

Wyoming Wolf Coalition News Release—November 18, 2010

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U.S. District Judge Johnson: USFWS rejection of Wyoming Wolf Management plan was arbitrary and capricious

CHEYENNE, Nov. 18, 2010--In a Nov. 18, 2010 ruling, United States District Judge Alan Johnson ruled that the United States Fish and Wildlife Service's (USFWS) rejection of the Wyoming Wolf Management plan was arbitrary and capricious. The court remanded the issue back to the USFWS to fix.

"We are pleased with the decision," Harriet Hageman, attorney for the Wyoming Wolf Coalition, stated. "We have felt all along the USFWS actions weren't based on science."

The Wyoming Wolf Coalition is a petitioner-intervenor in the case of the *State of Wyoming v. United States Fish and Wildlife Service*.

"The deal from the beginning was that the gray wolf would be introduced into and managed in the Yellowstone area," Hageman continued. "The FWS rejection of the Wyoming Wolf Management plan was an effort to force Wyoming to adopt a management plan that ensures that the wolves move throughout the State. That is directly contrary to everything that the FWS told us when they brought the wolves into Yellowstone."

Judge Johnson wrote in his ruling: "There is no scientific or commercial data that suggest the state's dual classification of wolves, in and of itself, cannot meet, accomplish, and maintain the identified recovery goals in the GYA, including northwestern Wyoming."

He continued in his writing: "...the agency's requirement that the trophy game management area, rather than that portion of northwestern Wyoming (including the GYA recovery area) necessary to facilitate movement and ensure dispersal of wolves so as to preserve genetic connectivity and to ensure that self sustaining populations will be maintained above recovery goals, is arbitrary and capricious and should be set aside."

In the order Judge Johnson remanded the matter back to the USFWS saying the agency should determine: "...whether the proposed regulatory framework ensures the conservation and protection of gray wolves in an approved trophy game area in northwestern Wyoming as required by the Endangered Species Act, and to analyze in this context the defense of property and wolf depredation laws in considering whether the management plan is an adequate regulatory mechanism."

It is now up to the USFWS to determine if they will appeal the decision. If they appeal, the case would go before the 10th Circuit Court of Appeals. In 2004, 27 different associations, including agriculture, wildlife interests and county government joined together to form the "Wolf Coalition."

"Wildlife interests, county governments and agriculture have come together recognizing the need to protect livestock and the depleted wildlife populations," Hageman stated. "This broad diversity of organizations shows the significant impacts wolf introduction is having on Wyoming citizens."

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