

# NM ranchers sue over changes in wolf program

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ALBUQUERQUE, N.M.—Ranching groups and two southern New Mexico counties have sued over a program that is reintroducing endangered Mexican gray wolves into the wild in New Mexico and Arizona, claiming its managers have made substantial changes that require a new environmental impact statement.

“The bottom line is that the individual landowners and small rural communities that are located in places in close proximity to where the wolf release program is being operated are not getting an adequate voice into the process,” said Daniel Bryant, a Ruidoso attorney who filed the lawsuit.

The complaint alleges the U.S. Fish and Wildlife Service and the New Mexico Department of Game and Fish violated the National Environmental Policy Act by altering the rules without the environmental review. It asks a federal judge to stop the program from changing how it operates until it complies with NEPA.

The lawsuit was filed Friday on behalf of Americans for the Preservation of the Western Environment, located in Reserve; the Adobe and Beaverhead ranches in southwest New Mexico; rancher Alan Tackman; the Gila National Forest Livestock Permittees' Association, which represents livestock growers around the wolf reintroduction area; and the Otero and Catron county commissions.

It also names as defendants Fish and Wildlife Southwest Regional Director Benjamin Tuggle and Game and Fish Director Tod Stevenson.

Officials began reintroducing Mexican gray wolves along the Arizona-New Mexico border in 1998. The effort has been criticized by ranchers who have lost cattle to wolves and by conservationists who disagree over how the federal government has managed the program.

The wolves have been designated a “nonessential, experimental population,” which gives Fish and Wildlife greater flexibility to manage them under the Endangered Species Act and allows permanent removal by capturing or killing a wolf after three confirmed livestock kills in a year.

The lawsuit—which outlines numerous cases of wolves killing or injuring livestock—contends the program is not removing them after three livestock kills. It said no wolves have been permanently removed since December 2007.

Tom Buckley, a spokesman for Fish and Wildlife, had not seen the lawsuit

and said he could not comment.

Buckley said, however, the so-called three strikes provision was guidance, not a hard and fast rule. Each incident is assessed individually, considering such things as a wolf's genetic value, he said.

State Game and Fish spokesman Marty Frentzel said the agency had not seen the lawsuit and he could not comment.

The lawsuit alleges the original environmental process never analyzed keeping “problem habituated wolves and depredating wolf packs in the wild.”

Fish and Wildlife “arbitrarily determines which management methods to implement and which to ignore,” the lawsuit said.

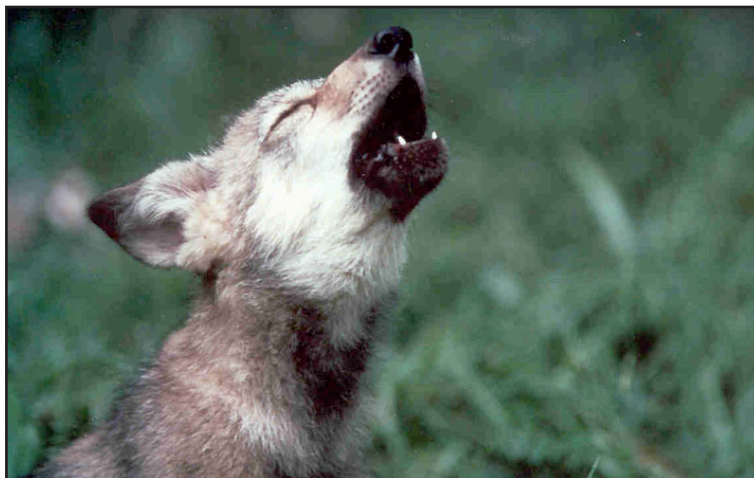
Michael Robinson of the Center for Biological Diversity said the conservation group will intervene against the lawsuit.

Robinson said Fish and Wildlife has authority to remove wolves from the wild as long as that doesn't impede the species' recovery but it isn't required to remove particular animals.

Biologists had expected a self-sustaining wild population of 100 wolves by now, but the last count at the end of 2009 found 42.

The lawsuit also contends the agencies failed to budget adequate resources to accurately count wolves and deliberately withheld evidence of hybridization and of “the social and economic effects of hybrid wolf-like animals on citizens living within the reintroduction area.”

Bryant said whatever judge is assigned the case will decide which federal court in New Mexico will hear it.



Mexican gray wolf pup. (photo courtesy of AZGFD).