22 believe -- It kind of goes different ways. Things are
23 already in place and we're just here talking about the
24 same things, so we changed the agenda.

25 So kind of what we thought we would do is put together

1 this group, and if it's okay with you guys also, that we
2 would put together a planning -- I guess, like we kind of
3 came here unprepared also, maybe that we're just kind of
4 out there, our different ways, and just getting together
5 once a year. So a committee that would come out of the
6 planning, the tribes would go back and have their planning
7 of how they would like to work with you guys on the issue
8 here on the management and try to get our ideas
9 implemented, you know, over to guys. And from that
10 subcommittee, we would send them back and meet with
11 yourselves, the IBMP.

12 And then what we're planning from there is to -- you
13 know, the big concern here this morning was that we're
14 here with the same old thing every year. So what we want
15 within this buffalo summit is to get back together, and it
16 would be the upper-level people who do make the decisions,
17 and also I guess your superiors, I guess. But if it needs
18 to be, we would also have like maybe some of our
19 congressional people, those kind of people that would
20 really help us to get our message across and help us get
21 something in place where we could work together.

22 And I guess the main concern here from the tribes is
23 that they just want to be on the same level as everybody
24 else on the planning and not -- Like Jim said, this plan
25 is a fifteen-year plan, it's been in there eight years and

1 we're still really going nowhere with tribes having any
2 input to it. So just what the tribes are always looking
3 for is to have their voice heard and the things that they
4 want really adhered to and not just come and say, "Well,
5 yeah, we're looking at that" or "We're trying to do that"
6 and never getting any answers to the questions, really
7 true answers.

8 So that's kind of where we're coming at, is we just
9 want to be on the same level of playing field as everybody
10 else and, you know, have the true government-to-government
11 relationship. And we're not just the public. There's
12 Indian Nations out there that have a real interest or a
13 part in this. And that's all that we're asking for. And
14 maybe we can work out in the summit there some of the
15 things we might want. We did have a lot of things that
16 Yvette put down -- and maybe I'll have her talk about them
17 here in a little bit, some of the ideas that we do have
18 that we would like to see implemented. And even along the
19 ways, you know, some even cultural training for your side
20 to even what see what it is, you know, truly what we want.

21 And I know there's a group out here that is here, and
22 they're always kind of maybe looked at as a little, you
23 know, out there. But they've actually went out there and
24 made themselves to learn -- I guess just to learn and
25 experience the Indian side of it, the Indians'

1 perspective, what all of this means to them. And I think
2 that's kind of what we're asking; you know, that your side
3 take the time, I guess, just to learn what our perspective
4 is. You know, there's a lot of, I guess the idea of
5 livestock driving behind this. And I looked earlier at
6 the people within the management team, you know, the
7 livestock industry and just the different agencies that
8 you have, the Park Service and Forest Service and those,
9 and you don't see any tribes on there, which I think is
10 the biggest -- the most important relationship there. And
11 that's just what we're asking.

12 And we're all looking out -- and I know you guys are,
13 as well, looking out for the good of these buffalo. But
14 there's just a lot of things that we feel that the tribes
15 are not having any input on, and that's where we want to
16 be. And we did put down a lot of the concerns or the
17 things that we would like to see. And I guess from here,
18 just see how you feel about also us working together on
19 the same level and having some good dialogue with each
20 other about this and not coming back every year and just
21 do the same old argument. It doesn't do us any good to be
22 sitting here butting heads; you never get anywhere doing
23 that. So we have to learn to work together and respect
24 each other's ideas and that to really get somewhere. You
25 know, that's the way I feel; you can butt heads with each

1 other for years and never get anywhere, but you've got to
2 respect each other's I guess input or ideas about the way
3 things are. So that's what we'd really like to see, is if
4 we could just -- above all, we just want to be on the same
5 level of playing field as everybody else in the
6 decision-making, I guess, of this process.

7 Yvette, did you want to talk about some of the things
8 that we had talked about?

9 MS. TUELL: Well, I guess a question I have
10 before we do that, is it all right with everyone here if
11 we go ahead and show the draft that we have so far,
12 emphasizing that it's simply draft? Does anyone have a
13 problem with it? I mean, these are not formally approved
14 by any tribal government, but they're just reflection of
15 the discussion that we had this morning.

16 MR. CARLSON: I think that they need to see it.
17 I think it's a good thing that we share it.

18 MS. TUELL: Okay, we've got three pages. We had
19 a busy discussion.

20 MR. QUINN: Yvette, while you're getting that
21 ready, I've got a comment for the Park Service.

22 Some of the frustration I think that we all have here
23 today is coming from a lot of the meetings that we've had
24 here in the past. And I can remember early on, when the
25 EIS was being formulated, tribes were asked to take part

1 and comment on the EIS. The InterTribal Bison Coop at the
2 time, based on comments from some of the tribes here,
3 developed a seventh alternative, and that was the
4 quarantine facility. For whatever reason, the
5 Park Service didn't think that was very important or
6 justifiable. But what was really surprising, the
7 Park Service took the ITBC idea and turned around and did
8 its own quarantine facility, what is now Corwin Springs.
9 And we had a tribe at the time, Fort Belknap, that was
10 willing to take some of the animals during the quarantine
11 process. I don't know if any of you guys have had a
12 chance to take a look at the seventh alternative that the
13 InterTribal Bison Coop had developed at the time on that
14 EIS, but it was a quarantine facility. And for whatever
15 reason, it never materialized.

16 But, again, that goes to show some of the discussions
17 that we have right here and ideas that we present to the
18 Park Service and they don't go no place. That's where a
19 lot of the frustrations are coming from. I just want to
20 make that comment so that you guys are aware of that, you
21 new ones.

22 Okay, Yvette.

23 MS. TUELL: This is the first draft from the
24 representatives present here today on providing some
25 definite feedback to the agencies on issues that we had

1 concluded that the agencies need help on. So we just
2 started talking about things, and as we talked, I tried to
3 the capture the concept of what we were saying. So
4 emphasizing that it's draft -- And I'm not going to go
5 through it word by word. I'm just going to go through
6 bullet by bullet.

7 Recognizing the inherent ceremonial and treaty
8 reserved rights held by the tribes, we would like to
9 develop opportunities for more active tribal interaction
10 into management on park lands. Recognize the individual
11 sovereign status of the tribal governments and each
12 respective tribal government decision-making process for
13 each tribe. Providing the incorporation of tribal values
14 and rights into the management decisions of the National
15 Park Service. Development of tribal goals and objectives
16 for the National Park Service. Provide a mechanism for
17 tribal individuals to secure natural resource items for
18 ceremonial purposes; for example, skulls and those types
19 of things.

20 Recognizing the holistic interaction between people
21 and the Earth and that it cannot be separated. Provide
22 for the vitality, well-being, and healthy subsistence and
23 traditions for tribes and tribal individuals, such as
24 providing for diet and food and spiritual health. Must
25 consider how management decisions will impact these

1 issues, and not only consider, but must protect those
2 resources. Social and cultural impacts to tribes who may
3 have become dependent on others to provide; and we had a
4 big discussion, but I didn't quite capture that.

5 Require the wild, free-roaming for bison and other
6 wildlife. Encourage tribal ceremonial and treaty harvest
7 with other agencies. Have the National Park Service and
8 the National Forest to actively support tribes on harvest
9 on their respective lands; and recognizing that the
10 National Park Service, that may be a little difficult.
11 But we do ask that -- and we've asked this before, that
12 the National Park Service be an active trustee for those
13 tribes who have that right. Provide active opportunities
14 for those tribes who have treaty rights to harvest on
15 federal lands. Encourage treaty tribes to become more
16 active in federal land management and push the Bureau of
17 Indian Affairs leadership to provide active support for
18 those federal lands as well.

19 Provide for the restoration of native plants, animals,
20 and waterways. Focus on long-term management issues
21 rather than individual projects and issues for the tribes.
22 Develop a tribal subcommittee from this intergovernmental
23 meeting to work on tribal issues. Provide technical
24 assistance and funding for tribes to participate on that
25 subcommittee. And it kind of -- we discussed exactly what

1 it would be called, whether it's a subcommittee or a
2 working group. I mean, this is just an idea that we would
3 like to follow up on. Provide tribal organization and
4 other tribal educational entities with, I guess it was
5 receiving bison. That was another issue that we
6 discussed, and I didn't quite capture that comment.
7 Encourage active tribal interaction. And I guess we're
8 going to start repeating some of it, but I just tried to
9 capture it as it was going along.

10 A big issue was developing legislative opportunities
11 with states and federal legislators to support tribal
12 issues and solutions for both the -- for tribal lobbying
13 as well and start working with the candidates for
14 supportive legislation. Require decision-makers to
15 attend; and that was emphasized again and again. Provide
16 for additional summits or forums for tribes to develop
17 solutions or strategies for buffalo that can reflect
18 tribal values and resources and importance.

19 How can this group support the development of future
20 forums or summits? One that was proposed was a buffalo
21 summit. And for those tribes here, like, for instance,
22 the Shoshone-Bannock Tribes, do we need to get formal
23 approval? Because we have our own formal governmental
24 consultation process with federal agencies. But we just
25 started brainstorming these issues and the need for

1 developing some type of process or procedure for more
2 improved, effective consultation with the National Park
3 Service.

4 And some of these items here are simply notes, like
5 identifying volunteers and tribal representatives who will
6 be working on this. Develop partnerships with other
7 tribal organizations. Encourage our young people to
8 attend. Encourage tribal self-sufficiency. Future
9 planning meetings. And, again, getting respective support
10 from tribal councils. What we'd like to come up with is
11 provide active comments to the federal agencies on the
12 effectiveness of the existing plans and how to improve the
13 implementation. Develop alternative management options
14 that are not destructive to the wildlife or to other
15 resources. Provide time for tribal caucuses prior to
16 formal meetings with federal agencies to have more
17 effective meetings. Again, develop partnerships with
18 other organizations, tribal organizations. Raise the
19 level of the consultation discussions to reflect all
20 respective federal agencies that are relevant to this
21 area. And there was a question that we discussed and we
22 never we made a final decision regarding state and local
23 governmental agencies.

24 We'd like to work to help the National Park Service
25 develop somewhat of a road map on how we can be more

1 effective in the relationship. Work on educational and
2 informational opportunities to help educate federal
3 agencies on tribal cultural issues and values so that they
4 can better understand the tribal perspective, from which
5 they can make more informed decisions. Again, encourage
6 our younger people to become more knowledgeable. And then
7 here's, again, what we had called the tribal advisory
8 committee, working group. To take advantage of the
9 adaptive management approach that is detailed in the
10 existing plan and give some input to have it be more
11 effective, that will reflect tribal issues.

12 Let's see, some of the issues we talked about was,
13 again, the development of some type of tribal plan or
14 procedures or guidance or something -- we haven't quite
15 agreed on what we're going to call it -- so that we can
16 have much more effective coordination for information for
17 tribes on how we can be -- I mean, just the how to be more
18 effective so that we can work to develop solutions, goals,
19 and objectives that will be much more accurate. And I
20 included here not just the National Park Service, but the
21 Greater Yellowstone Area, recognizing that the resources
22 don't stop at your border here.

23 Some of the things we talked about was more frequent
24 meetings with interested tribes; encourage more
25 intertribal actions and involvement; develop a plan of

1 actions or strategies; and being able to participate in
2 the planning process from the beginning to the end. And
3 one of the things we really emphasized was providing
4 timely feedback to the tribes as a result of these
5 meetings. Because, for instance, I didn't get the meeting
6 notes from last year until just a couple months ago.
7 That's an extended time frame for comments to be turned
8 back to the tribes.

9 So that's what we talked about. What I was going to
10 do, because it's a draft, is send it out to all the
11 respective tribes for their review and comment and figure
12 out how we're going to approve that so it's not draft.

13 For the representatives at the table, is it acceptable
14 to everyone here that we make copies -- and, again, it's
15 draft -- so that the Park Service can have a written copy?
16 If there's any problems with it, speak up, because I was
17 going to go ahead and disseminate it to all the tribes
18 here anyway.

19 (No response.)

20 MS. LEHNERTZ: So anyone else want to speak about
21 the tribal caucus before we start our conversation?

22 (No response.)

23 MS. LEHNERTZ: Okay. I think the first thing I
24 would like to do is thank you all very much for holding
25 that caucus and for speaking to us about your ideas and

1 for caring about the bison and wanting to move forward and
2 doing something positive to change it. I think we are
3 very much in agreement that things do need to change. And
4 I think -- I think what we heard you say is we share the
5 same values about what is important for bison, and that is
6 an important place where we can start from to make
7 progress, and that is a hopeful situation. So that's --
8 those are all good things.

