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**U.S. House of Representatives**  
**Committee on Resources**  
**Washington, DC 20515**

**November 17, 2005**

NICK J. RAHALL II, WV  
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**Honorable Gale Norton**  
**Secretary**  
**U.S. Department of the Interior**  
**Washington, D.C. 20240**

**Dear Secretary Norton:**

**I am writing to express my opposition to the proposal to delist the Yellowstone grizzly bear population. While I agree that the grizzly bear is on the road to recovery, and applaud the Fish and Wildlife Service's recovery efforts, delisting is premature at this time.**

**The Endangered Species Act has proved itself a vital safety net for the Yellowstone grizzly which would have gone extinct if not for the protections afforded 30 years ago. The fact that the grizzly bear exists speaks to the law's effectiveness.**

**Still, grizzlies today remain at only 1 percent of their former population levels in the American west. According to experts, current numbers of 500-600 bears in Yellowstone National Park, and 1,000-1,500 bears in the lower 48 states are still too low to ensure that the bear will be alive for future generations to experience.**

**The conservation strategy for the grizzly bear in the greater Yellowstone area includes habitat standards to support a viable grizzly bear population in the Yellowstone and Grand Teton National Parks and the six affected national forests. Even if the forest plans for the Beaverhead, Bridger-Teton, Custer, Gallatin, Shoshone, and Targhee National Forests are amended so that they are consistent with the grizzly bear conservation strategy (and there is no guarantee that these changes will be made), forest plans are not binding thanks to the National Forest Management Act (NFMA) regulations issued on January 5, 2005.**

**Under the Bush Administration's NFMA regulation rollback, forest plans are largely discretionary, making unenforceable the grizzly bear conservation strategy to be included in the forest plans. Additionally, the rollback eliminated the requirement for the Forest Service to ensure there are viable populations of native fish and wildlife species on our national forests.**

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**There are no assurances that changes will be made to the forest plans before delisting occurs. Upon delisting the fate of the grizzly bears on the national forests will lie with the Forest Service, leaving those who want to challenge management decisions affecting habitat little recourse.**

**Until the following conditions are met, the Yellowstone grizzly bear should remain a listed species:**

**1) The plan eliminates its current reliance on the routine artificial importation of a grizzly into the Yellowstone ecosystem. Instead, the plan should afford the grizzly enough habitats to recover naturally. A species cannot be considered to be recovered when animals still need to be transported to the area every 10 years to avoid future declines or genetic problems.**

**2) Adequate systems are in place to resolve human-bear conflicts and avoid unnecessary mortalities. Given the current high number of grizzlies killed, 18-20 bears annually, it is clear that much more needs to be done to prevent bears from dying unnecessarily. These remaining problems can easily be solved, as Yellowstone National Park has successfully demonstrated with garbage management.**

**3) There is guaranteed funding to support the management of grizzlies following delisting on a long term basis.**

**4) There are protections in place to conserve the habitat where bears live today. Currently 1/3 of the area where grizzlies reside is outside the primary conservation area. These lands are critical to maintaining the population at its current size, but they are threatened by development.**

**5) Trigger mechanisms are in place to prompt a quick response should the bear population drop sharply, key food sources disappear, or if bear habitat is degraded. There should be thresholds or requirements triggering management changes when warranted to conserve the populations and its habitat.**

**6) There are protected corridors between Yellowstone National Park and Canada connecting grizzly bear populations and maintaining genetic diversity. Scientists have demonstrated that the bigger the population is, the more resilient mammals are to human-caused mortalities and habitat impacts. Yellowstone's grizzly bear population would be more secure in the long term if the population was connected to other larger grizzly bear populations.**

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**The Endangered Species Act has saved the Yellowstone grizzly from extinction, and we should celebrate and build on that success, rather than turn back the clock. The bear may be out of the intensive care unit, but it is too early to send it home from the hospital without adequate precautions. Thank you for your consideration of my concerns. I look forward to your response.**

**With warm regards, I am**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Nick Rahall". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**NICK J. RAHALL, II**  
**Ranking Democratic Member**