



February 4, 2016

Dear Chair Witt and Committee Members:

I am writing you to **urge you to not entertain HB4040**. This bill precludes judicial review of a recent decision by Oregon Fish and Wildlife Commission (“Commission”) to remove gray wolves from Oregon’s list of threatened and endangered species.

As you are well aware, our government is constructed with a system of checks and balances. The executive branch and administrative agencies are provided with powers and duties by the legislature. Administrative actions are subject to impartial review by the judicial branch to ensure compliance with these legislative guidelines. This system of checks and balances is the foundation of our democratic system of government.

HB4040 attempts to circumvent this democratic process by precluding judicial review of the Fish and Wildlife Commission’s decision to remove endangered wolves from Oregon’ list of threatened and endangered species. The public is thereby deprived of an impartial review of the agency’s decision, which we, and leading wolf scientists, believe is premature. For this reason alone, this bill must be rejected.

Additionally, HB4040 amends Oregon’s Endangered Species Act and mandates when wolves can and cannot be listed. This species by species approach is inappropriate. Leave wildlife management to sound science, and do not deprive the public of its right to have listing or delisting decisions subject to impartial review by the courts.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Cady", written in a cursive style.

Nick Cady
Legal Director, Cascadia Wildlands