

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

April 24, 2023

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

Dear Director Williams:

The House Natural Resources Committee's Water, Wildlife and Fisheries Subcommittee held a legislative hearing on March 23, 2023, on three bills (H.R. 764, H.R. 1245, and H.R. 1419) that would congressionally delist wolves and grizzly bears from the list of endangered and threatened species under the Endangered Species Act of 1973 (ESA).

As you are aware, FWS is currently conducting status reviews on wolves and grizzly bears,¹ which will inform any future changes in the species' listing status or possible distinct population segments. At the hearing, we heard about the numerous threats grizzly bears and wolves face from State laws and policies, and it is imperative that FWS thoroughly assess these threats in the status review process.

During the hearing, lawmakers and expert witnesses highlighted that states could allow trophy hunting and predator control measures if grizzly bears and wolves are delisted from the ESA, which could have devastating impacts on the fate of these species.

Delisting decisions under the ESA cannot rely solely on population numbers; they must be based on the best available science and consider ongoing threats to species, including existing and proposed state laws and policies. Therefore, we urge your agency to fully assess the state laws and regulations that affect grizzly and wolf populations.

Further, any listing decision, especially regarding species with profound importance to tribes, like the gray wolf and grizzly bear, must undergo meaningful tribal consultation. We appreciate the commitment of FWS, as outlined in Mr. Steven Guertin's testimony, to assess the best-available scientific and commercial data in making delisting determinations and to consult with tribes.

Dr. Chris Servheen, retired FWS Grizzly Recovery Coordinator, pointed out in the hearing: "The greatest threat today to grizzly bears and grizzly bear delisting and to keeping wolves delisted is the state legislatures and governors who are passing and signing legislation that implements harmful anti-predator policies that are not informed by science. These policies from state legislatures will result in more dead grizzly bears and wolves and directly threaten the ability of state fish and game agencies to regulate grizzly and wolf mortality to sustainable levels."

¹ <https://www.federalregister.gov/documents/2021/09/17/2021-20088/endangered-and-threatened-wildlife-and-plants-90-day-finding-for-two-petitions-to-list-the-gray-wolf>; <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>

Indeed, after the 2020 delisting of the gray wolf, hunters killed 16% of wolves in Idaho, Montana, and Wyoming.² In 2021, Idaho passed legislation allowing for 90% of their gray wolf population to be culled by nearly any means, including killing pups,³ and in Wisconsin, one hunting season wiped out over 30% of the state's gray wolf population.⁴ Montana allowed increased bag limits and hunting of wolves outside of National Parks.⁵ States would pay hunters up to \$2,500 per gray wolf kill and authorized expanded killing methods, including traps, snares, night-vision equipment, bait, helicopters, motor vehicles, and dogs to track and kill.⁶ These state management laws and policies continue to pose a credible threat to the recovery of the species, including the populations residing in National Parks.⁷ Despite opposition from scientists, park managers, and the public, wolf hunts continue in the Northern Rockies, where the wolves aren't listed under the ESA. Just last year, Montana allowed for the killing of 456 out of the state's 1,100 wolves, including in areas near Yellowstone National Park.⁸

If grizzlies are delisted, states may issue permits for trophy hunting as they did in 2018. State-level legislative actions, such as a 2021 law and other proposals in Montana, could also threaten the species allowing for increased and easier killing of grizzlies. Dr. Servheen pointed out that statutes targeting wolves, allowing trapping and other lethal control measures, also threaten grizzly bears.

As your agency completes these status reviews in the coming months, we urge FWS to strongly assess existing and proposed state laws and regulations that may impede the continued recovery of grizzly bears and grey wolves. Science-based recovery plans and robust conservation policies must be in place for each relevant state before a delisting decision is made.

Sincerely,

Raúl M. Grijalva
Ranking Member
House Committee on Natural Resources

Jared Huffman
Ranking Member
Subcommittee on Water, Wildlife, Fisheries

Don Beyer
Member of Congress

Debbie Dingell
Member of Congress

² Morell, V. Science. January 31, 2022. Massive wolf kill disrupts long-running study of Yellowstone park packs. doi: 10.1126/science.ada0798

³ Joosse, T. Scientific American. September 7, 2021. Wolf Populations Drop as More States Allow Hunting <https://www.scientificamerican.com/article/wolf-populations-drop-as-more-states-allow-hunting/>

⁴ Treves A, Santiago-Ávila FJ, Putrevu K. 2021. Quantifying the effects of delisting wolves after the first state began lethal management. *PeerJ* 9:e11666 <https://doi.org/10.7717/peerj.11666>

⁵ Kuglin, J. Independent Record. November 16, 2022. Judge issues immediate temporary changes to Montana's wolf hunting, trapping seasons. https://helenair.com/news/state-and-regional/govt-and-politics/judge-issues-immediate-temporary-changes-to-montanas-wolf-hunting-trapping-seasons/article_4ebc04b2-9efb-5b86-b659-0ce96bbfaa9f.html

⁶ AP News: "Idaho Reaches Deal to Reimburse Hunters who Kill Wolves" (Oct. 11, 2021).

⁷ Kuglin, J. Independent Record. November 16, 2022. Judge issues immediate temporary changes to Montana's wolf hunting, trapping seasons. https://helenair.com/news/state-and-regional/govt-and-politics/judge-issues-immediate-temporary-changes-to-montanas-wolf-hunting-trapping-seasons/article_4ebc04b2-9efb-5b86-b659-0ce96bbfaa9f.html

⁸ Brown, M. AP News. Judge revives limits on wolf killing near Yellowstone park. November 16, 2022. <https://apnews.com/article/travel-animals-montana-wildlife-fb978affeec263ba79bade9b93df8fe2>