



Judge faults removal of wolf from endangered list

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BILLINGS, Mont. (AP) -- Hunters can keep stalking gray wolves for now in the Northern Rockies, but the killing may be short-lived after a federal judge found problems with the recent removal of the animal from the endangered species list.

In a ruling late Tuesday, U.S. District Judge Donald Molloy denied a request by environmentalists and animal welfare groups to stop the hunts in Idaho and Montana - the first organized wolf hunts in the lower 48 states in decades.

Plans to kill more than 20 percent of the estimated 1,350 wolves in the two states would not cause long-term harm to the species, Molloy said.

The ruling, however, left unresolved the broader question of whether wolves should be returned to the federal endangered list.

Molloy said the U.S. Fish and Wildlife Service appeared to have violated the Endangered Species Act when it carved Wyoming out of its decision to lift protections in May for wolves elsewhere in the region.

About 300 wolves in Wyoming remain on the endangered list

"The service has distinguished a natural population of wolves based on a political line, not the best available science. That, by definition, seems arbitrary and capricious," Molloy wrote in his 14-page ruling.

The judge said groups that have sued to restore the endangered status of gray wolves "have demonstrated a likelihood of success" in the case. If that reasoning holds, future hunts could be blocked.

Molloy sided with environmentalists last year when they argued that a Wyoming state law allowing wolves to be shot on sight across most of the state would put the population in peril.

As a result, the U.S. government kept Wyoming's wolves on the endangered list when it ended protections in Montana and Idaho. Wyoming has filed a separate lawsuit challenging the Fish and Wildlife decision not to delist wolves in that state.

Hunting supporters, including wildlife officials in Idaho and Montana, said they hoped to change Molloy's mind as the lawsuit to restore the endangered status of gray wolves proceeds. A trial date has not been set.

Idaho and Montana have set quotas allowing hunters to take a combined 295 wolves in the two states. That's about 22 percent of the total population of the animals in those areas. An estimated 10 percent of the region's wolves are killed illegally every year.

"It will be a setback to recovery that wolf hunts can proceed, but hopefully just a temporary one," said Noah Greenwald of the Center for Biological Diversity, one of 14 groups that sued the U.S. Fish and Wildlife Service.

"The judge seems to agree with us," he said.

Greenwald said a favorable ruling by Molloy in the lawsuit could have spinoff ramifications for other species. He pointed to the recent removal of federal protections for a rodent in Wyoming - the Preble's meadow jumping mouse. The mouse kept its protected status in Colorado.

"It's got some implications beyond the wolf, and we'd like to see them reconsider the policy as a whole," Greenwald said.

Fish and Wildlife spokesman Joshua Winchell said Molloy's ruling on the hunt confirmed the gray wolf has recovered in the Northern Rockies, at least in terms of sheer numbers. But he acknowledged that it also raised separate and potentially far-reaching legal issues.

"Obviously, we want to make sure we're doing right by the law, too," Winchell said.

Hunters in Idaho have so far reported taking four wolves since hunting opened there on Sept. 1. The figure includes a wolf pup that authorities said was shot illegally on Sunday from behind a pickup truck in an area closed to hunting.

The name of the hunter cited for poaching was not released. Authorities seized his camera and wolf tag along with the pup's hide and skull.

It's illegal in Idaho to hunt from a public road.

Montana's season is set to begin Sept. 15.

Wolves once roamed North America but by the 1930s had been largely exterminated outside Alaska and Canada. An estimated 1,650 of the animals now live in the Northern Rockies - the result of a contentious \$30 million reintroduction program that began in 1995.

The population is now five times the original recovery goal set in the 1990s.

Hunt opponents say those gains could quickly be reversed without federal protections. But as wolf numbers have grown, so have attacks on domestic livestock, ratcheting up the pressure to keep the population in check.

Last month, a small pack of wolves in southwestern Montana killed 120 sheep in a single incident - one of the largest such attacks to date.

Montana Fish, Wildlife and Parks spokesman Tom Palmer said his agency will proceed with the hunt in that state and "show everyone that Montana can manage wolves just like it has managed other wildlife."