9 We also know that we have quite a challenge in front
10 of us in regard to the legal framework that we have to
11 look at, but I think we can walk a path together that will
12 help us to understand the framework and see what we can do
13 within that framework. As you know, there are two other
14 federal agencies involved in the partnership, as well as
15 the two state agencies. And I think the idea of starting
16 by conversation is one that's very important to be able to
17 understand where we are and the opportunities we face and
18 the constraints that we have in terms of the law and the
19 agreements that are there.

20 So I think the list that you have is an important list
21 that we will take and look at, as well as your notes, and
22 maybe we can talk this afternoon a little bit about how to
23 get started on that.

24 Alvah.

25 MR. QUINN: Yeah, I've got a question. I think

1 you said something very important there, and then when you
2 mentioned about how we can get started. I think before we
3 can get started, we as tribes need to know what the legal
4 framework is and the obstacles and challenges that we have
5 before us before we can try and make any changes. I think
6 it's important that we know what those are, those legal
7 frameworks. And I don't know how we'd go about doing that
8 other than if there's anything that the Park Service can
9 provide to us as far as what are the legal issues that
10 we're facing. And I know you guys have the same problem
11 as we do.

12 So if the Park Service can somehow let us know what
13 those legal frameworks are and how we might be able to --
14 We as tribes, I think we could do a lot more lobbying than
15 you guys can. And I know you guys can't do any lobbying,
16 so it would be up to us to try and make those changes.
17 But first we need to know the legal frameworks, as you
18 mentioned, as to how do we begin the process. Once we
19 determine what the legal incidences are, then maybe we can
20 begin that process.

21 MS. LEHNERTZ: Thank you. I think that's really
22 important. And one of the things that the Park Service
23 will commit to is to share with you not just the documents
24 and, you know, here's the Record of Decision and here's
25 the EIS, but to have a conversation about what is

1 opportunity within that framework and what are constraints
2 within that framework. And so we probably can't do that
3 today, but I think it's an important thing to put at the
4 top of our list to talk about as we move forward, so I've
5 made a note of that and I'll make sure that we follow
6 through on that.

7 MR. QUINN: Thank you.

8 MS. LEHNERTZ: So how to start today, how to move
9 forward from today, I think is an important question. The
10 list that you all have is one that we will take very
11 seriously, and I think there are really positive next
12 steps in that. And the first question is, what is the
13 first next step? And we spoke a little bit this morning
14 about the idea of the tribes sending a letter to the
15 Interagency Bison Management Partners to start that
16 dialogue, to have that dialogue.

17 And I did have an opportunity at lunch to speak
18 briefly with the superintendent as she was between phone
19 calls with Washington, and she again reiterated she is
20 very supportive of that. And she added to that, that if a
21 letter could be put together that would go to all five of
22 the principals, one for each agency head, from -- and you
23 guys can decide the group, whether it's this advisory
24 group or certain tribes or the ITBC. But if a letter
25 could go out even as early as next week, for example, and

1 I think the word that she used was not a subtle word, she
2 said even demanding that there be a meeting, not asking
3 that there be a meeting, but demanding that there be a
4 meeting, that she would like to see that letter go out;
5 and when she receives her letter, because she is one of
6 the principals, she would like as the next step that she
7 sit down with you folks and talk about what happens now to
8 make that meeting a success. So whether it's by telephone
9 or in person, she would make that effort to either travel
10 somewhere or to be here and host and say let's get
11 together and say what needs to be on that agenda and what
12 are some opportunities the Park Service has to support
13 tribes in that face-to-face meeting.

14 So those are a couple of next steps that are
15 possibilities. Not to preempt a summit, but maybe as a
16 first step to move toward a summit, to start that
17 conversation and start that dialogue.

18 Yes.

19 MS. TUELL: Recognizing that, you know, basically
20 you have a whole new group of people you're working with
21 now, you know, you're a deputy, and that previously we've
22 met with -- Frank?

23 MS. LEHNERTZ: Yes, Frank Walker.

24 MS. TUELL: These are issues we've brought up
25 before. These are issues where the tribes have requested

1 to expand the federal agencies to include, whether it's
2 the Forest Service, APHIS. Those are all issues we've
3 asked for in the past few years, and still, we come up
4 with the single agency, National Park Service. So this is
5 not a new issue. And I believe it was made very clear
6 that we wanted to have more than one, in fact, all of the
7 relevant decision-makers here.

8 MS. LEHNERTZ: And I hope that this will open the
9 door to make it real, to not make it just talking to a
10 wall or having a conversation without having an action
11 come out as a result of it.

12 And a part of that is when she and I spoke today, she
13 said she doesn't see any reason why there couldn't be
14 tribal members on the IBMP. She doesn't see anything that
15 says there can't be. And so in her mind, that's probably
16 a conversation that should be on the agenda, and she would
17 like to talk about that before the meeting so she can
18 create the discussion points of support that make the
19 strongest argument, the strongest discussion with the
20 partners.

21 MS. MARVILL: You said that this document was
22 going to weigh heavily on your minds in terms of
23 management of bison in the park. So within your
24 organization, you're going to have internal meetings
25 regarding this document, correct?

1 MS. LEHNERTZ: Do you mean the GAO document?

2 MS. MARVILL: Yes.

3 MS. LEHNERTZ: Yes. We have had meetings and
4 we've also responded, and there will be actions that take
5 place as a result of that document.

6 MS. MARVILL: Can we participate in these
7 meetings?

8 MS. LEHNERTZ: You know, I don't know if the
9 response has specific meetings in it, but that's the idea,
10 is to have more participation. And so as we move along in
11 developing these activities, the adaptive management
12 that's there, I don't see any reason why we can't be
13 having those conversations together.

14 MS. MARVILL: Okay.

15 MR. CARLSON: Jim will hold you to that.

16 MS. LEHNERTZ: Good, Jim will hold us to it.

17 So does that first step make sense, that a letter
18 would go to the IBMP, the Interagency Bison Management
19 Partners, and then an opportunity for a meeting with the
20 Yellowstone superintendent before that meeting with the
21 partners?

22 MS. SPOTTED EAGLE: What kind of time frames are
23 we talking about?

24 MS. LEHNERTZ: You know, when I spoke with
25 Suzanne briefly, she said if something could happen in

1 July, that would be wonderful, which is why she thought if
2 a letter could go out next week, there would be an
3 opportunity to set up the time for meeting before the
4 broad meeting.

5 Kristine.

6 MS. MARVILL: The IBMP, is that the same members
7 as the GYIBC?

8 MR. OLLIFF: No.

9 MS. LEHNERTZ: The grizzly bear interagency -- it
10 is not.

11 MS. MARVILL: The Greater Yellowstone Interagency
12 Brucellosis Committee.

13 MS. LEHNERTZ: Oh.

14 MR. OLLIFF: It's broader than --

15 MS. MARVILL: Who all sits on that?

16 MR. OLLIFF: Rick, the difference between the
17 GYIBC membership and the IBMP membership?

18 MR. WALLEN: Let me think about this for a
19 minute. The difference between those two organizations is
20 that it was very deliberate in establishing the
21 brucellosis committee around the interagency --
22 Yellowstone Area interagency group around the idea that no
23 groups were going to have any kind of dominant force of
24 on-the-ground implementation and no group would trump
25 another group's individual decision-making authority.

1 On the Interagency Bison Management Plan, we have five
2 agencies that come together that do have some direct
3 responsibility for managing this issue and this
4 population, but not all of the issues surrounding how we
5 manage bison.

6 MR. OLLIFF: The difference in the makeup of the
7 two committees.

8 MS. MARVILL: Are they the same individuals?

9 MR. WALLEN: Oh, I see what you're saying. The
10 Interagency Brucellosis Committee has two levels. It has
11 a decision-making level and it has a technical level, and
12 some of the individuals are on both locations.

13 MS. MARVILL: Well, that's why I'm asking.
14 Because we have a seat on GYIBC. I sit on the Technical
15 and Educational Committee and Ervin sits on the Executive
16 Committee, and we go to those meetings where everyone is
17 headlocked. So my question is, on the IBMP, is it the
18 same agencies, same individuals?

19 MR. WALLEN: The Interagency Bison Management
20 Plan group is a subset. We only manage one population of
21 animals. And the Greater Yellowstone Area Brucellosis
22 Committee is looking at two different bison herds and
23 something like nine to twelve different elk populations.
24 So the brucellosis committee is looking at a much larger
25 area.

1 MS. MARVILL: And I understand the difference
2 between the two, but my question is, is it the same
3 individuals representing those agencies that sit on that
4 committee that also sit on this other committee? Is it
5 the same person from APHIS, is it the same person from
6 Forest Service?

7 MR. WALLEN: Those individuals that represent the
8 Interagency Bison Management Plan decision process are the
9 individuals that are on the Executive Committee of the
10 brucellosis group. There are a couple of differences.
11 Like we have a regional director on the Interagency
12 Brucellosis Committee; we have the park superintendent as
13 a part of the Interagency Bison Management Plan group.
14 APHIS also has a couple of different people. On the
15 Executive Committee, for the Department of Livestock, it's
16 the same person on both groups. On the Executive
17 Committee, for the Fish, Wildlife & Parks, it's the exact
18 same person. So there's two -- the only two individuals
19 that sit on both the Interagency Brucellosis Committee and
20 at the IBMP level for dealing with bison around here.

21 MS. MARVILL: Okay.

22 MS. LEHNERTZ: What do you say, Jim?

23 MR. QUINN: Rock on, he says.

24 I've got a concern, I guess. We've been talking about
25 having this meeting, and I guess I still find it hard to

1 believe that we can meet if we don't know what we can and
2 cannot do. You talked about the legal issues that we need
3 to overcome first. I think before we can even come up
4 with a plan, we need to know what it is that we actually
5 can do, and I think on our InterTribal side over here, we
6 need -- we need this information before we can even begin
7 to work on a plan. Because it would be fruitless for us
8 to do a plan and then come to find out that it's not going
9 to be even addressed anyway.

10 So if we can get that information that I had asked
11 earlier, I think we need that before we can do anything,
12 even write the letters. Because we do need an alternative
13 plan in place.

14 MR. OLLIFF: Can you clarify exactly what you
15 want; are you talking about what is legal within the
16 adaptive framework of the plan? Is that the kind of --

17 MR. QUINN: Yes.

18 You mentioned there were some issues that we need to
19 take a look at to see if -- If we come up with a plan for
20 the Yellowstone buffalo and it don't fit within the
21 legal -- I can't remember the term.

22 MS. LEHNERTZ: There's the Record of Decision,
23 and that's the leading environmental -- or legal document.

24 MR. QUINN: Right. Okay, we need to know what
25 that legal document is first so that as we go forward with

1 trying to come up with a plan, we need to know what we can
2 and cannot do.

3 MS. LEHNERTZ: And we can provide that. I think
4 some folks have copies of it. I guess my question would
5 be -- Within that legal document, there are things that
6 can be done, and then there's also this opportunity to
7 adapt what we do within it, and that's the opportunity to
8 open the door. I think the best way for us to do that
9 would be not to just send you that document, but really be
10 able to talk through it. It takes a long time to
11 understand all the different pieces and parts of that.
12 And in some ways just kind of jumping into it at that
13 table is one way, but we want to make sure we do some
14 planning beforehand.

15 MR. QUINN: Sure.

16 One of the guys's reports this morning mentioned about
17 this CUT ranch over here, and I think I mentioned it to
18 Rick. They're both hiding back there. It was mentioned
19 this morning about arranging for 30 years for the CUT
20 land. And, Rick, you mentioned that it might take -- over
21 the 30 years it's going to cost approximately 2.8 million.
22 That's going to be proportioned out on an annual basis; is
23 that how that's going to go?

24 MR. WALLEN: There will be a down payment
25 initially, and then an annual increment.

1 MR. QUINN: Because I couldn't help but think
2 that 2.8 million would go a long ways to develop a
3 quarantine facility, where you wouldn't have to go outside
4 the park. And then the Park Service would have, I would
5 think, sole jurisdiction to make management decisions, and
6 that would eliminate the State of Montana, you would
7 think. But I guess it's going to be dependent upon
8 whether or not all that money is going to be required up
9 front first on it.

10 But it's those types of things that I think we need to
11 talk about as far as coming up with another plan.

12 Thank you.

13 MS. TUELL: I think that you have -- I mean, my
14 response to your suggestion of having a formal meeting, I
15 think we do need to have one. I think it would be good to
16 have a government-to-government meeting with the federal
17 agencies we identified, recognizing that it's just the
18 beginning of where we're going to improve. And then I
19 would suggest that the tribes here, we now have the
20 challenge at this point to get to work on developing what
21 our recommendations are, reviewing that plan, figuring out
22 what is it we want that's change. I mean, we have work to
23 do. If we want to be really effective, this is our
24 opportunity, and we need to start doing that here at least
25 in the next -- probably in the next few months.

