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Federal judge throws out cougar management lawsuit

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A federal district court judge has thrown out a lawsuit filed by several environmental groups that aimed to stop the USDA from assisting in Oregon's cougar management efforts. U.S. District Court Judge Ancer Haggerty dismissed the lawsuit Monday, March 30, because the six plaintiffs lacked legal standing to make the complaint. The groups initially filed suit in January 2008, claiming that USDA's Wildlife Services unit violated federal environmental law by helping the Oregon Department of Fish and Wildlife kill cougars.

Oregon's final cougar management plan was developed in 2006 to reduce conflicts between people and the animals. The plan called for the state's cougar population to be maintained at above 3,000 cats. Because the current population tops 5,000, the plaintiffs opposed the plan, alleging that it would arbitrarily kill 40 percent of the state's cougars.

In 2007, Oregon contracted with the USDA's Wildlife Services unit to help enact the plan. That prompted the plaintiffs to file suit in federal court, arguing that the federal agency had not thoroughly evaluated the negative environment impact of its assistance.

In December 2008, a U.S. magistrate judge recommended that the case be dismissed, since the Oregon Department of Fish and Wildlife would reduce cougar populations with or without the federal government's help.

"The underlying injury in this action, the killing of cougars, has not been caused by defendants' actions," according to the recommendation. "Instead, plaintiffs' harm has been caused by the acts of a third party not before this court, ODFW."

The plaintiffs objected to the recommendation, but Haggerty decided that it was based on correct legal reasoning and so dismissed the case. Plaintiffs included the Center for Biological Diversity, Big Wildlife, Klamath Siskiyou Wildlands Center, Umpqua Watersheds, Mountain Lion Foundation and Goat Ranchers of Oregon.