



December 7, 2015

Daniel M. Ashe, Director
U.S. Fish and Wildlife Service
1849 C Street NW, Room 3331
Washington, District of Columbia, 20240

Dear Director Ashe:

On August 28, 2015, we wrote you regarding the overdue re-designation and delisting of the Greater Yellowstone Grizzly Bear Distinct Population Segment (DPS). We appreciate the progress and agreements we achieved during our discussions in Tucson on September 14th and your subsequent letter dated September 25, 2015 memorializing those discussions. Since then, our agencies have had several discussions with the U.S. Fish and Wildlife Service (Service) as to documentation for the delisting rulemaking process.

The Ninth Circuit determined that adequate regulatory mechanisms were in place at the time of the prior rule designating and delisting the Greater Yellowstone DPS in 2007. The regulatory mechanisms that the Ninth Circuit found adequate remain in effect today. The Interagency Grizzly Bear Study Team published findings that resolved the single deficiency found by the Ninth Circuit in the 2007 rule, and best available science continues to demonstrate the GYA population consistently exceeds recovery criteria.

Nevertheless, we agree that additional documentation as to regulatory mechanisms will provide clarity and transparency as to how the states will coordinate with each other and federal land managers to ensure maintenance of the recovered bear population. Various signatory agencies have discussed appropriate updates to the 2007 Interagency Conservation Strategy.

We have also enclosed a draft memorandum of agreement (MOA) among the states that we will recommend to our respective commissions for approval at meetings in the next few months following public notice. Although not necessary for delisting, this MOA memorializes how the three states will coordinate with each other, as well as with federal land managers, regarding bear management and allocation of discretionary mortality. An attachment to the MOA summarizes individual state regulatory mechanisms to manage, monitor, restrict, and adjust bear mortality. We will keep the Service apprised as to our respective commissions' approval of the MOA.

We look forward to continuing to work with you and your staff to finalize all steps necessary to delist. As we stated in our prior letter, delisting delay is needlessly straining relationships vital to responsible grizzly bear management. It is critically important that we capitalize on our tremendous progress and momentum by fulfilling the purpose of the ESA by proceeding with long overdue delisting.

Sincerely,

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Enclosure