

If-Asked Only Questions and Answers *[To be used only for responding to specific questions]*



Grizzly Lower-48 Five-year Review

Q1: Why did the Service complete this five-year review now?

A: The Service completed this five-year review in accordance with a court settlement requiring completion by March 31, 2021. We last completed a five-year status review for the grizzly bear in the lower 48 states on Sept. 6, 2011. Although the Service strives to complete five-year reviews on time, challenges to resources, competing priorities and litigation sometimes prohibit timely completion.

On June 27, 2019, the Center for Biological Diversity (CBD) filed a complaint in the U.S. District Court for the District of Montana alleging we failed to conduct a five-year status review for the grizzly bear. The U.S. Department of Justice filed a settlement agreement for this case Dec. 6, 2019, that committed us to complete this five-year status review by March 31, 2021.

Q2: Doesn't the Service consider some populations of grizzly bear to be recovered? Why recommend they remain listed?

A: The grizzly bear in the lower 48 states is currently listed as a single entity, and the Endangered Species Act (ESA) indicates that the Service complete a five-year review and status recommendation for the listed entity as a whole. **Although populations in certain ecosystems may be recovered, they are not individually listed entities under the ESA that necessitate separate five-year reviews.** As such, this five-year review provided one recommendation for the entire listed entity.

Q3: What are the next steps to recovering the grizzly bear in the lower 48 states ?

A: The Service looks forward to continuing grizzly bear conservation work along with local, state, Tribal and federal agency partners to fully recover the species.

Q4: Is the status of the Cabinet-Yaak grizzly population protected under the ESA?

A: The Cabinet-Yaak ecosystem (CYE) population's current legal status remains "warranted but precluded from uplisting to endangered." The Service will evaluate the status of the CYE in an upcoming Candidate Notice of Review expected to publish in late 2021.

- Additional background if pressed further:
 - Because the CYE population is not an individually listed entity, the five-year review and status recommendation did not address it.
 - In 2014, the Service determined that the CYE population had recovered to the point that it was no longer "warranted but precluded from uplisting as endangered" (79 FR 72487, Dec. 5, 2014).
 - In 2017, in *Alliance for the Wild Rockies v. Zinke et al.*, the District Court of Montana remanded the determination back to the Service for further consideration. Therefore, the current legal status of the CYE population remains "warranted but precluded from uplisting as endangered."