

Congress of the United States

House of Representatives

Washington, DC 20515-0506

January 08, 2025

The Honorable Debra Haaland
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

The Honorable Martha Williams
Director
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Secretary Haaland and Director Williams:

In response to several petitions to delist the grizzly bear from the Endangered Species Act (ESA), the U.S. Fish and Wildlife Service (FWS) is conducting a status review in the Northern Continental Divide Ecosystem (NCDE) and the Greater Yellowstone Ecosystem (GYE).¹ This decision will inform any future changes in the species' listing status or possible distinct population segments.

We commend the FWS for working with state, tribal, and conservation partners and making significant progress toward grizzly bear recovery. However, we are concerned that removing ESA protections for grizzly bears is premature at this time. Grizzly bears face numerous threats from existing and proposed state laws and policies, and it is imperative that FWS thoroughly assess these threats in the status review process. Changes in the state regulatory environment regarding large carnivores indicate that state-level protections would be inadequate for the continued conservation of the species if ESA protections were removed.

In the Northern Rocky states, recent policy changes have trended towards increasingly aggressive management of large carnivores. Montana has drafted a statewide management plan that indicates a reduced tolerance for grizzly bear presence in specific areas and a lack of commitment to connecting and recovering isolated populations.² Additionally, the Montana Legislature recently passed a bill that contradicts current ESA protections for grizzly bears, which allows livestock owners to kill grizzly bears that are attacking or "threatening" livestock, even on public lands, far from ranches or communities.³

In Wyoming, where the majority of the GYE's population of grizzly bears reside, a change in the grizzly counting method could triple the number of grizzlies hunted compared to previous proposed hunts.⁴ In recent years, both Montana and Idaho have expanded wolf hunting and trapping seasons and tools, including the use of bounty payments, lethal neck snares, and reduced bag limits. Some of these measures will directly result in the incidental death of grizzly bears, while all are indicative of decreased tolerance for large carnivores.⁵

¹ <https://www.federalregister.gov/documents/2023/02/06/2023-02467/endangered-and-threatened-wildlife-and-plants-90-day-findings-for-three-petitions-to-delist-the>

² Cooley, Hilary. 2/2/2022. Letter from U.S. Fish & Wildlife Service to Director Hank Worsch, Montana Department of Fish, Wildlife and Parks.

³ SB 295. Signed into law by Gov. Gianforte on 5/19/2023. <https://leg.mt.gov/bills/2023/billhtml/SB0295.htm>

⁴ Koshmrl, Mike 3/20/2023. "Grizzly hunt in Wyoming could target upwards of 39 bears." Wyofile. <https://wyofile.com/grizzly-hunt-in-wyoming-could-target-upwards-of-39-bears/>

⁵ Miller, Blair. 4/24/2024. "9th Circuit upholds length-of-season restrictions for Montana wolf trapping, snaring." <https://dailymontanain.com/2024/04/24/9th-circuit-upholds-length-of-season-restrictions-for-montana-wolf-trapping->

The FWS Grizzly Bear Recovery Plan identifies six ecosystems as “recovery zones” targeted for restoring grizzly populations. To date, scientists agree that of the recovery zones, the NCDE and GYE have surpassed numbers identified as minimum goals in their respective recovery plans; the Cabinet-Yaak and Selkirk have not yet reached minimum goals for recovery; and the Bitterroot and North Cascades have no documented grizzly bear presence, though the FWS is currently in various stages of considering reintroduction.⁶ Removing ESA protections for NCDE and GYE populations would raise biological questions about the future recovery of the remaining populations, as well as legal questions for the FWS regarding distinct population segments under the ESA.

While there is evidence of recent grizzly dispersal in between several ecosystems, all six grizzly bear recovery zones are mostly biologically disconnected and isolated from each other. Between the Cabinet-Yaak and NCDE, only a handful of bear movements have been observed, with no documented offspring or genetic flow between the ecosystems.⁷ The GYE similarly remains isolated, and biologists have warned that continued long-term isolation could lead to genetic homogeneity within the bear population.

Montana has recently developed a plan to artificially augment the gene pool by capturing and relocating at least two bears from the NCDE into the GYE by 2025.⁸ If such artificial, highly intrusive translocations of grizzly bears are required to maintain the health of the population, then it calls into question the petitioners’ claims that the population is recovered and should be delisted. Furthermore, a warming climate is changing the nature of both grizzly bear habitat and biology. Regional observers are already noting shorter denning seasons, including later entry in the fall and earlier emergence in the spring.⁹ In order to adapt to climate change, grizzly bears need more room to roam and *more* protections—not less—as they explore different habitats and food availability.

As the FWS completes this status review, we urge the agency to strongly assess existing and proposed state laws and regulations that may impede the continued recovery of grizzly bears. We also urge FWS to consider retaining ESA status and protections for all grizzly bear populations in the lower forty-eight states. Science-based recovery plans and robust conservation policies must be in place for each relevant state before a delisting decision can be made.

Sincerely,

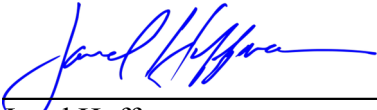
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⁶ Interagency Grizzly Bear Committee. <https://igbconline.org/>

⁷ Costello, Cecily. 2024. “Status of Connectivity between the NCDE and the CYE.” Presented to the IGBC Cabinet-Yaak Subcommittee on 5/9/2024. <https://igbconline.org/committees/selkirk/>

⁸ Koshmrl, Mike. 1/6/2024. “Montana to start trucking grizzlies into Yellowstone region to improve delisting prospects.” <https://dailymontan.com/2024/01/06/montana-to-start-trucking-grizzlies-into-yellowstone-region-to-improve-delisting-prospects/>

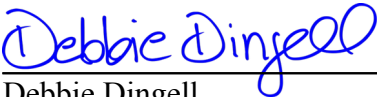
⁹ Polley, Ben 3/4/2024. “Climate variation is interrupting bear hibernation.” <https://www.heybear.com/blogs/news/climate-variation-is-interrupting-bears-hibernation>



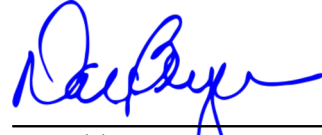
Jared Huffman
Member of Congress



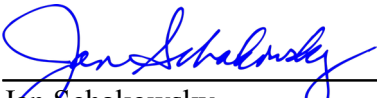
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United States Senator



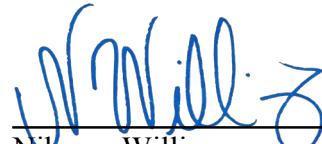
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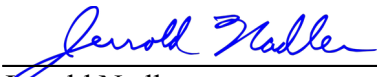
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