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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CROW INDIAN TRIBE, et al.,)	
)	Case No. CV 17-89-M-DLC
Plaintiffs,)	
)	(consolidated with Case Nos.
v.)	CV 17-117-M-DLC,
)	CV 17-118-M-DLC,
UNITED STATES OF AMERICA,)	CV 17-119-M-DLC, and
et al.,)	CV 17-123-M-DLC)
)	
Federal Defendants,)	DECLARATION OF DOUG
)	PEACOCK
and)	
)	
STATE OF WYOMING, et al.)	
)	
Defendant-Intervenors.)	
)	

DECLARATION OF DOUG PEACOCK

I, Doug Peacock, declare as follows:

1. I am a resident of Emigrant, Montana.

2. I am also a member of the Sierra Club.

3. For more than 49 years—since I returned from the Vietnam War—grizzly bears have played a central role in my life. I served as a Green Beret in the Vietnam War through two tours of duty as a combat medic stationed in the country's highlands among the indigenous Montagnard people, who functioned as my command's mountain troops. I spent much of that time providing emergency medical care to the critically injured, many of them women and children. One of the things that got me through that experience was a road map of Wyoming and Montana I always carried with me. I kept it hidden in the notebook in which I was supposed to keep my military notes. I stared at it, especially the blank spaces—the grizzly country—traveling in my mind over the ridges and peaks into hidden basins and high cirques.

4. I came home from the war in 1968 with, though I didn't know it at the time, a severe case of post-traumatic stress disorder. The Department of Veterans Affairs didn't officially recognize and name PTSD until 1980. My own impairment was later diagnosed by the DVA as "total and permanent," rated at 100%. Anyway, I was not able to talk to anyone back then. The applicable phrase, I read later, was "walking wounded." I bought a jeep and retreated to Wyoming and Montana to seek refuge in those landscapes I had dreamed about in Vietnam while poring over my tattered map. There I found grizzly bears.

5. The first that I saw, a sow with two cubs, approached me from about 100 feet away while I was relaxing in a hot spring in the Yellowstone backcountry. Terrified, I rose

so quickly from the steaming water that I blacked out, fell down, hit my head, and finally hauled myself up a small pine tree by the water's edge. I clung to the top of the tiny Christmas-like tree, naked, freezing, and bleeding, feeling like some variety of silly sparrow. All the while the sow just ignored me. Those bears got my attention.

6. I began tracking grizzlies in the backcountry, following at a cautious, respectful distance. In so doing, I began to develop relationships with certain bears that I repeatedly encountered, including the Bitter Creek Griz, a huge male with a grayish muzzle whose asymmetrical, toed-in left rear track in the snow marked my early spring forays into Yellowstone, and the Black Grizzly, another large male who dominated the annual grizzly congregation at a place I call the Grizzly Hilton up near the Northern Continental Divide.

7. What was invaluable for me was the way the bears dominated the psychic landscape. I experienced the exhilaration that comes of traveling through country occupied by something more powerful than you are. The grizzly instilled enforced humility; you were living with a creature of great beauty married to mystery and the potential for danger. The grizzly radiates potency. He carries the physical strength and thorniness of disposition that allows him to attack or kill most any time he cares. But, almost always, he chooses not to. That is power beyond a bully's swaggering. It is the kind of restraint that commands awe—a muscular act of grace. In my experience, the emotional posture of humility leads to a lot of healing. After the Vietnam War, those grizzlies saved my life.

8. Following that first season, I came back to grizzly country every spring and summer, usually lingering until late fall. I would stay there for weeks at a time, toting an old but functional Bolex 16mm film camera and tripod. I wanted to shoot film of wild grizzlies far from roads and people. At that time, most of the extant footage of grizzlies

consisted of bears at dumps or along roads and salmon streams in Alaska. No one had much film of grizzlies in the wild. I wanted to see how grizzlies would behave apart from man and his tools. Filming grizzlies was also an excuse for learning about grizzlies—certainly about their chances of survival in a world that increasingly hemmed them in—but also little things about what individual bears do in early spring, anything else I could infer about their age, sex, and reproduction. I captured some remarkable bears on film. One grizzly, I called Happy Bear, was the most playful adult grizzly I ever knew; I ran into him every fall in huckleberry country over seven consecutive years. I used this film footage to promote conservation for grizzlies; after all, grizzly bears, especially in Yellowstone, were in trouble during the 70s and early 80s with very low population estimates. Since I believed they had saved my life, it was payback time—I owed the bears. I appeared on major network TV a dozen or so times, including PBS with spots on Sesame Street and an hour-long film called “Peacock’s War” that premiered on Nature in 1988, about Vietnam and grizzly bears. In all these projects, I endeavored to protect individual grizzly bears and their habitats.

9. Eventually I began writing about my experiences. In 1990, I published “Grizzly Years,” which recounts my return from the Vietnam War and my experiences with grizzlies from the late 1960s through the 1980s and is explicitly about the healing power of wilderness animals like grizzlies. Since the 1980s, I have supported myself by writing books and magazine articles, mostly about grizzlies. In 2005, I published “Walking It Off: A Veteran’s Chronicle of War and Wilderness.” This memoir is my version of a guide to mending from the wounds of war by immersion in wild nature. At the end of this book is an account of a trip into the wilderness to meet up with the Black Grizzly. Many modern

veterans have written me after reading this book—which is terrifically satisfying to a writer.

