

# Congress of the United States

Washington, DC 20515

May 13, 2025

Paul Souza  
Acting Director  
U.S. Fish and Wildlife Service  
5275 Leesburg Pike  
Falls Church, VA 22041

Dear Acting Director Souza,

In early January, the Biden Administration's Fish and Wildlife Service (FWS) issued a new proposal for the Endangered Species Act (ESA) listing of grizzly bears in the lower 48. This decision punishes Montana, Wyoming, and Idaho's successful grizzly bear recovery efforts. As members who represent these states, we believe that this flawed decision will severely damage trust in ESA listing decisions and undermine future recovery efforts. We strongly oppose the proposed "Endangered and Threatened Wildlife and Plants; Grizzly Bear Listing on the List of Endangered and Threatened Wildlife With a Revised Section 4(d) Rule" and urge you to review the population data to acknowledge the recovery of grizzlies and delist and return management to the states where it belongs.

We should be celebrating the recovery grizzly bears have made through the dedication and sacrifice of the people who must live with these bears in their backyards. Montana, Wyoming, and Idaho have spent millions of state taxpayer dollars working with FWS to recover grizzly bear populations. Our states have changed state laws to ensure they met the ESA requirement that states have an "adequate regulatory mechanism" to manage species following delisting. Montana, Idaho, and Wyoming collaborated on a Tri-State Memorandum of Agreement to establish grizzly bear management targets, discretionary management practices, and a commitment to long-term genetic health that addressed the post-management concerns identified in litigation of the 2017 Greater Yellowstone Ecosystem (GYE) delisting rule. Montana's Fish, Wildlife and Parks promulgated rules to ensure that proper guardrails are in place to protect and manage healthy grizzly bear populations throughout the state. All of this collaborative work is undermined by FWS decision to yet again move the goalpost for delisting grizzly populations.

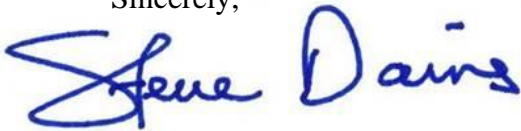
The FWS's *Grizzly Bear Recovery Program 2023 Annual Report* shows that our states have met and far exceeded the most recent set of recovery goals that FWS set for grizzly bears. For example, the GYE population of 1,030 bears is more than double the goal of 500 bears while the Northern Continental Divide Ecosystem (NDCE) population of 1,138 well exceeds the 800 bear target. Additionally, both populations exceeded the objectives on occupancy of their respective recovery zones and are well under the annual mortality limits. For the FWS to take this remarkable recovery data and say that the recovery is too effective to warrant delisting is ludicrous. This decision would upend over 40 years of work and delisting expectations. Changing the playbook now will set delisting back by decades and damage relations with states that have put years of work and millions of dollars to grizzly bear recovery.

The decision to place all six recovery zones in one distinct population segment (DPS) is also wrought by several inconsistencies. First, the FWS proposes a single DPS while continuing to use the recovery criteria for each separate recovery zone. Second, the proposed rule draws an entirely arbitrary line for the proposed single DPS. To put all six grizzly bear recovery areas in a single DPS that in some areas neatly follow state lines while in others sprawls across states to areas that are far outside what biologists would consider suitable or likely bear habitat, is unscientific and arbitrary. Additionally, the FWS fails to explain the status of grizzly bears that are inside the proposed DPS boundary as opposed to bears outside the boundary line. Finally, the proposal adds additional connectivity requirements and mortality limits that were never previously required and would necessitate free movement and complete recovery of grizzly bears among the GYE, NCDE, Selkirks, Cabinet-Yaak, and largely unoccupied North Cascades, Bitterroot, and Central Idaho areas. This would come with the hurdles of increased social tolerance of living with bears in majority privately owned landscapes that are transected by highways and provide little cover or habitat for the bears.

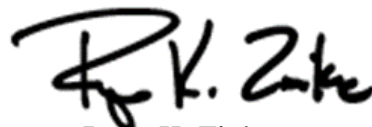
If the decision is made to proceed with a single DPS that combines all six recovery zones, there is no scientific argument that can be made that grizzly bears in the lower 48 are in danger of extinction. Grizzly bears in our states number over 2,000, and these bears form the southern extent of the more than 60,000 grizzly bears extending through Canada to Alaska. From this healthy population, states can continue to work together on the return of the grizzly bears to the range that makes scientific sense for the long-term health of these bears.

It is time to celebrate the recovery of grizzly bears by delisting them and returning management to the states where it belongs. We call upon the FWS to revise the Biden Administration's flawed proposal into one that fulfills the ESA's purpose and lift ESA restrictions when they are not necessary to support realistic grizzly bear conservation.

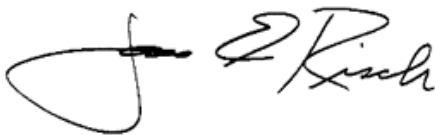
Sincerely,



Steve Daines  
United States Senator



Ryan K. Zinke  
Member of Congress



James E. Risch  
United States Senator



Troy Downing  
Member of Congress



Tim Sheehy  
United States Senator



Harriet M. Hageman  
Member of Congress

A handwritten signature in blue ink that reads "John Barrasso".

John Barrasso, M.D.  
United States Senator

A handwritten signature in blue ink that reads "Russ Fulcher".

Russ Fulcher  
Member of Congress

A handwritten signature in blue ink that reads "Mike Crapo".

Mike Crapo  
United States Senator

A handwritten signature in blue ink that reads "Mike Simpson" with "M.C." written in small letters at the end.

Mike Simpson  
Member of Congress

A handwritten signature in blue ink that reads "Cynthia M. Lummis".

Cynthia M. Lummis  
United States Senator