

SENATE JOINT RESOLUTION NO. 18

INTRODUCED BY B. GILLESPIE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT MONTANA'S CONGRESSIONAL DELEGATION WORK TO RETURN MANAGEMENT OF MONTANA'S RECOVERED GRIZZLY BEAR POPULATIONS TO THE STATE OF MONTANA AND INITIATE FURTHER REVIEW OF MONTANA'S GRIZZLY BEAR POPULATIONS THAT MEET THE CRITERIA.

WHEREAS, the United States Congress authorized the Endangered Species Act of 1973; and

WHEREAS, the Endangered Species Act defined "endangered species" to mean "any species which is in danger of extinction throughout all or a significant portion of its range"; and

WHEREAS, the Endangered Species Act defined "threatened species" to mean "any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range"; and

WHEREAS, the grizzly bear was designated as a "threatened species" in the conterminous United States under the Endangered Species Act on July 28, 1975; and

WHEREAS, the Endangered Species Act was amended by the United States Congress in 1978 so that the new definition of "species" included a "distinct population segment" that interbreeds; and

WHEREAS, in 1993, the United States Fish and Wildlife Service revised the Grizzly Bear Recovery Plan, establishing six grizzly bear recovery zones, including the Greater Yellowstone Grizzly Bear Recovery Zone, the Northern Continental Divide Grizzly Bear Recovery Zone, the Cabinet-Yaak Grizzly Bear Recovery Zone, the Selkirk Grizzly Bear Recovery Zone, the Bitterroot (Mountains of Idaho and Montana) Recovery Zone, and the North Cascades (Mountains of Washington) Recovery Zone; and

WHEREAS, in 1996, the United States Fish and Wildlife Service and the National Marine Fisheries Service developed a policy to clarify the meaning of "distinct population segment", and the clarification required a distinct population segment to exhibit "discreteness" relative to the remainder of the species and "significance" to the species to which it belongs; and

1 WHEREAS, Montana has established a strong, effective track record in managing grizzly bears and
2 developed an approved management plan for the Yellowstone distinct population segment that provides for the
3 continued presence and genetic future of grizzly bears on the landscape; and

4 WHEREAS, delisting efforts proposed by the United States Fish and Wildlife Service for the Greater
5 Yellowstone Grizzly Bear Recovery Zone have been ongoing for 11 years; and

6 WHEREAS, the grizzly bear population in the Northern Continental Divide Grizzly Bear Recovery Zone
7 has reached recovery goals and steps have begun to delist grizzly bears in the Northern Continental Divide
8 Ecosystem; and

9 WHEREAS, congressional action is needed to support a full recovery of distinct population segments
10 while the court system has been used to circumvent the science-based approach to delisting the grizzly bear;
11 and

12 WHEREAS, the continued cycle of delisting and relisting creates a significant loss of social tolerance
13 among Montanans who are adversely impacted by the continued expansion of grizzly bears; and

14 WHEREAS, the State of Montana has been at the vanguard of wildlife conservation since the 19th
15 century, providing the template for what is known as the North American model of fish and wildlife conservation.
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17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
18 THE STATE OF MONTANA:

19 That the Legislature supports the delisting of Montana's grizzly bear populations in the Greater
20 Yellowstone Grizzly Bear Recovery Zone and the Northern Continental Divide Grizzly Bear Recovery Zone
21 from the Endangered Species Act, due to United States Fish and Wildlife Service determinations and adopted
22 management plans.

23 BE IT FURTHER RESOLVED, that the Legislature call on the United States Fish and Wildlife Service
24 to revise the 1993 Grizzly Bear Recovery Plan and reevaluate the Grizzly Bear Recovery Zone efficacy in other
25 recovery zones, including the Cabinet-Yaak Grizzly Bear Recovery Zone, due to public safety and economic
26 challenges.

27 BE IT FURTHER RESOLVED, that the Legislature supports the efforts of the Department of Fish,
28 Wildlife, and Parks to intervene on the side of the United States Fish and Wildlife Service to restore

1 management authority of the Yellowstone distinct population segment to Montana.

2 BE IT FURTHER RESOLVED, that the United States Fish and Wildlife Service develop a new
3 management plan pursuant to section 4(d) of the Endangered Species Act that would aim to resolve conflicts
4 between bears and humans within the Northern Continental Divide Grizzly Bear Recovery Zone and other
5 grizzly bear recovery zones.

6 BE IT FURTHER RESOLVED, that the Legislature call on Montana's Congressional Delegation to
7 sufficiently fund the United States Fish and Wildlife Service so the agency is able to adequately manage grizzly
8 bears until delisting.

9 BE IT FURTHER RESOLVED, that the Legislature encourage the United States Fish and Wildlife
10 Service to revisit recovery plans for the Cabinet-Yaak and Bitterroot distinct population segments to include the
11 latest science related to genetic connectivity and population targets.

12 BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to the
13 Secretary of the United States Department of the Interior, the Governor of the State of Montana, the
14 Department of Fish, Wildlife, and Parks, the Secretaries of State for the States of Washington, Wyoming, and
15 Idaho, and to each member of the Montana Congressional Delegation.

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