1 But I also would request that the Forest -- I keep
2 wanting to say the Forest Service -- that the National
3 Park Service start looking for perhaps end-of-the-year
4 money so that we can have some assistance for our
5 financial offset so that we can make sure that we have our
6 qualified people, the time and energy to do it, and
7 knowing that federal funding is pretty tight. At least I
8 request that it be elevated to a priority for the National
9 Park Service to set aside that funding so that we can be
10 effective to you.

11 MS. LEHNERTZ: I might add to that. As you know,
12 federal budgets are tight everywhere. And one thing that
13 we have been able to do is work with some non-profits,
14 like the Yellowstone Park Foundation, to provide funding
15 for important projects. And there may be an opportunity
16 for tribes to find support from the non-profits with that
17 common value, as well. So I'll see what we can do to put
18 some partnerships together.

19 MS. SPOTTED EAGLE: My question is similar to
20 Yvette's, but I needed a clarification on the conversation
21 between you and he about the legal framework, and I need
22 to know what legal framework you are discussing.

23 And then secondly, I agree with what you said, that
24 there are going to be some things that we're going to
25 develop that no one has thought of that provide us the

1 unique opportunity to be creative in partnerships maybe
2 that haven't been there. So I wouldn't want legal
3 frameworks to restrict us from doing that, because I think
4 that's entirely possible. I think that we're at a point
5 in time where other federal agencies are realizing that --
6 Like Jim said earlier, we've always had aboriginal
7 psychologists and scientists in our own framework, but
8 according to your degrees, we're getting those -- I mean,
9 we have lots of those people now. And so we have, really,
10 a lot of value.

11 Just to give you an example, the surface
12 transportation board in the state of South Dakota is
13 entering into a partnership with the tribes of the
14 Ocheteshokaween (phonetic), and what they're doing is they
15 asked the tribes to come up with what is called a tribal
16 action plan of how, as the railroad goes through and
17 destroys -- and it's really too bad because of a court
18 action, which you know, set some ramifications in place.
19 But they're required to follow certain parameters, which
20 is to our benefit. And so what they have proposed to do,
21 through DM&E, is to develop something called the Office of
22 Tribal Involvement. In our language, actually, it means
23 the camp within. Inadvertently, they came up with the
24 word, which is Otee (phonetic), it means a camp within.
25 Not knowing that, they came up with that name. And so

1 we've come up with a tribal plan, and they're going to
2 actually locate an Office of Tribal Involvement in Pierre,
3 South Dakota, to advise the DM&E, the railroad.

4 Now, that's a quantum leap from resisting and fighting
5 cultural and tribal leadership and guidance. So I'm
6 hoping that whatever legal frameworks that we're talking
7 about, that they won't prevent this creativity and this
8 uniqueness of this aboriginal knowledge which is, really,
9 thousands of years old. So I just wanted to make that
10 comment, that we balance that and not make it restrictive.
11 So I need to know about the legal framework. We don't
12 need to do that now, but that's a thought.

13 And then secondly, what Yvette said about the
14 resources. Because like I said, we work with quite a few
15 different agencies, so we're able to assist the skill
16 level of different federal agencies. And you all come in
17 from A to F, in between there, and I won't say what the
18 grade is today. But I think that the resource issue is
19 major, because we want to be at the table but we don't
20 have the resources. And so in that partnership, if you
21 have access to those foundations, then to tap into those
22 for our benefit. Because we think our knowledge is
23 valuable. And so that would be the other concern that has
24 to be -- And July isn't very far away, so we would have to
25 plan for that. But that was the other comment that I had.

1 MS. LEHNERTZ: Thank you.

2 You know, the legal framework can sometimes feel like
3 a huge burden, and it does mean we have to work within,
4 but I think wherever we can find flexibility and
5 innovation within it, we should take advantage of it.

6 One of the challenges of the Interagency Bison
7 Management Plan, the partners, is that you have five
8 agencies who each has an individual legal mandate, and so
9 we have to respect each of our individual mandates and
10 comply with that while respecting the others'. And that
11 is sometimes a difficult road --

12 MS. SPOTTED EAGLE: Is that what you were
13 referring to?

14 MR. QUINN: Yeah.

15 MS. SPOTTED EAGLE: Okay.

16 MR. BRONCHO: And that was the issue I was going
17 to ask you about, was I know we'll probably be only
18 advisory to the five entities under the Interagency Bison
19 Management Plan, and that was the legal part: What kind
20 of clout would the tribe have? We'd only be advisory to
21 that. And I think one that would probably come up would
22 be the elk, the elk management, because you can't exempt
23 one out of there, address just the bison. So I think
24 that's going to be a major issue in regards to that, the
25 elk brucellosis epidemic, also.

1 MS. LEHNERTZ: Thank you.

2 Do we want to take a short break before we go into the
3 rest of the agenda? Fifteen minutes all right?

4 (A brief recess was taken.)

5 MS. LEHNERTZ: Thanks, everyone, for coming back
6 from the break.

7 I think in order for us to keep moving forward and
8 talk about some of the other issues that are also
9 important on the agenda, what I'd like to do is formalize
10 this discussion just a little bit more and bring it back
11 to the delegations and to close out on the bison
12 discussion.

13 What I'd like to do is see if we can come to some
14 conclusion about the next step forward, whether or not it
15 makes sense for a letter to go forward to the bison
16 partners requesting -- demanding, if you will, a meeting
17 with them with the tribes and to put together a good
18 agenda that the superintendent here will work with the
19 tribes on and meet so the path forward can be identified.
20 And I think there are many ways that that can happen. One
21 thing is the opportunity for the tribes, for example, to
22 use the ITBC to put together a letter. Another might be
23 for a subcommittee. So I guess I would open the table at
24 this point to the delegates to talk about how that might
25 be able to move forward and how the Park Service could

1 help with that.

2 MR. CARLSON: Thank you, Chris.

3 Briefly, I think most of the tribal delegates here are
4 part of the ITBC as members, and I think a letter could
5 probably be developed per the representatives per the ITBC
6 and they could take it to the Executive Board and that
7 process can happen, as far as a letter in support of the
8 IBMP to address some of those issues. But at the same
9 time, you're going to get -- each individual tribe, as
10 their own government, could also initiate a resolution or
11 a letter to go forward with that also to try to have some
12 recommendations or be advisory or even have a vote on the
13 five agencies. But I know that probably won't happen
14 because it's all legal, with their legal authorities. But
15 I think the advisory could be very strong in their
16 recommendations. And that's why we made some
17 recommendations to develop an advisory committee. And
18 this is just the starting point of that.

19 But I think in regards to the letters, each one of us
20 will have to go back to our individual governments and
21 initiate a letter, fill in our tribal leaderships, and
22 from there, they could endorse us as delegates to speak on
23 behalf of our tribe; or we can go the other route and go
24 through the InterTribal Bison Cooperative as a bison
25 tribe, too.

1 MR. JOHN STONE: I guess, the first time being at
2 this type of meeting, no way in my eyes do I see
3 consultation occurring here, with the failure of the
4 superintendent to be here. Me, as an official for my
5 tribe, I run a nation. You know, this lady runs a park.
6 I took the time out of my day, my time, my work to come
7 here and participate, and I wasn't very happy with the
8 fact that she's not here. You know, that's true
9 consultation. We don't meet with secretaries. If I would
10 have known this was going to be a meeting like that, I
11 would have sent my secretary to sit here.

12 I appreciate the fact that the Park Service takes the
13 initiative where the other four don't, so I could see your
14 guys's cause is warranted and your involvement here wants
15 to care for these buffalo and take care of them in the
16 manner that they should be.

17 I would imagine the only way that a true consultation
18 would occur is if that all the heads of the parties would
19 be here, the five organizations, or four, whatever is
20 involved with this management here. And I think ITBC may
21 be able to formulate, gather, consolidate a bunch of
22 resolutions from the affected tribes, or we could -- Most
23 likely what I would like to see happen is a true
24 consultation occur within 60 days and get the heads of all
25 of these agencies together, get the tribal chairmen and

1 the officials that normally attend consultations to come
2 to a real consultation meeting.

3 You know, this was a very good informational meeting.
4 I appreciate all of the knowledge that I have acquired at
5 this meeting. But attending a true consultation requires
6 decision-makers. One of my council partners is always
7 after me, saying, "Why do we do this? Why do we come to
8 these meetings if all we're going to get is lip service?
9 If we can't get an answer at the meeting, what is the
10 use?" You know, it was very good information that we got
11 here today, but it needs to be taken to the next level.
12 This is kind of like a locality, a kind of meeting with
13 like a city government. We meet federal governments,
14 federal officials, government-to-government consultation.
15 We need to have all of the players here in order to really
16 get anything done. And I think strategy-wise, this was a
17 very important meeting to get a lot of the rigmarole, I
18 guess, in and out.

19 And I will be trying to develop, along with ITBC here,
20 the avenue or the vehicle that we need to have in order to
21 get a true consultation, and I really couldn't say how
22 long it would take. I don't like to let things run out
23 forever so I would be trying to get this done within
24 60 days, at least to set a date for the meeting. So I
25 guess I would advise the rest of the tribes to get back,

1 update your leadership, make sure you get them involved.
2 If not, get them to delegate you to sit at the table for
3 them, if they don't have time. Because a lot of our
4 leaders, they get very busy.

5 I left the NCIA meeting and drove up here just to
6 attend this meeting, so, you know, I let go of some of my
7 other responsibilities to attend. And here I am meeting
8 with people that can't make a decision, can't give me an
9 answer. And that's not what I expected. I expected to be
10 here to get progress, and now I find out this is only
11 one-fifth of the people I need to be meeting with. And,
12 again, I appreciate your guys's role here because without
13 your interest, no one, none of the five would have been at
14 the table.

15 And so I think we all need to probably go back and
16 start picking out some dates, maybe preparing some
17 positions from the different tribes as far as how they
18 want to pursue on this. I know there's some treaty
19 education that needs to occur. We need to really identify
20 the tribes that have treaty rights here and make sure that
21 they're all at the table. My tribe, we would have
22 wandered up here hunting and gathering. Faith expressed
23 different items where we've traversed the area, so we have
24 an interest.

25 Like I said earlier, the buffalo are just like a

1 brother to me and when you kill them and you don't have a
2 ceremony, they wander. You know, a little understanding
3 about the slaughter of these things, if you don't take the
4 time to pray with these animals and to paint their faces,
5 they don't know where to go when they die. That's
6 something that I don't think you guys have ever been
7 exposed to. And I think some cultural sensitivity
8 training from bison herd managers that come out of ITBC
9 would be very helpful for you guys.

10 But as far as setting up this meeting, I would have to
11 ask you, you know, how and what date and what do we have
12 to go through to get the Montana people here and the other
13 federal agencies here?

14 MS. LEHNERTZ: Thank you for the comments, and
15 I'll see what I can do to answer them.

16 It is a small step. It's a step, though, that I think
17 hasn't been taken, and so that's the good thing about it.
18 I think the timeliness of it is probably fairly important.
19 We know that the public meetings will be starting
20 July 8th, I believe, it is, as we move forward. So while
21 maybe that's not urgent, it is imminent. And so if there
22 were some way to do something within the next 60 days in
23 terms of setting up a meeting, I know that the
24 superintendent here would very much push those partners to
25 clear their calendars and find that time to meet. I do

1 think it's important that there be a focus to that, and so
2 the superintendent has offered to meet before that. And
3 to really talk through how to make that a focused meeting
4 is an opportunity as well.

5 So I think my question to the group would be, how will
6 we hear back from you all? Who should we expect to hear
7 from?

8 MR. BAPTISTE: Myself and my brother here are
9 both councilmen for our tribe, like was stated by a
10 relative over there. Just like you say the superintendent
11 will only come here if it's a focused meeting and we'll
12 get true, meaningful dialogue, well, that's reciprocal on
13 our end. When we designate our time to drive from Idaho
14 over here, we want those things. And we're not saying
15 that this meeting didn't bear fruit. It does as far as a
16 good starting point to some meaningful information-sharing
17 as far as where we want to go, what we want to accomplish.
18 There's a goal out there and the gap is where we're at now
19 to where we want to be two, three years down the line, and
20 the ultimate goal is to be able to stop the slaughtering
21 as far as it goes now. And right now, it's just
22 unacceptable among all the tribes and all the relatives
23 here, on a spiritual level, on a political, legislative
24 level, it's just unacceptable to allow that to continue to
25 occur without some intervening.

