

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 5

BY WAYS AND MEANS COMMITTEE

A JOINT MEMORIAL

1  
2 TO THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES DEPARTMENT OF THE  
3 INTERIOR, THE UNITED STATES FISH AND WILDLIFE SERVICE, AND THE CON-  
4 GRESSIONAL DELEGATIONS REPRESENTING THE STATES OF IDAHO, MONTANA, AND  
5 WYOMING IN THE CONGRESS OF THE UNITED STATES.

6 We, your Memorialists, the House of Representatives and the Senate of  
7 the State of Idaho assembled in the First Regular Session of the Sixty-sev-  
8 enth Idaho Legislature, do hereby respectfully represent that:

9 WHEREAS, the provisions of this Joint Memorial reflect declarations  
10 provided in the March 9, 2022, petition to delist grizzly bear submitted by  
11 the Honorable Brad Little, Governor of the State of Idaho, as well as those  
12 declarations asserted in a letter to the United States Fish and Wildlife Ser-  
13 vice submitted by Idaho's congressional delegation on November 17, 2022; and

14 WHEREAS, grizzly bears number approximately 60,000, with approximately  
15 2,000 in Idaho, Montana, Washington, and Wyoming; and

16 WHEREAS, grizzly bear (*Ursus arctos horribilis*) is a subspecies of the  
17 brown bear species (*Ursus arctos*), and both the species and subspecies are  
18 secure and do not warrant protection under the federal Endangered Species  
19 Act (ESA); and

20 WHEREAS, grizzly bears in the lower 48 states are not a species as de-  
21 fined by the ESA; and

22 WHEREAS, grizzly bears in Idaho and adjacent states form the south-  
23 ern extension of grizzly bears ranging northward across western Canada to  
24 Alaska, with bears in northern Idaho being a portion of a population crossing  
25 international and state boundaries; and

26 WHEREAS, grizzly bears in Idaho and adjacent states have rebounded and  
27 recovered from their historically low numbers and limited distribution in  
28 northern Idaho and the Greater Yellowstone area; and

29 WHEREAS, grizzly bear population recovery and conservation success can  
30 be directly attributed to the support and efforts of the State of Idaho and  
31 its citizens; and

32 WHEREAS, grizzly bears in Idaho and adjacent states are protected by  
33 state and local regulatory and conservation measures, and suitable grizzly  
34 bear habitat is protected by regulatory and conservation measures on fed-  
35 eral, state, and private lands; and

36 WHEREAS, grizzly bear distribution has expanded such that they now oc-  
37 cur regularly in unsuitable habitats in rural agricultural lands and commu-  
38 nities, where they pose risks to public safety, livestock and other domestic  
39 animals, and property; and

40 WHEREAS, successful conflict management is paramount to maintaining  
41 public support in Idaho for grizzly bear conservation; and

42 WHEREAS, a recent and significant increase in human-bear conflicts has  
43 caused serious public safety issues for Idaho citizens; and

1           WHEREAS, each year people are injured or killed by grizzly bear attacks  
2 in Idaho and adjacent states and provinces; and

3           WHEREAS, each year grizzly bears cause significant property damage,  
4 with residents in four Idaho counties losing more than 60 head of livestock  
5 to grizzly bear depredations in 2022 alone; and

6           WHEREAS, continued grizzly bear conservation, including conflict man-  
7 agement and prevention, is best accomplished outside of the ESA framework  
8 under state management; and

9           WHEREAS, the United States Fish and Wildlife Service has ignored fed-  
10 eral legal standards and best available science to find that Idaho's March 9,  
11 2022, petition to delist grizzly bear in the lower 48 states does not warrant  
12 further action; and

13           WHEREAS, the Legislature finds that it is in the public interest to  
14 adopt this resolution.

15           NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
16 sion of the Sixty-seventh Idaho Legislature, the House of Representatives  
17 and the Senate concurring therein, that the Legislature calls upon Congress  
18 to act promptly to delist grizzly bear (*Ursus arctos horribilis*) in the lower  
19 48 states from the list of endangered and threatened wildlife, including  
20 where listed as an experimental population.

21           BE IT FURTHER RESOLVED that the Legislature calls upon the United States  
22 Department of the Interior and the United States Fish and Wildlife Service  
23 to, consistent with federal law, policy, and science, reverse the United  
24 States Fish and Wildlife Service's determination on Idaho's delisting peti-  
25 tion and to proceed with delisting grizzly bear in the lower 48 states.

26           BE IT FURTHER RESOLVED that the Legislature will continue to support  
27 proactive state and local actions to: manage grizzly bears as a species  
28 in need of management and to prioritize and ensure public safety; manage  
29 grizzly bear populations at levels to maintain their recovered status, to  
30 include the management of mortalities from all sources; prevent and promptly  
31 respond to grizzly bear conflict and nuisance situations, through the use of  
32 all available tools and methods, including but not limited to public educa-  
33 tion, aversive bear conditioning, and lethal removal of bears; and bring or  
34 otherwise participate in litigation to protect Idaho's sovereign interests  
35 regarding the appropriate delisting and management of grizzly bears.

36           BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-  
37 tives be, and she is hereby authorized and directed to forward a copy of this  
38 Memorial to the President of the United States, the United States Depart-  
39 ment of the Interior, the United States Fish and Wildlife Service, and the  
40 congressional delegations representing the states of Idaho, Montana, and  
41 Wyoming in the Congress of the United States.