

**CROW TRIBAL LEGISLATURE
MAY 14th , 2019 SPECIAL SESSION**

LR No. 19-11

INTRODUCED BY SENATOR MERRITT WHITE CLAY
NATURAL RESOURCES COMMITTEE CHAIRMAN

A LEGISLATIVE RESOLUTION TITLED:

**REJECTION OF THE PROPOSED RE-BURIAL PLAN OF THE
SARPY BISON KILL SITE.**

LEGISLATIVE FINDINGS:

WHEREAS, pursuant to Article V, Section 2(a) of Crow Tribal Constitution the Crow Tribal Legislature (hereinafter, “Legislature”) has the power and duty to promulgate and adopt laws and resolutions in accordance with this Constitution and federal laws for the governance of the Crow Tribe of Indians and,

WHEREAS, the damage assessment was authorized U.S. Attorneys Office.

WHEREAS, the Bureau of Land Management is the authorized Agent to conduct the damage assessment,

WHEREAS, The GCM Services, Inc. ARPA permit for excavation and removal of archaeological resources from the Sarpy Bison Bonebed site expired on June 30, 2010 and was not renewed. Therefore, all work conducted by GCM Services, Inc. at the site after this date was authorized,

WHEREAS, in Addition to being unauthorized excavation and removal, the mechanical excavation and screening conducted at the site during the firm’s 2011 fieldwork season caused two types of archaeological damage. First, they damaged both the contents of the bonebed and and bonebed’s archeological context. Second, these excavations failed to recover scientifically important bison bones, artifacts and contextual information about them. Also, the bison bonebed was not completely excavated and further damage to it will result if coal mining operations occur at the site,

WHEREAS, the archaeological value and cost of restoration and repair determinations for the unauthorized damage to the Sarpy Creek Bison Bonebed Site were developed in accordance with the requirements of ARPA and the ARPA Uniform Regulations and accepted professional standards for these determinations. The total archaeological value figure for the unauthorized damage to the site is \$58,096,632.07. The total cost of restoration and repair figure for the unauthorized damage to the site, including both emergency and projected restoration and repair costs, is \$10,460,187.25.

NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE IN SPECIAL SESSION:

The Crow Tribal Legislative Branch Reject the 2019 Reburial Plan issued by Westmoreland and GCM Services.


BE IT FURTHER RESOLVED;

That the BIA Immediately issue a Notice of Violation Based on the damage Assessment Report to Westmoreland Resources and GCM Services. A copy of the Resolution shall be mailed to United States Senators Tester and Daines and United States Representative Gianforte.

[Remainder of page left blank intentionally]

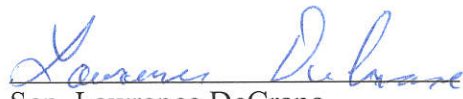
CERTIFICATION

I hereby certify that this LR titled, **REJECTION OF THE PROPOSED RE-BURIAL PLAN OF THE SARPY BISON KILL SITE** was duly approved by the Crow Tribal Legislature with a vote of 14 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 14th day of May, 2019.



Sen. Frank White Clay
Speaker of the House
Crow Tribal Legislature

ATTEST:



Sen. Lawrence DeCrane
Secretary
Crow Tribal Legislature



**LEGISLATIVE RESOLUTION:
REJECTION OF THE PROPOSED RE-BURIAL PLAN OF THE**

Bill or Resolution: LR19-11 **Introduced by:** Senator Merritt White Clay, NR **Date of Vote:** 5/14/2019
Number

REPRESENTATIVE:	Yes	No	Abstained
M. White Clay	<u> X </u>	<u> </u>	<u> </u>
D. Spotted	<u> X </u>	<u> </u>	<u> </u>
L.Hogan, III	<u> X </u>	<u> </u>	<u> </u>
B. Brown	<u> X </u>	<u> </u>	<u> </u>
S. Real Bird	<u> X </u>	<u> </u>	<u> </u>
V. Nomee	<u> </u>	<u> </u>	<u> </u>
T. Yellowtail	<u> X </u>	<u> </u>	<u> </u>
T. Gros Ventre	<u> </u>	<u> </u>	<u> </u>
P. Alden, Jr.	<u> </u>	<u> </u>	<u> </u>
M. Not Afraid	<u> X </u>	<u> </u>	<u> </u>
G. Bouyer	<u> X </u>	<u> </u>	<u> </u>
J. Demontiney	<u> X </u>	<u> </u>	<u> </u>
B. Hugs	<u> X </u>	<u> </u>	<u> </u>
N. Old Crow, Jr.	<u> </u>	<u> </u>	<u> </u>
B. Good Luck	<u> X </u>	<u> </u>	<u> </u>
H. Male Bear-Stone, Jr.	<u> X </u>	<u> </u>	<u> </u>
L. DeCrane, Secretary	<u> X </u>	<u> </u>	<u> </u>
F. White Clay, Speaker	<u> X </u>	<u> </u>	<u> </u>
Total:	<u> 14 </u>	<u> 0 </u>	<u> 0 </u>

Result of Vote:

Passed

 Not Passed

 Tabled

 Veto-Override

Frank White Clay

 Senator Frank White Clay
 Speaker of the House
 Crow Tribal Legislative Branch

5-14-19

 Date

Lawrence DeCrane

 Senator Lawrence DeCrane
 Secretary of the House
 Crow Tribal Legislative Branch

5-14-2019

 Date