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Oregon Federal District Court Ruling Classifies Wolves in the Northwestern United States as Endangered, Except in Experimental Population Areas in Montana, Idaho, and Wyoming

On January 31, 2005, the U.S. District Court in Portland, Oregon, issued a decision that the Service understands to reverse the U.S. Fish and Wildlife Service's April 2003 reclassification of the gray wolf to threatened status. Under the agency's reading of the Court's order, wolves outside experimental nonessential areas are now considered endangered. The Service also understands the Court's order to eliminate the special 4(d) rule that allowed landowners outside of the experimental nonessential areas to legally kill or harass wolves that were seen physically attacking their livestock and dogs on private land. As a result of the Court's order, the agency believes that at this time all wolf management outside the experimental population areas can only be conducted by the U.S. Fish and Wildlife Service and not by private citizens. The Service strongly advises private citizens not to harm or kill wolves outside the experimental population areas. Any wolf control within the experimental area must comply with the 10(j) special rule. The Service is consulting with Department of Justice attorneys to determine the effects of the Court's order and to assess its legal options. The Oregon court order and other information about the wolf recovery program can be viewed at <http://westerngraywolf.fws.gov/>

The April 2003 4(d) rule applied to wolf management throughout the northwestern United States (Washington, Oregon, California, Nevada, Idaho north of I-90, Montana north of I-90 west of I-15 and north of the Missouri River east of I-15, and in Colorado and Utah north of I-70/Highway 50). Wolf management within the experimental population areas of Montana, Idaho, and Wyoming was not affected by the January 31, 2005, Oregon Federal court ruling.

"We are disappointed in the court ruling. We are reviewing our legal options, including appeal," said Ralph Morgenweck, Regional Director of the Service's Mountain-Prairie Region.

The only known wolves in the northwestern United States currently live in Montana, Idaho and Wyoming. Of the 850 wolves that live in the tri-state area, only about 60

wolves live in northwestern Montana, outside the experimental nonessential population areas. Flexibility in managing those wolves was affected by the Oregon court ruling.

Anyone who suspects they are having conflicts with wolves should contact the nearest Service, State or Tribal fish and game, or Federal natural resource agency for assistance. A private citizen may still kill any wolf that is an immediate and direct threat to human life.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.