1 And so I think ITBC will be that forum as far as it's
2 already a formed group. The information that we shared
3 here is definitely something that -- these are ideas that
4 we want to push through. But you have to have the weight,
5 and the weight comes from each individual tribe's
6 policy-level people who can not only address your, but a
7 three-pronged approach as far as taking issues here, going
8 to their own state and regional congressional delegations,
9 and then going to D.C. to your guys's head office. The
10 one thing we don't want to do is make you guys look bad at
11 headquarters in D.C., saying you guys didn't give us
12 consultation. Because that's not going to do us any good.
13 That's not going to do you a service either. So we have
14 to walk together like we're talking about, we have to do
15 this together.

16 We have to make sure that when you guys get the
17 superintendent here the next time we meet, or if it's at
18 the summit that we're pushing, that they're willing to
19 give us that same feedback that we want. And it's only
20 right. You know, we're elected by our people to speak for
21 them. And so we also want to have that with our
22 counterpart in your office there.

23 So I think that the Cooperative will be that entity,
24 that driving force. It will be the vehicle that we'll use
25 as far as pushing our issues, because they already have a

1 delegation of policy representatives that can voice that.
2 And we get a letter from them and we'll go back to our
3 council and talk to the rest of our council and get an
4 action that's a policy-level action that states this is
5 our -- this is our view and this is where we want to push
6 it. So we'll use that as a vehicle. Next week hopefully
7 down there, most of the tribes will be represented down
8 there, and so I think that's a good forum to start with,
9 because you've already got policy-level people there ready
10 to act on it. And then you guys can develop a paper there
11 if you want, a resolution, and then send it back to all
12 the tribes for approval; it comes back as far as what we
13 want.

14 I just want to say this is -- I don't want to give you
15 guys the wrong idea that we didn't appreciate something
16 wasn't done in the dialect that we had all morning, it's
17 just this is a good starting point for us. There can't be
18 enough meetings, there can't be enough. But if they're
19 going to have meetings, we also need people there that can
20 make decisions. So I trust each one of you guys have got
21 good hearts, you're here because you believe in what
22 you're doing, and the things that you have passion for is
23 the way we feel. But you guys have a boss to listen to
24 and they say yes or no, whatever office they sit in. So
25 we need you to be that spokesman for us, we need you to

1 help us as far as the tribes are concerned; and that's
2 what we're asking now, is to help us, you know.

3 And we'll walk with you guys as far as we can. If you
4 guys need our help to go out of the parameters, to go to
5 Congress, to go to anywhere else, to help for funding or
6 anything like that, we can do that. So I think that's
7 where we should aim now as far as the Cooperative, is
8 getting that body together, and that's what we focus
9 energy on and then keep pushing, and then this summit will
10 come along and then we'll follow suit with that.

11 MS. LITTLE THUNDER: I think we have the
12 resources, you know, and ability to communicate to be able
13 to establish the planning meeting. And as John said, we
14 don't want it to go on forever, you know, forever wait.
15 So I think we need to get together among ourselves in
16 saying, okay, we've got to plan. Because we need to arm
17 ourselves with enough good information so we can make good
18 decisions, and then we can move forward to that IBMP
19 meeting.

20 I trust -- I mean, at this point, ITBC has been really
21 good about communicating for us. They have the resources.
22 And I think if we get our names and addresses together, or
23 maybe the Park Service can share that with us, of who is
24 here, get that before we leave here and make sure we stay
25 in contact, establish the meeting date, and move forward

1 towards, you know, the letter and the IBMP and see if we
2 can get it to work for us again -- not again, but this
3 time.

4 I guess I would like to, as a delegate, ask for a
5 moratorium on slaughter. It's been bad enough. And we
6 did a quick roll call of our relatives, and we heard 2,000
7 to 2,500. I'm going to say 15, you know, as I stand here.
8 And I'm really trusting my own judgment about that. You
9 know, we don't have much left. So we can afford a
10 moratorium on the slaughter, there's so few left and the
11 herds are decimated and the genetic diversity is very
12 compromised. So that's up to you folks, if you want to
13 join that call for a moratorium.

14 And we just move forward for that meeting, the
15 planning meeting, educating ourselves, and then go for the
16 input into IBMP, but we'll keep moving for that buffalo
17 summit to get the agencies to the table.

18 So that's my input. You know, moratorium, if you want
19 to join that call, it's your call.

20 MS. MARVILL: When we work with the other parks,
21 we have a set of guidelines that we work with, MOUs and
22 MOAs on surplus bison with these parks. With your park,
23 because of the disease, it's different, there's
24 multi-jurisdiction. And when we go looking for the
25 answers, we have a stack of papers higher than my desk.

1 And so I guess part of what we would like to see is some
2 form of guidelines or chain of command that addresses
3 surplus bison. And, granted, you're not surplus using bison
4 out, but because of the multi-jurisdiction, who actually
5 has control over that?

6 MS. LEHNERTZ: And that is something that
7 Tom Olliff, our chief of the center for resources, after
8 this meeting, he's got kind of a chart over there that
9 he's going to walk through about some of the authorities
10 that the different agencies have. So, for example, we
11 talked about the fact that APHIS has the authority to
12 transport bison, the Park Service does not. And so those
13 are some of the limitations that we have. And, of course,
14 the complexity of having five agencies, it doesn't add it
15 up, it multiplies it up.

16 MS. MARVILL: What we're looking for, we want to
17 know, okay, if we have to negotiate surplus bison, which
18 agency --

19 MS. LEHNERTZ: Who do you negotiate with, right.

20 MS. MARVILL: If we want to move bison, which
21 agency do we negotiate with.

22 MS. LEHNERTZ: And that's what we're going to try
23 to clarify, kind of what we talked about, what is the
24 legal framework. Tom is going to do -- there's like a
25 cartoon sketch over there (indicating), and anybody who is

1 interested in kind of learning that and helping us
2 understand what we need to share -- We don't want to send
3 you another stack of paper that's as tall as your desk.
4 So we need to figure out how to have a conversation about
5 it and talk about it.

6 MR. CARLSON: It pretty much seems like all the
7 tribal delegates here are pretty much on the same page of
8 going ahead and putting a letter together to your
9 superintendent requesting that meeting and then we go
10 forth from there. So I guess, myself, too, being from
11 Blackfeet, we would do that, and also being the president
12 of ITBC, we would formulate that letter here also on
13 behalf of the individual tribes to request that meeting
14 there.

15 So I think it's a good starting point and start
16 working towards the tribes having input into this
17 situation here. So I just wanted to relay that, it's a
18 good starting point, I think that we'll be able to go
19 forward with it from here.

20 MS. LEHNERTZ: Thank you, Ervin.

21 So Mr. Stone, one of the Stones. Jim Stone.

22 MR. CARLSON: One of the twins?

23 MS. LEHNERTZ: So what we will do is share with
24 you the names and the addresses for the five partners so
25 that that letter can go to all five partners. And then I

1 will commit to working with the calendar of the
2 superintendent to find an opportunity to contact the folks
3 in your letter, who we would then get together with the
4 superintendent and we would make that meeting happen and
5 then go forward from there. So that feels like a good
6 action item for us. And I thank you all for bearing with
7 us through this conversation and helping us understand
8 more and sharing with us.

9 So at this point, shall we turn over the agenda --
10 Rosemary.

11 MS. SUCEC: I know many of you have legitimately
12 expressed concerns about a timely receipt of transcript.
13 I spoke with Cheryl, our transcriptionist, and she can
14 turn this around in 10 to 14 days. I will read it and
15 make spell-check corrections, immediately get it back to
16 her. We will, in the meantime, formulate a letter, and we
17 will expedite that through the process, so that in the
18 maximum of three weeks, you will have the transcript.

19 MS. LEHNERTZ: That helps. Thank you very much.

20 So if we turn to the back of the agenda, the blue
21 agenda, there were a number of items that we had hoped to
22 speak about. It's about 4:30 now. But is it okay with
23 folks if we just kind of start through that list and work
24 our way through it; will that be appropriate?

25 (No audible response.)

1 MS. LEHNERTZ: So the first item on the top of
2 that list is the status of Native American Graves
3 Protection and Repatriation Act, specific to items at the
4 Colter Bay Museum at Grand Teton. So I'm going to hand
5 the microphone over to our colleagues at Grand Teton.

6 MS. HART: I'm the curator at Grand Teton
7 National Park, and we have there, as some of you know
8 about, a remarkable collection of Native American art and
9 artifacts, and I'm going to talk just a little bit about
10 that today and about the work we've done towards our
11 NAGPRA consultations regarding the collection.

12 A little bit of background. We call the collection
13 the Vernon Collection. And I apologize, I'm going to have
14 my back to somebody here while I talk. The collection
15 consists of 1,429 objects, and they were collected between
16 1930 and 1965 by a gentleman named David Vernon.
17 David Vernon was just a private individual who had a great
18 interest and a great passion for Native American culture,
19 and it was just his particular collection. He traveled
20 around the country, purchased items from various people;
21 sometimes he had items made; some, we believe, were
22 purchased from museum collections that were being sold
23 elsewhere.

24 The objects themselves date from the 1830s to about
25 the 1930s; most of them are from the latter half of the

1 19th Century. They represent more than 200 Indian tribes,
2 and so consultation with tribes that are affiliated with
3 these objects has been something of a challenge because
4 there are so very many of them. We've started primarily
5 with the affiliated tribes for Grand Teton National Park
6 as they've been identified, and then we've proceeded to
7 tribes who have objects -- who have a great number of
8 objects in the collection, and then we started to reach
9 out a little farther geographically. The collection was
10 sold to Laurence Rockefeller in roughly -- probably the
11 late 1960s, early 1970s, and it went through various
12 travels, but eventually it was donated to the Grand Teton
13 National Park in the very early 1980s.

14 The collection, we think of as consisting of kind of
15 two parts in the way that it's been organized over the
16 years. One part was kept in storage since it arrived in
17 the park about 35 years ago; the other half of the
18 collection was on exhibit. When I came to the park a
19 little over three years ago, there was a great desire to
20 take the objects that had been stored for many, many years
21 in, frankly, conditions that were not terrific conditions
22 for storing objects of these kind and to move them to a
23 facility, a Park Service facility in Tucson where they
24 could be examined and treated if they had damage or
25 materials that were beginning to deteriorate. So there's

1 just a few slides here that show the process of moving the
2 collection. They were -- each individual object was
3 packed by hand by conservators that came to us from Tucson
4 as well as some of our colleagues at Yellowstone National
5 Park, and staff at Grand Teton National Park assisted in
6 packing and moving the collection down to Tucson.

7 Once the collection arrived at the Tucson facility, it
8 was unpacked, and some of the objects were frozen. And we
9 freeze them because we have a great concern about insect
10 pests in collections. Many of the items are made of
11 organic materials, such as leather or feathers, and can
12 sometimes harbor insects, and so some of the items were
13 frozen to destroy the insects. After that stage, the
14 objects were photographed one by one so that there would
15 be a record of what the object was like before treatment,
16 and then they will also be photographed after treatment.

17 The collection is actually in quite good condition,
18 considering how old it is. And when collections look this
19 good, we often are concerned that they were treated with
20 pesticides at some point in the past, and one of the very
21 common insecticides that objects of all kinds are treated
22 with is arsenic. And so there was some random sample
23 testing for arsenic in the collection, and so far we have
24 not found any arsenic treatment in the collection. Now,
25 that doesn't mean there isn't any, but at least what we've

1 tested so far, there does not appear to be any, which
2 we're very pleased about.

3 While this collection is in Tucson, one thing they do
4 there is to make proper storage mounts for the objects.
5 The idea of a good storage mount is to provide support for
6 the object and to hold it in a position where it minimizes
7 deterioration in the future. And you can see, on the top
8 right-hand corner, there's an example of a basket; rather
9 than just sitting flat in a drawer, it's actually
10 supported in the shape that it's meant to be in. You can
11 see from some of the other objects that they are --
12 they've made like a little nest that they just set right
13 in there that will help them stay in good condition for a
14 very long time.

15 The other thing that's done while these objects are at
16 the Tucson facility is that they're examined very
17 carefully and very detailed descriptions, physical
18 descriptions are written for them so that we have this as
19 sort of a baseline set of information. And this shows
20 Laine Thom, who is a collection assistant and a naturalist
21 at Grand Teton National Park. He's worked with the
22 collection for nearly 30 years, and we're very lucky that
23 he travels to Tucson and adds his input and knowledge
24 about the collection. On the lower right is one of the
25 conservators describing some of the objects.

1 The last slide I have about the work being done in
2 Tucson is an example of treating an item. In this case,
3 they're treating a basket. On the lower left, you can see
4 where there's a tear in the basket that's developed over
5 time. The top picture is a conservator cleaning the
6 basket with a very gentle vacuum. And then there's a
7 basket conservator on the right who very carefully is
8 reshaping the basket slowly over time and repairing the
9 tear. And I've seen this repair after it was done, and,
10 frankly, unless someone pointed out where the tear was, I
11 couldn't even find it. They're remarkably skilled
12 individuals doing this work.

