

Motion to bar Montana, Idaho wolf hunts denied

August 26 2011

(AP) -- A federal appeals court on Thursday denied a request by environmental groups to halt wolf hunts that are scheduled to begin next week in Idaho and Montana.

The Ninth Circuit Court of Appeals denied the request by the Alliance for the Wild Rockies and other groups. The groups were seeking to cancel the hunts while the court considers a challenge to [congressional action](#) in April that stripped wolves of [federal protections](#) in Montana and Idaho, and in parts of Washington, Oregon and Utah.

Earlier this month, U.S. District Judge Donald Molloy in Missoula reluctantly upheld a budget rider that was inserted by Rep. Mike Simpson, R-Idaho, and Sen. Jon Tester, D-Mont. It marked the first time since the passage of the Endangered Species Act in 1973 that Congress forcibly removed protections from a plant or animal.

Molloy ruled that the way Congress went about removing [endangered species](#) protections from the Northern Rockies [gray wolf](#) undermined the rule of law but did not violate the Constitution. Meanwhile, the environmental groups argued Congress' actions were unconstitutional because they violated the principle of separation of powers.

"We lost the injunction, we have not lost the case," Mike Garrity, executive director of the Alliance for the Wild Rockies, said of Thursday's court ruling. "We will continue to fight to protect the wolves and enforce the separation of powers doctrine in the U.S. Constitution."

Meanwhile, John Horning, executive director for WildEarth Guardians, one of the groups involved in the case, said, "We are discouraged we didn't win a stay of execution for wolves, but we are cautiously optimistic that we will win our lawsuit to protect wolves from future persecution."

Wolf hunts are scheduled to begin Aug. 30 in Idaho and Sept. 3 in Montana. Hunters in Montana will be allowed to shoot as many as 220 gray wolves, reducing the predators' Montana population by about 25 percent to a minimum of 425 wolves.

In Idaho, where an estimated 1,000 wolves roam, state wildlife managers have declined to name a target for kills for the seven-month hunting season. They say the state will manage [wolves](#) so their population remains above 150 animals and 15 breeding pairs, the point where Idaho could attract federal scrutiny for a possible re-listing under the [Endangered Species Act](#).

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