10. Over the ensuing years, I have continued a deep involvement with grizzlies and grizzly conservation. That includes helping others to learn about grizzly bears and the lessons to be drawn from travel in grizzly country. I travel extensively and lecture. In the 1990s, I began leading trips into the Yellowstone country to look for grizzly bears and to educate people about bears. The participants in these trips range from Iowa college students to 8th grade girls. Headwaters Academy, a private school in Bozeman, had their students spend a week with me in Yellowstone. I lead similar trips for veterans of various conflicts including the Iraqi and Afghan wars. These trips are often composed of veterans with physical and spiritual disabilities. I lead them into grizzly country in the hope that they can connect with something larger than themselves and experience healing in the same way that I did. On July 26, 2017, I will help lead a group from the Sierra Club's Veterans Outreach program in Yellowstone National Park. I intend to keep leading veterans groups, and others, into grizzly country as long as I can. It is a timeless healing and teaching experience.

11. I have observed grizzlies and signs of their presence near where I live in the Paradise Valley and Emigrant Gulch. In the past ten years, I have recorded sign of six different grizzlies as far north out of Yellowstone as my home. One set of adult grizzly tracks was found directly east of my house along the Yellowstone River. This situation, grizzly bears living peacefully alongside a few people, is the opposite of alarming; for an officially diagnosed wounded warrior like myself, it is exactly the environment I need in which to maintain my literal sanity. I also frequently seek to view grizzlies and their sign in

the Tom Miner Basin outside the north boundary of Yellowstone National Park and twenty miles to my southwest. There, over a twenty year period, I have had the unusual opportunity to observe social interactions of grizzly bears as groups of mothers with cubs graze on nutritious vegetation in the spring and fall. These grazing groups of grizzlies in the Tom Miner Basin appear to include multiple generations of grizzly families. They have learned that this basin is safe for bear families. This is where I taught a class this summer on grizzlies to the 8th-grade children. I will return to Tom Miner Basin this autumn when the bears gather again. Of course, a trophy hunting season for grizzlies threatens to easily disrupt this social congregation of bears.

12. I hike and fish in grizzly country near my home in Emigrant and other lands in and near Yellowstone National Park with the hope of seeing grizzly bears or their sign on a near-weekly basis from early spring, when grizzlies first begin emerging from their dens, through late fall, when they return to their dens for the winter. In June of 2017, for example, my daughter Laurel and I had the quintessential wild griz experience of a lifetime in Yellowstone Park. We were on a hilltop crouched out of the wind behind a huge boulder, when a mother grizzly and her yearling cub emerged over a rise 40 feet away. She reared to smell the air and look at us, taking a couple minutes to decide if we were a threat to her cub or not. Laurel and I never moved and only whispered “grizzer bear” to tell the bear who we were. She chose to trust us, walking past our rock and stopping on the edge of a short cliff to nurse her cub 35 feet or so away. There were loud growling adult grizzlies nearby—a mating pair I’d guess—and we were likely the safer option to the big male boar that may have been nearby. The nursing went on for about five minutes. Now, this sort of maternal grizzly trust has happened to me before but only at salmon streams in Alaska and

British Columbia—never inland, such as in Yellowstone. But it did happen, less than ten miles from the border of the National Forest, where a grizzly hunting season could open as early as this fall. This human-trusting bear would be among the first to be killed. For me and my daughter, this was perhaps the most bonding, near-religious experience of our life together. I intend to continue seeking to observe and experience grizzly bears on these landscapes for as long as I am physically able. My specific future plans include checking on (from a discreet distance) this particular grizzly family to see if they move out of the park during hunting season.

13. I understand that the U.S. Fish and Wildlife Service issued a decision to remove the Yellowstone-area grizzly bear population from the list of threatened species under the Endangered Species Act on June 30, 2017. I am concerned that this decision reduces legal protections for grizzly bears in areas that I frequent, including reducing protections for grizzly habitat. In addition, the transfer of jurisdiction over grizzlies from the federal Fish and Wildlife Service to state agencies opens up a new threat that grizzlies—including specific individual grizzlies that I seek to observe and experience—will be recreationally hunted for trophies.

14. I frequently seek to observe and experience grizzly bears in areas that are now subject to the threat of state-sponsored grizzly hunting. Every fall, grizzly bears enter a stage called hyperphagia in which they are on a single-minded quest to find food before entering their dens for the winter. This is the time when they are most likely to encounter humans. As a result of the recent delisting, the threat now exists that some of those humans may have tags allowing them to kill a grizzly. Hunting of these bears would remove specific individuals that I have come to know, including bears with whom I share a

backyard. The loss of these individual bears would irreparably damage me. For instance, for three decades I have recorded autumn grizzly bear food habits on the Two Ocean Plateau of Wyoming's border country of Yellowstone National Park and the Bridger-Teton National Forest. Briefly, I count grizzly scats at bear "latrines" adjacent to long-term fall daybeds of bears and estimate the percentage of whitebark pine cone debris in each scat. On one such trip I took National Geographical writer David Quammen with me; he has witnessed this phenomena and my monitoring of it. Commercial outfitters heavily hunt the area to the immediate south in the National Forest. To remove any of these bears as a trophy rug would be devastating to me.

15. In short, if the Yellowstone grizzly delisting stands with the result that grizzlies are subjected to state-authorized hunting and grizzly habitat is opened to new development threats, my interests in grizzly bears and grizzly conservation will be irreparably harmed.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 18, 2017 in Livingston Montana.

Doug Peacock
Doug Peacock

State of MT

County of Park

On this 18 day of July 2017, Doug Peacock personally appeared before me, whose identity I verified on the basis of US Passport, who is personally known to me, whose identity I verified on the oath/affirmation of _____, a credible witness, to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.

Jacquelyn Jones
Notary Public
My Commission expires: _____