13 So that's a little bit of background about the
14 collection. For the last several years, we've been
15 engaging in consultation with tribes, and we have several
16 goals for our consultation. We think of it not as a
17 one-time meeting where we exchange information, but we
18 hope that we're establishing relationships with cultural
19 representatives at tribes so that we can learn more about
20 these objects. They came to us with, usually, very
21 limited information. There's a general designation of the
22 tribal affiliation; sometimes those are fairly good,
23 sometimes they're just wrong, and we'd like to know more
24 about that. And we'd like to know more about the objects
25 themselves, how they'd been used in the past. We

1 understand that many of these same objects are used today.
2 We like to learn about the construction, the techniques,
3 the craftsmanship, as well as what did this mean to the
4 people that created it and the people that used it, and
5 what does it mean to the tribe today.

6 We also try very hard to clarify which objects fall
7 under NAGPRA. Some years ago, previous curators worked to
8 try to figure out what would be subject to NAGPRA and what
9 probably would not be. And that needs a lot of
10 information, and so we talk with tribal cultural
11 representatives about what they believe falls under
12 NAGPRA, and in doing so, we're able to make some
13 clarification. Our best estimate so far is that about
14 25 percent of the collection appears to be objects of
15 cultural patrimony and subject to NAGPRA.

16 And then we also want to learn more about how they
17 should be exhibited and interpreted. At Grand Teton
18 National Park, sometime in the next perhaps four to
19 eight years, we're hoping to have the opportunity to build
20 a new museum and to create new exhibits. And we're just
21 at the very beginning stages of that, but we're very
22 interested in finding out what's the best way to exhibit
23 these pieces and what's the best way to communicate
24 information about them to the public.

25 And the last slide I have is a list of the tribes that

1 we've consulted with so far. In many cases, there's
2 several bands within a tribe and we have more to contact,
3 but we've begun with those that are close by, we've
4 reached out a little farther, and we've also tried to work
5 with the tribes that have a large number of objects in the
6 collection.

7 And that's pretty much what I wanted to present. I'd
8 be very interested in your questions, comments, concerns
9 about this.

10 Yes.

11 MS. RIDDLE: The ones that are other than NAGPRA,
12 are they returned to the right tribes?

13 MS. HART: We have not yet had anyone request a
14 return of an object. We're certainly happy and ready to
15 entertain a request.

16 MS. RIDDLE: Have you contacted them about the
17 individual objects?

18 MS. HART: That's what we're doing. We've
19 started with these tribes (indicating). All of these
20 tribes have visited us in Grand Teton Park, they've looked
21 at the objects, have expressed interest in repatriating
22 some items, but we've not received any repatriation
23 requests.

24 MS. RIDDLE: Well, my question was, have you
25 contacted them about having these objects? Because some

1 may not know --

2 MS. HART: Yes.

3 MS. RIDDLE: -- but they would like them back
4 once they are, you know, informed that you have them.

5 MS. HART: Yes, we have informed -- We've
6 initially sent letters to all the concerned tribes, and
7 then one by one, we're contacting them to let them know
8 that we have these. For those that would like pictures,
9 we have photographs that we can send out on a CD. And
10 they're certainly invited to come meet with us in
11 Grand Teton Park to view the items.

12 Yes.

13 MR. JOHN STONE: Who did you contact for the
14 Sioux?

15 MS. HART: Jacqueline, can you help me with that?

16 MS. ST. CLAIR: This was in 2006 when we had our
17 meeting in Grand Teton, and we had Terry Gray -- And, I'm
18 sorry, I can't tell you exactly the tribes. I don't have
19 my notes here.

20 Rosemary, can you go through the different tribes?

21 MS. SUCEC: Yes. It was Terry Gray,
22 Rosebud Sioux; and then Elaine Quiver and Joe Swift Bird
23 at the time for Oglala Sioux Tribe; and Tim Mentz from
24 Standing Rock.

25 MR. JOHN STONE: That's three of four.

1 MS. ST. CLAIR: Yeah, we're not through.

2 MS. HART: We've contacted a number of tribes
3 that -- We have more planned for the fall. And we are
4 providing some financial support for attendance, so in
5 order to be able to do that, we have to work incrementally
6 with the funds we have available. But many have been
7 invited and are not yet able to come.

8 MR. JOHN STONE: Thank you.

9 MS. HART: Anything else?

10 MR. GARVIN: Do you have the Winnebago listed?
11 That's probably the Winnebago Reservation in Nebraska, but
12 we are the same people. We're intermixed.

13 MS. ST. CLAIR: We've contacted George and he's
14 supposed to be coming in the fall.

15 MR. GARVIN: George Garvin?

16 MS. ST. CLAIR: Yes.

17 MR. GARVIN: That's the Ho-Chunk, same people.

18 MS. ST. CLAIR: And we have Dave Smith from
19 Nebraska.

20 MR. CARLSON: So who are the Blackfoot at the
21 top?

22 MS. ST. CLAIR: John Murray.

23 MR. CARLSON: That's Blackfeet. It says
24 "Blackfoot" and I thought they might have been -- So you
25 have to change that to Blackfeet, not Blackfoot. We have

1 two legs, two feet.

2 MS. HART: Anything else?

3 (No response.)

4 MS. HART: All right. Well, thank you very much.

5 MS. LEHNERTZ: The next item on the agenda is
6 comprehensive planning at Yellowstone Park, and
7 Eleanor Clark is our chief of comprehensive planning. She
8 is not here right now, so I'm going to take just a few
9 minutes and go over comprehensive planning for
10 Yellowstone. I believe there is a pink flyer in your
11 packet, and at the top it says Comprehensive Planning.

12 So in just kind of a nutshell, to let you know what
13 we're doing with comprehensive planning, last year we had
14 a record number of people visit the park, over 3.1 million
15 people. And a lot of those folks -- most of those folks,
16 probably 95 percent of those folks stay on a roadway or in
17 an area that's developed, an area that has concrete and
18 buildings and asphalt. And so as we look at those impacts
19 on that environment, on the environment that has buildings
20 in it, one of the things we've come to the conclusion
21 about is that we need to make a plan for how those areas
22 are used so that we can minimize the impacts on those
23 areas and maximize the conservation of those areas.

24 You may be familiar with park planning processes.
25 Many parks put together what's called a general management

1 plan, which takes a look at the entire park within the
2 boundaries, and it says, what is the significance of this
3 park and what is it used for and how will we plan to
4 develop this park. Because Yellowstone is so large, it is
5 likely that we will not do a general management plan in
6 our lifetimes, I would guess; some more than others,
7 perhaps. And so what we are doing is saying because we
8 have essentially five areas that are really heavily
9 developed and used by people in automobiles and there's
10 buildings and lodging and restaurants and shops, that we
11 will look at those one at a time and define what can
12 happen in those places, what's significant about those
13 places, how does the park recognize those places, and how
14 do we want to preserve those.

15 And so we've chosen three areas where we will start
16 developing comprehensive plans, the Old Faithful area, the
17 Mammoth area, and the Lake area. So three different
18 areas. We're just getting started with this. And what we
19 will do is -- We've just kind of put a timeline together.
20 We'd like to have all these plans done by the year 2012,
21 so we've started this year talking about it. We've
22 created a new organization of four individuals who will be
23 working on these plans. And we're just getting ready to
24 start the scoping process, which means we will be
25 outreaching to all the tribes and asking you your thoughts

1 about what we can best do to preserve these areas. So
2 that's kind of a nutshell description of what
3 comprehensive planning is, and we would look forward to
4 any suggestions you all have about how best to talk with
5 you in our scoping period.

6 Any questions?

7 MR. QUINN: How many acres is the park?

8 MS. LEHNERTZ: The park is just over 2 million
9 acres, 2.2; in an ecosystem of, what, 18 million acres,
10 right?

11 Yes.

12 MR. BLACKIE: So this is for the benefit and
13 enjoyment of the people, right?

14 MS. LEHNERTZ: The benefit and enjoyment of the
15 people, exactly.

16 MS. SUCEC: All people.

17 MS. LEHNERTZ: People of the world.

18 MR. BLACKIE: Are you going to fix the road
19 between Tower and Roosevelt?

20 MS. LEHNERTZ: I'm going to turn this microphone
21 over to my esteemed roads colleague.

22 MR. CAMPBELL: Yes. Every road segment in the
23 park will go through for our reconstruction process and go
24 to a 30-foot road top. And this fall, we will begin the
25 Gibbon River corridor with bridging, and eventually, every

1 roadside will be done, including, after Gibbon is Norris
2 to North Gate. And multi-years, multi-millions of dollars
3 in projects, but our roadway system is archaic and
4 deteriorating, and it will all be reconstructed.

5 MR. BLACKIE: What are you going to do about some
6 of the areas that have religious sites, like some
7 arrowheads and stuff that are near the area there?

8 MR. CAMPBELL: Every one of our road projects
9 goes through an analysis of impacts on all resources,
10 including natural and cultural, and each one of our
11 methodologies account for that and protect all those
12 values that we go through.

13 MR. JOHN STONE: Who performs them?

14 MR. CAMPBELL: They have in-park archeologists
15 that go through and do archeological surveys of every
16 corridor

17 MR. JOHN STONE: Tribal archeologists?

18 MR. CAMPBELL: We have -- No. We've only used
19 in-park archeologists for those surveys.

20 MR. JOHN STONE: You have the ability to identify
21 a tribal cultural property, I take it?

22 MR. CAMPBELL: Yes, sir.

23 MS. SUCEC: Mr. Stone, we do -- we would look to
24 you. We're going to send those letters out to all tribes
25 early and provide a map of those areas, for example, on

1 comprehensive planning or road areas that we want to
2 rehab. And we send it not only to tribal governing
3 officials, but to traditional leaders, and ask for a
4 call-back if we're working in an area where any of you
5 suspect there may be traditional cultural properties or
6 sacred sites. So we're working with tribes on that
7 identification as well.

8 MR. JOHN STONE: Thank you very much.

9 It's just that historically, archeologists are trained
10 on different identifications, but kind of where the tribes
11 come in on identifying their own properties is the
12 existence of traditional people. You know, we still
13 utilize the same items, we still build the same
14 structures, so it's just a lot easier for someone that
15 lives with it to identify it. Kind of hard to get that
16 training if you're a non-tribal member.

17 MS. SUCEC: Thank you.

18 MS. TUELL: Well, I think you've already started
19 getting your scoping comments. You can construe a comment
20 here that tribes will request to utilize tribal
21 archeologists for conducting those surveys.

22 I would suggest that at the next, whenever it is,
23 formal meeting that is going to be set up in the future,
24 to set aside a good two to four hours just to look for
25 tribal issues for this comprehensive plan. I think this

1 is the time, when you start scoping for these types of
2 major plans, when you want to capture all of the
3 individual comments. And I would suggest that it be
4 organized in a formal, facilitated manner to capture as
5 much input from the tribal representatives as possible.
6 Because while we certainly appreciate getting the letters
7 and maps, it's just so much more efficient to have a
8 meeting such as this to capture those issues.

9 MS. LEHNERTZ: Yvette, one thing that we are
10 going to do is next, I believe it's next spring, spring of
11 2009, we're going to have what's called a design charrette
12 for the Old Faithful area, where we bring people in from
13 across at least the region, sometimes the country, and
14 there will be people with expertise in certain areas about
15 transportation or how to move people around on boardwalks
16 fast. And I think that's an opportunity for us to reach
17 out to the tribes and see if we might be able to make some
18 fit there, to bring an individual or some individuals in
19 to be a part of that charrette. I think that's a nice
20 opportunity. Charrette is French for little wagon, so go
21 figure how that turns into a meeting.

22 MS. TUELL: Okay.

23 MR. WISE: You know, I have a hard time with the
24 archeologists and all these people think that they know
25 about the Indian artifacts and all that. I have a real

1 hard time, because they don't know what we know about our
2 own artifacts. Like, for instance, you said about an
3 arrowhead. An arrowhead, you don't know what we go
4 through to make an arrowhead and what kind of prayers is
5 put behind it, what kind of offerings we offer with the
6 stones that we find.

7 Years ago when I was younger, I come out to the
8 Obsidian Cliffs. That's the time I had permission from
9 the president of Yellowstone to collect what we use for
10 our traditional things that we use. So I come over to the
11 Obsidian Cliffs, but I didn't go to the Obsidian Cliffs.
12 I had one of the rangers follow me around making sure I
13 didn't touch what I'm not supposed to touch. So, anyways,
14 I took him up on the cliffs, but we went beyond that. I
15 don't know if the person that went with me is still
16 around. But we walked for about 20 miles around in
17 circles, I led him around.

