

GOVERNOR SIGNS WOLF BILL BLOCKING ENVIRO LAWSUIT

On March 15, Gov. Kate Brown signed HB 4040 into law and effectively shut down a lawsuit that seeks to protect Oregon's wolves.

Wolf advocates at the Public Interest Environmental Law Conference (PIELC) earlier this month lamented the Oregon Legislature's decision to pass HB 4040, a bill that both ratifies the decision to delist wolves from the state's endangered species list and prevents environmental groups from pursuing their lawsuit against the Oregon Department of Fish and Wildlife (ODFW), which voted to delist wolves last November.

The panel of researchers, lawyers and advocates convened for its annual "Wolfshop" on March 4, with an additional session dedicated to HB 4040. Although Sen. Chris Edwards, who voted for the bill, and Sen. Floyd Prozanski, who voted against, were both invited to attend the panel and speak about their decisions, neither made an appearance.

'Legislators need to hear from us when they vote wrong. They need to represent their own constituents.'

— LENA SPADACENE, WILDLIFE COORDINATOR, OREGON WILD

Gov. Brown signing the bill means environmental advocacy groups won't be able to pursue their lawsuit against the ODFW's Oregon Fish and Wildlife Commission, as the bill blocks judicial review and gives legislative legitimacy to the way the state currently delisted Oregon's 110 wolves.

"We are incredibly disappointed in Gov. Brown signing this bill, which is an embarrassment for Oregon," says Nick Cady, legal director for Cascadia Wildlands. "Its sole purpose all along was to prevent a court review of a plainly biased and unscientific decision to remove protections for recovering wolves, and it is an unapologetic slap in the face to

Oregonians seeking to hold the Oregon Department of Fish and Wildlife accountable to Oregon's wildlife laws."

At the March 4 panel, Cady said the legal challenge — filed last year by Oregon Wild, Cascadia Wildlands and the Center for Biological Diversity — shows that ODFW did not follow Oregon's Endangered Species Act when its commission voted to delist wolves.

Cady said ODFW did not base its decision on the best available science and did not solicit adequate peer review for its delisting proposal, a document that drew criticism from dozens of scientists for its prematurity.

"The state and its documents were relying on wolf populations in Idaho and Montana," Cady said, instead of looking at Oregon's wolves as a standalone population. In Oregon, Cady said, wolves inhabit only 12 percent of their potential range, a far cry from a recovered species.

Despite this, HB 4040 moved its way through the Oregon Legislature and ended up passing both the House and the Senate, based partly on misinformation, said Lena Spadacene, wildlife coordinator for Oregon Wild.

In spite of confusion regarding what HB 4040 actually did, the bill made it through committee to the House where, according to Spadacene, House Speaker Tina Kotek encouraged Democrats to vote yes on the bill, due to trades made with Republican legislators.

"To the credit of conservationists and many activists, we were able to flip two-thirds of the Democrats to vote against the bill, but it wasn't enough and we still lost," Spadacene said.

After the bill passed the Senate, Spadacene and others encouraged Oregonians to call Gov. Brown's office and ask her to veto the bill, and the Center for Biological Diversity circulated a petition asking for Gov. Brown's veto. The petition had 5,477 signatures on March 15.

Spadacene said it's important to hold legislators accountable for their decisions. "There were deals made that shouldn't have been made and statements made that were false, and that's what allowed this bill to get as far as it has," she said. "Legislators need to hear from us when they vote wrong. They need to represent their own constituents."

A rally to protest Gov. Brown's signing of the bill takes place 1 to 3 pm Thursday, March 17, at Mahonia Hall, the governor's mansion, 533 Lincoln Street South, in Salem.



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