

November 29, 2023

The Honorable Martha Williams
Director
U.S. Fish and Wildlife Service
5275 Leesburg Pike
Falls Church, VA 22041

Dear Director Williams,

I write regarding a recent injunction that is impacting state management of wolves in Montana. The litigation uses the Endangered Species Act (ESA) and the current listed status of grizzly bears as a wedge to block the state from implementing science-based wolf trapping regulations. This weaponization of the ESA is not serving the intended end of recovering species, but rather alienates state and local partners who are best positioned to make positive gains for wildlife. I urge the Fish and Wildlife Service (FWS) to expeditiously complete the 12-month review of the Greater Yellowstone Ecosystem (GYE) and Northern Continental Divide Ecosystem (NCDE) grizzly bears and delist these recovered populations, so the state of Montana is not hampered in their actions to manage wolf populations.

GYE and NCDE grizzly bears have met the recovery targets set by the FWS with bear numbers well over the objectives and the bears are expanding far outside of originally designated recovery zones.¹ In fact, grizzlies have ranged out of the Rocky Mountain Front into the plains of central Montana where they haven't been seen for over a century showing how robust their recovery is. Career scientists at the FWS have twice recognized the recovery of GYE bears in the past 16 years and have attempted to delist these bears, and NCDE population surveys show robust recovery. The best available scientific data supports delisting both NCDE and GYE bears.

Montana has proved through their management of wolves that they can maintain a robust population of predators in the state, so returning the management of GYE and NCDE bears to the state will give additional flexibility for managing these bears to mitigate conflicts while ensuring that these populations remain healthy. In order to comply with the ESA delisting requirement that states have "adequate regulatory mechanisms" to manage populations following delisting, the state legislature passed a law setting guardrails to protect grizzly populations in the state.² For GYE bears that have a multi-state range, Montana, Idaho, and Wyoming have entered into a Memorandum of Agreement that establishes management targets, discretionary management practices, and a commitment to long-term genetic health.³ Montana has the track record and the regulations prepared to handle management of grizzly bears.

¹ [2022 GBRP Annual Report.pdf \(fws.gov\)](#)

² [LAWS Detailed Bill Information Page \(mt.gov\)](#)

³ [Memorandum of Agreement Regarding the Management and Allocation of Discretionary Mortality of Grizzly Bears in the Greater Yellowstone Ecosystem \(mt.gov\)](#)

Finally it is important to note that the wolf trapping regulations promulgated by Montana do not harm grizzlies. There have been no grizzlies caught in public wolf traps in Montana since 2013 and the one instance in 2013 was the first and last time since the opening of wolf trapping in Montana in 2012.⁴ The wolf trapping regulations are now more restrictive than those created in 2012. For example, the state regulations only allow wolf trapping in occupied grizzly range when the bears are hibernating as confirmed by field observation in each trapping district. The floating season was initiated in 2021 and was created with the express intent of protecting grizzlies. Two years of wolf trapping under this policy show that the bear specialists at Montana Fish, Wildlife, and Parks protect grizzlies from incidental take. The evidence shows that Montana's wolf trapping regulations are carefully crafted to protect grizzlies, which only reinforces that the state is ready and able to handle the management of both species.

Given the importance of the state's ability to manage wolf populations, I request that you prioritize completing the 12-month review to delist recovered grizzly bear populations.

Sincerely,

A handwritten signature in blue ink that reads "Steve Daines". The signature is fluid and cursive, with the first name "Steve" and last name "Daines" clearly legible.

Steve Daines
United States Senator

⁴ [FWP Response to Motion for Preliminary Injunction](#)