18 Finally he ran out of his water, the water he was
19 drinking out of the canteen, and he was thirsty. I went
20 over and dug a spring up and let it clear up and drank out
21 of the spring, and he wouldn't do it. He wanted to drink
22 his dead water that's purified in the little plastic
23 bottles. But anyways, he got thirsty enough he finally
24 drank out of that spring, and that spring was so cold that
25 his sinuses froze. He started talking to me then. And I

1 brought him right back up on the cliffs there, right
2 behind where they have Indian diggings, they call it, for
3 obsidian. I know a lot of you guys don't know where that
4 is, but somehow I know.

5 So I went over there and I was digging around in the
6 place where they call it the diggings and I found an
7 obsidian about this big (indicating). And I took it, made
8 my offer, and I prayed for what I was going to do with it.
9 And he asked me, he said, "How come you prayed?" I told
10 him, "In our way, in the Indian way, we don't remove
11 anything from Mother Earth unless we have permission and
12 ask for prayers in what we'll use it for." In place of
13 it, we leave an offering to balance that nature. We don't
14 try to disturb nature. And that's why I did that. But
15 anyways, I took that obsidian. He looked at me and he
16 said, "That ain't obsidian." So when I got back to my
17 pickup, I got a chipping stone and took a chip off of it
18 and I told him, "What is this?" He looked at it and he
19 said, "Oh, that's obsidian." I said, "Yeah." I said, "We
20 know. We know what to take and how to take it and what to
21 leave." Us Indian people, we just don't want walk in and
22 take it. We have prayers.

23 And that's one thing I wanted to ask you folks here
24 today. I wish you would have joined us in that prayer out
25 here today, because it wasn't just for the Indians, it was

1 for all of us, each and every one of us that's here if we
2 have a heart that cares about what's going on here with
3 the buffalo. That is survival for us. Every time we take
4 a life of a buffalo, we've got to have prayers. We have
5 ceremonies before we take that life. And we don't do what
6 you guys talk about, slaughter. It ain't slaughter. It's
7 part of life. We take a life for our life. So that's why
8 it's so important. And, you know, that's what I was
9 talking about, is the archeologist, what does he know
10 about our ways? Why is that arrowhead laying there? What
11 kind of ceremonies took place before it was an arrowhead?
12 You know, that's the part I have a hard time with.

13 So, anyways, that's what we do. And I am a
14 flintknapper, that's why I know. There's three things
15 that we pray for, survival, protection, and for the animal
16 or the stone that we take. So that's why it's so
17 important -- Everything is important here on Mother Earth.
18 Even Mother Earth, we pray for; we pray for her to carry
19 us.

20 Before we left from home, we had a prayer; prayed for
21 the good travel that we would have up here and tried to
22 acknowledge you people that don't know our ways. Because
23 everything that we do, there's always a prayer. We never
24 forget our prayer; from the time we get up to the time we
25 go to bed, anything that we do. We just don't go over

1 there and take it just because, oh, it's beautiful. We
2 just don't go over there and look at it because it's an
3 artifact. There's a reason why that artifact's there.
4 There's a lot of reasons.

5 And then prayers that we say when we go find that
6 rock, we pray for three things: Pray for that rock
7 because it's there for us to use; another thing, survival;
8 another thing, protection. What does that concern? It
9 concerns death. You've got to kill an animal, that's
10 death. You pray for that stone, pray for death. And you
11 guys go -- these artifact hunters, they go out there and
12 pick up these arrowheads, take them home. They're taking
13 death home with them, which they don't know nothing about.
14 That's why I'm always concerned about these archeologists.

15 Another thing, I go to a lot of meetings, and I notice
16 one thing: We're the last to know about it, the
17 Indian people. Like, for instance, when they was building
18 them wind generators over there on **Arlington Mountain,
19 they didn't ask us. They went through all the prayer
20 meeting deals. And there's even a Medicine Wheel up on
21 that mountain. And they went ahead and went through it
22 with the archeologists looking for artifacts. They
23 finally found one artifact, and that was the
24 Medicine Wheel. They had to -- they had to acknowledge
25 us. And it only took one tribe to sign off on it. That's

1 why all the windmills are on it now, because that's all
2 they wanted, was somebody to sign off. And there were
3 14 tribes there, and we was all against it but that one
4 tribe.

5 So, anyways, that's why I always have a hard time
6 about these meetings; nobody listens. I know you're
7 trying to listen, but the main listener, the main one
8 that's over you people is gone. We want to get to the
9 source, the person that has the authority to make
10 decisions. Just kind of like sending a gopher out there,
11 acting like you're making decisions, but you're not making
12 no decisions. The decision-maker sits back. And a lot of
13 places I go, the decision is already made when they
14 contact the Indians. I notice that all over. And that
15 one law we've got where you have to consult with the
16 Indians, they say, "Yeah, we talked to them Indians, it's
17 all right." I see that a lot of places. And it's kind of
18 sad for us.

19 I kind of sit down sometimes and I think about all
20 these things that I've been through, through different
21 tribes. I know there's a lot of tribes here that I'm
22 associated with. And, you know, like, for instance,
23 Devils Tower, they want to bring a foreign object there to
24 put there, but, you know, we don't want no foreign object
25 there. They got their own -- their own ways of ceremonial

1 and prayers. We have our own, too. But why do they want
2 to combine it? In our way, we don't combine prayers; we
3 stick to one. And it's kind of hard to explain to the
4 people that don't have no knowledge in our ways. You
5 know, I try to explain it some places, but I'm getting
6 where I just raise up my hands and say, "So be it. You
7 guys have already got it planned, go ahead and do it."

8 But, coming back to the buffalo, it's important to us.
9 I know I've been to the buffalo meetings here, Jackson,
10 Colter Bay. I've been here three times. And we're still
11 at the same table talking about the same thing. Nothing
12 has ever been solved. The big dogs are gone, leaving us
13 little dogs here talking. When it gets back to the big
14 dogs, they don't listen, they've already got their minds
15 set. And, you know, it's kind of hard for us to speak and
16 really open our hearts, because when we speak, nobody
17 listens. But when our president speaks, everybody
18 listens.

19 Gas prices, it's outrageous. It costs a lot of money
20 to get up here, and a lot of people have traveled a long
21 ways. They've got their ceremonies to do, they've got
22 their ways of doing their ceremonies, they've got to
23 prepare themselves, but, yet, we had to set aside some
24 time to make this meeting here. And so that's why it's so
25 hard for us to be -- you know, it hurts us. But, anyways,

1 I'm glad to meet a lot of people here that I'm associated
2 with.

3 That's why I was talking about that archeologist. We
4 had a tribal archeologist that one time. After we got rid
5 of him, he wouldn't give us our papers back, what he knows
6 about, our spiritual sites and things like that. And it
7 hurts us. And I took some artifacts and took them back in
8 the mountains where they belong. There's only three of us
9 that knows where it's at. I don't know why people want
10 our artifacts. I know the mighty dollar is behind it,
11 thousands of dollars. Even our bones; they want to know
12 how long we've been here, what we eat, how we died. We
13 don't go over there and dig up your graves. It's hard to
14 see that. If something happens, the first thing, they'll
15 call us. Just like that remains over here on the lake, I
16 was called to do that; the Bannock Tribe was called to do
17 that. We went over there and we set some time of our
18 cultural ways aside to be there for that remains. And we
19 don't try to rebury anything away from where it was found,
20 because that's the place he was put, that's his place or
21 her place. That's why we don't remove burials, we don't
22 remove artifacts.

23 That's what I was saying about the artifacts, the
24 arrowhead; we pray before we do it. If you find an
25 artifact out there, an arrowhead, a spearhead, whatever it

1 is, it's got prayers behind it. And some might even leave
2 an evil prayer, an evil spirit to protect it. And here
3 you are, you go pick it up and take it home, you're taking
4 something evil home; maybe it's death. And pretty soon
5 you start seeing your loved ones disappear and you scratch
6 your head and you say, huh, why?

7 See, I'm telling you this, I want you to learn why
8 these things are so important to us, to the Indian people
9 that's here. I'm not going to get onto you guys. I
10 wasn't -- I'm not that way. But once in a while, I get
11 pretty upset when I'm supposed to be humble. My friend
12 here is the same way. I've seen him get upset once, and
13 they listened.

14 But, anyways, that's the way of our Indian people. No
15 matter what tribe it is, there's always a prayer. We
16 prayed for the Buffalo Nation out here today, our
17 brothers. Like I said, the Europeans tried to destroy us
18 at one time, took our food source away from us, the
19 buffalo, destroyed the buffalo -- I've seen skulls, stacks
20 of them -- trying to get rid of the Indians, taking our
21 food source, our life away from us. But we're still here,
22 through prayers. We use the buffalo in our prayers, we
23 use it in our ceremonies. There's a lot of other animals
24 we use in our ceremonies. God put us on Earth for a
25 reason, to take care of Mother Earth. That's what we're

1 supposed to do.

2 But today we're taking the spiritual things away from
3 Mother Earth. We're shooting up our cows so we can
4 multiply them. Now they don't even have to -- They just
5 shoot them up with needles so they can double their
6 calving. What you don't know, all that medicine that you
7 put in the cow is killing us. It's killing us today. I
8 think they call it mad cow disease. We can't go out there
9 and eat raw meat like we used to; we've got to cook it.
10 And the hamburgers, we have a lot of problems with
11 hamburgers. But I never have heard of people eating
12 buffalo meat dying. You know, I think about these things.
13 So that's why I'm here today, to re-express my feelings to
14 you people.

15 Thank you.

16 MS. LEHNERTZ: Thank you.

17 Anything else on comprehensive planning? We've got a
18 few items left. I know you're folding up your folder
19 there, John.

20 The next topic on our list was camping fee waivers.
21 So I would open up the floor for any conversation on
22 camping fee waivers.

23 MR. BAPTISTE: This morning when we drove in, it
24 was like, are we supposed to pay to go to the
25 consultation? And that's kind of a funny thing, but

1 that's what happens. I know with the national forest, we
2 have a bunch of MOUs and other memorandums of agreement
3 with different national forests as far as usage. I don't
4 think it's going to be a detrimental dent in the revenue
5 source if tribes come through and you don't make revenue
6 off us, as far as access to traditional foods and some of
7 the things that we utilize. You know, it's kind of tough
8 to accept that we as tribes utilized this as an area to
9 gather and to hunt and now we have to pay as a visitor.
10 And that's pretty much how tribes have had to accept their
11 homelands. We were pushed on our reservation, a pretty
12 desolate piece of property, when all the pristine forests,
13 other communities live there and we're visitors now; we go
14 there just to visit, and the communities see us as someone
15 that's not from there.

16 So I think the fee issue is, without regard, you know,
17 something that needs to at least be taken seriously as far
18 as charging any aboriginal tribe here in this area, or any
19 tribe, as far as access. Because this is something that
20 we revere highly. You've heard all through the day how
21 the tribes value this as more than just a sightseeing, but
22 the actual cultural and significant ties that we have to
23 the Earth and where our religions come from, from this
24 natural resource. So I think for my part, the Nez Perce
25 Tribe, we definitely would want to see that, we would have

1 those agreements as far as how we treat and what we would
2 do to conduct ourselves. So I think that dialogue should
3 start as well as far as taking that fee away and the
4 access issues that each tribe here has, to be able to
5 access the park without having to worry about those
6 things. It's a little tougher to swallow when the tribes
7 have lived here for thousands and thousands of years and
8 now have to pay a fee just to cruise through here and take
9 a look at those things.

10 So I just wanted to start that off a little bit.

11 Thank you.

12 MS. LEHNERTZ: We're going to buy a half a dozen
13 cordless microphones sometime.

14 MR. BRONCHO: In regards to what our tribe did is
15 we talked with the park and we don't pay them fees. But
16 there's other tribes that utilize the park, like the Nez
17 Perce Tribe just mentioned, Brooklyn. And I believe that
18 each individual tribe that wants to address that issue
19 could approach the National Park Service in that regard.

20 You know, basically, what Brooklyn was mentioning is a
21 lot of these are Indian trails, Indian camps, traditional
22 use areas, you know, and the myth of us being scared of
23 the geysers and so forth. You know, it's all coming to a
24 head in regards to the cultural issue. But I really
25 strongly believe that we shouldn't be paying these camping

1 fees, there should be a waiver there. I know that there's
2 a reservation system in place right now, and maybe there
3 should be more -- maybe they should be reserved for some
4 of the tribal people coming through because of the
5 gathering rights that we have, you know, and the things we
6 still gather. And just like what Haman was mentioning in
7 regards to being followed around all over the park just so
8 that he doesn't pick up something he's not supposed to.
9 Well, those things fall into some of our ceremonies and
10 our traditional ways of gathering for these plants and
11 herbs and different things we use for medicinal purposes.

12 As an example, maybe somebody might have a dream to
13 come in here and fast, and then they have to go through
14 the whole stringent process of getting a permit to go up
15 in there, you know. And I know we're in this day and age
16 where we have to get permitting and so forth, but I think
17 that the process should be started in regards to waivers
18 of these campgrounds. Because along all these streams --
19 you know, like Haman was mentioning, the water, he was
20 drinking from the water there and he was never thirsty.
21 He already lived with the land and knew how to survive out
22 there, you know, in regards to inherent rights that he had
23 from his ancestors, you know -- well, all of us.

24 And I think that the process, you know, in regards to
25 the Yellowstone Park being established in 1872 when

1 Teddy Roosevelt came here, and this was established as the
2 first national park, it didn't eliminate us from here. I
3 know that we're abiding by the hunting laws and stuff like
4 that, you know, but as far as somebody going in there and
5 gathering, it ties into the cultural issues, the American
6 Indian Religious Freedom Act, the Indian Civil Rights Act,
7 and all those different laws that are in place. I think
8 camping is one that we're trying to address. I know we
9 addressed it in Idaho and so forth in regards to -- along
10 with the Nez Perce Tribe in not paying these fees on any
11 national forest. And it is in their reservation portion
12 of that that it's exempt for tribal traditional use. I
13 know it's in Idaho.

14 And if that reservation system -- What I mean by
15 "reservation" is when you call a year in advance and
16 reserve a campsite. It's a national reservation system.
17 And why can't it apply here in the park? Because you have
18 a lot of people traveling during what we used to call war
19 dances and celebrations and so forth, people traveling to
20 Crow, people traveling to the oil discovery celebrations,
21 and these different activities, ceremonial activities, and
22 they have to cross through here. And, you know, at the
23 same time, they might be wanting to pick up some herbs and
24 plants, or maybe somebody is sick in their family and it's
25 more closer to Earth and something that, you know, maybe a

1 non-Indian couldn't understand because we're closer to the
2 Mother Earth; I guess you could say it that way. And you
3 can't put some of those things in words, and it's very
4 hard to put it on paper.

5 But, basically, I just feel that the waiver on these
6 campgrounds shouldn't even be an issue, we should be able
7 to come in and camp in aboriginal territories that we
8 roamed for centuries. And I know that's a strong
9 statement and so forth. But I think if there needs to be
10 a process to be developed, you know, you're talking to
11 some of the policy-makers here that express themselves and
12 so forth, because it all ties to the buffalo taking, you
13 know, gathering. We just didn't go to hunt, we went to
14 gather, too. So that's just the way of life, and it's
15 still practiced to this day.

16 MR. JOHN STONE: One more comment and I'm done.
17 Earlier you said there was 3.1 million visitors?

18 MS. LEHNERTZ: Last year.

19 MR. JOHN STONE: Last year. \$25 a head?

20 MS. LEHNERTZ: A carload.

21 MR. JOHN STONE: A carload?

22 MR. CAMPBELL: Per vehicle.

23 MR. JOHN STONE: What was your per-vehicle usage?

24 MR. CAMPBELL: Estimated 2.3.

25 MR. JOHN STONE: So you're looking at

1 \$50 million, is that right, with the entrance fees?

2 MR. CAMPBELL: Revenue was about \$7 million.

3 MR. JOHN STONE: About 7 million from entrance
4 fees.

5 MR. CAMPBELL: Right.

6 MR. JOHN STONE: Are you guys familiar with
7 Devils Tower, Mount Rushmore, Badlands National Park?

8 Okay, my friends over here (indicating), we was at a
9 consultation a couple months ago with Dorothy FireCloud.
10 She's the superintendent over there, and she informed us
11 that it was not a highly publicized memo, but all Natives
12 are granted free access to national parks, as an
13 interagency memo. They don't advertise it because they
14 don't want the general public getting mad at the
15 Park Service for allowing them. So maybe if you guys
16 could get ahold of her or have your superintendent call
17 her, she could probably explain that process a lot better
18 than I can. But I am definitely under the understanding
19 that we have free access already to these parks.

20 MR. OLLIFF: That's been in place for a while.

21 MR. CAMPBELL: You're right.

22 A couple of issues here. Campground waivers at the
23 park level are the discretion of the superintendent. I
24 can speak for her in that regard, and I will entertain
25 those waiver requests to tribal members visiting the park

1 for non-recreational purposes.

2 MR. JOHN STONE: Why would recreation to a tribal
3 person be anything different than coming here for a
4 spiritual reason? We should be afforded those same
5 abilities, you know. It was ours to begin with. I could
6 see paying for some of the conveniences, say if you were
7 camping at a parcel that had electricity and water. It's
8 the same in South Dakota. When I go to the South Dakota
9 state parks, if I'm going to utilize their playgrounds or
10 infrastructure, then I have no problem paying. But just
11 as spiritual or recreational use, I can't see how you can
12 differentiate it.

13 MR. CAMPBELL: I don't think you can. And I
14 don't think we spend a lot of time trying to differentiate
15 that. If you make the request for a waiver for
16 traditional purposes, traditional visits, historical
17 visits, you know, that will be considered.

18 Now, in regards to Yellowstone National Park, we only
19 manage some of the campgrounds. The others are on
20 contract to our primary concessionaire. And we can waive
21 fees in our campgrounds, but we can't speak for them.

22 MR. JOHN STONE: Because of their infrastructure
23 and investment.

24 MR. CAMPBELL: Well, they're on contract to us.
25 So it's just like a motel room. They're part of our

1 contract to provide motel rooms; they also have a contract
2 to provide campground spaces. We don't have the waiver
3 ability on the motel rooms, just like we don't have the
4 waiver ability on the contracted campgrounds that they
5 run.

6 I am fortunate and I do know Dorothy, I spoke with her
7 just last week. And there is a wide ability to have
8 waivers for tribal peoples in parks for recreation. We
9 call those recreation fees, entrance fees, use fees; we
10 lump them and call them recreation fees. But we're more
11 than happy to consider any of those requests for waivers.

12 MR. JOHN STONE: Thank you.

13 MR. VOGEL: And we would also be happy to
14 entertain that at Grand Teton National Park. I would
15 point out that at this time, all of our campgrounds at
16 Grand Teton are run through contract. We would be happy
17 to engage in discussions with our contractors and
18 certainly would be willing, as contracts are renewed, to
19 take that up as an issue.

20 MS. LEHNERTZ: Shall we move on to the next topic
21 on the agenda? We're creeping right up on 5:30.

22 The next one is parks' 106 planning and compliance
23 process. So I open the table to any discussion on those
24 topics.

25 And if we have none, we can go to the next -- Oh, we

1 do, okay. Sorry.

2 MR. GARVIN: Just a simple question on this
3 106 process: Do you utilize Native American people for
4 their expertise, or are you still using your park
5 archeologists?

6 MR. OLLIFF: We start with the park archeologist.
7 When it gets larger, we do contracts. And we have done --
8 Rosemary.

9 MS. SUCEC: Excuse me, Tom. I'm sorry, would you
10 repeat that?

11 MR. OLLIFF: Sure. We start with our park
12 archeologist. It depends on the size of the project. If
13 it's small, we just do it in-house. If it gets larger, we
14 do contracts. And we've just started doing some contracts
15 with tribal archeologists.

16 MS. SUCEC: Right. And we have a project, for
17 example, surveying the Nez Perce Trail, and there is a
18 tribal archeologist who will be involved there. And then,
19 Mr. Garvin, we announce when we're doing survey and we
20 announce the results of those surveys. And as Tom said,
21 if it's a large project, we'll send a letter, we'll have
22 the map, we'll ask for some input on that process. We
23 oftentimes get tribes who say, "Don't worry about it.
24 It's all right. If it clears, we're fine." Or we'll
25 sometimes get calls or sometimes tribal cultural experts

1 want to come and view the sites. So we do notify tribes
2 when we're -- For example, even in comprehensive planning,
3 there's going to be archeological survey. We'll notify
4 you of that survey.

5 [Ann Johnson, YNP archeologist, relays that tribes are
6 informed of archeological work through scoping letters,
7 consultation, and reports.]

8 MS. ST. CLAIR: I am the archeologist for
9 Grand Teton National Park, and I am an enrolled member of
10 the Seminole Nation of Oklahoma. I may not quite be the
11 right tribe for a lot of these sites, but I try to be
12 sensitive. I've employed Jason Plain Feather -- who is
13 gone -- to help me; he's Crow. We're trying to be
14 sensitive to the subject. And, certainly, if anyone ever
15 wants to come and monitor or assist us, they're certainly
16 welcome. So that's what we're doing at Grand Teton.

17 MS. LEHNERTZ: Okay, if there are no more
18 questions on the 106 and compliance, our next topic is --
19 We do have a question. Thank you.

20 MR. BLACKIE: I've got a question. Who is your
21 archeologist?

22 MS. LEHNERTZ: In Yellowstone Park, Ann Johnson
23 is our archeologist, and Grand Teton just spoke.

24 So our next topic, topic No. 3 on the back, is sacred
25 sites and access to such sites.

1 MR. GARVIN: I suggest that this topic should
2 remain on board for future meetings on your overall
3 comprehensive planning efforts. I think a lot of the
4 tribal people may have already left, but they may have
5 concerns about access to sites. And I'm not clear as to
6 your restrictions, if anything can be removed from the
7 Yellowstone Park within the boundaries. I don't think
8 they would remove anything, but they might utilize sites.
9 So I think this should remain on that as a topic for
10 future discussion.

11 MS. LEHNERTZ: Rosemary, can you make a note of
12 that for the agendas?

13 MS. SUCEC: Yes.

14 MS. LEHNERTZ: Colin, did you want to address the
15 removal issue?

16 MR. CAMPBELL: It is defined in park regulation
17 where certain items can be removed from the park;
18 typically, gathering items, you know, berries, nuts. And
19 we can define that, you know, item by item. But that's
20 allowed for in our Code of Federal Regulations that is in
21 effect for the parks. But there is the ability for
22 removal of certain items.

23 MS. SUCEC: I'd like a point of clarification.
24 We do do archeological surveys. Ann Johnson, the park
25 archeologist, does the surveys. We have a responsibility

1 to notify all of our park associated tribes of the results
2 of that survey, and that may come in the form of a report,
3 and we ask for tribal comment. If there is anything
4 particularly unique that we need input on, we'll, of
5 course, go to you for that. But that's our protocol; the
6 surveys are done, the reports are written, a letter is
7 sent to all tribes announcing the results of that report,
8 and then the opportunities for comment. And that's
9 particularly related to planning projects, certainly, not
10 minor surveys.

11 MR. BLACKIE: A couple of years ago -- You
12 remember Gary Silk? I'm not an affiliated tribe with
13 Yellowstone, but I'm full-blooded Navajo and I've been
14 here going on beyond 25 years. This is my home and my
15 backyard, just like you guys; I work here, live here. And
16 I had Gary and some of the Nez Perce sign a piece of paper
17 for me saying that it was okay for me to remove some
18 items, you know, in Yellowstone National Park. But it
19 seems like that paper has been lost, that signed piece of
20 paper has been lost. It was given to the superintendent
21 before Suzanne Lewis, Mike Finley. It was given to him
22 and it was put in his office, and he was the only one that
23 received it, and it was never to go beyond his office. So
24 I don't know, I was just checking on that as a request.

25 MS. SUCEC: Irvin, we do have that document on

1 file.

2 MR. BLACKIE: Because that was with Gary and
3 those guys under the Native American Freedom of Religion
4 Act. It was spiritual. Even though I was not affiliated
5 with the Yellowstone tribes, they gave me permission to
6 request items, you know, from the park. And I was just
7 bringing that up so, that way, anybody that's not
8 affiliated with Yellowstone Park, you know, I went through
9 some tribal members and got their permission, so that way
10 I could get some stuff out of the park. And in our
11 culture, too, we have some stuff in the park that we use
12 for our ceremonial, too. But I'm not going to give that
13 information, because it's just going to go to your backlog
14 and then you're going to sign a waiver that says you
15 guarantee that you're not going to give it to anybody
16 else, but, you know, it's still in your file; somebody is
17 going to open it up and somebody is going to take it
18 anyway. So I'm just checking on that.

19 MS. SUCEC: Okay.

20 MS. LEHNERTZ: So the last time there was the
21 collection of natural resources such as plants, it seems
22 like we've kind of covered that as we talked about sacred
23 sites. Is there anything else anyone would like to add?

24 MR. BRONCHO: All I wanted to say is that it's
25 all connected, the gathering and the ceremonies and so

1 forth is all together. So when we talked about that, that
2 goes along with what we just talked about; part of the
3 camping, part of the ceremonies and different things that
4 are addressed in regards to our feelings from our heart
5 through our prayer.

6 MS. LEHNERTZ: So at this time I would open up
7 the floor to any other topics and we can discuss those,
8 and also open microphone, so if there is anything at all
9 anyone would like to say before we do our closing.

10 MR. BRONCHO: I just want to thank the
11 Yellowstone National Park staff. You know, I know it
12 wasn't called a government-to-government consultation and
13 so forth, and I think we addressed that in other forums
14 here. And also the Grand Teton. Too bad the National Elk
15 Refuge couldn't be here. I want to thank all the tribal
16 leaders that came here, the policy-makers that took the
17 time, because it's coming from their hearts and their
18 people to look out for the future of their ceremonies and
19 their prayers and their way of life. And, you know, when
20 I talk ceremonies and our ways, it's what we practice,
21 it's our way of life. So those things, I just want to
22 thank the cultural people for coming here.

23 I think it was a productive meeting to initiate some
24 other future meetings that we can move forward to set
25 policy. And that's, you know, where the tribes are coming

1 from, so that we can have the people that can make the
2 decisions here meet with the people that can make the
3 decisions on the tribal side. And each individual tribe
4 are individual sovereign nations, and they might have a
5 different form of government-to-government policy that
6 they call theirs, so you have to also consider that.

7 So when we call it government to government, as an
8 example, our tribe, we have to meet on the Fort Hall
9 Indian Reservation with our policy-makers, and we don't
10 want to meet with anybody that says, "Well, I've got to go
11 and ask my uppers if that's okay." Like our leadership,
12 they'll walk out of the meeting and say, "This is a waste
13 of time." So, you know, that's just to say it bluntly,
14 that other tribes probably have similar policies to where
15 they don't want to -- they have a lot of valuable time.
16 The tribal leadership sits in the capacity similar to the
17 governor of the state of Montana or Idaho or Wisconsin or
18 whoever, you know. But you're talking to the top people,
19 you know. And the reason we're saying that is we made the
20 treaties, statutes, and executive orders with the
21 United States Federal Government, and we call that similar
22 to the first contracts with America, and we want them
23 upheld.

24 In regards to the Constitution of the United States,
25 those are things that are supposed to be upheld to the

1 fullest. And that's why I mentioned when Teddy Roosevelt
2 in 1872 formed this park, there was no consideration for
3 the tribes. And maybe there was. But I think it's time
4 to bring those things out, and you're hearing it from the
5 different tribal leaders.

6 Thank you.

7 MR. NELL: I'm just a local resident, I'm
8 non-native, but I do work with buffalo on the ground, with
9 Buffalo Field Campaign and, like I say, just about anybody
10 else who will work with me. One thing I think that really
11 comes across is treat these animals as wildlife, and
12 secondly, think about the buffalo. When I'm out on the
13 ground, either walking buffalo away from a bad spot where
14 they can get hit by cars or in trouble with livestock, or
15 if it's just some kind of a bad situation for a buffalo,
16 when we look at that situation as a person that's an
17 activist and as a person that tries to help these buffalo,
18 we look at that animal and we say, what's best for that
19 buffalo?

20 I don't care what's going on with these people in law
21 enforcement. I don't really care what's going on with elk
22 and other things. I want to know what's best for this
23 buffalo right now, right now on the ground. And that's
24 the mantra that we basically -- I play in my head, and
25 anybody who has ever dealt with buffalo long enough. You

1 look at that animal, what's best for that animal? Then
2 let's do it, let's do whatever it is. Maybe get them away
3 from that spot or just watch out for anything else that
4 might happen.

5 And what would be best for the buffalo? You talk to
6 the conservation community, and they're going to tell you,
7 Native Americans. There's a lot of great stuff out there
8 that you guys could be doing, and I'm hoping you're going
9 to be able to do it as you start to learn about what's
10 going on in and around here. But, honestly, you talk to
11 the conservation community, and, honestly, you folks could
12 have the power to change what goes on here with buffalo.
13 And so I really stress to you, get together and work
14 together for buffalo, what's best for the buffalo. That's
15 the key, folks.

16 If we have that mantra of what's best for the buffalo
17 and what's best for our wildlife, then we aren't going to
18 have these meetings anymore, we aren't going to have a
19 buffalo controversy. To put cattle ahead of our wildlife
20 here in Yellowstone is completely wrong. And so let's
21 hope that in the future we can have this Bison Management
22 Plan completely revised and something new out there. But
23 I really stress, boy, if you guys can get together and
24 really come together on this issue, we could win, we
25 definitely could win.

1 Thank you.

2 MR. BAPTISTE: I wanted to say thank you for
3 everyone, our elders who took their time to come up here
4 and express their words. They've had the extreme
5 fortitude to live this long and persevere all the
6 experiences they've had three times as long as I have.
7 I'm just a young man yet, a kid compared to my relatives,
8 my uncles here, who you all have been here long enough.
9 But we are elected leaders of the Nez Perce Tribe, so we
10 have to come here and voice our opinions and give the best
11 we can with the teachings that we got from our elders.

12 It's real hard to express, as far as us as native
13 people, how connected we are. And I always remember this
14 as far as the Salish-Kootenai, when our relatives were
15 escaping and trying to get out of persecution, in 1877, we
16 came through the national park. We were running from the
17 government and the calvary and trying to maintain a
18 lifestyle that we knew was in jeopardy. Well, we had
19 relatives that we were going to go see, and the government
20 told them, if you help these people, then you're going to
21 be held accountable to that and your guys's people will
22 have a hard time if you help them. So they had to look
23 out for themselves. And so that divided us again.

24 We're divided by lines. The Interior, the
25 United States, upon their plenary power, imposed lines and

1 said, "These are the lines, you're on this side, you're on
2 this side. Now this is who you are, you can't cross, this
3 is a state line. Your jurisdiction has changed." It had
4 nothing to do with how we roamed, how we related to
5 each other. So by how we hold sacred this animal, the
6 buffalo, as sacred as it is and as bad as we have treated
7 it and we give that importance to it, it brought us tribes
8 together again. A lot of these tribes here would never
9 talk to each other because we have our own interests, we
10 live in different states. But here we are talking again
11 because this sacred animal, through its death and through
12 its life, brought us back together. And here we are, the
13 common denominator is that sacred animal.

14 So you're sitting here asking us for help and we're
15 trying to help you. So we hope that the words, the things
16 that were said today, that you don't take them to heart as
17 hurtful. It's just a long history of people not giving
18 their promise -- someone who hasn't kept their promise.
19 There's a lot of distrust going on, saying, what's going
20 to make it different this time than it was for the past
21 hundreds of years of us asking you to keep your word? And
22 that's all it was. We used to bring pipes to these
23 meetings, but now we bring attorneys, we bring staff,
24 because that's the only thing that people will listen to
25 anymore. So we want for this to be meaningful, and

1 hopefully let you guys take that home, that it's nothing
2 personal, it's just you're dealing with, you know, a
3 nation that's got nothing but lies. And we want to
4 believe in it, that's why we're here. If we didn't have
5 that small ounce of hope, we wouldn't have spent the time
6 to get here, we wouldn't be here right now. We have our
7 elders here who have lived three times as long as I have
8 and seen that and lived it, but they're still here hoping
9 that you guys and we can build something from this
10 meeting. So I just wanted to say thank you for having
11 that.

12 And all my relatives, that you guys have a safe trip
13 home and you go home and find your homes and your families
14 the way you left them and that the Creator bless your
15 roads and that we can meet back again with that same
16 spirit given by this animal and the rest of the wildlife.
17 So I just want to say that part from my people back home
18 in Idaho, the Nez Perce. [Native language.]

19 MR. WISE: I've just got a question here. Here a
20 while back, I think you were having young people come on
21 board for you guys and I think they wanted some elders or
22 different tribes come over here and give them -- I mean,
23 teach them the concerns we have. Is that still in
24 position?

25 MS. SUCEC: You bet, Haman. In fact, we have

1 some brochures over there (indicating) about our outreach
2 to youth. And I'm pleased to say that in partnership with
3 our park foundation, we offer a residential camp for the
4 youth of park-associated tribes, that is, tribes who have
5 histories here, legacies here, and elders to come together
6 with the Park Service for a full week to learn about one
7 another and learn about the landscape. And we've got a
8 commitment from, actually, Toyota Foundation to continue
9 this on into the future. And at the potluck, or even
10 after the meeting, if there are any tribes here who would
11 like to bring your elders and your youth, we would love to
12 have you here for that week.

13 So, absolutely. The park has made a commitment to
14 that to enable you to continue that legacy through your
15 youth. Thank you.

16 MS. LEHNERTZ: I'm going to ask Bob to say a few
17 words, and then we'll ask for the closing.

18 MR. VOGEL: It's been a pleasure to be here
19 today. We've had some frank discussions. I think it's
20 been needed. I am very impressed with the outcomes. We
21 have a lot of work to do. You have my commitment -- and I
22 can say that for my boss. You have the commitment of
23 Grand Teton National Park that we want to continue to work
24 and dialogue with you. We want to -- And I didn't get to
25 talk about it too much, but we talked about the Vernon

1 Collection. We're trying to create a new museum, as Alice
2 talked about, and we want to make sure that from the
3 beginning we have tribal representation in our planning
4 efforts and that we are not just coming to you halfway
5 through the process and saying, "What do you think?"
6 These are your stories and the stories of other native
7 people across the country, and I cannot tell that story
8 for you. And so we urge you to be a part of that and to
9 help us to figure out how we can involve you in that
10 effort and in other efforts in the park.

11 I thank you for coming today, your commitment to this
12 effort, and I look forward to having dinner with you
13 tonight.

14 MR. CAMPBELL: Thank you for being here today.
15 There were some hard things to hear today, Mr. Baptiste,
16 but I'm glad I listened to them, I'm glad I've heard them,
17 and we'll keep moving forward together.

18 Solutions are not always easy to get to quickly. But
19 I'm a big believer that you can make a hundred points of
20 change ten different ways if you work together. So I know
21 that we heard a lot today, and over time we'll know if we
22 understood it or not. But thank you for coming.

23 MR. QUINN: I've got a comment.

24 Excuse me, Rosemary.

25 I want to thank the National Park Service, too, for

1 hosting this meeting. And I think it might have been
2 Brooklyn or somebody that said that it would have been
3 nice if you guys could have been out there. What I
4 thought was really nice today about the prayer outside was
5 the fact that a number of the people who said their
6 prayers also prayed for you all, for all of you for
7 working here. Because everybody knows that you, too, have
8 a hard job. And we're all in this together, and hopefully
9 maybe now we can try and make a difference. But I did
10 want you guys to know that a lot of the prayers that were
11 said today were for you guys, too. So thanks, again, for
12 hosting the meeting.

13 MS. SUCEC: Thank you, Alvah. Thank you.

14 You'll be pleased to know that we have someone, an
15 ambassador that went ahead to the potluck and let them
16 know that our guests of honor are on the way.

17 You're a taskmaster, Chris Lehnertz. We got through
18 that agenda.

19 So everyone will be waiting for you and the dinner
20 will be ready.

21 MR. BRONCHO: Have we met the guests of honor?

22 MS. SUCEC: You are the guests of honor, all of
23 you are.

24 All the food up here, please, you're welcome to take
25 it. And I will be out here bright and early 8 a.m. to

1 take a trip to the conical lodges. And we need to know
2 from you, if you would give that information to us, how
3 they were used. We've heard sweatlodges, residences,
4 overnight motels for Blackfoot -- Blackfeet folks. But
5 I'm happy to lead a tour. It shouldn't take long at all.
6 And as I mentioned, I'll be out here at 8 o'clock in the
7 morning. And I'll wait until 8:30 for folks to show up if
8 anybody wants to join.

9 MS. LEHNERTZ: I would, just in closing, like to
10 say thank you for a number of things, one of which is the
11 federal government is often known for turnover in staff,
12 that people come somewhere and then they go somewhere
13 else. And I know that it takes patience to break new
14 people in, and so I know Colin and Bob and Chris are all
15 thankful that you're willing to try that again with
16 another crew of people.

17 Thank you also for spending the time together with us
18 today helping us to understand more, teaching us, and
19 working with us in understanding what's out there as
20 constraints and where we can take advantage of the
21 opportunities.

22 So, Mr. Incashola, if you would lead us in the
23 closing, please.

24 (Closing prayer by Tony Incashola.)

25 (The meeting was concluded at 6:00 p.m.)

COURT REPORTER' S CERTIFICATE

STATE OF MONTANA)
) ss.
COUNTY OF LEWIS AND CLARK)

I, CHERYL ROMSA, Court Reporter, Notary Public in
and for the County of Lewis and Clark, State of Montana,
do hereby certify:

That the foregoing proceedings were reported by
me in shorthand and later transcribed into typewriting;
and that the -190- pages contain a true record of the
proceedings to the best of my ability.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my notarial seal this 24th day of June 2008.

CHERYL A. ROMSA
Court Reporter - Notary Public
My Commission Expires 8/4/2011